



★ THE STATE OF NEW YORK ★

STATE *of the* STATE

REIMAGINE REBUILD RENEW



2021

Andrew M. Cuomo
GOVERNOR



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**2021 State of the State
Governor Andrew M. Cuomo**

The Constitution of New York State requires the Governor to deliver an annual message to the Legislature regarding the state of the state. Since taking office, Governor Cuomo has used this opportunity to update New Yorkers on the progress of the State, while laying out a series of priorities for the year. The State of the State proposals are the first step in defining the Governor's agenda in 2021. Additional policies and funding details will be included in the upcoming Governor's Executive Budget.

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1. CONQUERING COVID AND REIMAGINING PUBLIC HEALTH

COVID-19 ambushed New York — as flights from Europe imported the virus to the Empire State, we were left virtually on our own while the federal government focused on China and President Trump claimed this deadly, highly infectious virus would magically “disappear.” But, as New Yorkers always do in times of crisis, we rose to the occasion. We wore masks, stayed home, and saved lives — bringing New York from the highest infection rate to one of the lowest. New Yorkers were tough, smart, united, disciplined, and loving.

Whether they were serving on the front lines treating patients in our hospitals, stocking grocery store shelves to feed our neighbors, or simply staying home to stop the spread, New Yorkers showed the nation how to bend the curve. Under Governor Cuomo’s leadership, we demonstrated how adapting to the facts, trusting science, and putting people above politics can save lives.

Because of the federal government's failure, a towering wave of COVID-19 cases threatened to decimate hospitals in hard-hit New York City. Under Governor Cuomo, the State mobilized to create thousands of beds at the Javits Center and other key locations across Downstate. New York overcame an all but frozen supply chain to secure PPE for health care and other essential workers.

When staffing was an issue, more than 30,000 retired doctors and nurses responded to Governor Cuomo's call and returned to save lives on the front lines of this battle. When the federal government failed to establish a comprehensive testing program, Governor Cuomo cleared red tape to allow an unprecedented expansion of testing, allowing the State to manage the crisis with data and facts. To date, the state has conducted more than 27 million tests.

Now we focus on a major challenge of our time: quickly vaccinating nearly 20 million people. New York will meet the challenge. On December 14, 2020, Sandra Lindsay, an ICU Nurse at Long Island Jewish Medical Center in Queens, New York, received the first COVID-19 vaccine in the nation.¹ In the following weeks, hundreds

of thousands of essential health care workers and nursing home residents in New York have received vaccines.

As we march toward defeating the virus, New Yorkers will not forget what they saw or learned. In 2021, we must — and will — become better prepared and more resilient for the next crisis.

New York will not go back to the way things were. Instead, we will take what we learned from this experience and build back better, with a stronger, and more equitable health care system.

Part 1: Leading the Nation in Fighting Infectious Diseases

From the moment New York was ambushed by COVID-19 and became the first national epicenter of the virus, the state has acted quickly and aggressively based on data and science.

New York built a new in-state medical supply manufacturing industry and designed new protocols to mitigate overcrowding at hospitals. Pfizer, a New York company, co-created the first approved vaccine, and a New York academic researcher led Pfizer's clinical trials

globally. Another New York company, Regeneron, created one of the first antibody treatments. Corning, one of New York's earliest corporate success stories, and still one of our strongest companies, produces the specially engineered glass vials needed for the vaccine requiring sub-freezing storage. More than 250 labs — both big and small — across the state processed COVID-19 tests.

New York is proud of its medical researchers, scientists, doctors, and nurses, and will capitalize on their experience, ingenuity, and creativity to build a public health system that is better prepared to handle the next health emergency.

Proposal. Secure In-State PPE Supply Chain and Pass the Medical Supply Act

The United States was ill-prepared for a global pandemic when it came to our shores in 2020. At the outset of the COVID-19 crisis, New York State, along with the rest of the country, faced a severe shortage of basic Personal Protective Equipment (PPE), leaving our frontline health care professionals vulnerable to contracting the disease that we so desperately needed them to fight. U.S. reliance on foreign PPE suppliers

meant great disruption when China shut down, and the European outbreak just ahead of us compounded the scarcity, resulting in high prices, delayed shipments, and quality control issues. To ensure that hospitals had the supplies needed to protect their patients and workers, New York was forced to compete with other countries — and even states — to secure critical products from overseas.

Seeing these challenges firsthand, Governor Cuomo decided, amidst the crisis, to immediately start investing in an in-state supply chain to help New York become self-sufficient. By April 2020, Empire State Development (ESD) had launched a program to help companies across New York State ramp up or retool their operations to manufacture critical PPE, including N95 respirators, surgical masks, face shields, gowns, test kits, and ventilators, among other vital supplies.²

To date, ESD has awarded more than \$20 million to 36 New York companies as part of this initiative. These grants have not only enabled New York State manufacturers to create and retain a combined 3,500 jobs, but they have also put the state on track to meet demand for the production of several critical supplies.

In-state manufacturers can currently meet 100 percent of New York hospitals' peak weekly demand for face shields. In 2021, New York State manufacturers are projected to have the capacity to produce up to two million N95 respirators, four million surgical masks, one million gowns, and 600,000 face shields per week.

To promote domestic manufacturing of critical medical equipment and to reduce dependency on overseas products, New York State will pass the Medical Supplies Act to prioritize buying American-made PPE and medical supplies. As the Buy American Act did for American-made structural iron and steel, this new policy ensures domestic manufacturers have a ready market and we maintain the gains we've made since April.

Proposal. Make "Surge and Flex" Regulations Permanent

As the COVID-19 crisis unfolded last spring, a new coordinated approach to managing hospitalizations was critical to ensure no one hospital was overwhelmed. Under the Governor's leadership, the state coordinated and organized all hospitals under the umbrella of one unified system to efficiently use all the resources

available in the state to meet the significant demands of the crisis. In August, this strategy was institutionalized through the state's "Surge and Flex" regulations, to allow the state to quickly activate Surge and Flex in the event of a resurgence of COVID-19. Under this coordinated approach, hospitals must have plans in place and be prepared to rapidly increase bed and staffing capacity, maintain and actively manage PPE, rapidly load balance, and report all information necessary for the state to implement Surge and Flex.

To ensure that the state's hospital systems are prepared to face future surges and disasters, the Department of Health will make these emergency Surge and Flex regulations permanent.

Proposal. Create the Citizens Public Health Council to Train Volunteers in Public Health Preparedness

Throughout the COVID-19 crisis, New Yorkers were asked to do their part to fight a virus in ways they had never done before. Everyone was given a crash course in virology, learning to properly wash their hands, sanitize their homes and businesses, and safely care for their family and neighbors. Thousands of New Yorkers

signed up and were trained to be contract tracers, helping to track and mitigate the spread of the virus.³ When other states needed help, these New Yorkers heeded the call and brought their new public health skills to the rest of the country.

New Yorkers should have the tools to protect themselves and help others against future health emergencies. Governor Cuomo will launch a free citizen public health training program designed by Cornell University, offered online, to educate and certify tens of thousands of citizens of New York all across the state who will then be better prepared to help themselves, their families and co-workers and can be trained to volunteer to help their community for the next health emergency.

Proposal. Launch a \$40 Million New York State Biodefense Commercialization Fund

New York's unparalleled scientific and medical assets — particularly its wealth of biomedical research capacity — proved invaluable in enabling the state to lead the global fight against COVID-19. New York ranks third among states in receiving National Institutes of

Health (NIH) grant funding, a key indicator of the volume of high-caliber research conducted at our world-class colleges and universities. Of the nation's 50 most highly funded biomedical research institutions, seven are located in New York, receiving nearly \$2.9 billion in annual federal grants.⁴ Governor Cuomo has long championed growth in this sector. He announced a \$620 million Life Sciences Initiative in 2016 to further the growth of the state's world-class life science cluster and improve the state's ability to commercialize research findings into solutions that advance public health.⁵

While the development of vaccines for COVID-19 has moved with unprecedented speed, thanks to many working in New York, there is still a pressing need for improvements in therapeutics and diagnostics applicable not only to COVID-19 but also to other emerging pathogens. Many entrepreneurs and start-ups are currently working to develop innovative therapeutics and technologies to control COVID-19. However, too many promising projects lack adequate venture funding in the current recession, and much of the existing work remains independent and uncoordinated.

Governor Cuomo will call on Empire State Development Corporation (ESD) to create a new \$40 million New York State Infectious Diseases Resiliency Commercialization Fund advised by the New York State Department of Health and other private experts. This initiative will capitalize on New York's substantial research and development assets and expertise in life sciences, biotechnology, and biodefense.

This fund will be designed to accelerate the growth of companies across New York State and to fast track the development of innovations that address emerging infectious diseases and public health threats. This important and life-saving work will support economic growth and keep New Yorkers safe.

- Grants ranging from \$500,000 to \$1 million will be available to companies of all sizes, with innovations ranging from early- to late-stage, with an emphasis on those with the highest potential for commercial viability.
- Until the end of the current public health emergency, priority will be given to innovations with the potential to directly mitigate the effects of the COVID-19 pandemic. Promising

innovations that address other biological or infectious disease threats will also be considered.

Prior to making awards, the state will convene a committee of public health experts in partnership with Columbia University and Mount Sinai Health System to review and evaluate applications. The committee members will continue to provide periodic updates on the state's investments to the public through town-hall style webinars, so that New York State residents have an opportunity to learn about scientific advancements resulting from this effort. The committee will also help the supported companies make connections to academic researchers, potential partners and business resources.

Part 2: Ensure All New Yorkers Have Access to the Benefits of Telehealth

COVID-19 changed not only the way we live but also the way health care providers support their patients. During the crisis, Governor Cuomo was required to use Emergency Orders to modify dozens of laws and regulations⁶ to allow doctors and patients to provide telehealth care using video and telephone, ensuring New

Yorkers could have access to care throughout the emergency. Actions included issuing Executive Orders permitting audio-only telehealth visits, allowing providers to treat patients from their homes, permitting Certified Peers to deliver telehealth services,⁷ allowing out-of-state licensed practitioners to provide care in New York,⁸ and requiring insurance companies to waive deductibles, co-payments, and coinsurance for telehealth visits.⁹

In addition to meeting health challenges during the pandemic, telehealth innovations also made it easier to access high-quality care without the time and cost of traveling to a doctor, especially in underserved and rural communities. Nationwide, health analysts found an increase of 50 to 175 times in the number of telehealth visits in 2020.¹⁰

Nonetheless, many barriers to the widespread adoption of telehealth will remain after the COVID-19 executive orders expire. At the recommendation of the Reimagine New York Commission, Governor Cuomo will propose reforms to expand access to telehealth and build a more accessible, effective, and equitable health care system for all New Yorkers.

Proposal. Eliminate Obsolete Provider Location Requirements for Insurance Reimbursement

Governor Cuomo will propose eliminating obsolete location requirements, other than for facility billing, by requiring Medicaid to offer telehealth reimbursement for services rendered to patients regardless of where the patient or provider is located, to the extent permitted by federal law and when professionally appropriate. Currently, a doctor might not get reimbursed because they are treating a patient by video from their home and not from the office. Furthermore, the state will work to develop interstate licensing reciprocity with states in the Northeast region for specialties with historical access shortages. This will ensure that there is greater access to quality medical and mental health and substance use disorder professionals by phone and video, no matter where a New Yorker lives or if there is a provider in their community who meets their needs.

Proposal. Increase Access to Mental Health and Substance Use Disorder Services Through Telehealth

Governor Cuomo is proposing to continue COVID-19 emergency orders that pertain specifically to mental health and substance use disorder services by allowing trained staff, such as Credentialed Alcoholism and Substance Abuse Counselor trainees or Peer Specialists who do not yet have a license to deliver addiction services. This proposal will also eliminate the remaining in-person evaluation requirements before telehealth services can be delivered, to the extent permitted by federal law and when professionally appropriate, thereby expanding the types of staff who can deliver remote services. The state will also develop a regulatory structure for a predominantly virtual outpatient substance use disorder treatment program and explore the expansion of existing initiatives that extend behavioral health services into nursing facilities. These regulatory changes and others will allow for greater flexibility for patients to use telehealth while maintaining necessary oversight to ensure high-quality care is delivered with positive outcomes.

Proposal. Increase Coverage and Ensure Insurance Reimbursement for Telehealth

Governor Cuomo will ensure that telehealth is covered by insurance. The state will require commercial health insurers and Medicaid, subject to federal approval, to provide coverage for high-value, medically appropriate telehealth services, including by telephone.

Likewise, Governor Cuomo will propose ensuring that telehealth is reimbursed at rates that incentivize its use when medically appropriate. This will include reimbursement for all mental health and addiction providers, and expand coverage for patient monitoring services.

Finally, Governor Cuomo will propose that telehealth visits are integrated into a patient's electronic medical records so that primary care doctors can access that medical history. Telehealth platforms will be required to participate in New York's e-health collaborative or an equivalent electronic medical records system.

Proposal. Mandate Coverage for Virtual Emergency Department Services and other Telehealth Technological Advancements

Governor Cuomo will propose measures to facilitate the adoption of promising innovations in medical technology by requiring insurers to offer members an e-triage or virtual emergency department (ED) platform. This would enable individuals to receive a symptoms assessment and a referral to a network of providers or a nearby ED when warranted, allowing New Yorkers, particularly in underserved areas that lack health infrastructure, to receive better and faster care in times of emergency.

Governor Cuomo will also promote expert consultations between providers via telehealth (i.e. “e-consults”) by encouraging insurers to reimburse providers directly for engaging in e-consults or permitting the inclusion of insurers’ costs associated with e-consult platforms within the health care service costs. The increased use of e-consults will empower primary care providers to make accurate treatment decisions and help patients avoid unnecessary and costly care.

Governor Cuomo will also direct the New York State Department of Health (DOH) to integrate telehealth into the State's health information network to ensure that telehealth visits are properly recorded in a patient's electronic medical records and move to a more streamlined patient consent process.

Finally, some people do not have access to the technology, or privacy, to take advantage of telehealth. The Governor's Reimagine New York Commission, DOH, and private philanthropy will provide support to community health providers, libraries, pharmacies, and others to invest in audiovisual devices, remote monitoring devices, physical telehealth spaces, and other technologies to develop more ways to connect underserved communities.

Proposal. Support Patients and Providers through Professional Development, Education, and Innovative Support Programs

Telehealth is new for most patients and most providers. Governor Cuomo will launch a new optional Continuing Medical Education program on telehealth services. The program will be run by a partnership

among the State, Stony Brook Medicine, and the Northeast Telehealth Resource Center, and will allow medical professionals to learn new telehealth skills as the technology develops.

The state will also launch a pilot program, with the support of the Reimagine New York Commission and Schmidt Futures, to improve comfort with and access to telehealth for vulnerable patients who lack familiarity with the technology. Community services providers, including non-medical professionals, will be trained to help patients in their home set up accounts, connect to doctors, and address other technological literacy issues.

Part 3: Making New York the First COVID-Safe State

Proposal. Ensure Comprehensive, Safe, Equitable, and Rapid Distribution of the COVID-19 Vaccine Throughout New York State

The key to defeating COVID-19 will be vaccines, and New York State will implement the most aggressive vaccination program in the country. Distributing enough vaccine to administer up to two doses to every New Yorker is a complex logistical undertaking, estimated to cost at least \$1 billion.

In September, Governor Cuomo established a Vaccine Distribution and Implementation Task Force, comprised of leading medical and epidemiological experts, along with top operational and logistical personnel from the New York State Government.¹¹ These experts are coordinating all aspects of vaccine acquisition from the federal government and distribution, with special attention on ensuring equity for our underserved communities and populations.

The New York State COVID-19 Vaccine Program is guided by a robust data management system. Supplies and personnel are deployed to maximize public health protection, taking into account local distribution capabilities, the amount of available vaccine, and the eligible population in each region. The state's vaccination plan incorporates the flexibility to allow for changes in vaccine type and availability and updates in the scientific literature and CDC recommendations.

Proposal. New York Vaccine Equity Task Force to Ensure Underserved Communities Are Not Left Behind

In order to make sure the vaccine is distributed equitably, especially in communities of color, Governor Cuomo created the New York Vaccine Equity Task Force. Chaired by Secretary of State Rossana Rosado, Attorney General Letitia James, National Urban League President & CEO Marc Morial, and Healthfirst President & CEO Pat Wang, the Governor's Equity Task Force will assist in overcoming existing barriers to vaccination and increase access to vaccines in black, Hispanic, Asian, Native American, rural, poor, and public housing communities, as well as other health care deserts.

To support the vaccine rollout, the Task Force was directed by the Governor to build trust and acknowledge the pervasive structural racism that has contributed to existing health and social disparities, address language access issues, protect privacy and confidentiality, and develop outreach efforts and community engagements that are regionally placed, culturally responsive and representative of all communities.

As vaccine availability increases from the federal government, the State will establish in partnership with private entities and localities, public clinics to reach vulnerable and underserved communities.

Proposal. Enlist 1,000 People for the First-In-the-Nation Public Health Corps

To assist in the vaccination program, Governor Cuomo will establish the New York State Public Health Corps and, in collaboration with community partners, enlist up to 1,000 fellows to assist the vaccination effort. These fellows will include students in undergraduate and graduate public health programs, nursing schools and medical schools, recent graduates, retired medical professionals, and laypeople who will receive an intensive public health training curriculum developed by Cornell University. Bloomberg Philanthropies, Northwell, and the New York State Department of Health will manage and coordinate the Corps.

While making New York the first COVID-19-safe state in the nation, we must also prepare for the future. New York must take action to institutionalize its public health emergency response for years to come. After the

vaccination program is completed, New York will build on this Public Health Corps model by continuing to recruit and train public health professionals to staff State and county health agencies and be available and prepared to serve the state in any future crisis.

Proposal. Provide Workers Paid Time Off to Get Vaccinated

Governor Cuomo has been a champion of workers throughout his tenure. Last year, Governor Cuomo advanced the strongest in the nation paid sick leave law to protect workers from having to make the choice between keeping their job or caring for themselves or a loved one. The COVID-19 public health crisis underscored how necessary paid sick leave was to accomplish. We also enacted a quarantine leave law to ensure all workers could comply with COVID-19 restrictions upon exposure. Governor Cuomo's comprehensive plan to vaccinate all New Yorkers quickly and safely will only work if every New Yorker has time to get the life-saving COVID-19 vaccine.

Now, Governor Cuomo is calling for all workers to have paid time off to obtain the critical COVID-19 vaccine.

This is a win for workers as well as businesses, who benefit from the security of a safe and healthy workforce. We will lead the way by providing all state employees up to four hours of paid leave for COVID-19 vaccination.

Part 4: Strengthening the Health Care Workforce

Proposal. Provide New York's Heroic Nurses Preferred Access to SUNY and CUNY

The invisible spread of COVID-19 is like no challenge New York has ever dealt with before, especially our frontline health care workers. Our health care heroes showed up every day to help keep us safe, working tirelessly to save thousands of lives, all while putting their own lives at risk. New Yorkers will forever be indebted to these heroes who selflessly sacrificed for us.

However, even the most heroic New Yorkers are not immune from the tragic human toll of COVID-19. Approximately 80 percent of nurses report negative mental health impacts due to COVID-19,¹² and experts anticipate long-lasting mental anguish among nurses for years to come. "A lot of nurses cry alone," a veteran nurse admitted.¹³ During the height of the pandemic and under

the Governor's direction, the Office of Mental Health created the Emotional Support Helpline and a dedicated crisis text line for frontline workers.

We must continue to strengthen our health care system by making sure our nurses are able successfully to meet the challenges ahead. Because New York State Law requires every nurse to receive a Bachelor of Science in Nursing within 10 years, almost 40,000 practicing nurses or nursing candidates will need to get a bachelor's degree by 2030.

In light of staffing challenges during the pandemic, it is imperative that our heroic nurses are able to complete this requirement. Therefore, beginning fall 2021, licensed nurses in need of fulfilling their final baccalaureate credentials will receive priority admission to all SUNY and CUNY programs across the state. These heroic nurses deserve priority to the greatest university systems in the world.

Proposal. Develop New Pathways in Health Care Careers

The need for health care workers is projected to grow faster than nearly any other occupation in the state,

but many health care providers, particularly nursing homes and long-term care facilities, still struggle to fill existing job openings and retain workers in entry-level positions. Pre-pandemic the nation was projected to have a shortage of nearly 450,000 home health aides (HHA) by 2024,¹⁴ with shortages existing throughout the health care career chain. These types of entry-level health care jobs, which are highly dependent on Medicaid reimbursements, do not provide wages competitive with similar skill, non-health care jobs and lack a clear pathway to in-demand higher-skilled positions like Licensed Practical Nurse (LPN), Registered Professional Nurse (RN), other health care occupations with strong future earnings potential, or other fields in which experience combined with training could be transferable, including IT.

To attract New Yorkers to HHA and CNA positions and create a new path into higher-skilled credentialed positions, New York has had success in creating bridges to these jobs in health care and other industries. Maimonides Medical Center, for example, partnered with Kingsborough Community College and the New York Alliance for Careers in Health Care and received State

funding to train health care workers to become health coaches who can spend time with patients and free up doctors.

To meet this staffing challenge, Governor Cuomo will propose a comprehensive New Pathways in Health Care program, including:

- Launching a new Pathways in Health Care Careers grant program within the Workforce Development Initiative, allocating \$2 million to incentivize new and expanded industry partnerships that train new and existing health care workers for higher-skilled, higher-paying jobs in the health care or other high-growth fields where skills may be transferrable, including industry-recognized credentials. Partnerships with employer and training representation will be able to apply for funding to implement programs that train workers for entry-level positions which include streamlined pathways to middle-skill positions, or existing workers in entry- or middle-skilled positions for higher-skill, higher-pay roles. Proposals must demonstrate alignment with emerging needs in the health care

field, including telehealth, and specific strategies that employers will undertake to promote retention of individuals through job quality improvements. Proposed pathways and job quality improvement strategies will be recognized and supported by existing workforce representatives. Partnerships will also include employers prepared to employ upskilled trainees, and grant funds may be used for training programs, wraparound supports to ensure trainee success, and industry-recognized credential and certification requirements.

- Expanding SUNY's free Online Center by adding health care certification programs for 2,000 health professionals. Among the certifications offered: Emergency Medical Technicians, Certified Nurse Assistants, Physical Therapy Aides, and other fields. The SUNY Online Training Program provides application fee waivers and automatic admission in any one of SUNY's 30 community colleges for several high demand areas including for health care professionals seeking to upgrade their skills beyond the free

online training. The program also provides college credit for relevant career experience, reducing the time and cost to earn a degree.

- Appointing a task force including representatives of nursing schools, hospitals, and practicing nurses, with a mandate to develop policy giving nursing schools flexibility to include simulations as part of mandated clinical coursework, as well as addressing any other barriers to clinical placements. Too often, nursing school enrollments are limited by a lack of clinical placement opportunities available to their students. The State Education Department (SED) has permitted several nursing programs to use high-fidelity simulations in place of some of the clinical hours ordinarily required for graduation. The results have been encouraging. According to the American Nurses Association, “[u]se of simulation provides safe, high-quality clinical practice experience.”¹⁵ Thirty states already permit the use of simulations for clinical credit, and a 2014 study by the National Council of State Boards of Nursing found that nurses trained in

part with simulations are as skilled and effective in practice as nurses trained entirely with live clinical work. The NCSBN has also promulgated model rules for states to use in ensuring the quality of clinical coursework that includes simulations.¹⁶

Proposal. Modernize Office of Professional Medical Conduct

Governor Cuomo is committed to helping ensure the health and safety of all New Yorkers. In 2018, Governor Cuomo signed legislation allowing the Department of Health (DOH) to suspend the license of a physician charged with a felony if allowing the physician to continue to practice would pose an imminent danger to the health of the people. This change allowed the Department of Health to act far more swiftly, when deemed necessary, to protect patients. However, current law prohibits confirmation of an investigation, leaving the public without access to critical information. Additionally, physicians licensed in New York remain licensed for life unless some action is taken, even if they move out of state. It is in the public's interest for the

Department to have the tools necessary to conduct comprehensive and efficient investigations, while preserving the peer-review foundation and due process rights of the New York State system. There must be confidence within both the physician and patient communities.

The Governor is proposing a comprehensive set of reforms to ensure that the DOH Office of Professional Medical Conduct has adequate and effective tools to investigate, discipline, and monitor physicians, physician assistants, and specialist assistants licensed in New York. The Governor will introduce legislation to:

- Update the Public Health Law to strengthen disciplinary oversight, thereby increasing patient safety and public awareness. This update will allow for expeditious removal of individuals who present a risk to the public;
- Enact periodic renewal requirements to maintain their New York State license and ability to practice in New York, reducing the necessity of devoting Office of Professional Medical Conduct (OPMC) resources to investigations of out-of-

state bad actors who are licensed, but do not actually practice in New York;

- Ensure that the public can access information if there are concerns with the professional conduct of their health care providers;
- Reform investigation and hearing processes to ensure that OPMC can fairly and timely act swiftly to protect patient safety, and hold physicians accountable; and
- Ensure that consumers have accurate, up-to-date, and accessible information about New York State licensed physicians.

Part 5: Expanding Access to Health Insurance

Proposal. Eliminate Health Care Premiums for 400,000 Low-Income New Yorkers, Providing Coverage to 100,000 Uninsured New Yorkers

Under Governor Cuomo's leadership, the state has reduced the number of uninsured New Yorkers by 1.3 million since 2010. Now, more than 95 percent of New Yorkers have health insurance. Much of this success is due to New York's decision to implement the Basic Health Program option under the Affordable Care Act

(ACA), branded as the Essential Plan. The Essential Plan is available to low-income New Yorkers at monthly premiums ranging from \$0 to \$20, depending on income and choice of plan and benefits.

As the COVID-19 pandemic forced businesses to shut down or reduce their workforce, the Essential Plan served as a safety net for New Yorkers who lost employer coverage, with enrollment increasing to more than 800,000 in 2020.

While the Essential Plan's maximum premium of \$20 a month per person is far lower than commercial insurance premiums, many lower-income New Yorkers still struggle with that expense. The impact of the pandemic has the potential to erode historic coverage gains, increase the state's uninsured rate, and strain the health care delivery system as individuals seek care without a payer source.

To make coverage more affordable for lower-income New Yorkers and insure an additional 100,000 New Yorkers, Governor Cuomo will eliminate the monthly premiums for more than 400,000 Essential Plan enrollees, saving families almost \$100 million per year in premiums. This action will waive the \$20 monthly

premium for a family of four with an income between \$36,375 to \$48,500 (150-200 percent of the poverty level). This will not only provide much needed financial support and peace of mind for hundreds of thousands of New Yorkers, but it is also expected to insure an additional 100,000 individuals who are currently uninsured.

Part 6: Addressing Systemic Disparities in Access to Health Care

Governor Cuomo has consistently fought to reduce health disparities across New York State. He has convened the Taskforce on Maternal Mortality and Disparate Racial Outcomes in 2018, specifically to address the disparities in maternal and prenatal care. Also as part of the Prevention Agenda, the state has studied the demographic or other social determinants of health to support policymaking, including decreasing preventable hospital admissions as part of New York's DSRIP waiver. As a part of the COVID-19 pandemic response, the Governor set up testing sites in the hardest-hit areas of the state that did not have adequate access to care and testing and created the Equity Task

Force to ensure vaccine planning addressed existing barriers in underserved communities.

Despite these and many other great efforts, health disparities persist in New York. In particular, Black New Yorkers suffer disproportionate rates of illness and disproportionately worse outcomes from illness.¹⁷ Black populations are 1.7 times more likely to have diabetes; 1.4 times more likely to have hypertension; 1.3 times more likely to face obesity; and three times more likely to have asthma.¹⁸ The effect of racial inequities is seen in increasing rates of morbidity and mortality, lower life expectancy, and the incalculable cost of years of productive life lost due to illness.

These disparities in outcomes are directly linked to disparities in access to care. The majority of predominantly black zip codes are 67 percent more likely to face a shortage of primary care doctors.¹⁹ Disparities are particularly acute in primary care and preventive care.

The COVID-19 pandemic illustrated the harm caused by these disparities. Black people in the United States were killed at twice the rate of white people.²⁰ COVID-19 killed Hispanic people at 1.5 times the rate of

white people. Those are ugly facts. The COVID-19 infection rate was 2.5 times higher among Black and Hispanic people.²¹ In turn, underlying medical conditions can increase the risk of severe complications from COVID-19.²²

New York will address and counteract these inequities head on. Governor Cuomo created the New York State Vaccine Equity Task Force to ensure vulnerable and underserved communities are not left behind by breaking down the barriers to vaccination and ensuring there is equitable distribution of the vaccine across the state. In addition, we will advance an agenda to ensure that New York builds back a better, more equal health care system.

Proposal. Expand Access to Services in Health Care Deserts

In both times of crisis and times of calm, community pharmacists provide important health care services for all New Yorkers. During the pandemic, Governor Cuomo mobilized pharmacists as public health first responders, making them a key part of the response to COVID-19. He signed Executive Order 202.24, giving

5,000 community pharmacies the authority to order and administer tests to detect COVID-19 or its antibodies, and Executive Order 202.82 authorizing pharmacists to participate in the state's COVID-19 Vaccination Program.

Governor Cuomo is proposing to build on this expanded role and broaden access to primary and preventive care. Many areas in New York State suffer from a shortage of primary care physicians, and pharmacists can help to fill the gaps. The Governor will introduce legislation to authorize pharmacists to:

- Provide health care screenings including HIV, COVID-19, influenza, Streptococcus, or other screenings permitted by the Health Commissioner;
- Administer immunizations recommended by the CDC's Advisory Committee on Immunization Practices (ACIP) to adults and children two years and older;
- Help people manage certain chronic conditions, like performing Hemoglobin A1C tests, which identify people with poorly controlled diabetes and/or prediabetes; and

- Enter into Collaborative Drug Therapy Management agreements with physicians in the community setting under a Comprehensive Medication Management (CMM), where pharmacists perform specified disease management services as directed by the patient's doctor.

Proposal. Eliminate Disparities in Health Insurance Benefits and Reimbursement Incentives

Health insurance coverage is a key tool for addressing health disparities — access to primary care can avoid severe health conditions and costly trips to the emergency room.

To promote health equity for more than seven million New Yorkers, Governor Cuomo will direct the Department of Health (DOH) to undertake a comprehensive review and analysis of public health insurance programs, including Medicaid, the Essential Plan, and Child Health Plus to identify and systematically address health inequities and reduce health disparities for communities of color. As part of this initiative, the Department will:

- Require managed care plans to address the social determinants of health of New Yorkers. Experience shows that relatively small investments in food, housing, and environmental safety can dramatically improve health, enhance quality of life, and avoid costly medical services. Continuing the work of New York's DSRIP waiver, New York State will require managed care plans participating in public health insurance programs to identify, assess, and, where feasible, address social needs that affect health outcomes.
- Tie health plan quality incentive payments to the reduction in health disparities. Building on the work of New York's DSRIP waiver, Governor Cuomo will direct the DOH to better incorporate health equity goals into existing quality incentive programs. Specifically, to better target health plan quality incentive payments DOH will require health plans to collect and submit detailed data related to health disparities.

Moreover, New York was one of the first states to implement a health insurance exchange under the

Affordable Care Act, the New York State of Health. Governor Cuomo's Administration has worked hard through its navigator program to sign up underserved populations with the free or low-cost coverage they are entitled to. To improve those efforts, New York will work with enrollers at a statewide community-based NY State of Health navigator and a large New York City-based health plan to improve data collection to better understand the extent to which NY State of Health programs adequately serve communities of color.

Proposal. Cutting the Cost of Prescription Drugs

Governor Cuomo has continued to keep health insurance premiums affordable for all New Yorkers, yet the single largest driver of premium increases remains pharmaceutical drug costs. One of the central actors in the pharmaceutical drug supply chain remains entirely unregulated: the pharmacy benefit managers or PBMs—resulting in high prescription drug prices with no corresponding benefit to consumers.

For three years, Governor Cuomo has fought to reign in this opaque \$100 billion industry. PBMs have argued that they are subject only to federal regulatory

jurisdiction. A recent decision by the United States Supreme Court, however, rejected that argument, holding that states have the authority to regulate PBMs.²³

With that legal hurdle gone, this year Governor Cuomo will propose a robust licensing program establishing rules of fair conduct for PBMs. The program will be funded by licensing fees, ensuring that the industry, rather than taxpayers, bear the cost of needed regulation. This program will help to shine a light on this industry and help drive down the cost of prescription drugs.

Part 7: Expanding Mental Health and Addiction Services

Since taking office, Governor Cuomo has prioritized the needs of New Yorkers struggling with addiction and mental illness by investing millions of dollars into innovative and effective services, requiring equitable access to substance use disorder (SUD) and mental health treatment, and fighting to de-stigmatize addiction and mental health issues. From reinvesting more than \$100 million in savings from State psychiatric

center efficiencies into expanded community-based mental health programs across New York and investing millions of dollars into new innovative substance use disorder services to the creation of comprehensive managed care products for individuals with mental illness and substance use disorders, the Governor has improved access to care for the nearly one million New Yorkers who live with mental illnesses or addictions.

Under Governor Cuomo, New York has also pioneered reforms in recovery-oriented behavioral health treatment by including a significant benefits package for substance use and mental health treatment services in Medicaid, implementing a managed care model for these services, championing statutory reforms to ensure the benefits for addiction and mental health treatment are appropriately managed, and innovating further under the New York State Delivery System Reform Incentive Payment (DSRIP) program.

Furthermore, the Governor's ongoing support of the New York State Emotional Support Help Line for people struggling with the mental health implications of the COVID-19 pandemic has been on the national stage since the virus hit the state. Responding to the

Governor's call for assistance, more than 19,000 volunteers and 4,000 crisis counselors answered 45,000 calls to the Help Line since the beginning of the pandemic.

We must continue to do more to ensure that New Yorkers experiencing addiction or mental health crisis receive the appropriate treatment as expediently as possible.

Proposal. Establish a Comprehensive Crisis Response Services Program

In 2018, more than 135,000 New Yorkers on Medicaid received mental health services in emergency rooms and other hospital-based emergency programs at a cost of more than \$82 million, and more than 57,000 New Yorkers on Medicaid received an inpatient mental health hospitalization at a cost of more than \$821 million.²⁴ Likewise, more than 93,000 New Yorkers diagnosed with substance use disorders received services in emergency rooms and other hospital-based emergency programs at a cost of more than \$67 million and more than 15,000 New Yorkers on Medicaid received services at a substance use disorder inpatient rehab at a cost of more than \$295 million.²⁵

To better serve New Yorkers, Governor Cuomo has partnered with Johns Hopkins University to develop a comprehensive crisis response service system including a standard plan to divert individuals experiencing addiction issues, serious mental illness, and forensic admissions from emergency departments and inpatient settings and the criminal justice system. In addition to strengthening the addiction and mental health systems, the plan will also involve training police properly to divert individuals they encounter toward crisis services and out of jails and the courts. This comprehensive system will reduce the overutilization of costlier hospital services and criminal justice interventions by establishing crisis stabilization centers, while expanding the Law Enforcement Crisis Intervention Team model and other successful crisis service models.

In addition, Governor Cuomo will propose amendments to Mental Hygiene Law Article 9 to allow mental health professionals and law enforcement to assist individuals in engaging in mental health services in the appropriate setting based on the level of need, including:

- Allowing those professionals who currently have the authority to require the mandatory assessment of certain individuals, to have that assessment occur in a crisis stabilization center rather than a hospital emergency department or Comprehensive Psychiatric Emergency Program under certain conditions; and
- Allowing professionals who currently have the authority to require the mandatory assessment of certain individuals to consider the risk of physical harm arising from such complete neglect of basic needs for food, clothing, shelter, or personal safety as cause for mandating the assessment.

The development of this comprehensive crisis system will allow New Yorkers in crisis to enter and exit the system of care as needed to receive appropriate treatment and supports while avoiding unnecessary hospitalizations.

Proposal. Promote Integrated Addiction and Mental Health Care through Streamlined Licensing

Since taking office, Governor Cuomo has emphasized the interrelationship of addiction, mental health, and physical health, and recognized the benefits of integrating health care services. The Governor directed the Office of Mental Health (OMH), Office of Addiction Services and Supports (OASAS), and Department of Health (DOH) to work collaboratively with each other and with providers to integrate those providers' delivery of substance use disorder, mental health, and physical health services. More than 100 clinics now operate under Integrated Outpatient Services (IOS) licenses, allowing for more comprehensive, consistent, and informed treatment and streamlining oversight and administrative burdens. These efforts have provided better opportunities for individuals receiving treatment for substance use disorder or mental health to obtain basic primary care.

Integrated care is particularly valuable for the significant number of individuals with co-occurring substance use and mental health disorders. In the OASAS system, 50 percent of individuals admitted for non-crisis

substance use disorder treatment had a co-occurring mental health disorder.²⁶ Similarly, in 2018, 20 percent of the individuals who received a Medicaid mental health service, more than 100,000 people, also received substance use disorder services.²⁷

While the Governor's Medicaid Redesign Team and other policy reforms have provided New York with a solid foundation to support access to and quality of addiction and mental health services, the integrated treatment of substance use disorder and mental health disorders has not yet been fully realized. Despite the reduction of regulatory burdens due to the Governor's actions, many service providers continue to operate programs licensed by both OMH and OASAS, and many providers have not been able to integrate programs successfully. These dual systems of care require providers and counties to follow two distinct sets of rules and regulations, require State agencies to utilize two sets of staff to monitor and fund providers, and require patients to attend services at two programs that often do not collaborate on issues of patient care.

To better support the significant number of people with co-occurring disorders, and to create

important government efficiencies, the Governor will propose legislation to enable outpatient providers to more easily integrate physical health care with addiction and mental health services. Current structures include varying, even conflicting, requirements regarding physical plant, workforce, billing, and acceptance for admission. Currently, and without this new licensure opportunity, an individual suffering from both mental health issues and addiction would be forced to address whichever illness was deemed primary or attend two separate providers to meet their needs. After this new single license, a provider would be able to serve the mental health, addiction, and primary care needs of any patient regardless of their “principal diagnosis,” finally achieving the goal of having “no wrong door.” The proposed legislation will establish a single license authorizing the licensee to provide a full array of physical, addiction, and mental health services.

Proposal. Continue Innovation in Opioid Treatment

To combat the opioid epidemic, Governor Cuomo has expanded access to medication assisted treatment, mobile treatment, peer support services, and

drug user health hubs. These initiatives have decreased the rate of opioid overdoses and opioid-related hospitalizations and emergency department visits. Between 2016 and 2019 there was a 42 percent decrease in opioid overdose deaths in counties that participated in State Targeted Response grant activities. Those that participated in year two experienced a 64 percent decrease in opioid overdoses. More than 3,700 people obtained medication-assisted treatment and 11,870 people received opioid overdose reversal training.

Even with all of these reforms, many people who would benefit from medication-assisted treatment do not receive it, due in significant part to strict federal regulation against anti-addiction medication. Further, many providers remain entrenched in a treatment philosophy that requires patients to report to opioid treatment programs (OTPs) daily for medication administration. This outmoded requirement can restrict patients' ability to work or attend school, and for some necessitates a difficult choice between seeking treatment or meeting other obligations. These issues have left communities across the state with significant gaps in

access to addiction treatment and have resulted in some individuals not receiving the care they need.

The pandemic has pushed the system of treatment for opioid use disorder to quickly adapt and respond better to patient needs. OTP patients were able to obtain take-home medications more frequently or for longer durations, and where patients were isolated due to the pandemic the OTP provided delivery of medications so that patients would not endanger their recovery. OTPs were also able to expand services and support patients unfamiliar with take-home medication by engaging them in telehealth services, including by telephone only, which was previously not permitted. Governor Cuomo will direct the Office of Addiction Services and Supports to build on the improvements made during the pandemic by:

- Increasing the availability of Medication Assisted Treatment resources across the state by increasing the number of co-located medication units and mobile addiction treatment programs;
- Expanding the use of take home medication for opioid misuse;

- Providing immediate help by allowing OTPs to provide interim maintenance treatment to those seeking treatment, thereby eliminating waitlists at opioid treatment programs;
- Increasing peer and family services in OTP settings to make programs more patient centered; and
- Incorporating outpatient rehabilitation services into OTPs for those in need of more intensive services.

Proposal. Protecting New Yorkers with Addiction and their Families from Predatory Practices

The opioid crisis has increased demand for effective addiction treatment services. In response, Governor Cuomo has directed State agencies to collaborate with insurers and providers to direct individuals and families to reputable, quality programs. At the same time, families desperate to save a loved one have become vulnerable to unscrupulous individuals and businesses marketing shoddy and discredited treatment programs, offering services they are unqualified to

provide, and making effectiveness claims they know are unwarranted.

To prevent predatory practices, Governor Cuomo signed legislation in 2018 prohibiting New York treatment programs from using “patient brokers.”

Out-of-state addiction treatment providers, however, have continued to send marketers to speak at community gatherings, provide school presentations, and attend self-help and family meetings. In some instances, marketers have disseminated misleading or false information about the programs they recommend, or have failed to disclose their own connection to those programs. In addition, there have been reports of individuals purporting to act as “sober coaches,” “life coaches,” and “recovery coaches” without any certification, license, or credential, and without any genuine knowledge of addiction or treatment.

To reinforce and strengthen the prohibition on patient brokering, Governor Cuomo will direct the Office of Addiction Services and Supports (OASAS) to develop an authorization process and standards for individuals and businesses who assist New Yorkers in finding treatment. These standards will require “marketers” to

clearly disclose their connection to any treatment program, clearly explain their fee structure, and prohibit misrepresentations about service quality, efficacy, or structure. OASAS will develop and make public a trusted list of individuals and businesses that families can rely on for assistance. This will ensure that anyone who is advertising as an expert and assists people in finding services cannot charge a fee without registering with OASAS and following regulatory standards set by the state.

2. REOPENING AND REVITALIZING NEW YORK BUSINESSES

New Yorkers are tough. They have proved it through superstorms, floods, blizzards dropping eight feet of snow, economic crashes, and terrorist attacks. No matter the challenge, New Yorkers always get back up, dust themselves off, and rebuild this state stronger and more resilient than it was before.

The COVID-19 pandemic wasn't just a public health emergency, it was a psychological, economic, and spiritual challenge as well. New Yorkers sacrificed greatly to flatten the curve and protect their families and neighbors. People gave up seeing their loved ones for months. They stayed home. Businesses had to scale back or shut down operations to protect their employees and customers.

At the start of 2021, there is hope. New York is deploying a massive vaccination effort but given limitations of federal supply, experts hope that the state can hit critical mass by summer. That, however, is too

long to keep offices empty, restaurants at low capacity, and the arts shut down. Governor Cuomo's reopening plan deploys the tools at our disposal, including increased testing capacity to start to reopen and reinvigorate the economy in parallel with the vaccination program. We can restore our economy and get people back to work now.

Part 1: Safely and Rapidly Reopen Businesses

Because of the international health crisis, our task ahead is daunting but New York can and will defeat COVID-19 while simultaneously reopening and rebuilding our economy as rapidly and safely as possible.

Proposal. Create a Rapid Testing Network as a Tool to Help Businesses Reopen

Over the past several months, Governor Cuomo's New York Forward reopening plan has paved the way for many businesses to resume operations safely through a phased approach and in accordance with public health protocols. Still, entire industries are operating at reduced capacity in order to reduce the risk of

transmission of COVID-19 and with the emergence of the UK strain, rapid transmission is still a major issue.

While Governor Cuomo's New York Forward plan has unleashed the ingenuity and creativity of New York businesses — such as new outdoor dining spaces and delivery options — it has also been a significant financial struggle for these industries.

New York has been at the forefront of developing testing capacity throughout the COVID-19 crisis. The State will continue to scale up the availability of testing to help businesses safely eliminate or reduce capacity restrictions. New York will work with testing companies to stand up convenient testing sites in city centers, starting with New York City. The State will also work with local governments to cut through any red tape to set up this critical infrastructure quickly.

Businesses in industries with activities that take place in congregate settings and that have been operating with significant occupancy restrictions — indoor dining, museums, and movie theaters — will be able to open more quickly with increased rapid testing options.

With this new network of rapid testing locations, a customer can stop into a new rapid testing facility, get tested, and 15 minutes later be cleared for dinner or a movie. This will provide an added layer of protection and confidence as New Yorkers resume economic activity.

Proposal. Develop a Mobile App to Fast-Track Reopening Theaters, Stadiums, and Other Businesses

While some businesses have been able to operate by reducing capacity or by having their employees work from home, others, like performing arts and sporting events with fans, which involve large, dense gatherings, have not yet been able to reopen at all.

In order to create a path for these industries to reopen as New Yorkers are inoculated against the virus, New York will work with technology partners to develop a mobile app, allowing for the confidential transfer and verification of testing and vaccination data.

Certain activities, such as performing arts, indoor sporting events with fans, and concerts, will be permitted to resume in accordance with new public health guidelines by taking advantage of this new

technology that can confirm an individual's vaccination or a recent negative COVID-19 test.

Proposal. Support the Return to COVID-Safe Workplaces

As the COVID-19 threat emerged, New Yorkers took historic action to flatten and bend the curve. Governor Cuomo announced “New York State on PAUSE” directing non-essential businesses statewide to close in-office functions, and the response to that call saved countless lives and enabled the state to go from one of the worst infection rates to one of the best in the country. The State followed the science and reopened businesses and offices in a phased process while issuing critical COVID-19 guidelines to ensure the safety of New Yorkers. At the same time, New York ramped up COVID-19 testing to monitor and control the spread of the virus and, when vaccines became available, expedited distribution and administration.

While New Yorkers rapidly adapted to remote work to bend the curve, the return-to-office process among employers and employees has been gradual, particularly in the New York City area. According to an

October survey from the Partnership for New York City, only about 10 percent of city office workers had returned to the office.²⁸ The slow return to the office has drained commercial districts of critical economic activity and hurt local businesses that serve office workers.

While New York rapidly deploys the vaccine, we have the tools at our disposal to smartly and safely speed up the return of in-person workplaces now.

To help employers bring more workers back to their offices, leading commercial real estate firms in New York City will join a partnership in which they pledge to make market-rate diagnostic COVID-19 testing available to tenants in their buildings. Major commercial operators with over 100 million square feet of commercial space in New York City have already committed to this pledge. The Department of Health will also issue best practice guidelines for office testing to support the initiative.

Tenants will have the option to opt in to test their employees on a scheduled basis and will be responsible for the test costs. This unique partnership will expand asymptomatic testing, which is critical to controlling the

spread of the virus, and provide workers additional confidence in the safety of their workplaces.

Proposal. Adapt Spaces to Safely Bring Back the Arts and Support Artists

New York is the cultural capital of the world. Our unique cultural assets and the New York artists who make them work — Broadway, museums, film, music, comedy, and dance — are fundamental to both the economy and the spirit of New York. Before the COVID-19 pandemic, the \$120 billion arts and cultural sector accounted for nearly eight percent of the state's economy, and nearly 500,000 jobs.²⁹ In less than a year, more than two million jobs in the creative arts were lost nationally³⁰, including tens of thousands of jobs in New York. The Governor's Reimagine New York Commission saw how challenging the COVID-19 pandemic has been for the arts and artists. Broadway, part of the heart of New York City and one of its most important tourist destinations, is in the midst of an unprecedented months-long shutdown. As New York works to bring an end to this crisis, with rising vaccination rates and widespread testing availability, we will do everything

possible to safely and quickly revive the arts, restore the spirit of New York, and get artists back to work.

New York State will launch a public-private partnership that will organize pop-up performances and arts events across the state beginning in February. More than 150 world-class artists including Amy Schumer, Chris Rock, Renée Fleming, Savion Glover, Wynton Marsalis, and Hugh Jackman have already committed to participate along with local arts organizations such as Los Pleneros de la 21 in East Harlem, Ballet Hispanico, Ars Nova, IATI theater, Teatro SEA, Albany Symphony Orchestra, Corning Museum of Glass, Hi-ARTS, Pendragon Theatre in Saranac Lake, and many others. This effort is supported by New York State Council on the Arts, which works with more than 2,000 arts organizations across the state. Together they will partake in this groundbreaking campaign to revive the arts sector while celebrating New York's resiliency.

Performances will be held at outdoor and flexible venues adapted for social distancing statewide, including State properties and unique flexible arts spaces such as Everson Museum in Syracuse, Albright-Knox Northland in Buffalo, Lake Placid Center for the Arts, Parrish

Museum on Long Island; and in New York City the Park Avenue Armory, BRIC, The Shed, National Black Theatre, St. Ann's Warehouse, National Sawdust, the Queens Theatre, Flushing Town Hall, the 52nd Street Project, Harlem Stage, and others. All events will follow the State's guidelines, serving as a national model for safely reopening the arts. For larger indoor events, participants will confirm that they have been vaccinated or recently tested negative for COVID-19, and the Department of Health will inspect select indoor locations to ensure they meet safety standards prior to reopening.

The arts campaign will include the opening of Little Island, a park and performance space built at Pier 55 along the Hudson River with support from the Diller-von Furstenberg Family Foundation. The campaign will be capped off in June by the 20th Tribeca Film Festival, which was founded in the aftermath of 9/11 to help revitalize New York City through the arts and will once again energize our recovery. The campaign will be led by Jane Rosenthal and Scott Rudin, funded with philanthropic and State contributions. New York State will provide staffing support, marketing, and access to world-class open-air spacious venues.

The State will partner with The Andrew W. Mellon Foundation to launch a Creatives Rebuild initiative. Developed in partnership with the Reimagine New York Commission, this initiative will put back to work 1,000 artists who have been impacted by the crisis and in addition, it will invest in dozens of small arts organizations that make our towns and cities so dynamic. The initiative will also support local community development. The arts have a multiplying effect on the economy ³¹ and Creatives Rebuild will provide New York artists support so they can help build more vibrant communities across New York.

Proposal. Creatively Repurpose Underutilized Commercial Space for Additional Housing

As the COVID-19 pandemic unfolded, New York, like states across the country, saw a meteoric rise in telework and a reduction in tourism and travel. With this rapid adjustment, the New York City metropolitan region, in particular, has experienced a significant drop in demand for office and hotel space. As of December 2020, almost 14 percent of office space in Manhattan sat unused – the highest vacancy rate in a decade.³² Likewise,

New York hotels, accustomed to seeing occupancy rates above 90 percent for several years pre-COVID, saw occupancy drop to below 40 percent this past fall.³³ This dramatic shift presents a unique opportunity to look with new eyes at the commercial and hotel spaces in New York City.

New York City will always be a vital and thriving commercial anchor for the state and nation, but the shift to telecommuting or hybrid workspaces may provide an opportunity to repurpose vacated office space that has far greater potential for use as housing, including as affordable or supportive housing. Similar to the redevelopment of Lower Manhattan in the 1990s, converting office space that is no longer competitive for commercial tenants to residential use can create 24/7, walk-to-work neighborhoods and expand housing availability in some of the neighborhoods where affordable housing is most needed.

Governor Cuomo will propose legislation to allow property owners to convert office buildings and hotels in New York City to housing. Stimulating housing conversion will create thousands of good-paying jobs, increase housing affordability, and support long-term

economic growth by helping New York's employers attract and retain talent.

Proposal. World-Leading Aerosols Study with MIT to Ensure the Continued Safety of Public Transit

During the height of the pandemic, the Governor called for the Metropolitan Transportation Authority (MTA) to create new and innovative methods to meet the challenges brought about by COVID-19 and give confidence to riders wary of using public transit. In particular, in order to ensure the safety of the city's essential workers, the Governor called on the MTA to shut down subway service during the overnight period to allow for intense and thorough cleaning of its entire fleet of rolling stock using new antimicrobial solutions, UV light sterilization, and electrostatic sprayers to sterilize surfaces. Additionally, innovative air filtration systems were piloted to measure their effectiveness in killing microbes.

The Long Island Rail Road, MTA Bus, and Metro-North Railroad became the first transit agencies in North America to unveil capacity tracking within their customer apps, empowering riders to track in real-time

where seats are available on commuter trains and buses. With this new tool, riders can feel more safe and secure, and make informed decisions about physical distancing based on real-time data.

This winter, the MTA, partnering with research teams from the Massachusetts Institute of Technology and the U.S. Department of Homeland Security, will produce a report on the movement of aerosols that may contain the coronavirus within the transit system. No study of this nature with this degree of precision is being performed in a public transit setting anywhere else in the world. To simulate the movement of viral droplets, the study will disseminate and measure the movement of non-toxic aerosolized water inside actual subway cars, railcars, and buses at a rate similar to viral shedding from talking, sneezing, coughing, and breathing. The final report will examine the effectiveness of various mitigation techniques and will be published and shared with transit systems nationwide.

Proposal. Rediscover New York Campaign to Increase Tourism

Tourism is an economic driver for New York's economy — with more than 250 million visitors every year generating more than \$100 billion in economic impact and more than 959,000 jobs. Unfortunately, the COVID-19 pandemic has decimated the state's tourism economy.

As we tame COVID-19, we will launch Rediscover New York — a campaign to capitalize on pent-up demand, inviting people from across the globe to safely rediscover New York with all of the cultural, culinary, and other attractions we have to offer.

Proposal. Convene a Commission on the Future of New York's Economy

While the COVID-19 crisis poses a historic challenge to the vitality of our cities and our economy, there is an opportunity in this crisis – an opportunity to reimagine urban life, build back better, and set an example for other cities across the country, and around the world. Just as New York established a national model for flattening and then bending the curve — going from

the worst infection rate in the country to one of the best and saving countless lives — New York will lead the path forward for economic revitalization across the country and the world.

Many challenges are facing America's economy, particularly for cities. Each of these issues is complex, and each requires an immediate action plan to make progress now as well as longer-term strategies. While the 2021 State of the State agenda proposes near-term steps to support and rejuvenate our cities, more work is needed to develop longer-term strategies.

Governor Cuomo will establish the Commission on the Future of New York's Economy comprising leading members of the nation's academic, business, labor, and civil society leaders, and NYU Wagner School of Public Service Dean Sherry Glied will serve as Executive Director of this Commission.

The Commission will draw the roadmap to address the inequities exposed by the COVID-19 crisis — including the socio-economic disparities that the crisis exacerbated — get New York back to work in jobs that pay well, and continue to attract people from around the world to live and work in New York.

Part 2: Stabilize the Economy in the Wake of COVID

Proposal. Fight for Overdue Federal Support to States Fighting COVID-19

New York was blindsided by the virus in early spring. Despite multiple overlapping agencies tasked with monitoring health threats, and months of warning, the federal government failed to prepare for an inevitable global pandemic. When they finally took notice, they were so singularly focused on China that they allowed millions of travelers from Europe — where the virus was rapidly spreading — to enter New York City-area airports. This was an act of gross negligence by the federal government. Left to fend for itself by the federal government, New Yorkers led the nation in their response, bending the curve, and with a science-based approach re-opening much of the economy while maintaining one of the lowest infection rates in the nation.

However, even as portions of the economy have bounced back, many sectors have seen significant job losses and remain severely impacted, all contributing to New York's significant fiscal challenges. The State is

contending with a \$15 billion budget gap caused entirely by the pandemic. Washington has failed to lead on COVID-19 relief and provide meaningful funding. For too long, New York has been asked to unfairly subsidize the federal government. As the federal government's number one donor, New York already leads the nation in sending more money to Washington than it gets back in return.³⁴ Even so, Washington has relentlessly abused this state, providing the lowest Medicaid reimbursement rate in the nation, starving infrastructure funding, and curtailing the State and Local Tax (SALT) deduction, which raised New Yorkers' taxes and starved New York of \$30 billion over three years.

New York cannot also afford to pay the bill for the federal government's incompetence.

Governor Cuomo will fight to ensure that the federal government takes responsibility and delivers the fair funding New York and other states are owed.

Proposal. Pass a Comprehensive Adult-Use Cannabis Program

In 2018, Governor Cuomo directed the Department of Health to launch a multi-agency study to review the potential impact of legalizing adult-use cannabis in New York. The study concluded that the positive impacts of legalizing and responsibly regulating adult-use cannabis far outweigh any potential negative externalities. It also found that decades of cannabis prohibition have failed to achieve any number of public health and safety goals, and indeed have worsened the lives of countless citizens through unjust arrests and convictions, particularly in communities of color which have been disproportionately impacted by the failed war on drugs. As a result, Governor Cuomo created a regulated cannabis workgroup, and hosted a series of listening sessions across the state to receive input from local communities. This research culminated in the Governor's introduction of the Cannabis Regulation and Taxation Act (CRTA) in the Fiscal Year 2020 Executive Budget and later that year his signing of legislation to decriminalize cannabis and expunge prior cannabis convictions.

Additionally, 2019 saw the first efforts to regionally coordinate cannabis policy across state lines when Governor Cuomo held a first in the nation cannabis and vaping summit with governors from New Jersey, Connecticut, and Pennsylvania, and representatives from other regional states. This convening embraced the notion that cannabis products and consumers are not bound by state borders and led to a regional agreement around a set of core principles outlining how to best regulate the cannabis and vaping industries to ensure stable, safe, and fair markets that preserve public health and safety across the northeast.

Governor Cuomo will propose a comprehensive plan including:

- Creating a new Office of Cannabis Management to regulate all cannabis sectors in the state. The Office of Cannabis Management will implement a new regulatory framework for adult-use cannabis, that works in concert with, and is informed by, the State's current medical cannabis and industrial hemp programs.
- Robust social and economic equity benefits to ensure New York's law will create an egalitarian

adult-use market structure that does not just facilitate market entry but ensures sustained market share for entrepreneurs in communities that have been most harmed by cannabis prohibition. The proposal will also correct past harms by investing in areas that have disproportionately been impacted by the war on drugs, understanding that expunging past cannabis convictions helps to correct the injustice faced on the day that someone was arrested, but fails to correct the lasting harms that arrest has had on citizens, families, and communities.

- National standards and emerging best practices to promote responsible use; limiting the sale of cannabis products to adults 21 and over and establishing stringent quality and safety controls including strict regulation of the packaging, labeling, advertising, and testing of all cannabis products.
- The opportunity to invest in research and direct resources for harm reduction, treatment, and prevention providers that have long been underfunded. Further, the proposal includes a

statewide education campaign that communicates the health risks of cannabis use for vulnerable populations and educates the public about the dangers of driving and engaging in other risky behavior while under the influence.

Cannabis legalization has the potential to have a significant economic benefit on distressed areas in New York, providing employment opportunities for all levels of the workforce. Cannabis legalization will create more than 60,000 new jobs, spurring \$3.5 billion in economic activity and generating an estimated \$300 million in tax revenue when fully implemented.

Proposal. Enable Online Sports Wagering

New York has the potential to be the largest online sports wagering market in the United States. Governor Cuomo will propose to authorize and regulate sports wagering online by the state.

The sports gambling market has evolved rapidly. In 2018, the U.S. Supreme Court in *Murphy v. NCAA* overturned a federal law prohibiting most states from authorizing online sports wagering.³⁵ Sports

wagering is now legal online in 14 states, including the bordering states of New Jersey and Pennsylvania. In New York, sports wagering is only legal in-person at the four Upstate commercial casinos and Native American gaming facilities. This incentivizes a large segment of New York residents to travel out of state to make their wagers or continue to patronize black markets, rather than travel a farther distance to one of the Upstate commercial casinos or Native American gaming facilities. An industry study found that nearly 20 percent of New Jersey's sports wagering revenue comes from New York residents, costing the State millions of dollars in lost tax revenue.³⁶

Governor Cuomo will propose legislation to bring this revenue back to New York. Under the proposed legislation, the New York State Gaming Commission will issue a request for proposals and select one or more entities to provide online sports betting systems and platforms for eligible players located in New York. The Commission will also require any entity operating mobile wagering apps to include safeguards against abuses and addiction.

Part 3: Support Small Businesses

Governor Cuomo has said throughout the pandemic that no one is immune to this virus. New York's small businesses — the backbone of the state's economy, making up 98 percent of all businesses statewide — know this truth all too well. In 2019, small businesses with fewer than 100 employees accounted for 39 percent of all private sector jobs in New York.

But in 2020, business owners experienced previously-unimaginable challenges. To ensure the health and safety of New Yorkers, brick and mortar businesses across the state temporarily closed or cut back their operations during the height of the crisis, causing significant financial impact to small business owners. While many have safely reopened in step with Governor Cuomo's New York Forward initiative, in the absence of significant federal support, others have not been able to stay afloat. The Partnership for New York City estimates that up to one-third of the city's 230,000 small businesses may be permanently lost to this crisis.³⁷

Proposal. Provide Lease Assistance to New York's Small Businesses

Small businesses throughout this pandemic have struggled to pay the rent required under their leases. At the same time, landlords are experiencing reduced rental income and increases in commercial vacancies as their tenants' businesses permanently close due to their inability to pay. In the spring of 2020, New York City's leading commercial landlords reported that approximately 50 percent of their retail tenants and 10 to 25 percent of their office tenants did not pay monthly rent.³⁸ Even as many of these businesses have since reopened, the trend has persisted, perhaps most acutely within the food and beverage industry. A survey from the New York City Hospitality Alliance found that just 10 percent of the city's restaurants paid their full rent in August.³⁹

While Governor Cuomo has extended significant protections to commercial tenants and mortgagors throughout this crisis, prohibiting evictions, foreclosures, and late rent fees, we must do more to ensure that the businesses that underpin our state's renowned commercial corridors emerge from this crisis can be

solvent and positioned to grow, without the weight of accumulated debt.

In order to mitigate future unnecessary evictions among the thousands of cash-strapped small businesses that have fallen behind on their rent — as well as to avoid the vacant storefronts, blight, unemployment, and tax losses that their evictions would produce — Governor Cuomo will take a comprehensive approach to provide small businesses and their landlords the support they need to weather the pandemic and build back stronger:

- **Commercial eviction moratorium:** The Governor will codify his Executive order and establish a statewide moratorium on commercial evictions until May 1, 2021, for commercial tenants who have endured COVID-related hardship.
- **Pro bono legal, education, and technical assistance:** In December 2020, Governor Cuomo announced the launch of a public-private partnership with Start Small Think Big and the New York State Bar Association to provide small businesses and their landlords with the help they need to renegotiate lease terms to keep the state's

small businesses running. The New York Forward Small Business Lease Assistance Partnership (LAP) offers information and one-on-one pro bono legal counseling to enable commercial tenants and small business landlords to come to mutually agreeable terms and avoid eviction proceedings.

- **Court-led mediation process:** To further help small businesses avoid evictions, New York State and the NYS Court System, alongside Start Small Think Big and the New York Bar Association, will next launch the Commercial Eviction Prevention Partnership to provide mediation for landlords and commercial tenants facing eviction. Judges may divert certain cases that meet defined criteria into a mediation session, providing both parties an opportunity to come to a resolution prior to further litigation in court. Eligible participants will also have access to pro bono legal counsel to represent them during the eviction mediation process. Creating a mediation path will help small businesses avoid costly

litigation proceedings and further promote workouts between landlords and tenants.

Proposal. Facilitate Digital Sales for Retail, Food, and Beverage Businesses

Many small businesses that have weathered the storm have been forced to find new and innovative ways to revive their operations, in many cases pivoting their business models and developing an online presence. In a time of social distancing, small businesses need safe and secure ways to retain existing customers, attract new ones, and locate new markets. These businesses also need support in order to adopt new tools to reach customers, such as rural and urban delivery and app development. New York small businesses have a long legacy of using disruption as a competitive advantage and business opportunity — but we must give them the tools to do so.

In early October 2020, Governor Cuomo, in collaboration with four leading global e-commerce enablers, launched Empire State Digital, a first-in-the-nation initiative to help accelerate New York small businesses' ability to grow their online presence during

the pandemic.⁴⁰ Shopify, Square, Clearbanc, and Etsy, along with New York Small Business Development Centers and Entrepreneurship Assistance Centers, are providing a suite of specialized solutions, including education, free resources, marketing support, discounted pricing, hands-on assistance, training, and counseling to New York's small business owners.

Building on the success of Phase One of the initiative, Phase Two of Empire State Digital launched in December 2020 and takes a two-pronged approach to expand its reach and target New York State businesses with the highest needs.⁴¹

Governor Cuomo is calling on Empire State Development (ESD) to continue expanding these digital services in 2021 by introducing additional e-commerce leaders to the partnership, targeting both large technology entities and new innovative companies, in order to provide access to new delivery models, app development, affordable financing, credit platforms, and other services — tools that will enable small businesses to sustain customers and enter new markets. ESD will also connect restaurants with new services.

In December 2020, Governor Cuomo announced that through April 2021, e-commerce company Ritual would offer its commission-free digital ordering platform to New York's restaurants at no cost, for pickup and delivery, and that PayPal would commit \$1 million towards discounted purchases for customers of participating businesses on Ritual ONE in February 2021, at no expense to the businesses.⁴² Existing partners will also expand their offerings to meet this need, including Square, which will provide training on how restaurants and other retail businesses can leverage their point-of-sale system for curbside and delivery service.

Proposal. Get New Bars and Restaurants in New York City Up and Running Sooner with Temporary Operating Permits

Because alcoholic beverages are a controlled substance at the state and federal levels, licensure can be complicated and time-consuming. To enable new businesses to begin earning revenue sooner, Governor Cuomo will propose legislation to authorize the State Liquor Authority to permit manufacturing businesses statewide, and new bars and restaurants in New York

City meeting threshold operating criteria to begin operation while their license application is pending. Businesses will be held accountable for strict adherence to all operating rules and regulations.

Proposal. Expand Licensing of Movie Theaters to Serve Alcoholic Beverages

Under current law, a movie theater may not be licensed to serve alcoholic beverages to its patrons unless it has a full restaurant, serving meals, that patrons eat at a table in their seats. This unnecessarily restrictive requirement is particularly burdensome in today's economy where theaters must invest in new digital technologies at the same time as they are competing with new modes of viewing at home. Moreover, this hurdle deprives hundreds of New York craft beverage manufacturers of an additional outlet for their products at a time where consumers and main street businesses are more interested than ever in buying locally and creating business synergies with their neighbors. To facilitate this, Governor Cuomo will propose legislation allowing licensure of movie theaters without the need for a full restaurant.

Proposal. Support to Incubate Minority- and Women-Owned Technology Startups

The COVID-19 crisis has created new challenges for minority and women entrepreneurs who face systemic hurdles in starting businesses and raising capital. Before the COVID-19 crisis, black and Hispanic women received less than one percent of all venture capital nationwide⁴³ and only one percent of venture capital funds went to black entrepreneurs⁴⁴. As we build back from the crisis, the Reimagine New York Commission concluded we must take action to ensure Minority and Women-Owned Business Enterprise (MWBE) founders play a leading role in the recovery story and have the tools needed to innovate.

Governor Cuomo has a strong track record of supporting diverse startups and small business owners across New York State. To date, New York State's Entrepreneurship Assistance Centers, Small Business Development Centers, and Community Development Financial Institutions have helped more than 68,600 small business owners access more than \$390 million in funding. NYS Ventures has invested in 16 companies

with a woman or minority founder, totaling 53 percent of its investments.

Governor Cuomo calls on Empire State Development's (ESD) Division of Science, Technology and Innovation (NYSTAR), in partnership with the Reimagine New York Commission, to build on the state's recent successes, by launching the "Entrepreneurship Navigator" to help incubate technology startups and build an inclusive innovation ecosystem.

Tackling historical disparities in access to support and capital, the Navigator will focus on identifying minority and women founders and accelerating their ventures.

Through the Entrepreneurship Navigator, New York State will provide customized services and streamlined access to startup programs to help incubate minority and women entrepreneurs in the technology and innovation sector. The Navigator, with its dedicated staff, will help curate growth plans for startups, connect founders to available resources, and organize virtual pitch events.

As part of this initiative, Governor Cuomo will create a new public-private partnership for venture

capital to provide ongoing mentorship to participating startups and MWBE founders, thereby allowing participants to leverage the entire startup ecosystem throughout the state.

Proposal. Establish the New York BankTech Innovation Network

As we begin our COVID reconstruction program, community and regional banks and credit unions in New York are key to the continued vitality of the state's small businesses. Small businesses rely on community banks for an outsized share of loans, and to the financial well-being of consumers with fewer local banking options who rely disproportionately on such financial institutions. However, these institutions often lack the scale, resources, and expertise necessary to source, acquire, and harness the emerging technologies like artificial intelligence and machine learning now being embraced by larger commercial institutions. Consequently, small businesses and consumers are at risk of being excluded from a variety of innovations, like mobile check-cashing and online mortgage applications,

crucial to supporting financial inclusion and local economic development.

Governor Cuomo has been a strong advocate for the unbanked and underbanked populations in New York, and for the locally-based financial institutions that often serve as a lifeline to consumers and small businesses. For example, in January 2020, the Governor announced the first-ever seed funding for the New York's Community Development Financial Institutions Fund, to provide grants to financial institutions working in and for underserved communities.

Building on this commitment, the Governor will direct the Department of Financial Services (DFS) to establish the New York BankTech Innovation Network in order to help ensure the continuing vitality of New York's community and regional banks and credit unions and to simultaneously advance local economic development and financial inclusion. Drawing its membership from participating local financial institutions across the state, the Network, with guidance from DFS, will develop and disseminate a package of practical, turnkey tools that these institutions can use to help acquire and implement emerging technologies. Such tools will include:

- A uniform set of corporate best practices for banks to help ensure they integrate new technologies in a manner consistent with applicable legal, regulatory, and operational requirements;
- A standardized set of vetting criteria for use by banks seeking technology vendors, to help ensure that any potential vendors comply with applicable legal and regulatory requirements; and
- A forum for Network members to pool information and identify common barriers and potential joint-venture opportunities, and for technology vendors to connect with potential clients.

By helping to vault the State's community and regional banks and credit unions into the digital age, the New York BankTech Innovation Network will provide much-needed assistance to underserved communities and small businesses, thus further aiding the State's recovery from the economic disruption caused by the COVID-19 pandemic.

Proposal. Codify and Expand Commonsense COVID-Era Reforms

In the face of COVID-19, Governor Cuomo acted quickly, waiving and amending regulations to allow businesses to continue operations remotely. These changes were successful and relevant in a post-COVID world, New York should not just go back to “business as usual.” Governor Cuomo will advance legislation to codify commonsense COVID-era reforms for small businesses including:

- Online testing for occupational licenses. Under Governor Cuomo’s leadership, access to State licensing examinations has already increased through the translation of examinations into a variety of languages. To further increase access and expedite the issuance of occupational licenses, the Department of State will transition from a paper-based examination format to online testing, and examinations will be instantaneously graded. Those who do not pass the examination will be provided with an assessment of the areas in which they performed poorly. This modernized process will make the exam and licensing process

more efficient, less costly, and more consumer-friendly while increasing the number of occupational licenses issued by the State.

- Codify remote notarization. Governor Cuomo issued an Executive Order to permit remote notarization during the COVID-19 crisis, which has allowed critical transactions and business to continue in a socially distanced and efficient manner. The Governor will codify reforms that enable small businesses and other parties to sign documents remotely without the unnecessary step of being physically present to execute a document. This will reduce the expense of travel and time while increasing security by allowing notaries the option to witness signatures by video and preserve an accurate record of the signing, which may reduce the likelihood of future litigation over the legitimacy of document signings.
- Authorize electronic service of process upon the Secretary of State, which in turn will enable the summons to be transmitted digitally to the entity being sued. Corporations and other business

entities formed or authorized to do business in New York are required to designate the Secretary of State as agent for service of process. The Secretary receives approximately 130,000 summons annually, which must be promptly sent by certified mail to the business entity being sued. The manual process is inefficient and creates risks that the entity will not receive timely notice of the pending litigation, if at all. Staffing shortages, loss of a paper summons by the U.S. Postal Services, and inaccurate mailing addresses contribute to the risk of a default judgment being entered against the business entity.

Proposal. Leverage the Expertise of the Regional Economic Development Councils to Invest in a Statewide Recovery

Over the past 10 years, Governor Cuomo's Regional Economic Development Councils (REDCs) have revitalized the state's economy through a bottom-up, community-based, and performance-driven approach to economic development. The State has seeded this effort,

investing nearly \$7 billion in funding to more than 8,300 projects and supporting nearly 250,000 jobs statewide. In the wake of the COVID-19 emergency, the REDCs have played and will continue to play a critical role in the state's recovery.

This year, New York State will leverage the expertise of the REDCs to invest \$750 million in strategic, regional efforts to drive the recovery in every corner of the state.

Part 4: Support New York's Farmers

Governor Cuomo has been an ardent supporter of our agriculture sector, growing New York's industry and supporting farmers. Since 2014, he has committed more than \$4.2 million to assist new and early-stage farmers, has supported burgeoning industries, like Greek yogurt and hemp; and has major investments to convert farm waste into energy to reduce costs.

Proposal. Deliver New York Agricultural Products to Feed Families in Need which is Good for Families and Good for Farmers

Governor Cuomo has made the mitigation of food insecurity and the resiliency of agriculture a priority. As of 2018, he established the Farm to Food Bank tax credit that compensates producers for the donation of fresh food to the emergency food system.⁴⁵ In 2018, the Governor also launched the No Student Goes Hungry campaign that resulted in the establishment of food pantries on every SUNY campus and increased the grant funding available for the Farm-to-School Program which facilitates the direct purchase of New York State products for school meal programs.⁴⁶ These are merely a few examples of the Governor's commitment to combatting hunger by connecting our farmers to new opportunities and supporting our robust agricultural industry.

Due to the COVID-19 pandemic, farmers experienced a drastic supply chain shift, which resulted in the loss of markets and income and in the waste of fresh surplus foods, particularly fluid milk. Simultaneously, the demand for food through emergency

food providers escalated across the state. Seeing the opportunity to feed residents and aid farmers, the Governor launched the Nourish NY Initiative. This initiative provided \$35 million in funds for the purchase of foods grown, raised, or processed in New York State and has served as an important alternative revenue stream for farmers and dairy processors during the pandemic.⁴⁷

As of December 1, 2020, Nourish NY has resulted in \$26.4 million in purchases for 17 million pounds of food. More than one million households have received New York State products through food distributions, and more than 4,000 farms have benefitted from the initiative.

Governor Cuomo will continue supporting the Nourish NY Initiative to ensure that no New Yorker goes hungry, keep the food system resilient, protect the stability of our agricultural economy, and help New York residents continue to have access to local nutritious foods.

Proposal. Grow New York's Hemp Industry

New York State continues to build upon the work Governor Cuomo began in 2015 when he launched New York's Industrial Hemp Agricultural Research Pilot Program. Under Governor Cuomo's leadership, the industrial hemp program has grown to more than 32,000 acres of authorized cultivation. In January 2020, Governor Cuomo signed into law a new framework for regulating hemp in New York State, transitioning from a research program to a full license program. In October, the Department of Health issued regulations implementing the new law, creating the nation's most comprehensive program for cannabinoid hemp products such as CBD, and launching the most robust cannabinoid hemp industry in the country. These regulations fulfill Governor Cuomo's promise to establish a comprehensive regulatory program that provides certainty and consumer protections for this fast-developing wellness market. They bring a nation-leading regulatory structure to this previously unregulated area and provide much-needed stability for the cannabinoid hemp market. By implementing a new licensing program, the regulations establish quality control standards for the

manufacturing, packaging, labeling, and laboratory testing of cannabinoid products grounded in public health best practices.

To further support the development of the New York State hemp market, in 2021 the State will convene a workgroup composed of hemp growers, researchers, producers, processors, manufacturers, and trade associations to make recommendations for the further development of hemp as a multi-use agricultural commodity and a mature cannabinoid wellness market. The hemp workgroup will explore ways to provide more opportunities for New York growers and manufacturers and work to help facilitate the development of safe New York products that will meet the needs of informed consumers.

Part 5: Train Workers for High-Growth Sectors

Governor Cuomo has been a leader in workforce development programs through the creation of the statewide Office of Workforce Development, and the historic \$175 million Workforce Development Initiative. He also made college more affordable for New Yorkers through the nation-leading Excelsior Program. Under his

leadership, New York State has connected an unprecedented number of workers to jobs and provided no-cost recruitment services to tens of thousands of businesses each year.⁴⁸

New York's approach to workforce development is based on three core principles. First, programming must be employer-driven. Workforce development must provide skills that match available jobs and correspond with employers' needs and preferences. Second, workforce development must be outcome-driven. The metric for success is not the number of people trained but the number of people employed, receiving increased wages, and promoted. And third, workforce development must be flexible and respond nimbly to a rapidly changing environment.

The COVID-related recession has magnified the need for flexibility. Along with an unprecedented increase in unemployment, the pandemic has caused a massive shift in the type of jobs available and in who is looking for work. Even before this recession, job seekers' expectations were substantively changing, and employers were placing increasing value on credentials along with or in place of degrees. The workforce

development landscape is out of line with traditional career services, and New York is responding accordingly.

Proposal. Partner with New York's Leading Businesses to Invest in Workforce Training, Expand Apprenticeships and Mentorships, and Reform Recruitment and Promotion Policies

Providing New Yorkers with the skills they need for new opportunities and meet emerging labor needs is more important than ever before. COVID-19 has pushed many New Yorkers out of work, with the greatest losses impacting lower- and middle-income households.⁴⁹

Given these challenges, it is more important than ever that New Yorkers are equipped with the skills they need to meet emerging labor needs and capitalize on new opportunities in a post-COVID-19 economy. Equally important is the demand side of the workforce equation: Businesses must help design programs to meet skill gaps and commit to hiring reskilled workers once training is complete.

To ensure that students, as well as unemployed and underemployed New Yorkers, can enter or re-enter the workforce and find jobs that allow them pathways to

sustainable wage employment, strong partnerships with employers will be crucial.

In partnership with Governor Cuomo's Reimagine New York Commission, Governor Cuomo is launching a Pathways Pledge among New York's leading employers, both public and private, to commit to reforming their talent recruitment, investment, and promotion policies to ensure more equitable workforces post-COVID-19. Participating employers will agree to undertake at least two of the following actions and to report quarterly to the state on these commitments. To date, 16 companies have made the pledge, affecting more than 120,000 workers in New York State and the State plans to triple this commitment in 2021. The pledge includes:

- Investing in worker retraining or skills development, including providing college financial support or supporting new skills training on the job;
- Creating new apprenticeship programs to provide pathways for underrepresented populations;

- Committing to exploring additional workforce supports for low-income workers or trainees, e.g., child care and transportation subsidies;
- Committing to explore skills-based hiring models by removing, as appropriate, high school or post-secondary degree requirements for new hires;
- Scaling relationships with existing nontraditional workforce development partners by providing funding and/or expanded staff time to facilitate recruiting, interviews, and mentorship opportunities for new prospective employees; and
- Developing new relationships with New York State workforce development providers serving underserved communities, including SUNY, CUNY, Boards of Cooperative Educational Services and/or nontraditional workforce development organizations.

Proposal. New Scholarship to Train and Certify People for in Demand Jobs

The COVID-19 public health crisis has led to an economic crisis across New York State and the world and

has hit low-income workers particularly hard. The leisure and hospitality, trade and logistics, and retail industries are facing unprecedented revenue losses. The Reimagine New York Commission heard from hundreds of workers who will need training to move into growing sectors. As workers seek new job opportunities, non-degree credential programs can be an important way to receive higher wages, such as industry-recognized trucking, information technology (IT), or health care certificates.⁵⁰ Many of these programs are currently offered by New York community colleges, nonprofits, or business training providers, but because of out-of-pocket costs, or because they do not qualify for current college financial assistance programs, we need to expand opportunities for all New Yorkers.

As New York builds back better, Governor Cuomo is announcing nearly \$5 million in scholarships to create more opportunities for low-income working New Yorkers to enter the middle class. Like the Excelsior Scholarship launched in 2017 to make two- and four-year State University of New York (SUNY) and City University of New York (CUNY) institutions free for many New York students, this program will make high-

quality credential programs free for low-income New Yorkers. New York will make tuition, exam, and other program costs free for low-income individuals, empowering them to earn credentials that will lead to middle-class jobs in high-demand industries. Eligible training programs must have a demonstrated record of success for their students, with program graduates earning middle-class wages and the ability to show real-time employer demand for the credentials they offer.

Proposal. Expand SUNY's Online Training Center

Governor Cuomo will also expand SUNY's Online Training Center so that New Yorkers can enroll in additional employment certification programs for quality jobs in high-demand areas like IT, cyber, and health care, building on the success of hybrid learning models. The Training Center will give more New Yorkers in every region of the state — from rural communities to urban centers — another opportunity to go to college. Students who complete any one of the Online Training Center certificates with a high school diploma or high school equivalency credential will be automatically

accepted without any application fee to any of SUNY's 30 community colleges or SUNY Empire State College.

Proposal. Support Business-Led Retraining by Expanding the Employee Training Incentive Program

Governor Cuomo has been a leader in ensuring that New Yorkers have new pathways to success, increasing State higher education investments to record levels, launching the historic workforce \$175 million Workforce Development Initiative, and integrated workforce development as a key pillar of economic development through the Regional Economic Development Councils.

The public health emergency has resulted in a historic number of furloughed workers and has hindered out-of-school young New Yorkers' ability to obtain jobs. Furthermore, businesses are facing unprecedented challenges in training employees to return to work under difficult new circumstances. As New York builds back better, businesses must be supported in their efforts to continue operations and prepare furloughed, new, and existing employees for employment.

To aid in the economic recovery for New York's businesses and workers, Governor Cuomo will launch an expanded Employee Training Incentive Program (ETIP) which will make up to \$5 million available annually to support businesses in providing the training needed to prepare New Yorkers for high-quality jobs in growing career fields. As part of the Workforce Development Initiative and through Empire State Development, ETIP will provide tax incentives to New York businesses to provide training to newly hire unemployed or underemployed workers, upskill existing employees to support broader reemployment strategies, or provide internship opportunities to young New Yorkers. Through administrative changes, the State will maximize the allowable sectors able to participate, types of costs that can be credited to include support services and training costs, and improve marketing outreach to companies to promote uptake. To ensure that ETIP funds are used on training projects that work to prepare individuals for good jobs, projects will be monitored for completion; hiring; wage levels; availability of benefits; and job retention and turnover.

3. BUILDING THE GREEN ECONOMY

Our world is in crisis. By every metric, it is clear: sea levels are rising, ice caps are shrinking, and the weather is getting more extreme. California is burning, the Arctic is melting, rain forests are disappearing and deserts are flooding. We have a once in a 100-year storm happening twice a year. 2020 was tied as the hottest year in history. It will continue to get worse if we do not come up with creative solutions. We know the heaviest burden falls on the most vulnerable. We learned from COVID-19 that we do not want to mess with Mother Nature.

Climate change is an existential threat that cannot be slowed without collective action and government must lead the way. Under Governor Cuomo's leadership, New York State enacted the most aggressive and sweeping climate protection initiative in the country, the Climate Leadership and Community Protection Act (CLCPA). The CLCPA established a firm timetable for transitioning New York to a clean-energy driven economy: New York's electricity will be 70 percent

renewable by 2030, with 100 percent zero-emissions electricity by 2040.⁵¹ New York State's timeline is aggressive because it has to be. Every day we fail to act is a day we fail our children — a day we are allowing the problem they will inherit to worsen. But it is the means that matter. It is harder done than said — but this year we will do it.

The new green energy economy is the future-oriented engine that is both essential to our survival and a potential to benefit generations to come. We can achieve this transition while creating thousands of new, good-paying jobs, making our green economy a key component of building back better.

New York's clean energy employment grew more than 3.2 percent from 2018 to 2019, three times faster than New York's overall job growth and nearly three times faster than national clean energy job growth. From 2015 to 2019, we saw 16 percent growth in green energy employment.⁵² As highlighted in the U.S. Climate Alliance's Clean Jobs Report, New York was one of seven Alliance states with double-digit clean energy job growth between 2016 and 2019 (12.3 percent).⁵³ New York State will continue to build off this growth by launching

a green economic recovery program to make New York a global hub for green energy innovation, technology, and jobs, driving long-term sustainable economic growth for all New Yorkers.

Part 1: Spurring the Green Energy Economy

Throughout his Administration, Governor Cuomo has pursued a bold and ambitious vision for New York's clean-energy future. A transformative new green energy economy involves four main components.

First, New York will build large-scale projects that will generate sufficient clean and reliable renewable energy to sustainably support our state's energy needs.

Second, the state must stop relying on imported technology and equipment to fuel our green economy, and instead create the manufacturing capacity necessary here in New York.

Third, New York must build the electricity transmission capacity necessary to connect the places where renewable energy is generated to the places where the energy is consumed.

Fourth, New York must develop an education system that produces workers trained in the industries

of the green energy economy, as well as the research and development capacity to generate the green technologies of tomorrow.

To achieve this, New York State will launch a massive expansion in clean energy infrastructure, creating 12,400 megawatts of capacity to power 6 million homes. To ensure all New Yorkers benefit from this green economic recovery program, this plan will create jobs in disadvantaged communities, because environmental justice is paramount.

Proposal. \$26 Billion Public-Private Partnership to Build Nearly 100 Renewable Energy Projects

New York's clean energy transformation has accelerated rapidly over the past five years. During this period, the State has contracted for the construction of 68 new large-scale renewable energy facilities. These projects include 52 solar farms and 13 onshore wind farms bringing economic activity to 34 different Upstate counties, along with three offshore wind farms that are among the largest in the nation. Forty-eight of these facilities are already in operation. In the aggregate, the solar, onshore wind, and offshore wind projects in

contract will add 6,100 megawatts of clean energy capacity to the state's infrastructure and generate investment of more than \$12 billion.

Building on this remarkable progress, in 2021 New York will contract for another 24 large-scale renewable energy generation projects Upstate — 23 solar farms and one hydroelectric facility. These facilities will produce more than 2,200 megawatts of clean power. They will bring substantial economic activity to 16 different Upstate counties, generate more than \$2.9 billion of investment and create 3,400 pre-development, construction, operations, and maintenance jobs. These new facilities will bring the State's total clean energy build-out to nearly 100 projects.

This newest tranche of projects will also be the most cost-efficient clean energy construction to date in New York, in part because Governor Cuomo has eliminated costly bureaucratic delays in approving new renewable energy facilities. In 2020, Governor Cuomo championed a new law to dramatically streamline the process for site approval, reducing approval times from nearly five years to less than one.

In addition, Governor Cuomo's law required the State to identify and pre-approve suitable sites, so green energy companies can build without delay and uncertainty — an ideal that has been realized. By focusing development on underutilized lands, such as brownfields, former commercial or industrial sites, and dormant electric generating sites, the State will help communities turn these sites into valuable, revenue-generating clean energy projects.

Five sites in the North Country, Western New York, and the Finger Lakes are already underway, and the State expects to move forward several dozen more this year. New York has also successfully used competition to drive the cost of renewable energy construction down significantly. In the latest request for renewable energy projects, the prices offered by contractors were 23 percent less than those bid three years ago.

Cost declines have been particularly steep in the solar energy sector. Since 2015, the cost of installing large-scale solar in New York has decreased 40 percent,⁵⁴ and the cost of the New York State Energy

Research and Development Authority's distributed solar projects has dropped by 49 percent.⁵⁵

Proposal. Build 40 New Community Solar Projects for Local Governments to Create 1,250 Jobs

Under Governor Cuomo's leadership New York State has become one of the nation's foremost markets for developing community distributed solar generation. New York ranks second among states for overall community solar capacity and has a robust pipeline of community solar projects underway.⁵⁶

Until recently, outdated regulations made it difficult for large electricity customers to benefit from distributed solar generation. But thanks to new Public Service Commission rules, large customers can now more effectively serve as "anchor subscribers" for distributed solar projects. This helps reduce costs by allowing projects to reach economies of scale, provide assurance to developers and financiers, and benefit residents and small businesses by making access to solar credits easier.

Several recent projects demonstrate not just the feasibility but the desirability of community solar

projects built around large-customer anchors. The New York Power Authority (NYPA) is currently working to advance two key projects, at Quarryville in Ulster County and at JFK airport, to supply a total of 11 megawatts of reliable, affordable, and sustainable energy to the surrounding communities.⁵⁷ As another example, in September 2020 Governor Cuomo announced the completion of the first project that pairs community solar with energy storage that will reduce the energy costs for approximately 150 households in Westchester County and New York City, and provide power to 12 electric vehicle supercharging stations.⁵⁸

Participation in distributed solar projects, however, remains particularly difficult for local governments. The long development timelines and uncertain future revenues of community solar projects mesh poorly with localities' budgetary and approval processes. To address these issues, NYPA will assist municipal government entities throughout the full process of project development — from scoping, design, and purchasing to execution, project management, and close-out — to host community distributed generation (CDG) projects and serve as anchor subscribers. Placing

community solar on government buildings and land mitigates the challenges government entities have faced in adopting distributed energy resources (DER) while also providing for the ability to support clean energy generation in low-income communities. As project hosts, local governments can build a distributed solar system on their property at no cost while also earning a long-term revenue stream and guaranteeing long-term utility bill savings. By 2025, NYPA projects this program will support at least 40 community solar projects totaling 75 megawatts of renewable capacity, including 15 megawatts of paired storage. These projects will spur more than \$135 million in direct, private investments toward their development, construction, and operation, and create more than 1,250 short-term and long-term jobs.

Proposal. Continue New York's Nation-Leading Offshore Wind Program by Awarding Two New Offshore Wind Farms – the Largest Ever Renewable Energy Procurement by Any State

Continuing New York's nation-leading green economic recovery and accelerated renewable energy development programs, in 2021 New York will contract

for the development of two new offshore wind farms located more than 20 miles off the shore of Long Island. Together, these projects represent the largest procurement of renewable energy by a state in U.S. history.

Each wind farm will contain more than 90 turbines, making them more than 50 percent larger than the offshore projects announced in 2019. They will yield 2,490 megawatts of carbon-free energy, bring another \$8.9 billion in investment, and create more than 5,200 jobs.

The combined output of these new offshore wind farms, along with the other nearly 100 clean power facilities operating and in development, will be roughly 10,900 megawatts, enough to power more than five million homes. Once all of these facilities are in service, New York will be generating more than half its electricity from renewable sources, putting the state ahead of schedule toward reaching 70 percent renewable energy by 2030.

Proposal. Make New York a Global Wind Energy Manufacturing Powerhouse

Not only will we build the nation's largest offshore wind program, but also the manufacturing will also be done in New York State. The State has secured commitments from the companies building the new offshore wind farms to locate significant manufacturing activity in New York. These investments will include:

- Creating the nation's first wind tower-manufacturing facility at the Port of Albany to service both onshore and offshore wind projects across the region by producing 150 towers annually. This will create 500 construction jobs and employ 300 highly-skilled, full-time workers;
- Establishing an offshore wind turbine staging facility and operations and maintenance hub at the South Brooklyn Marine Terminal, creating 1,000 short term jobs and 200 long term jobs in Sunset Park;
- Increasing use of the Port of Coeymans for cutting-edge turbine foundation manufacturing; and

- Buttreassing the ongoing operations and maintenance out of Port Jefferson and Port of Montauk Harbor to give New York five wind industry-focused ports, more than any other state.

All of these Port facilities will be under development within 18 months and will leverage almost \$3 of private funding for every \$1 of public funding, for a combined \$644 million investment in Port facilities. These investments alone will ultimately yield 2,600 short- and long-term jobs in the offshore wind industry.

Proposal. Construct New York's Green Energy Transmission Superhighway

As New York builds substantial capacity to generate clean energy Upstate, the next challenge is to create a modern transmission system capable of delivering this electricity efficiently to the areas in which it is needed, particularly in Downstate.

Last year New Yorkers paid approximately \$1 billion in unnecessary "congestion costs" because of bottlenecks on our antiquated transmission grid. And the existing grid is insufficient to bring the increasingly

abundant clean energy generated Upstate, or existing clean hydropower from Canada, to high-demand Downstate areas. As a result, those areas, which offer little opportunity to construct new generation facilities, rely on highly polluting fossil-fuel plants.

Therefore, New York will construct a new green energy superhighway. Two hundred and fifty miles of transmission will be under construction in 2021, more than any other time in recent history, largely in existing right of ways. This represents an investment of more than \$2 billion. Construction has already started on the New York Power Authority's (NYPA) 86-mile Smart Path project from Massena to Croghan, and construction will soon start on several key projects, including 20 miles of transmission in Western New York to maximize the use of renewable energy from Niagara Falls; a 100-mile line from Marcy to New Scotland to uncork clean and renewable energy in Upstate; and a 50-mile transmission line from Rensselaer County to Dutchess County.

Additionally, New York State will issue an RFP for transmission arteries to bring renewable energy from Upstate and Canada to New York City and Long Island — potentially adding another 300 miles of transmission

and \$3 billion in private investment. This will allow dirty fossil fuel plants in New York City to retire, improving air quality and public health. In total, our current and planned investments in transmission will result in more than 1,000 jobs and \$5 billion of public and private sector investment.

But we must supercharge the new transmission superhighway. Vital to completing New York's nation-leading green economic recovery and accelerated renewable energy development programs will be continuing to develop and deploy state-of-the-art renewable energy storage technology and facilities. As New York spurs the investments to generate clean electricity and build the necessary capacity, statewide success in achieving our most ambitious climate plans will require the storage of clean energy for peak usage in locations when it is needed instead of losing the power generated because of bottlenecked power lines.

Last year NYPA began construction on a large-scale, 20-megawatt battery storage project in Northern New York, one of the largest storage projects in the State's growing portfolio. These projects are part of almost 1,000 megawatts of contracted storage projects

and build towards a target of 1,500 megawatts by 2025. These projects will help meet the electricity demands of 1.2 million New York homes via renewable energy. In addition, these projects will help continue propelling this fast-growing job sector, in which jobs have increased 60 percent between 2016 and 2019, to more than 2,200 jobs.⁵⁹

Proposal. Offshore Wind Training Institute to Train at Least 2,500 New Yorkers for Good-Paying Jobs

New York's accelerated renewable energy development program is creating thousands of well-paying jobs. In order to make sure New Yorkers benefit from these opportunities, the State is investing \$20 million in a new Offshore Wind Training Institute based at SUNY Stony Brook and Farmingdale State College. In 2021 the New York State Energy Research and Development Authority (NYSERDA) and the State University of New York (SUNY) will issue the first solicitations for advanced technology training partners, leveraging our SUNY system to train the first phase of an estimated 2,500 workers beginning in the summer of 2021.

At the same time, under New York State Clean Heat, New York is investing \$700 million in building electrification solutions for approximately 130,000 buildings, including a variety of heat pump technologies, and building a clean energy workforce, training 14,000 people to work in these new heat pump markets.⁶⁰

Approximately 25 percent of the workers trained will be from disadvantaged communities or priority populations and NYSERDA anticipates the launch of 12-15 new projects by the fall of 2021 through its Career Pathways Training Partnerships Program to train 800 to 1,000 new entry-level workers in heat pump technologies. We need a trained workforce to meet the demand — it's a win-win for the environment and economic growth.

Proposal. Climate Justice Job Corps

Governor Cuomo is a leader in promoting environmental and climate justice, which ensures an equitable clean energy transition for all communities — but especially those disproportionately burdened by environmental health hazards — and empowers them to chart the clean energy future that meets their

communities' needs. A key element of climate justice is ensuring the green jobs of the future are available to all New Yorkers.

Governor Cuomo has directed New York State Energy Research and Development Authority (NYSERDA) to invest more than \$100 million over five years to train workers for good-paying jobs created across the state in the clean energy economy, and NYSERDA has prioritized these workforce training investments to serve historically disadvantaged populations and communities, including individuals that are low income, veterans, disabled, Native Americans, formerly incarcerated, and residents of environmental justice communities.

In 2021, Governor Cuomo will direct NYSERDA to establish a New York State Climate Justice Corps program to fund and provide training for at least 150 year-long fellowships over the next three years. The program will provide paid fellowships to residents of disadvantaged communities in positions working in and for these communities to advance clean energy projects. Fellows will be provided professional development, training, and leadership opportunities to secure

participants full-time positions or advancing their clean energy education after completing the program. Fellows will help communities' advance projects such as efficiency retrofits, building energy use benchmarking, solar installations, energy aggregation projects, resiliency planning, and community outreach and education.

This initiative will improve engagement with disadvantaged communities in identifying community-based, climate justice focused projects and solutions, while building the capacity of local organizations to advance climate justice directly within the community.

Part 2: Accelerate the Transition to Energy-Efficient Buildings and Clean Transportation

Under Governor Cuomo's leadership, New York is leading the nation in combatting the urgent threat of climate change with ambitious goals and concrete plans for achieving them. In 2021, New York will build on our statewide ban on high volume hydraulic fracturing, or fracking, in order to meet New York's targets of 85 percent reduction in greenhouse gas emissions by 2050 and 22 million tons of carbon reduction.

Proposal. Solar and Energy Efficiency Retrofits for 5,000 Affordable Housing Units

Governor Cuomo has made the State of New York a leader in adopting clean heat and energy efficiency measures, with more than \$6.8 billion set to be invested from 2020 through 2025 as it will be critical to reduce the carbon footprint of New York's building stock, including in New York State Homes and Community Renewal's (HCR) affordable housing portfolio.

This year, Governor Cuomo will direct HCR and the New York State Energy Research and Development Authority (NYSERDA) to pilot a new program to deploy retrofits, electrification measures, and on-site solar in HCR's affordable housing portfolio. Through this program, Raise the Green Roof, qualified properties in HCR's portfolio and HCR-funded new construction projects will receive pre-development funding from NYSERDA to determine the suitability of a variety of retrofit, solar, and electrification measures and provide a project scope. If the project is approved, HCR, NYSERDA, and the New York Green Bank will work with the owner to provide a low-interest rate loan to pay for scoped work which could include energy efficiency retrofits,

electrifications, and/or solar. Once the loan is repaid, energy savings accrue to the building.

Raise the Green Roof employs a unique “revenue positive” financing mechanism to generate upfront funding as loans to be repaid through future energy savings. The program promises to reduce costs on new construction, reduce operating expenses of existing buildings, and create good-paying jobs. This program will support the installation of solar generation for 5,000 affordable housing units statewide over five years.

In addition, the State of New York Mortgage Agency (SONYMA), which offers low-interest mortgage loans and programs to help qualified buyers purchase their first home, will launch a new Retrofits program to enable low- and moderate-income homeowners to convert to electric heating and cooling systems. The program will focus on homeowners who reside in a floodplain made more vulnerable due to climate change. SONYMA will offer cost-effective grants or loans to fund flood mitigation retrofits to their homes while replacing fossil fuel combustion heating and cooling systems with renewable heating and cooling technologies. SONYMA will retrofit between 200 and 250 homes over 24 months

in three targeted communities, significantly increasing the resiliency of these communities while also reducing carbon emissions and potentially lowering both utility costs and flood insurance premiums for low and moderate-income homeowners.

Proposal. Purchase 100 New Electric Transit Buses and Build New EV Infrastructure for Public Transit

Governor Cuomo has driven significant investments to promote EV adoption, including \$55 million in Drive Clean Rebates to lower the cost of electric vehicles, more than \$700 million in EV charging make-ready infrastructure related incentives, and \$250 million in EV fast charger investment by the New York Power Authority (NYPA) to build charging stations across the state. NYPA and NYSERDA will deploy 2,500 fast-chargers in the next two years to create EV-friendly corridors across the state, building on NYPA's largest public electric vehicle fast-charging station in the Northeast at JFK Airport for electric vehicle travelers, buses, taxis, and ride share drivers, which opened in 2020.

New York is investing \$127 million in Volkswagen Diesel Settlement funds in EV adoption, \$50 million of which will help commercial truckers and bus operators put 300 clean trucks and buses on the road by 2024 and overall with approximately 65 percent going toward electrification efforts in disadvantaged communities. As of December 2020, there are approximately 60,000 EVs registered in New York. This represents an increase of 140 percent approximately 35,000 new EV registrations in New York since January 2018.

Mass transit is critical to achieving a clean transportation sector in New York State that meets the CLCPA climate goals. Last year, Governor Cuomo required five of the largest Upstate and suburban transit authorities — which currently operate 1,400 transit busses — to electrify 25 percent of their fleets by 2025 and 100 percent by 2035. The Metropolitan Transportation Authority (MTA), the largest transit authority in the nation, has committed to purchase only electric buses after 2029 and fully electrify its fleet by 2040.⁶¹

We must continue to electrify our fleets, and overcome challenges in adding power capacity and the

installation of new charging infrastructure. Available space in current bus depots is a major constraint and the existing power capacity is insufficient to meet the demands of a fully electrified fleet. To help address these challenges, in 2021:

- MTA will purchase 45 electric busses for its fleet;
- The State will assist transit systems in Buffalo, Rochester, Albany, Westchester, and Suffolk, to purchase at least 55 electric buses;
- MTA will Partner with the U.S. Department of Energy's National Renewable Energy Laboratory to develop the capability to use traction power substations for bus charging. By utilizing high tension traction power substations that currently provide DC power to the subways and commuter railroads to charge electric buses during the night, MTA can leverage its existing infrastructure and lower delivery costs. MTA is working with utilities to analyze this and other options for bus charging, including managed charging, which ensures that in-depot charging occurs outside of location-specific peak hours, both reducing the

pressure on regional peak demand and lowering costs; and

- MTA will launch a “Smart Battery” initiative in partnership with the New York State Energy Research and Development Authority. When a train brakes, most of the braking energy dissipates as heat through the third rail. With a Smart Battery, this energy can be stored and used during peak consumption hours when the electricity from the grid is most expensive and demand on the distribution system is highest. Based on the results of this initial pilot program, MTA intends to expand the program to up to 100 substations, yielding cost savings and a reduction in overall energy consumption, and helping meet New York’s energy storage target of 1,500 megawatts by 2025.

4. BUILDING A NEW NEW YORK

Under Governor Cuomo's leadership, New York entered 2020 with a record level of private-sector job growth and historically low unemployment, achieving the lowest jobless rate on record in February 2020. New York's economic growth has been widely shared and reflected all across the state. Going into 2020, the State was also forging ahead on a nation-leading infrastructure program to lay the foundation for the next generation of growth, completing roads, bridges, and other major infrastructure projects on time and on budget.

The COVID-19 crisis has had a devastating economic impact, interrupting the state's growth trajectory and inflicting economic pain on New Yorkers all across the state. Nationally, millions of Americans lost their jobs and more than 100,000 small businesses have been permanently shuttered.⁶² And the economic impact has fallen particularly hard on New York, the epicenter of the initial COVID-19 outbreak in the United States.⁶³

We can spur economic activity, as President Franklin Roosevelt did with the New Deal, with a comprehensive infrastructure program. Projects and solutions long languishing will be hyper-accelerated, including massive new infrastructure projects, new public-private sector partnerships, new energy projects, the emergence of whole new industries, and a new vision of how cities can adapt to the post-COVID-19 world. New York can and must lead the way.

Part 1: Nation-Leading \$306 Billion Investment in Transformative Infrastructure

Infrastructure is the spark that can reignite growth and opportunity. In New York, we know this from experience. During the height of the Great Depression, we built the George Washington Bridge, then the world's longest bridge; we built the Empire State Building, then the world's tallest skyscraper; and we built the Lincoln Tunnel, which remains, even today, one of the busiest tunnels in the world. After the attacks on Lower Manhattan on September 11, 2001, we rebuilt the World Trade Center and created a new, more diverse downtown.

Building great public works like highways, bridges, tunnels, rail terminals, and airports establishes the foundation for creating the good-paying jobs we need today. But the benefits of infrastructure extend well beyond that — the structures serve as the backbone of the economy for decades to come. Simply put, building great infrastructure creates long term growth and economic opportunity.

No other state in America has demonstrated a stronger commitment to infrastructure improvements than New York. For decades, major infrastructure projects languished to the point that people were convinced they would never get done. We have reversed that mindset and restored the public's faith in government's ability to get big projects done on time and on budget. Under this administration, we have completed projects like the new Governor Mario M. Cuomo Bridge between Rockland and Westchester counties, the Kosciusko Bridge connecting Brooklyn and Queens, and fully restored the L Train tunnel without a major shutdown — all of which were completed ahead of schedule. These types of large-scale, complicated projects required true leadership and a willingness to

push through the barriers that left them dormant for so long.

COVID-19 did not halt New York's aggressive infrastructure program. Since the pandemic began, the State has:

- Completed Moynihan Train Hall, a breathtaking new public space and a complete reimagining of one of the most important and visible transportation hubs in the world;
- Opened a spectacular new arrivals and departures hall and a new concourse at LaGuardia Terminal B;
- Completed the innovative L Train tunnel rehabilitation six months early, without the need to shut down service;
- Completed the Empire State Trail, the historic 750-mile pathway stretching from New York City to Canada, and from Albany to Buffalo;
- Completed the new Buffalo Exchange Street Train Station;
- Accelerated \$2 billion in MTA capital projects;
- Started construction at the Feinstein Institute Center for Bioelectronic Medicine in Manhasset;

- Completed Phase 2 of the \$150 million transformation of the State Fairgrounds;
- Opened the new Saranac Waterfront Lodge in the Adirondacks;
- Completed expansion of the North Country Veterans' Center in Plattsburgh;
- Completed the new RFK Bridge off-ramp to put cars directly on the Harlem River Drive, taking traffic off the residential streets of Harlem;
- Finished removing the Robert Moses Parkway to restore access to the Niagara Gorge;
- Launched Cashless Tolling on the entire 570-mile New York State Thruway;
- Completed the 3.6-mile Governor Mario M. Cuomo Bridge Shared Use Path for bicyclists and pedestrians; and
- Completed several improvements at New York's nation-leading parks including the new Visitor Center at Minnewaska State Park Preserve; the Jones Beach Energy and Nature Center; and the expanded Purple Heart Hall of Honor in New Windsor.

The new projects Governor Cuomo now proposes will continue to fill out his ambitious vision for rebuilding New York. The State's \$306 billion infrastructure plan is not just the largest infrastructure plan in New York's history — it's the largest plan of any state in the nation.

Proposal. Transformational \$51 Billion Midtown West Development

New York State has long led some of New York City's most successful and transformational macro-development projects, from Battery Park City to Roosevelt Island, to the transformation of Times Square. Even in these difficult times, we must continue this work. This has always been the story of New York, remaking ourselves for the future. In New York, we pick ourselves up, roll up our sleeves, and get to work building up once more. We open ourselves up to new opportunities, new people, and new possibilities.

This year, New York State is launching one of the most important projects yet — a macro transit-oriented development that will complete the buildout and connectivity of Midtown West from Penn Station to the

Hudson River. This bold effort — representing \$51 billion in total investments — will bring New Yorkers new outdoor spaces, affordable housing, improved public transit and pedestrian connections, access to the waterfront, and commercial and retail opportunities.

- **Developing the Empire Station Complex:** On January 1, 2021, New York opened the Moynihan Train Hall in the James A. Farley Post Office Building. A key part of the Empire Station Complex, this state-of-the-art transportation hub is the new home of Amtrak and the Long Island Rail Road. The soaring new train hall is the grand gateway to New York City that has been missing since the tragic demolition of the original Penn Station in the 1960s. With the completion of the Moynihan Train Hall, the State will turn to the existing Penn Station, launching a comprehensive \$16 billion project to reconstruct the existing station and add track capacity by expanding south, acquiring and developing block 780. The fully renovated Penn Station, including the iconic new Long Island Rail Road entrance on 7th Avenue that opened on December 31, 2020, will comprise

a widened and completely reconstructed 33rd Street LIRR concourse, and an expanded and completely transformed station. Additionally, at least eight new tracks will be constructed south of the existing Penn Station to add capacity, cut down on delays, and improve operations. This will be a signature transportation project creating nearly 60,000 direct jobs, involving the federal government, Empire State Development, the Metropolitan Transportation Authority, New Jersey Transit, and Amtrak. New York State stands ready to work with New Jersey Transit, Amtrak, and the federal government to share in this historic investment for the future of the region. Taken together, Moynihan, the block south of Penn Station, and the reconstructed Penn Station will nearly double the available space and make traveling easier, safer, more reliable, and more enjoyable. The transformation of Penn Station also anticipates two new Gateway tunnels to bring more trains across the Hudson from the west and the renovation of the two existing

Gateway tunnels, for a total of four train tunnels from New Jersey and beyond.

- **West Side community restoration with affordable housing:** With the new transportation complex as a cornerstone, the Midtown West development will also include new housing and commercial development around the station and on two parcels near Javits. In total, the area spanning from Broadway to the Hudson will include 10 building sites that will yield more than 20 million square feet of retail, commercial, and residential development and provide up to 1,400 much-needed units of affordable housing in a transit, job, and amenity-rich community.
- **Javits Center expansion:** The 1.2 million-square-foot, \$1.5 billion expansion of the Jacob K. Javits Center, the nation's busiest convention center, will be completed in 2021 and increase capacity by 50 percent. The expansion will include a rooftop pavilion and outdoor terrace for 1,500 people; a one-acre rooftop farm; a 54,000-square foot special event space with Hudson River views; 90,000 square feet of new exhibition

space that will create 500,000 square feet of contiguous exhibition space; and a truck marshaling facility that will reduce area congestion and pollution.

- **New waterfront park at Pier 76:** Located west of the Javits Center and 36th Street, the State will transform Pier 76 from an NYPD car impound to a 5.6-acre expansion of Hudson River Park. In the short term, it can become a magnificent public space that will allow visitors access to the waterfront while the Hudson River Park Trust develops plans for the Pier's long-term future.
- **Building High Line extensions:** The successful High Line will also be expanded to provide safer and faster pedestrian connectivity from Moynihan Train Hall and the expanded Penn Station to Hudson Yards, the Javits Center, and Hudson River Park. In Phase One, the High Line will be extended east from 10th Avenue and 30th Street toward Moynihan Train Hall. For the second phase, we will study the extension of the northwestern end of the High Line, which currently terminates at 34th Street and 12th

Avenue, northward connecting to Pier 76, the next great public pier in Hudson River Park.

- **Replacing the Port Authority Bus Terminal:**
The Port Authority of New York and New Jersey will replace the outdated terminal with a new state-of-the-art facility to accommodate growing commuter volume and additional inter-city bus operations, reducing congestion on city streets and improving air quality while serving over a quarter million daily passengers. The project will continue the transformation of mass transit to and from the West Side of Manhattan including new residential and commercial development and incorporate further community priorities such as new green space.

Proposal. Accelerate Nation-Leading Investment in Transportation Infrastructure

During these unprecedented times, no other region in the country has equaled the resiliency of New York State, particularly Downstate, which has one of the largest and most complex transportation networks in the world. Despite a global pandemic, construction on major

Downstate projects has continued and even accelerated, with some projects being completed ahead of schedule. As we build a *new* New York, we must accelerate and add to these critical infrastructure projects to create jobs; attract new businesses, residents, and investment to our region; and continue to demonstrate to the nation that New York will lead the way on not simply talking about infrastructure, but actually getting things done.

- **Continue to build the new LaGuardia Airport:**

The historic \$8 billion transformation of LaGuardia Airport has continued to meet every milestone, including the Summer 2020 opening of a new Terminal B Arrivals and Departures Hall and a major portion of the terminal's second new concourse. In 2021 the vast majority of the roadway network will be completed while making significant progress on Delta's new state-of-the-art terminal and concourses on the east side of the airport. When complete, the new LaGuardia will be the first new major airport built in the United States since 1995, will have created 14,000 jobs, and will safely and efficiently serve more than 30 million passengers per year. In addition, upon

receipt of a positive record of decision from the federal government, New York State will continue work on the \$2 billion AirTrain LaGuardia.

- **Continue the transformation of JFK Airport:** New York State will continue the \$13 billion plan to transform John F. Kennedy International Airport into a modern 21st century airport. When complete, the new JFK will have created nearly 30,000 jobs and will have the capacity to safely and efficiently serve more than 75 million passengers per year.
- **Round 2 of the Upstate Airport Economic Development and Revitalization Competition:** After investing \$200 million in Upstate airports, including Elmira-Corning, Greater Rochester, Syracuse-Hancock, Plattsburgh, Ithaca-Tompkins, and Albany, Governor Cuomo will make available an additional \$100 million toward the continued renewal and modernization of Upstate airports. Projects will include enhanced security screening, expanded and rehabilitated terminals, state-of-the-art boarding concourses and concession areas, and innovations in contactless technology.

- **Jump-start the historic \$51.5 billion MTA capital plan:** The MTA is facing the worst financial crisis in its history and has requested assistance from the federal government to avoid major reductions in service and allow the implementation of its historic \$51.5 billion 2020-24 Capital Plan. Upon resolving funding uncertainty caused by COVID-19, MTA is committed to getting this program back on track with state of good repair projects, signal modernization, and ADA accessibility projects progressing in 2021. Other projects supported include upgraded stations, thousands of new buses and train cars, and critical maintenance and upgrades for bridges, tunnels, and other infrastructure. In addition, with necessary multi-year federal support MTA will further extend the Second Avenue Subway, from 96th Street to 125th Street. New York State will also continue to seek needed federal cooperation for the Central Business District Tolling Program, which will generate revenue for the MTA and is designed to

reduce traffic congestion, improve air quality, and promote mass transit usage.

- **Advance the Long Island Rail Road third track project:** The Long Island Rail Road's historic and transformative third track project will complete a new third track along a critical 9.8-mile section of LIRR's Main Line between Floral Park and Hicksville to increase track capacity, improve reliability, and significantly enhance service for LIRR customers. The \$2.6 billion project also includes the construction of additional parking garages, the renovation of stations, new and renovated bridges, and modern track and signal infrastructure. Additionally, by the end of 2021, MTA will have completed all eight of the grade crossing eliminations on the mainline, including six with new vehicular underpasses, and all station work will be underway or complete.
- **Create direct access to Hunts Point Market:** New York State is currently investing \$1.7 billion to create direct access to and from the Bruckner Expressway and Sheridan Boulevard for trucks serving the Hunts Point Food Distribution Center.

The new direct highway entrance and exit ramps will take traffic off local roadways, significantly reducing both noise and air pollution in a borough with high asthma rates. The entire project is scheduled to be completed in the fall of 2025.

- **Add a fourth lane on the traffic-plagued Van Wyck Expressway:** As part of the JFK Airport transformation, the State is working to alleviate bottlenecks and enhance the movement of freight along the existing roadway system. In addition to replacing or lengthening nine overpass bridges crossing the Van Wyck Expressway between Hillside Avenue and 133rd Avenue and replacing one and retrofitting two Long Island Rail Road bridges crossing the Van Wyck Expressway, the state will add a fourth lane to the Van Wyck Expressway.
- **Transform the Kew Gardens Interchange:** Also as part of the JFK Airport transformation, the State is modernizing the Kew Gardens Interchange, which serves more than 600,000 vehicles daily. The final phase of this \$700 million project will be complete in 2022.

- **Replace the Syracuse I-81 Viaduct:** In 2021, the State will conduct an environmental and public review of its proposal to replace the Interstate 81 viaduct. This \$1.9 billion project will reconnect communities separated in the 1950s while creating new residential and commercial development opportunities. It is expected to break ground in 2022.
- **Re-deck the Newburgh-Beacon Bridge:** Continue work to complete a full deck replacement on the north span of the Newburgh-Beacon Bridge over the Hudson River, improving roadway safety, drivability, and durability. This \$95 million investment will be complete in 2022.
- **I-390/490 interchange improvements:** The State will complete a \$150 million project to ease access and improve traffic flow along Lydell Avenue, Route 390, and the Interstate 390/490 Interchange in Monroe County. This interchange will provide a vital connection for nearly 200,000 daily motorists and will be completed in 2021.
- **Rebuild and redevelop the Thruway's 27 service areas:** This \$450 million public-private

partnership will completely rebuild 23 of the Thruway Authority's service area buildings and provide significant renovations and upgrades to the remaining four. Phase I will commence in 2021 and includes the reconstruction of 16 service areas.

Proposal. Continue Job-Creating Investments Across the State

Since taking office in 2011, Governor Cuomo has invested more in the renewal and modernization of transportation infrastructure in communities across Upstate than at any period in the State's history. These investments have ensured that every region in New York remains regionally and globally competitive while promoting economic development, enhancing resiliency, and creating new jobs. Throughout 2021, Governor Cuomo will continue his commitment to improving Upstate infrastructure, bringing forward the best of what the state has to offer.

- **Bay Park reconstruction:** In the aftermath of Superstorm Sandy, the Governor directed \$830 million in funding for the reconstruction of Nassau County's Bay Park wastewater treatment

plant, including flood resiliency measures to withstand the 500-year level storm. Additionally, the State is working with Nassau County on the \$439 million Bay Park Conveyance Project to reduce nitrogen pollution by more than 50 percent and to connect the plant to an existing ocean outfall. This \$1.2 billion-plus investment will result in dramatic improvements in the water quality while stemming the rapid degradation of the marsh islands that provide a natural barrier of flood protection for southern Nassau County. In 2021, construction will begin on the Bay Park outflow system.

- **Historic settlement to clean up the Grumman Plume:** New York is taking historic steps to protect Long Island's water quality and the communities that depend on it with the cleanup and full containment of the Navy-Grumman plume in Bethpage. In 2020, New York secured agreements with the U.S. Navy and Northrop Grumman to perform the \$406 million cleanup and containment project. In addition, Northrop Grumman agreed to New York's largest-ever

Natural Resource Damages settlement, which will invest \$104.4 million to protect and restore Long Island's aquifer. Work is already underway and will continue under stringent State oversight until the job is done, ensuring the polluters continue to pay for an effective cleanup using the best technology available for one of the most complex groundwater remediation projects in the country.

- **Complete the Belmont Arena:** The Belmont Park Redevelopment is replacing 43 acres of underutilized parking lots with the 19,000-seat UBS Arena that will bring the New York Islanders hockey team back home to Long Island, and include a world-class retail village, and a new hotel. New York Arena Partners is leading the 350,000-square-foot development, bringing \$1.3 billion in private investment to the 115-year-old horse-racing facility. The project also includes the renovation of two nearby community parks, new community space, and the first new LIRR train station in 40 years, benefitting Elmont residents as well as visitors to the new entertainment and retail destination. Construction is well underway,

with completion of the arena slated for the 2021-2022 NHL season and east-bound LIRR service to open in fall 2021. In total, this project will create more than 12,000 direct and indirect jobs throughout construction and once completed.

- **Reimagine the Buffalo Skyway:** Governor Cuomo initiated a large-scale planning and design effort to maximize waterfront access and free up to 45 acres for development through the removal of the Skyway Bridge in downtown Buffalo and transform it into a spectacular park. New York State will complete the environmental review process this year, and with federal approval will be ready to break ground this year.
- **Convert the Albany Skyway into a new linear park:** Through an \$11.4 million partnership with the City of Albany, the State is converting an underutilized interstate exit ramp into an iconic linear park with a landscaped promenade, event spaces, and an accessible shared-use path connecting downtown Albany with the Arbor Hill and Sheridan Hollow neighborhoods, Albany's

warehouse district, and the Corning Riverfront Park. Construction will be completed this year.

- **Complete Olympic Sports Complex at Mt. Van Hoevenberg:** The State will complete the new \$72 million year-round Olympic Sports Complex this winter, including the 55,000 square-foot Mountain Pass Lodge; a 30-point biathlon range and 5 kilometers of Nordic trails with a 3-million-gallon snowmaking reservoir; and the Cliffside Coaster. These state-of-the-art facilities will attract world-class and amateur athletes for training, competition, and recreation.
- **New Whiteface Mid-Station Lodge:** Following a devastating fire in November 2019, Whiteface Mountain has opened a newly rebuilt \$14 million mid-station lodge for the 2020-21 ski season. A full kitchen-service restaurant in the lodge will follow next season.
- **Resiliency and Economic Development Initiative (REDI):** As part of the State's ongoing response to record flooding that hit Lake Ontario and St. Lawrence River shoreline communities during spring and summer of

2019, Governor Cuomo created the REDI Commission to strengthen infrastructure and mitigate the impacts of future flooding while bolstering the region's local economies. The State has committed up to \$300 million to rebuild the shoreline, as well as improve resilience in flood-prone regions along the lake. In 2020, all 133 awarded REDI municipal infrastructure projects were underway, with 111 projects in the design phase, 11 projects in the construction phase, and 11 projects completed. In addition, 2020 marked the identification of twenty sites to be dredged under the Regional REDI Dredging Project, and four locations have been completed to date. Additionally, 140 businesses were awarded Lake Ontario Business Resiliency Program grants from Empire State Development to build back smarter and stronger in the face of climate change. 2021 will herald significant milestones for REDI projects, with 104 municipal infrastructure projects and 15 dredging project locations slated to break ground, while another 64 REDI municipal infrastructure projects and 16

dredging project locations are anticipated to complete construction.

- **Continue investments in clean water infrastructure:** This year, the Executive Budget will continue historic funding levels at \$300 million for the Environmental Protection Fund to protect our critical resources and the communities that depend on them. Additionally, \$500 million will be appropriated to support critical water infrastructure projects across the state, following through on the Governor's commitment to an additional \$2.5 billion to secure clean water, doubling the funding from the Clean Water Infrastructure Act. The historic investment in critical environmental programs, drinking water infrastructure, wastewater infrastructure, and source water protection will enhance community health and wellness, safeguard the state's most important water resources, and create jobs.
- **Complete and open LEGOLAND:** With the support of nearly \$26 million from New York State, in 2021 Merlin Entertainment will

complete construction and open its 150-acre LEGOLAND theme park in Orange County. This \$420 million investment will draw tourists back to New York after the pandemic and is anticipated to create approximately 1,000 jobs.

- **Key progress on ROC the Riverway:** The Riverway Rochester redevelopment project, supported by a \$50 million New York State investment, will achieve several key milestones in 2021 with more than half its projects reaching completion, including the expansion of the Blue Cross Arena Exchange Expansion and the West River floodwall projects, as well as the continued construction of the major overhaul to Charles Carrol Park.
- **Complete the Skydome drone testing facility:** This year New York will complete the transformation of a previously-unoccupied hanger at the Griffiss International Airport into the Skydome, a one-of-a-kind aerial drone research and testing facility, putting the Mohawk Valley at the global center of this growing industry.

- **Grow Long Island's biotech hub:** New York State has made several investments in strengthening Long Island as global hub for biotech. Together, these projects represent groundbreaking public private partnerships and locally employ more than 18,000 people. In 2021, key progress will be made on 3 fronts: Stony Brook University will open its new \$60 million, 68,000 square-foot Innovation and Discovery Center; the Feinstein Institute of Medical Research in Manhasset will complete construction of a \$30 million, 20,000 square-foot bioelectronic medicine research facility; and Brookhaven National Labs, after being selected as by the U.S. Department of Energy as the site of the world's first next-generation Electron-Ion Collider, will continue work on the project, an approximately \$2 billion investment in partnership with the federal government.

Proposal. Invest in Upstate New York's Health Care Facilities

Governor Cuomo has long recognized health care as a critical sector, and the COVID-19 pandemic has reinforced how important this infrastructure is to our lives and livelihoods. New York State has been at the forefront of the public health response, developing an extensive COVID-19 testing operation, launching and operating dozens of COVID-19 testing facilities, and providing PPE, test kits, and other critical supplies to facilities across the state. As the COVID-19 emergency has highlighted, it is more important than ever to ensure the strength and resiliency of our public health infrastructure for years to come.

- **Complete the Binghamton University Health Sciences Campus:** In 2021, Binghamton University will complete the construction of its transformational, \$287 million, 13-acre Health Sciences Campus in downtown Johnson City. This includes the 108,000 square-foot Decker College of Nursing and Health Sciences, which will welcome hundreds of students this Spring; a new 105,000 square-foot school of Pharmacy and

Pharmaceutical Sciences with more than 350 faculty, staff, and students; a new eldercare teaching clinic in partnership with Lourdes Hospital; and a pharmacological R&D facility. Overall this project will have created more than 225 new jobs and involved more than 200 construction jobs.

- **New Mohawk Valley Health System Hospital in Utica:** This year, work will continue construction on the \$548 million Mohawk Valley Health System's new state-of-the-art hospital in downtown Utica. The 672,000-square-foot, nine-story, 373-bed facility is projected to be completed by 2023.
- **New Athenex pharmaceutical production facility in Dunkirk:** In 2021 Athenex will complete a 409,000 square-foot state-of-the-art pharmaceutical production plant, the first specialized plant of its kind built in North America in over 15 years, with the support of a \$200 million New York State investment. Athenex will invest more than \$1.5 billion in the facility over ten years and directly create 450 jobs.

Proposal. Open Pathways to Low-Cost Financing and Delivery Opportunities for Non-Profits, and School Districts

COVID-19 and the federal government's failure to provide adequate financial resources to New York State and its local governments have left our nonprofit sector, and the constituents it serves, bearing the burden of the fiscal impact of the pandemic. In a typical year, nonprofits receive \$187 billion from state and local governments – more than four times the \$44 billion they receive from private foundations. The nonprofits that often are most vulnerable to COVID-19 are those that depend upon people coming to congregate sites for their income, including museums, theaters, child care centers, and recreation centers. Other nonprofits have seen the demand for services skyrocket at facilities that are in dire need of investment. Governor Cuomo is committed to helping these pillars of our communities, which provide vital services to New Yorkers.

Building on past efforts, Governor Cuomo will assist New York's nonprofit sector, and school districts by enabling such organizations to access low-cost, tax-exempt financing through the Dormitory Authority of the

State of New York (DASNY). Through this innovative program, nonprofit organizations, and school districts can access DASNY's financing, design, and construction services for needed capital improvements. During the COVID-19 state of emergency, DASNY will also be authorized to finance their working capital needs. This initiative will enable not-for-profits and school districts to make structural improvements while continuing to provide their vital services. Already, DASNY has financed and built an array of critical community projects from residence halls at SUNY Brockport and SUNY Polytechnic Institute in Utica to energy performance projects that save money over the long-term. This initiative would expand their authority to reach more institutions serving the public good. Accessing low-cost financing will leave more cash available to invest in their core missions.

Proposal. Facilitate Rail-Advantaged Housing

New York City and its suburbs have experienced a housing shortage for more than seventy years. Yet over the past decade, the amount of new housing build in Nassau, Suffolk, and Westchester has been only one-

third of the amount added in Connecticut and New Jersey suburbs on a per capita basis.⁶⁴

Many of the best opportunities to create new housing with relatively little environmental impact are along the region's crucial commuter rail transit corridors. Some localities, including New Rochelle, Westbury, and Wyandanch, have already developed comprehensive plans for substantial new construction in areas surrounding LIRR and Metro-North stations. Even these efforts, however, involve several years of governmental review before yielding actual new homes for families.

To encourage greater production of rail-advantaged housing, the State will offer an accelerated review process for local governments seeking to rezone areas around commuter rail stations for increased residential use. The State, in consultation with environmental advocates and planning experts, will develop standard criteria for assessing the impact of a proposed rezoning on the surrounding community and for prescribing any needed mitigation, based solely on the amount of new housing and its proximity to the rail network. Local governments can then authorize the use

of these criteria in place of costlier and more time-consuming assessment procedures.

Proposal. Launch Database of Economic Incentives

Since taking office, Governor Cuomo has remained committed to increasing transparency in State government and providing the public with clear and detailed data on the State's programs and activities. In 2013, Governor Cuomo launched "Open NY" — a comprehensive and user-friendly website with data from New York State agencies to provide unprecedented insight and transparency into a range of State-led initiatives. Open NY houses data on a host of pressing topics, including economic development, government finance, education, public safety, and recreation to name a few. Building on this commitment, in 2019, Governor Cuomo announced the development and implementation of a database that would give the public current and relevant information on projects that receive assistance from Empire State Development on one dynamic, user-friendly website.

This year, the finalized database will be added to the Open NY platform and will display data points on

ESD's portfolio of projects, such as project name, project location, total cost, State investment, the type of benefit awarded, job creation and retention totals, and progress to-date on such commitments, among other data points. The Database adds to ESD's current library of public reports and serves as a resource for the public to engage with the State's economic development and revitalization investments.

Part 2: Build Out New York State Parks

Proposal. Expand Outdoor Recreation Programming to Promote COVID-19 Safe Recreation

Parks are essential to societal health and well-being for people from all communities. This has been especially true during the COVID-19 pandemic, when outdoor recreation offered one of the safest options for families. State parks are on pace to host more than 75 million visits in 2020, making it one of the busiest years on record. In addition, participation in hunter safety training courses increased by 175 percent. Already, New Yorkers are planning their State park visits for 2021 with more than 570,000 overnight stays already booked, a 23

percent increase in reservations from last year. The popularity of our parks is a testament to the Governor's \$900 million investment in the Parks 2020 Initiative⁶⁵ and creation of four new parks: Four Freedoms Park on Roosevelt Island, Buffalo Harbor State Park, Hallock State Park Preserve, and Shirley Chisholm State Park.

In 2020, parks remained almost entirely open at the height of the pandemic in the spring and safely phased in activities such as golf, swimming, and camping with measures to protect public health in place. Even with a successful vaccine rollout in 2021, the ability to safely recreate outdoors will remain a critical complement to public health measures for months. To keep parks open and safe, the State will build off the lessons learned in 2020 to safely enhance programming in a manner that maximizes recreational and cultural experiences for all New Yorkers, including:

- Launch the "Empire State Trail Challenge" to feature a series of events and itineraries along the 750-mile route, the largest multi-use trail in the nation, encouraging New Yorkers to walk, run, or bicycle to their local trail section, as well as safely explore nearby cultural attractions, historic sites,

museums, and craft beverage and agri-tourism experiences;

- Host drive-through and drive-up events such as Wicked Woods at Green Lakes State Park and Magic of Lights at Jones Beach;
- Host outdoor movies at select State parks in spring and summer;
- Expand and enhance virtual nature center- and historic site-based educational programming;
- Update the New York State Park Explorer App to provide useful alerts about park capacity limits and offer suggestions for less crowded “hidden gem” options;
- Expand angling opportunities by creating a trout stream access website and app; and
- Increase hunting opportunities by expanding crossbow season into big game season, and allow junior hunters ages 12-13 to hunt big game with a rifle or shotgun when under the supervision of a parent, guardian, or mentor.

Proposal. Launch NY Parks 100 Capital Plan to Celebrate a Century of the State Park System

Since 2010, Governor Cuomo's NY Parks 2020 program has leveraged more than \$1.2 billion in public and private funds to revitalize New York's parks, trails, and historic sites, driving a double-digit increase in visitation and expanding access to outdoor recreation. The NY Parks 2020 Initiative included more than 900 improvement projects in more than 200 parks and historic sites across the state. However, due in part to their enormous popularity as well as COVID-19 public health occupancy limits, parks, beaches, and pools throughout the state regularly fill to capacity, especially during weekends and holidays.

In response, Governor Cuomo will launch NY Parks 100, renewing the historic commitment to investing and expanding the State park system by committing at least \$440 million over the next four years. This critical period of revitalization will culminate in the 2024 celebration of the 100th anniversary of the State Park Act, which first created our nation-leading State park system in 1924 under Governor Al Smith.

NY Parks 100 will continue crucial investments in park infrastructure while enhancing opportunities to reach the full range of New York State's recreational and cultural offerings, including local parks and trails, regional flagship parks and historic sites, and vast wilderness parks. The initiative will focus on creating places to recreate locally, relieving overcrowded parks, welcoming new visitors, and protecting New York State's environmental and historic legacy. This new plan will ensure people from all communities and across all ages and abilities can fully experience our outdoors, our culture, and our heritage. In 2021, New York State will:

- Announce the building of a new 28,000 square foot Niagara Falls State Park Visitor Center to complete the \$150 million transformation of one of New York's most famous parks, visited by 9 million people each year and attracting four-season visitors for extended stays;
- Complete the transformation of the newly-dedicated Marsha P. Johnson State Park with a new park house and education center, art installations, and infrastructure improvements;

- Create the Empire State Birding Trail network with promoted birding locations in every region of the state;
- Launch the Adopt-a-Trailhead program to empower volunteers to help maintain trailheads; and
- Increase overnight camping options and capacity by partnering with a popular camping equipment company to offer easy options for those without their own equipment.

In addition, given the enormous demand from residents and visitors from New York City, in 2021 New York will prioritize the addition of amenities to State parks throughout the Hudson Valley:

- Begin initial planning and design for the reopening of Lake Sebago for swimming, improving the hiking trail system, and adding new zip lines and rope lines in Harriman State Park;
- Begin initial planning and design for upgrading Bear Mountain's Hudson River access to accommodate social distancing between groups

in picnic areas and establishing a new entrance to welcome visitors to the Park;

- Open 400 acres of land near Kingston for initial passive use, while launching a design process for a world-class 508 waterfront Hudson Cliffs State Park to come; and
- Revitalizing the first boat launch site to begin the development of the new Hudson Eagles State Recreation Area water-based park.

Proposal. Launch Initiative to Diversify Stories told through State Historic Sites

The great outdoors and New York's State parks and historic sites belong to all New Yorkers and should reflect the diversity of our culture — not only to tell the full story of our history but also to ensure that all feel welcome to partake in the bounty of our natural world. Governor Cuomo has ensured those who have historically been excluded — including low-income, urban, and non-white New Yorkers — have had the opportunity to experience the outdoors. Governor Cuomo launched the Connect Kids to Parks program, which has resulted in field trips to our State lands for

more than 300,000 students from underserved school districts; he also established the Adventure NY program, improving access to public lands and offering free and low-cost guided outdoor adventures to more than 5,300 newcomers to the outdoors in the last year. In 2020, 135 participants enjoyed an overnight stay on State lands as a part of the First-Time Camper Program. As a part of the Governor's \$1.4 billion Vital Brooklyn Initiative, open space and recreational opportunities were expanded for residents living in Central Brooklyn through the transformation of eight asphalt schoolyards into dynamic playgrounds designed by local students, as well as the revitalization of 22 community gardens and improvements to four recreation centers.

Governor Cuomo has also ensured our parks and historic sites venerate a full cross-section of our communities. He has dedicated Riverbank State Park in Harlem to Assemblyman Herman "Denny" Farrell, Jr., honored Congresswoman Shirley Chisholm with the largest State park in New York City, dedicated the former East River State Park to the late LGBTQ civil rights activist Marsha P. Johnson, and unveiled a statue of

abolitionist and women's rights activist Sojourner Truth at the Walkway Over the Hudson State Historic Park.

Governor Cuomo will continue this work by launching the "Our Whole History" Initiative to ensure that our historic sites tell the untold stories that reflect the true diversity of our history. In 2021, New York will designate the first New York State Historic Site dedicated to black history by reprogramming Philipse Manor Hall State Historic Site in Yonkers to become a museum and cultural site for interpreting and educating the public about the nearly 400-hundred-year experience of African Americans in New York. The site was once home to enslaved Africans who were essential to the economic viability of the Philipse family's large landholdings, and will include exhibits interpreting enslavement, the Underground Railroad, emancipation, the Great Migration, and the civil rights movement.

In addition, the Office of Historic Preservation will expand its capacity to inform programming and exhibits that tell the untold stories of Indian nations and indigenous cultures residing in New York.

Proposal. Open the Nation's First-of-its-Kind Autism Nature Trail at Letchworth State Park

An important part of ensuring that all New Yorkers have access to the outdoors is creating experiences that everyone can enjoy. This year, Governor Cuomo will open the Autism Nature Trail at Letchworth State Park, a \$3.9 million public-private partnership to create a first-in-the-nation trail comprised of eight different stations. Each station will offer something different, from quiet engagement to active exploration and adventure. The trail will provide a unique and welcoming experience in nature, inviting those with Autism Spectrum Disorder and other developmental disabilities to push boundaries, explore outdoor activities, and develop new skills. The Autism Nature Trail is the first of its kind in the nation as an all-inclusive experience in nature that was designed for visitors with autism and related disorders but which is ADA-compliant and appropriate for all abilities and ages.

Part 3: A Modernized Transportation System

Proposal. Develop the Autonomous Vehicle Industry in New York

The development and deployment of autonomous vehicle (AV) technology will revolutionize the transportation industry worldwide. Established vehicle manufacturers, major technology companies, and well-funded start-ups are all investing billions of dollars in a race to lead the AV marketplace.

The New York statute authorizing AV testing in the State expires on April 1, 2021. To continue to expand and promote the growth of the AV industry in New York, attract investment and jobs, and shape the legal, logistical, and policy questions posed by this transformational technology, Governor Cuomo will jump-start New York's AV sector by renewing, updating, and strengthening the New York's AV testing law. This new legislation will empower DMV, in consultation with the AV industry, State Police and DOT, to promulgate regulations establishing testing protocols that adapt to recent technological advancements to encourage and facilitate AV development in New York. The state will also create an

interagency leadership group comprised of DOT, DMV, SUNY and the Thruway Authority will coordinate State policy on AV and connected AV (CAV) technology, allowing for the speedy modification of regulations in response to evolving industry trends.

5. REALIZING A MORE JUST AND EQUAL NEW YORK

COVID-19 held a magnifying glass up to our society. Health, education, jobs, housing — this crisis opened people’s eyes to the inequality rampant across this country and the entire globe.

Sometimes it takes a world-changing event, a shock to the system, to bring about real change. It was only after World War II that America passed the GI Bill and created social programs that led to decades of broadly enjoyed growth and reduced inequality. But these programs need to evolve and adapt with the times. It is true that these programs have been chipped away over decades. The relative prosperity of the country made it easy to overlook those being slowly and systematically left behind. Our generation can rebuild something better from the COVID-19 crisis, and this time bring everyone up together.

Fortunately, New York is starting this next era from a strong position. New York has a long history of

expanding the social contract, from Seneca Falls to the New Deal, from Storm King to Stonewall. And for the last ten years, Governor Cuomo has enacted the nation's most progressive social justice laws and policies. From the \$15 minimum wage to Paid Family Leave to the \$20 billion housing plan to protections for women, LGBTQ individuals, and immigrants, New York has lived up to its esteemed history for the last ten years.

This year, Governor Cuomo will take it farther, tackling the needs and challenges that COVID-19 magnified. Governor Cuomo will close the digital divide, address the economic structures that allow inequality to persist, increase access to affordable housing, lift up our disadvantaged communities, and build on this administration's hard-earned progress.

Part 1: Close the Digital Divide

Today, broadband is a necessity. Basic activities like going to school, accessing telehealth services, working from home, finding new career opportunities, and accessing government services all are made easier with a high-speed internet connection. But it has become even more necessary in the COVID-19 era, which limited

the ability to have school in person or to visit a doctor. Indeed, as the Governor's blue-ribbon Reimagine New York Commission concluded, "this pandemic has shown that equal access to high-quality, affordable internet connectivity is a prerequisite to making the many other hard and essential changes necessary for New York to build back better and more equitably." The Commission also found that "it is as critical to the future of our economy, education, safety, and prosperity as running water and electricity are to New York's communities. Broadband internet is comparable to a basic utility, even if it is not fully recognized as one by law." And in 2016, the United Nations declared that internet should be considered a universal right for all.⁶⁶

Throughout Governor Cuomo's Administration, New York State has led the nation in the delivery of equitable internet access. In 2015, New York State undertook the largest and most ambitious broadband initiative in the nation, dedicating \$500 million to broaden statewide internet access. This investment, coupled with regulatory reforms, expanded the broadband network to more than 2.4 million locations throughout the state and catalyzed more than \$1 billion

in investment. Through this initiative, 98 percent of New York households are currently able to connect to high-speed broadband networks providing download speeds of at least 100 Mbps, up from 70 percent only five years ago.⁶⁷ Furthermore, the Administration took critical steps to tackle the digital divide in schools by signing the 2014 Smart Schools Bond Act.⁶⁸ This Act made \$2 billion available to school districts across the state for technology devices and classroom enhancements to improve school connectivity, making it possible for schools to weather today's remote learning challenges.

Still, coverage does not necessarily mean access. Even if households are in a covered area, many families lack the financial means to have broadband service in their homes. All the state-of-the-art fiber installed over the past five years does no good for an elementary school student if that student's family cannot afford the service. Furthermore, unacceptable racial disparities in connectivity persist. Nationwide, only 66 percent of black households, 61 percent of Hispanic households, and 53 percent of Native Americans living on tribal lands are connected to the internet at home, compared to 79 percent of white households.⁶⁹ The Governor's

Reimagine New York Commission called for a bold and ambitious vision that both embraces market competition and recognizes the need for strong government action to ensure equity. At their recommendation, Governor Cuomo will take the actions outlined below.

Proposal. Mandate \$15 per Month High-Speed Service for Low-Income Families, a First-in-the-Nation Guarantee of Affordable Internet for All Low-Income Families

Today, a basic high-speed internet plan, on average, costs more than \$50 per month. Governor Cuomo will propose first-in-the-nation legislation requiring internet service providers to offer an affordable \$15 per month high-speed internet plan to any family that would qualify for free or reduced-price lunch or is at 185 percent of the federal poverty line. Internet service providers will need to ensure that these plans have speed and quality equivalent to the basic plan that the provider offers to the general public. Critically, the State will also require providers to advertise affordable programs to ensure programs reach underserved populations. Providers will be required to report offerings to the Public Service Commission.

Proposal. Establish a “Hardship Fund” for Families and Facilitate School District Purchases of Needed Devices

COVID-19 made it critical that every New York student has access to a device and service to meaningfully participate in their education. A smartphone is not enough. To bridge the gap during the COVID-19 emergency and help the neediest children, the Reimagine New York Commission, Schmidt Futures, and the Ford Foundation will launch a new hardship fund to subsidize costs for New York students who cannot afford \$15 a month for at-home internet during the COVID-19 crisis.

Furthermore, the State will expedite the deployment of millions of dollars in Smart School Bonds Act funds so that school districts with a remaining allocation have the funds needed to meet the outstanding device and hotspot needs of their students.

Proposal. Catalyze New Broadband Infrastructure and Equitable Fiber Buildout Across New York State

The State will continue its efforts to expand fiber buildout across New York and improve broadband

coverage speeds using new technologies. Even in this fiscal environment, there are important steps New York can take to remain a national leader on connectivity and equitably grow its digital economy. We will do so by enacting a “Dig Smart” policy to promote fiber build-out across New York State. State agencies will be encouraged to lay conduit where practical whenever there is underground construction in public rights of way with no aerial broadband infrastructure, such as railroad and water crossings. This policy will encourage further broadband deployment while reducing capital costs, minimizing disruption, and speeding up deployment. Over the long-term, this policy lays the foundation for a smarter fiber strategy by creating a network of conduit along State-owned rights of way that can be leased to multiple broadband providers, which serves to generate revenue for the State. It can also drive competition by making conduit open-access and able to be leased to multiple broadband providers. Since excavation costs make up a significant portion of the capital costs involved with building a fiber network, implementing a “dig smart” policy also will expand access to less populated areas.

Proposal. Ensure Consumers Get Clear and Accurate Pricing Information

To combat practices that limit consumer choice and increase the cost of internet services, the Public Service Commission will require adherence to a universal “broadband disclosure” that explains all charges (e.g., device, termination, activation, equipment fees, etc.) in plain and easy to understand language in accordance with the Federal Communications Commission’s 2016 design. To date, pricing information has been difficult to decipher and consumers are frequently hit with unexpected charges. The broadband disclosure will be required of all internet service providers operating in New York State. In partnership with the Reimagine New York Commission, the State will also launch a centralized online portal to aggregate all affordable internet programs in one place and gather critical data on consumer experience and remaining service gaps. This data can help inform future programs and ensure New Yorkers get their fair share of federal funding for rural broadband and other digital equity programs.

Proposal. Make Government Services More Accessible Online

Governor Cuomo has always set a high standard for digital government. Whether it has been the full-scale redesign of the State's website, to launching the Digital & Media Services Center, and migrating key services online such as Voter Registration, Organ Donation, the Health Exchange, and the Excelsior Scholarship, New York has set the standard for digital service delivery. More recently, in response to the COVID-19 pandemic, New York has continued to enhance access to critical resources virtually, including COVID-19 testing, the COVID-19 Alert NY contact tracing app, and the Nourish NY platform to combat food insecurity. As a result, New York's government is more efficient, more effective, more accessible, and more responsive than ever before.

As New York State continues to address simultaneous public health and economic crises, it is critical to further expand the number of services that New Yorkers can access remotely. In particular, while the need for critical services has grown, the ability for residents to access those services through traditional, in-person means has diminished. Given this, there is no

better time to build on New York's success to expand digital government by investing in technology infrastructure that will increase the capacity of State agencies to effectively serve New Yorkers digitally and remotely.

To build back better from COVID-19, New York State is allocating over \$70 million in critical technology investments that will allow New Yorkers to access the state and local services they need in a safe, effective, and convenient manner. New York will develop online scheduling and virtual hearing support across more than a dozen government agencies so instead of requiring an in-person appointment, residents will be able to schedule and attend online hearings and consultations to facilitate safe, remote access to key government services across New York State. Projects also include investing in all 58 social services offices to upgrade technology to ensure remote access to services, developing e-signatures at agencies so New Yorkers can sign documents online, and building virtual civil service exams to make them more accessible to New Yorkers. These investments will allow the State to meet the needs

of its residents through the current public health challenge and beyond.

Part 2: Supporting and Protecting Workers

Under Governor Cuomo's leadership, New York State has led the way in providing support and protection for workers and their families — implementing the nation's first statewide \$15 minimum wage plan, enacting the nation's most comprehensive paid leave programs, and enforcing the nation's strongest worker protections. This year, Governor Cuomo will advance measures to ensure that New York's workers continue to be supported and protected as we build the workforce for tomorrow. Governor Cuomo has been relentlessly committed to supporting the working people of New York State and creating paths to stable, high-paying careers. During Governor Cuomo's first nine years, New York's economy expanded by more than 1.3 million jobs and the average weekly salary for all workers rose by 22 percent.⁷⁰ Businesses with fewer than 100 workers employ nearly 40 percent of New York's workforce and have been an important engine of job

growth, representing nearly 200,000 of the new jobs created over those nine years.⁷¹

Proposal. Connect Unemployed New Yorkers with Part-Time Re-Employment Opportunities

As New York recovers from the economic downturn caused by the COVID-19 pandemic, part-time employment opportunities will play an important role in allowing small businesses to build back and help workers to return to the workforce quickly.

However, under current law, workers receiving unemployment benefits are unfairly penalized for taking part-time work. Existing unemployment insurance rules measure time worked by “days,” with claimants losing 25 percent of their weekly benefits for each day they worked, whether they worked just one hour or a full shift on that day. This antiquated rule, which is unique to New York, punishes workers who take on part-time work to augment their household income, reduce their dependence on unemployment insurance, and develop skills and connections that may lead to full-time employment. Under the new rules, a worker could work up to four hours in a week without being penalized by

losing a day of benefits. This is no time for barriers to getting workers and businesses up and running. Governor Cuomo will instruct the Department of Labor to support unemployed New Yorkers in gaining re-employment and the businesses who want to hire them by immediately taking emergency measures to eliminate the unfair penalties for part-time work. Workers will be able to take on part-time work without losing disproportionate benefits.

To support this reform, Governor Cuomo will launch a Workforce Forward Strike Team, drawn from the DOL, the Governor's Workforce Development Office, and the Empire State Development Corporation, tasked with connecting unemployed New Yorkers seeking part-time employment together with small businesses that are looking for part-time workers to help them build back and expand operations. This Workforce Forward Strike Team will also help businesses develop strategies to utilize part-time workers to support their revitalization.

In addition, the Governor will direct DOL to strengthen its Shared Work Program. Since 1986, New York State has sponsored one of the most successful

Shared Work Programs in the nation. The program, which enables employers to keep trained employees and avoid layoffs by allowing workers to receive partial Unemployment Insurance benefits while working reduced hours. This program became a vital lifeline for employers in the health care, hospitality, and professional services industries as they made temporary staff reductions in response to the COVID-19 crisis. Under Governor Cuomo's leadership, DOL reduced paperwork and improved plan approval, communications, and certification processes, enabling the Shared Work Program to handle a 10-fold increase in the number of plans in 2020 and help more than 60,000 New Yorkers to stay connected with their employers. In the coming year, the Workforce Forward Initiative will conduct targeted outreach efforts and implement new processes and technologies that will make it easier for employers to learn about and participate in this vital program as New York State builds back. Part-time employment will help build the bridge to re-employment and recovery for all New Yorkers.

Proposal. Launch A Virtual Career Services Platform

Under Governor Cuomo's leadership, the Department of Labor (DOL) has operated a network of 95 career centers throughout the state that connected over 250,000 workers to jobs each year — more than any other state in the nation. But the pandemic has shown that there is a necessity to develop a more robust virtual platform to provide accessible career services and support.

Governor Cuomo will launch a virtual career services initiative, backed by highly trained career counselors and using artificial intelligence technology, to identify and match workers with businesses. These services will be supplemented with a broad spectrum of online training and up-skilling opportunities, new pathways to proven training opportunities, and increased access to registered apprenticeship programs. DOL employment counselors will develop individual job seeker plans to train workers to fill open positions in designated priority and high-growth industries using federal training funds. Job seekers and businesses will have opportunities to engage without leaving the home or office through virtual career fairs. In

addition, DOL will revise its regulations to simplify existing unemployment insurance work search requirements and explicitly allow a broader range of search activities, including activities conducted virtually.

Proposal. Support Workers in the Gig Economy Digital Marketplace

As industries adapt and the gig economy affords many new benefits to consumers, we must make sure those gig workers have certain rights. Many New Yorkers find that the opportunity to control their schedules and ability to augment their earnings from more traditional employment arrangements are attractive features of being on-demand workers. At the same time, however, these digital economy workers should have access to the protections and rights afforded to workers in other sectors of New York's economy.

Governor Cuomo will convene working groups of stakeholders on reforms that provide New York State's on-demand workers with the flexibility they value while affording them the protections they need to ensure safe and fair working conditions.

Part 3: Protecting Consumers

Governor Cuomo has continued to strengthen consumer protection laws as bad actors sought to exploit New Yorkers amid multiple crises last year. After the price of personal protective equipment skyrocketed at the start of the pandemic, for example, the Governor enacted a law that banned price gouging on these life-saving materials. Meanwhile, in the public utility sector, companies continued to fail to honor their commitment to the people, especially as climate change-driven weather threatens vital infrastructure, and in November 2020 the State announced almost \$140 million in penalties against public utility companies that failed to prepare for and respond to Tropical Storm Isaias.⁷² The Governor also proposed reform legislation that would dramatically strengthen the State's penalty powers for similar utility failures in the future, and expedite the process to revoke a utility franchise for recurring failures. Last year he also proposed and signed a ban on the "Pink Tax," or gender-based price discrimination, to build on New York's historic equity progress. In 2021, Governor Cuomo will continue to hold accountable those who attempt to cheat the public.

Proposal. Protect Vulnerable Customers from Dangerous Utility Disconnections During Emergencies

When Governor Cuomo established New York's energy affordability policy in 2016, providing electric and gas utility bill discounts to low-income households, he helped to ensure vulnerable New Yorkers did not have to choose between keeping the lights on or buying groceries.⁷³ This policy extended energy bill support to more than 152,000 additional New York families, ensuring that more than 920,000 New York families spend no more than six percent of their income on energy bills. Through this program, New York commits more than \$238 million annually helping to keep the lights and heat on for our most vulnerable New Yorkers, while actively striving to expand coverage to additional families.

In response to the COVID-19 pandemic, the Governor signed a new law that prohibited utilities from disconnecting service for non-payment during the pandemic.⁷⁴ Unfortunately, this year's pandemic will not be the last public health emergency, natural disaster, or economic crisis we face. Governor Cuomo will introduce

legislation to establish an automatic moratorium on utility disconnections in regions where a state of emergency is declared. The moratoria will be applied to electric, gas, water, telecommunications, cable, and internet services.

Proposal. Making For-Profit Educational Institutions in New York State Subject to Nondiscrimination Provision of the Human Rights Law

Governor Cuomo is committed to ensuring that all New Yorkers can pursue educational opportunities free from bullying, harassment, and discrimination. To that end, in 2019, he signed a law extending the scope of the New York State Human Rights Law to cover public schools and provide the Division of Human Rights the ability to investigate reports of bullying, harassment, or other forms of discrimination in that context.⁷⁵ But the Human Rights Law continues to lack jurisdiction over for-profit educational institutions, leaving many New York students with limited ability to hold their schools accountable for discriminatory behavior. The Human Rights Law currently covers all public schools and non-religious not-for-profit educational institutions, but its

provisions do not apply to for-profit schools like vocational and career training colleges. These for-profit institutions have experienced a rise in enrollment during the COVID-19 pandemic, ⁷⁶ making the lack of enforceable state-level non-discrimination provisions that would protect the students at such institutions a matter of increasing concern.

To ensure that anti-discrimination protections are afforded to all of New York's students, regardless of the school they attend, Governor Cuomo will advance legislation amending the Human Rights Law to extend the scope of the law to include for-profit educational institutions. New Yorkers who believe they have been discriminated against by these schools will be able to hold them accountable by filing a complaint with the Division of Human Rights.

Proposal. Protect New Yorkers' Digital Privacy

In 2019, Governor Cuomo safeguarded the data security rights of New Yorkers by signing the Stop Hacks and Improve Electronic Data Security (SHIELD) Act, which increased consumer protections and helps hold businesses accountable for mishandled data. ⁷⁷ The

Governor also launched a consumer education initiative to inform New Yorkers about how companies are using their data⁷⁸ and the Department of Financial Services announced charges against a leading insurance provider for exposing millions of documents with consumers' personal information.⁷⁹ Finally, after a widespread global hack of high-profile public Twitter accounts led to \$118,000 of stolen bitcoin, the Governor called on DFS to investigate the company's data security practices to ensure New Yorkers' information is more secure over time.⁸⁰

Nonetheless, New Yorkers are still concerned about the privacy of their personal information. A 2019 Pew Research survey revealed that more than 80 percent of Americans feel they lack control over their data and 75 percent demand greater government regulation of what companies do with their information.⁸¹ New Yorkers' worries about this are real: public reports have revealed unprecedented tracking and sale of people's precise locations,⁸² unfair and deceptive trade practices using job applicants' biometric data,⁸³ and political manipulation fueled by social media data.⁸⁴ In recent years, the sensitive information of tens of millions of

Americans was compromised, from their Zoom account ⁸⁵ to their records with stores they have visited.⁸⁶

Governor Cuomo will propose a comprehensive law that will provide New Yorkers with transparency and control over their personal data and will safeguard their privacy from bad actors. It will mandate that companies that collect information on large numbers of New Yorkers disclose the purposes of any data collection and collect only data needed for those purposes. The legislation will expressly protect sensitive categories of information, including health, biometric, and location data. Governor Cuomo will also establish a Consumer Data Privacy Bill of Rights guaranteeing every New Yorker the right to access, control, and erase the data collected from them; the right to nondiscrimination; and the right to equal access to services. The proposal creates strong enforcement mechanisms to hold covered entities accountable for the illegal use of consumer data.

New York will also work actively with other states to ensure competition and innovation in the digital marketplace by promoting coordination and consistency among their regulatory policies.

Proposal. Protect New Yorkers from Eavesdropping Devices

Internet-enabled recording devices are distinctly capable of intrusive privacy violations. Over 80 percent of Americans own a smartphone or other digital assistant device, the vast majority of which are equipped with internal microphones or other audio recording capabilities.⁸⁷ A 2019 Pew Research survey revealed that beyond smartphones, a quarter of U.S. adults also have voice-controlled smart speakers in their homes.⁸⁸ Such market penetration has not come without costs, as 54 percent of smart speaker owners express worry about how much of their personal audio information is collected, 50 percent are concerned about their personal audio being used in criminal investigations, and 66 percent reject better personalization of smart speaker recommendations if it means more of their personal data is collected.⁸⁹ Concerns are warranted, especially as listening devices have become commonplace in children's toys, gaming devices, and smart TVs, several of which have been criticized for recording user audio without clear disclosure or consent.

To ensure that New Yorkers can make fully informed choices about purchasing and using connected devices, Governor Cuomo will take action by proposing nation-leading legislation requiring devices capable of recording to include clear and conspicuous disclosure of their recording capabilities and their settings pertaining to retention and transmission of recordings.

Proposal. Protecting New Yorkers from Higher Premiums by Combatting No-Fault Insurance Fraud

Governor Cuomo has consistently fought insurance fraud on behalf of New York consumers, who collectively bear the cost of fraud through unnecessary premium increases. In 2012, at the Governor's direction, the Department of Financial Services promulgated new regulations making it easier for DFS to ban doctors who engage in deceptive and fraudulent billing practices from participating in the no-fault automobile insurance system. Since then, DFS has used this authority to pursue fraudsters and expel dishonest doctors and health care providers from the system. Similarly, in 2019, the Governor signed "Alice's Law," making it a Class E Felony

to stage any fake auto accident in furtherance of an insurance fraud scheme.

Despite these efforts, more work remains to be done. Insurance fraud of all kinds still costs consumers millions of dollars annually in unnecessary premium increases. The Federal Bureau of Investigation estimates that the average American family pays somewhere between \$400 and \$700 in unnecessary premiums each year.⁹⁰ In particular, no-fault auto insurance fraud remains pervasive in New York State: in 2018, suspected no-fault fraud accounted for more than half of all suspected fraud reported to DFS, and more than 80 percent of all suspected health care-related fraud reported between 2014-2018.⁹¹

The Governor will combat insurance fraud and unnecessary premium inflation by empowering DFS to bar providers from billing in the no-fault system when they have already been found by the Workers' Compensation Board to have engaged in fraudulent or prohibited billing practices. DFS would also be empowered to initiate fraud investigations against providers without first needing a finding by the Department of Health or the Department of Education. In

addition, the Governor will propose legislation establishing a task force, comprised of consumer representatives, health care providers, trial attorneys, and insurers, to examine alternatives to the no-fault insurance system and to make recommendations for legislative and regulatory initiatives to reduce automobile insurance costs for all New Yorkers.

Part 4: Ensure Access to Affordable Housing

Governor Cuomo has made historic investments in affordable housing, launching a \$20 billion five-year plan to create or preserve 100,000 affordable units and 6,000 supportive units. The COVID-19 pandemic has highlighted the importance of access to stable, high-quality housing, particularly for communities of color who have been disproportionately impacted by the virus. This year, New York State will take bold, unprecedented steps to both combat inequities in homeownership, as well as to make our affordable housing stock more energy efficient and resilient for years to come.

Proposal. Provide Mortgage Relief for Homeowners and Assistance for Renters

The COVID-19 pandemic has caused unprecedented economic dislocation across the United States, and New York is no exception. The financial hardships arising from business closures and resulting unemployment touch on every aspect of life but are perhaps most acutely felt by New Yorkers in danger of losing their homes because they can no longer afford to pay their mortgage or rent.

From the earliest days of the pandemic, Governor Cuomo has fought to protect these vulnerable New Yorkers. In March 2020, the Governor issued Executive Orders which included moratoriums on residential tenant evictions and required State-regulated lenders to provide mortgage forbearance relief, and those measures have been repeatedly extended.⁹² The Governor has extended protections from credit discrimination and negative credit reporting related to the COVID-19 pandemic. He has also extended the Senior Citizens' Homeowner Exemption and Disabled Homeowner Exemption through 2021.

Notwithstanding these critical protections, the pandemic has continued to inflict economic hardships on many New Yorkers. Governor Cuomo is committed to protecting vulnerable New Yorkers — who are already weathering the pandemic’s terrible toll — from the compounded suffering that comes from losing a home.

- **Homeowner protections:** Governor Cuomo signed legislation codifying his Executive Orders and placing a moratorium on residential foreclosure proceedings until May 1, 2021. To build on that, the Governor will also extend the covered period for residential mortgage relief through at least the end of 2021, or until the Executive Orders issued during the pandemic are no longer in effect. During the extended covered period, mortgagors who are able to demonstrate financial hardship as a result of COVID-19 will be entitled to up to 360 days of forbearance on their mortgage payments, and State-regulated lenders will continue to be prohibited from foreclosing on the related properties. In order to account for deferred payments, a mortgagor can extend the term of the loans, pay the deferred amount in

equal installments over the remaining life of the loan, or make a single, interest-free payment of the full deferred amount when the mortgage matures. No late fees or penalties will be permitted.

- **Protections for renters:** The Governor signed legislation placing a moratorium on residential evictions until May 1, 2021, for tenants who have endured COVID-related hardship. In addition, Governor Cuomo will codify and extend his Executive Order banning fees for late and missed rent payments during the pandemic and allowing tenants to use their security deposit as immediate payment and repay the deposit over time, keeping those protections in place through May 1.

These actions protect New Yorkers who, through no fault of their own, face eviction or foreclosure during an incredibly difficult period.

Proposal. Investment in New York's Historic Affordable and Supportive Housing Plan

Housing is one of the best-researched social determinants of health, and it is understood that housing quality, stability, and affordability all impact health outcomes. The COVID-19 pandemic has brought housing's relationship to health into laser focus: the significant need for housing for vulnerable populations, the need to invest in the quality and energy efficiency of housing in communities of color, and the need for more affordable housing to stabilize communities in times of crisis. Governor Cuomo's aggressive plan to create and preserve more than 100,000 units of affordable housing and an additional 6,000 units with supportive services over a five-year period was enacted in 2018. To date, more than 66,500 affordable homes have been created through the housing plan and more than 2,100 new units of supportive housing are operational with an additional 5,000 units in the pipeline toward the Governor's overall Housing Plan commitment to build 20,000 units of supportive housing.

Having exceeded the goals for the first five years of the supportive housing plan, the Governor will

advance additional funding to begin the next phase of supportive housing development as part of the Empire State Supportive Housing Initiative (ESSHI). This administration will also continue our historic investments in affordable housing. This will build on the success of the first five years and allow the State to meet the goal of creating 20,000 supportive units over 15 years.

Proposal. Expand Access to SONYMA Loans to Support Homeownership in Redlined Communities

Discrimination in lending and access to wealth-building opportunities continue to elude communities of color throughout New York State and across the nation. While the persistent racial wealth gap can be attributed to a number of historic and ongoing systemic factors, experts agree that the racial wealth gap is, first and foremost, a housing wealth gap.⁹³ Persistent discriminatory practices were recently highlighted in a November 2019 article in *Newsday*, which conducted a three-year probe uncovering evidence of racial steering and forms other disparate treatment in the housing market.⁹⁴ It is also widely documented that households

of color were disproportionately impacted as a result of the foreclosure crisis compared to white households. One study has found that even as the median white family lost 16 percent of their wealth in the housing crash, African American families lost 53 percent and Hispanic families lost 66 percent.⁹⁵

Given the State's commitment to creating opportunity and promoting diversity, it is critical to act to close this gap. Experts agree that equalizing homeownership rates would drastically reduce the racial wealth gap, with one study finding that if African American and Hispanic homeownership rates were the same as white homeownership rates, the wealth gap between white and African American families would shrink by 31 percent and the wealth gap between white and Hispanic families would shrink by 28 percent.⁹⁶

The State of New York Mortgage Agency (SONYMA) helps make first-time homeownership a reality for thousands of families every year. On average, more than half of these families are low and moderate income, earning less than 80 percent of the Area Median Income. In addition, SONYMA provides low-cost down payment assistance to families for whom the dream of

homeownership might otherwise be out of reach.⁹⁷ Under Governor Cuomo's leadership, SONYMA has also expanded services including connecting homeowners to vacant and abandoned properties, creating affordable mortgage options for recent college graduates and military veterans, and providing access to mortgage credit for families who reside in manufactured home parks.

To further these efforts, Governor Cuomo is introducing a targeted set of initiatives to increase homeownership rates in previously underserved communities that have been victimized by redlining. The package will enable low and moderate income borrowers, particularly households of color, to achieve the dream of homeownership and put these communities on track to begin closing the racial wealth gap. This package includes:

- **Expanded partnerships with community-based lenders in underserved markets.** Many small and community-based mortgage lenders who share SONYMA's goal of reaching underserved communities are unable to offer the SONYMA mortgage products. These smaller and

community-based lenders are critical to combatting the historic discrimination and redlining that has kept so many families from achieving the dream of homeownership. The SONYMA statute requires that originating lenders to be approved by Fannie Mae or Freddie Mac. This is an extremely onerous threshold for smaller banks, Community Development Financial Institutions (CDFIs), and local Credit Unions. There are 139 Credit Unions in New York State who are designated to serve low income areas. At present, only three of these institutions offer SONYMA mortgages. To address this barrier, the Governor will pass an amendment to the SONYMA statute that will expand eligibility for becoming a SONYMA lender, thus greatly increasing the number of credit unions, community development financial institutions, and smaller community-based lenders who could offer SONYMA mortgage products across the state, particularly in underserved communities.

- **Increase Down Payment Assistance for borrowers in underserved markets.** One of the

biggest hurdles when buying a home rests on whether a borrower can produce sufficient resources to cover down payment and closing costs. The Governor will direct SONYMA to expand its Down Payment Assistance (DPA) program for first-time borrowers who are considered low and moderate income. The new program will increase the minimum DPA from \$3,000 to \$7,500, making purchasing a home less expensive. In addition, the State will launch a targeted marketing campaign to inform homebuyers in historically redlined areas about SONYMA services.

- **Expand SONYMA's ability to stabilize homeowners during times of crisis.** Many communities that have been victimized by redlining have also been disproportionately impacted by seismic events such as the 2008 foreclosure crisis and the COVID-19 pandemic. When low and moderate income homeowners experience financial disruptions such as short-term loss of income or unforeseen expenses like medical care, lenders need the flexibility to

provide temporary relief to borrowers through mortgage modifications. The Governor will propose legislation authorizing SONYMA to offer temporary, fiscally sound loan modifications so borrowers to stay in their homes during times of crisis.

Proposal. Open Pathways to Homeownership to Borrowers Underserved by the Banking System

Governor Cuomo has long championed homeownership in underserved communities and housing rights for all New Yorkers. In 2019, following press reports of undeniable and widespread discrimination among real estate agents, the Governor announced regulations⁹⁸ aimed to help combat such discrimination; this was followed by his enactment of legislation in 2020 giving the State authority to revoke the real estate license of anyone found to have engaged in any unlawful discriminatory practice.⁹⁹

Despite this successful history, we know there is more work to be done, particularly as it relates to addressing the racial wealth gap and the lack of equity in communities of color when it comes to accessing

mortgage credit. To further the Governor's commitment to expanding quality affordable housing across New York State, Homes and Community Renewal studied how lenders are treating borrowers seeking access to home mortgages and found that in half of census tracts studies, applicants of color were being rejected for mortgages at least 1.5 times more often than white applicants in those same geographies. These disparities held up even when controlling for income.

A report by the National Consumer Law Center found that a major contributing factor to the national racial wealth gap is the inherent racial bias built into credit reports and credit scores.¹⁰⁰ Lack of access to fair credit and equal pay force borrowers into high cost predatory loans which lead to high rates of default, lower credit ratings, and lack of access to future credit products.

To address this, New York will launch the "Give Us Credit" program to reimagine the way lenders assess "creditworthiness" and to increase homeownership rates in underserved markets, including communities of color. Give Us Credit makes significant changes to the way the State of New York Mortgage Agency qualifies borrowers for a mortgage by: targeting borrowers with

non-traditional or fluctuating sources of income; opening the door to applicants who receive financial support from family members and friends; allowing borrowers to rely on varied and layered sources of down payment assistance; making it easier for applicants who have overcome past financial hardship to qualify; and rewarding borrowers who demonstrate, but do not always get credit for, good financial management practices.

Part 5: Supporting the Homeless

Proposal. Ensure Safe Shelters and Provide Sustained Care for Homeless

Every day, New Yorkers are confronted by the persistent problem of homelessness and individuals in need who are often too scared or disenfranchised to enter the shelter system. In New York City alone, on any given night there are more than 3,800 individuals sleeping on the streets or in the subways. According to the most recent U.S. Department of Housing and Urban Development Point in Time count data from January 2019, the overall street homeless population in New

York State was 4,047, and the number that self-report as having a serious mental illness or substance use disorder was 3,212.¹⁰¹ Providing these New Yorkers with a safe and stable shelter system with the right services to facilitate permanent housing placement has never been more important, with COVID-19 exacerbating public health concerns for those who are homeless.

Governor Cuomo has been a leader in protecting and serving homeless New Yorkers throughout his entire career, and he took action during the COVID-19 crisis to ensure they received the support and care they need.

In September, Governor Cuomo directed the Office of Temporary and Disability Assistance to issue guidance to all social services districts across the state clearly laying out the requirements for providing safe shelter conditions amidst the global COVID-19 public health emergency.¹⁰² The State will ensure strict compliance with the guidance and directive through announced and unannounced visits to the shelters. Localities that do not maintain safe and secure facilities will be held accountable.

In addition, to continue to better reach and assist homeless New Yorkers, the State is partnering with New

York City-based non-profit organization Coordinated Behavioral Care to provide enhanced wraparound services to individuals living on the streets, in subways, and in shelters. This award winning, evidenced-based program is called Pathway Home and involves a time-limited, team approach to serving individuals. The Pathway Home team comprises several trained professionals who provide individuals with care management, psychiatric and medical services, and housing navigation. These teams work with individuals to help them find permanent housing and remain stably housed. Pathway Home has been proven successful with a 90 percent housing retention rate for those enrolled in the program.¹⁰³ In addition, the State is establishing Crisis Stabilization Centers that can provide homeless mentally ill individuals with effective treatment and a place to stabilize outside of an emergency room or jail cell.

Part 6: Women and Families Agenda

Since the origin of the women's rights movement in Seneca Falls, New York has been a national leader for gender equity. In 2017, Governor Cuomo launched the

New York State Council on Women and Girls, reflecting this administration's steadfast commitment to protecting and advancing women's rights, and each year Governor Cuomo proposes an ambitious Women's Agenda to continue that legacy.

Despite the unprecedented challenges posed by COVID-19, in 2020 New York forged ahead to pass groundbreaking policies like paid sick leave, the elimination of the so-called pink tax, and the creation of a new survivor-centric model of domestic violence service provision. The tenacity of New York women and the Governor's commitment to gender equity keeps these issues a top priority.

Proposal. Lower the Cost of High Quality Child Care for Low-Income Families

Governor Cuomo has long recognized that women's progress in the workforce, the safety and security of New York children and families, and the success of businesses across the state are all reliant on an effective and reliable child care system. In 2018, Governor Cuomo established the Child Care Availability Task Force, a group of experts who have focused on

developing innovative solutions to ensure access to high-quality, affordable child care for all New Yorkers and making New York the best place in the nation to raise a family. Governor Cuomo draws upon the Task Force's recommendations to propose a robust package of child care proposals to empower working parents and help their families thrive.

Lowering the high cost of child care is key to supporting working women and all families. Currently, the cost of child care for an infant in New York State is \$15,394 annually, more than the cost of college and the average rent.¹⁰⁴ This high cost of care often causes families to rely on unregulated and unreliable child care, causing Americans to miss five to nine days of work per year. These absences cost U.S. businesses \$3 billion a year in lost productivity.¹⁰⁵ Affordable child care not only benefits our children but also our businesses and economy.

In 2019, 169,000 children in 101,000 families received child care subsidies across New York.¹⁰⁶ These low-income families may currently pay up to 35 percent of their income depending on what county they live in, which leads to disparities in cost across the state. To

make child care more affordable and equitable for our most vulnerable children and their parents, Governor Cuomo will invest \$40 million to reduce the burden of parent subsidy copays, saving approximately 32,000 working families more than \$40 million. This will ensure that no New York family pays more than 20 percent of their income above the federal poverty level for a child care subsidy co-pay, with the rest of the cost of care being covered by the subsidy.

Proposal. Increasing Child Care Availability in Child Care Deserts

While affordability serves as a barrier to families securing high quality child care, there is also a lack of general accessibility of child care programs and insufficient high quality provider capacity across the state that inhibit families from accessing child care. Even before the COVID-19 pandemic led to program closures and child care slot reductions, 64 percent of New Yorkers lived in child care deserts,¹⁰⁷ where the availability of child care slots is insufficient to meet the demand of families that need child care. Between 2009 and 2018,

the number of infant and toddler child care slots decreased in almost every region of the state.

Understanding the critical role that child care plays in ensuring New York has a strong workforce and thriving economy, Governor Cuomo in 2019 directed the State's Regional Economic Development Councils (REDCs) to focus on the issue of child care access as part of each region's overall economic development strategy. As a result, through Round Nine of the REDC awards, \$8.7 million was awarded to 15 projects to increase access to child care. To address the child care challenges brought forward by the COVID-19 pandemic, in September 2020, Governor Cuomo announced the availability of \$88.6 million in CARES Act funding to support child care providers in adjusting to new public health requirements.¹⁰⁸

To ensure that all families have access to child care, New York State will:

- Invest \$6 million for start-up grants to create programs in child care deserts and wage supports for programs located in existing deserts identified through the Regional Economic Development Councils (REDCs);

- Increase the value of the New York State Employer-Provided Child Care Credit by expanding the amount a business can claim for qualified child care expenditures to up to \$500,000 per year, up from \$150,000 per year. This enhancement will incentivize more businesses to use the credit and will expand access to child care for New York's working families;
- Create a new toolkit to provide guidance and assistance to businesses looking to subsidize and facilitate access to child care for their employees; and
- Establish permanent child care sector workgroups within the REDCs with relevant members from the child care field to guide and inform council decisions. New York will hold an annual summit on child care and the economy to provide business leaders the opportunity to learn more about child care as an essential workforce support.
- Create the New Excelsior Child Care Investment Tax Credit to Encourage Employer Support for

Child Care. The credit will be available to recipients of the Excelsior Tax Credit as a bonus incentive to create and provide child care services for employees and their families. Companies receiving the Excelsior Tax Credit currently are eligible for a two percent Investment Tax Credit. Under the new policy, they will be eligible for an enhanced five percent Investment Tax Credit if they provide child care, and six percent of ongoing net child care expenditures provided by the company. If a company covers more ongoing employee child care services, the company will receive a larger tax credit. Through this new credit, New York is guaranteeing that business development discussions prioritize supporting access to child care for New York's working parents, particularly the women who have disproportionately left the workforce to care for their families.

Proposal. Ease Administrative Burdens for the Essential Child Care Workforce

New York's early care and learning systems are regulated by multiple agencies, which can create unnecessarily duplicative requirements for providers. In order to ease administrative burdens and make it easier and less costly to provide child care services in New York State, Governor Cuomo will:

- Adopt the Child Care Availability Task Force recommendation to standardize and modernize the child care subsidy system to eliminate waste, duplication, and confusing rules for families. Governor Cuomo will direct the Office of Children and Family Services and the Council on Children and Families to examine federal and state statutes and regulations and identify opportunities for reform and streamlining, including the alignment of monitoring and inspection processes across regulatory agencies;
- Adopt the Task Force's recommendation to eliminate redundant background checks that increase administrative burdens and costs for providers. Currently, a teacher who works in a

State Education Department regulated facility during the day and an OCFS regulated program in the evening has to perform similar background checks for each program at an out-of-pocket cost. Governor Cuomo will advance legislation to allow an individual's fingerprints to be portable across the early childhood and learning professions, creating a more efficient process for programs while maintaining safety and integrity; and

- Advance legislation to eliminate the requirement that individuals seeking employment in OCFS or New York City Department of Health and Mental Hygiene regulated programs submit a new Central Register of Child Abuse and Maltreatment clearance form when they move to a new program.

Proposal. Establish the New York State Cares Diaper Bank to Keep Our Infants Healthy, Happy, and Dry

Governor Cuomo is committed to ensuring the health and economic well-being of New York's children and families. In 2016, Governor Cuomo signed into law the nation's strongest and most comprehensive Paid Family Leave policy. Working families no longer need to

choose between caring for their loved ones and risking their economic security. The Governor increased education funding to record highs, expanded full day pre-k, launched New York's first 3-year old pre-k program, expanded community school programs, and continues to fight for funding equity in education. These groundbreaking actions seek to address issues facing all our families despite their economic situation and ensure all New York families are safe, protected, and have the opportunity to thrive.

Diapers are an essential component for the well-being of New York families. Many families simply do not earn enough to purchase the diapers they need, with one in three families struggling to provide diapers for their infants and 315,000 children under the age of three living in poverty across the state. Twenty-one percent of families with children earn less than 100 percent of the federal poverty level, and the cost of diapers can consume up to 14 percent of a low-income family's budget.¹⁰⁹

Understanding the importance of parents having access to all necessities like diapers no matter their income level, Governor Cuomo will establish the New

York State Cares Diaper Bank, which will provide free diapers to families in need that will be distributed through the New York State Food Bank network. The New York State Cares Diaper Bank will partner with Baby2Baby, a national not-for-profit that provides basic needs for children under the age of 18. Beginning in 2021, more than 20 million diapers, valued at more than \$5 million, will be made available to our Emergency Feeding Programs for distribution to food banks throughout the state at no cost to New York families.

Proposal. New York Student Service Corps to Serve New York Students and Families

In times of crisis, New York State is there. When Hurricane Maria hit Puerto Rico, Governor Cuomo was on the first flight to land with help and supplies. Governor Cuomo also created the New York Stands with Puerto Rico Recovery and Rebuilding Initiative, a broad multifaceted initiative providing supplies, labor, and support to the people of Puerto Rico. This included more than 1,000 SUNY and CUNY students, as well as skilled labor volunteers, traveling to island communities still recovering from Hurricanes Maria and Irma to provide

assistance to those in need. Over the course of two summers and 20 deployments, volunteers logged in nearly 78,000 hours cleaning, restoring, and rebuilding homes. The goal to renovate 150 homes was far exceeded, with a total of 246 homes restored over 20 weeks.¹¹⁰

Now, given the statewide impact of COVID-19 on our residents, we have a greater need than ever before to help New Yorkers recover. We need to provide help in all manners, from job training to mentoring and from education to supporting nonprofits.

There are 50,000 SUNY and CUNY students in graduate or undergraduate programs in fields like health, child care, counseling, education, social work, and other human service-related fields. Utilizing a model similar to the one used in Puerto Rico, the State will identify students to volunteer to help serve students and families in high-need communities grouped by area of study. Student volunteers will fill a wide array of critical community needs prioritizing high need areas. These volunteers will help students and families with education and tutoring, vaccinations, hunger prevention, mental health support, afterschool activities, or other critical areas identified by local nonprofit partners. This

support and assistance will be delivered both virtually and in person.

Proposal. Launch the Food Surplus Recovery Pilot

Under Governor Cuomo's leadership, New York has implemented progressive anti-hunger and environmental policy. In 2019, Governor Cuomo created and signed into law the first-of-its-kind food waste bill that directs healthier food to disadvantaged New Yorkers while slashing climate pollution around the state. The Food Donation and Food Scrap Recycling Act is a monumental step forward in New York for preventing food waste, rescuing surplus wholesome food for those in need, and recycling any remaining food scraps.¹¹¹

Overall, 40 percent of food in this country is wasted.¹¹² At the same time, nearly 2.8 million New Yorkers struggle to have enough to eat.¹¹³ Food also makes up 20 percent of our solid waste stream. Most of this food is disposed of in landfills.¹¹⁴ Yet almost half of all produce harvested in the United States is never sold or eaten. Fruits and vegetables go unpicked in fields or get thrown away at the store, simply because they do not

look good. The Food Donation and Food Scrap Recycling Act requires the largest generators of food waste across the state to separate any excess wholesome food for donation and recycle any remaining food scraps.

Building on these actions, the New York State Office for the Aging will collaborate with area local offices on aging and their commercial kitchens whose sites will intercept the nutritional food surplus for processing and flash freezing. A pilot program will be implemented in the mid-Hudson region in partnership with local food rescue groups. The use of the statewide kitchens will be a valuable resource that will scale up the ability of Governor Cuomo's landmark legislation to divert more food surplus from landfills and feed New Yorkers.

Proposal. Streamline and Enhance the Work to Address Gender-Based Violence

Governor Cuomo has long championed the needs of survivors of gender-based violence and fought to prevent domestic violence. In responding to the COVID-19 crisis in New York and nationwide, Governor Cuomo took aggressive action to find new solutions and provide

critical, life-saving services, including the convening of an expert COVID-19 Domestic Violence Task Force to create an innovative plan to mitigate the damage to this vulnerable population.

The COVID-19 pandemic exacerbated the problem of domestic violence and exposed the limitations of our traditional systems and methods. The COVID-19 pandemic did not turn individuals into abusers, but factors like job loss and heightened stress created increasingly dangerous situations in abusive homes, and increased isolation separated victims from support networks and loved ones. The New York State Domestic & Sexual Violence Hotline recorded a 33.5 percent increase in calls in the first eleven months of 2020 compared with the same period in the previous year.¹¹⁵ This year, Governor Cuomo will take the lessons learned from the pandemic to expand his comprehensive approach to stopping gender-based violence.

- **Transform the Office for the Prevention of Domestic Violence into the Office to End Domestic and Gender-Based Violence.** New York is proud to be the only state with an executive-level agency dedicated to the issue of

domestic violence. In 2021, New York will build on this history by expanding the mission of the Office for the Prevention of Domestic Violence to bring together the multiple efforts to address gender-based violence throughout state government and create the nation's first state agency addressing gender-based violence through a holistic lens. Governor Cuomo will direct OPDV to become the New York State Office to End Domestic and Gender-Based Violence, charged with addressing the multitude of issues that fall under gender-based violence. This reimagined agency will be tasked with addressing the intersection of the many forms of intimate partner violence, including domestic violence and sexual violence, in a survivor-centered and comprehensive manner. By creating the Office to End Domestic and Gender-Based Violence, Governor Cuomo is building a permanent and unified hub of policy and state-of-the-art programming for New Yorkers facing gender-based violence. The Office will encourage collaboration among agencies and service

providers, eliminate redundant processes, cut red tape, and permanently install the fight for gender equality and justice for survivors as a pillar of New York State government.

- **Establish a domestic violence misdemeanor label.** In order to disqualify individuals found guilty of serious misdemeanors from obtaining a New York gun license, they must be found to have committed the crime against someone with whom they were in a domestic relationship; this process requires a separate hearing. Many disqualifying domestic violence misdemeanors are not “labeled” as such because the process to label state-disqualifying domestic violence misdemeanors is cumbersome. While New York took a step towards closing this loophole in 2020 by ensuring that court clerks report these disqualifying convictions in a timely manner, some convicted of serious misdemeanors may still be able to purchase a gun if this multi-step process is not followed. As a result, some individuals convicted of serious misdemeanors have been allowed to purchase a gun. To ensure

that domestic abusers do not have access to guns in New York State, Governor Cuomo will propose legislation to create a domestic violence misdemeanor label. This legislation will close the domestic violence gun-purchasing loophole and require the Office of Court Administration to report domestic felony statistics monthly to the Division of Criminal Justice Services and the Office to End Domestic and Gender-Based Violence.

- **Require abusers to pay housing costs to survivors.** While New York has made remarkable progress on housing rights, the State must continue to maintain its strong commitment by taking bolder steps forward. Governor Cuomo proposes to allow courts to require abusers to pay for damages to the housing unit, moving expenses, and other housing costs related to domestic violence.
- **Create a Coordinated Interagency Funding Program for domestic violence and sexual assault programs.** In pursuit of improved services for survivors of gender-based violence,

in 2019 Governor Cuomo directed State agencies to examine all the funding streams that support victims and survivors. Governor Cuomo's COVID-19 Domestic Violence Task Force elevated the desires of domestic violence service providers to more easily access flexible funding to address survivors' needs. Having listened to the voices of these leaders on the ground, Governor Cuomo proposes the establishment of a panel of State agencies tasked with creating a Domestic and Gender Based Violence Consolidated Funding Application. The panel will coordinate and consolidate the various funding streams available to victims of gender-based violence and the agencies that serve them.

Proposal. Building on New York's Nation-Leading Work to Reduce Campus Sexual Violence

Six years ago, Governor Cuomo established 'Enough is Enough' — the most aggressive policy in the nation to fight sexual assault on college campuses. New York has made significant progress educating students, faculty, and staff about sexual violence, and building a

culture in which victims can safely report and perpetrators are disciplined, despite the federal government aggressively weakening and rolling back key Title IX protections.

The State University of New York and the City University of New York, in coordination with the New York State Office to End Domestic and Gender-Based Violence, will continue to lead the fight against sexual violence in education through a four-point agenda focused on reaching more students across different ages, as well as initiatives to raise institutional ability to respond. These measures will be implemented at all 89 SUNY and CUNY colleges and universities and will be made available to the thousands of professionals who are trained annually as part of SUNY's Student Conduct Institute. Initiatives will include:

- **National hub for policy development.** The New York State Office to end Domestic and Gender-Based Violence and SUNY will establish the Center for Advanced Research in Reducing the Impact of Violence in Education (ARRIVE), an innovative hub developing policies and practices as well as implementation resources that will be

adopted by SUNY and CUNY campuses and shared to institutions across the country.

- **Reaching students where they are.** Coordinating with the newly formed Office to End Domestic and Gender-Based Violence, SUNY will launch “I’m Asking for a Friend,” a social and digital campaign that helps students to identify the signs of sexual assault and domestic/dating violence and alerts them of the support services available.
- **Five million students strong.** SUNY’s Student Conduct Institute has quickly grown to 420 colleges, universities, and other organizations, including all SUNY and CUNY campuses, and reaches more than three million college students nationwide. The Student Conduct Institute will expand its resources and engagement to 1,000 institutions by the start of the 2022 academic year, ensuring at least five million college students nationwide can benefit from New York’s leadership and program expertise on confronting sexual violence.

- **Campus-customized training for any institution.** In 2017, SUNY developed the trauma informed and survivor centered Sexual & Interpersonal Violence Prevention and Response Course (SPARC). SPARC is a first of its kind customizable online training system to assist colleges and universities in training students in the prevention of sexual, interpersonal, and related violence. In 2021, SUNY will release SPARC training that can be used without customization, available free to any college or university across the country.

Proposal. Amend the Family Court Act to Remove the Label of “Incorrigible” to Describe Young People

Since the beginning of his administration, the Governor has been steadfast in his commitment to ending unfair practices that disproportionately affect girls, especially girls of color. The Governor’s Raise the Age Act transformed New York’s antiquated criminal justice system to protect children and teenagers by ensuring they receive the intervention they need. Last year, he directed the Council of Women and Girls to host

a series of roundtables on predatory debt and the impact of student loan debt on young women of color.

However, antiquated terms that unfairly punish young women still exist in New York State law and the Family Court Act still refers to children under the age of 18 who are “incorrigible.” Such terms are overwhelmingly applied to teenage girls and teenage girls of color in particular.¹¹⁶ This gendered, dismissive language only further exacerbates the “abuse to prison pipeline” for young girls who are dealing with the trauma of victimization. Governor Cuomo will propose legislation to remove this gendered and outdated label in the law. Eliminating the word “incorrigible” from the law will not hinder a court’s ability to help these young individuals, but will ensure that young girls are not labeled as someone who cannot be corrected by court proceedings that are aimed at reform and rehabilitation.

Proposal. Create the Governor’s Blue-Ribbon Commission on Forensic Custody Evaluations

Forensic evaluators are often used in New York State courts for cases involving child custody and/or visitation. There are few limits on who may act as a

forensic evaluator or how the evaluations should be done.¹¹⁷ Moreover, families of color are often harmed by racial and poverty biases in the child welfare system.¹¹⁸ The court support system can be difficult to navigate for parents, and the backlog due to the pandemic as well as the distinctive challenges lockdown posed for those with custody issues have only made matters worse.

To address this vital issue, the Governor will convene a blue-ribbon commission on forensic custody evaluations to issue recommendations. The Commission will be composed of judges, court personnel, forensic evaluators, attorneys who represent parties in custody matters, attorneys who represent children, survivors of gender-based violence, domestic violence advocates, and others with knowledge and experience on this topic.

Proposal. Improve Provider Awareness of Racial Bias and Its Impact on Maternal Mortality

Governor Cuomo is committed to protecting reproductive health care, eliminating racial disparities in maternal health outcomes, and creating a safer birth experience for mothers and families across New York State. In April 2018, Governor Cuomo announced a

comprehensive effort to target maternal mortality and morbidity, including the creation of a Task Force on Maternal Mortality and Disparate Racial Outcomes. In August 2019, Governor Cuomo signed legislation creating a Maternal Mortality Review Board and a Maternal Mortality Advisory Committee and directed the Department of Health to implement programs related to community health support, implicit bias training, and perinatal data collection. And in April 2020, Governor Cuomo directed the New York State Council on Women and Girls, with the support of DOH, to convene an expert task force to address the impact of COVID-19 on maternal health.

To continue to address racial bias in maternal health care, the Governor will direct DOH to create curricula for providers as well as medical and nursing students. Additionally, students enrolled in a health care education or training program institution specific to medical, nursing, and midwifery will have access to training on maternal health and racial bias before graduation.

With the completion of this education, new health care providers who come into contact with pregnant

people, especially black or Indigenous people or other people of color are prepared to address the many ways in which race and racism impact the experience of care and health outcomes for those individuals.

Proposal. Pass an Inclusive Equal Rights Amendment

Governor Cuomo is deeply proud of New York State's role as a beacon for gender equality in the United States. New York was the site of the Seneca Falls Convention of 1848 and was one of the first states to vote in favor of ratifying the federal Equal Rights Amendment after its passage by the U.S. Congress in 1972. During his time in office, Governor Cuomo has built on this legacy by enacting landmark legislation closing the gender pay gap, enhancing protections against workplace sexual harassment, and protecting reproductive rights.

The Governor calls on the legislature to pass an Equal Rights Amendment to the State constitution that codifies in our government's foundational document that all New Yorkers are equally protected under the law, regardless of who they are. This amendment will be inclusive, providing explicit protections for classes of individuals whose personal characteristics too often

subject them to discriminatory treatment. In so doing, New York will set the national standard for how states protect equal rights.

Part 7: Continuing to Lead on LGBTQ Rights

Governor Cuomo's tenure in office has been marked by landmark victories and national leadership in advancing the rights of LGBTQ New Yorkers. New York was the first large state to pass a marriage equality law in 2011, and in 2015 the first to issue statewide regulations prohibiting harassment and discrimination on the basis of gender identity, transgender status, or gender dysphoria — protections that in 2019 were codified in the landmark Gender Expression and Non-Discrimination Act; and in 2020, the Governor dedicated Marsha P. Johnson State Park — the first state park to honor an LGBTQ individual — and announced the release of the state's first-ever Gender Identity Toolkit for state employees. In 2021, Governor Cuomo will continue to advance policies that guarantee all members of the New York family are treated with the fairness, dignity, and respect they deserve.

Proposal. Eliminate Discriminatory Policing of Transgender New Yorkers

From enacting the Gender Expression Non-Discrimination Act to banning the gay and trans panic defenses in 2019, Governor Cuomo has been a leader in advancing the rights of transgender and gender non-conforming New Yorkers. Governor Cuomo has also repeatedly taken action against systemic discrimination in the state's criminal justice system, including signing the 'Say Their Name' reform agenda and requiring local police agencies to develop a plan that reinvents and modernizes police strategies in their communities.

Despite the many advances in New York State, more work needs to be done to reduce inequalities in policing of minority communities, including LGBTQ communities. For transgender individuals in particular, who already face high levels of violence across the country,¹¹⁹ the experience of discriminatory policing has eroded their confidence that they will be treated fairly and equitably in our criminal justice system. In particular, New York State's Penal Law contains a provision criminalizing "loitering for the purposes of prostitution." This statute has historically been used to

target transgender women — and particularly transgender women of color — leading to law enforcement encounters when they are simply standing on the sidewalk, meeting with friends, and otherwise going about their daily lives.¹²⁰

This law is no longer a necessary tool for effective law enforcement. In 2019, only 57 people were arrested under this statute, and from January through September of 2020 this number dropped to just six. In 2020, due to COVID-19 the Governor repealed loitering “while wearing a mask,” highlighting the need to allow these statutes to evolve. Moreover, law enforcement can rely on a number of other provisions throughout the Penal Law that specifically focus on prostitution, disorderly conduct, public lewdness, and human trafficking to prosecute those who engage in such conduct. The provision that criminalizes “loitering for the purposes of prostitution” simply remains on the books as a painful reminder of violent and discriminatory treatment of a vulnerable community.

Governor Cuomo will advance the repeal of this law, representing an important step toward reducing inequality and systemic discrimination in policing,

restoring trust between police and the communities they serve, and helping end violence against transgender people of color.

Proposal. Include a Third Gender Marker on Identity Documents

Governor Cuomo firmly believes that transgender and gender non-conforming New Yorkers must be treated in a respectful and affirming manner in their interactions with State agencies. In February 2020, the New York State Department of Health reduced barriers for transgender individuals to correct the gender marker on their birth certificate, and in June, DOH made a non-binary “X” gender designation available on birth certificates, giving those New Yorkers who do not identify as male or female another option. In July, DOH took steps to ensure that a transgender parent could correct their own name on their child’s birth certificate if the parent has already obtained a court ordered name change. And in November 2020, Governor Cuomo announced the release of the first-ever Gender Identity Toolkit to all State agencies, which will serve as a key training resource to ensure transgender, gender non-

conforming, and non-binary New Yorkers receive non-discriminatory, high quality services when interacting with or being employed by the State.

Still more needs to be done to remove the barriers that transgender, gender non-conforming, and non-binary New Yorkers face to obtaining identity documents, such as marriage certificates and driver's licenses, that reflect who they are. According to the National Center for Transgender Equality, only 12 percent of transgender New York respondents reported that all of their identity documents had the name and gender they use.¹²¹ Accurate identity documents are necessary to navigate every facet of life, including employment, education, public accommodations, and travel. Furthermore, inaccurate documents put transgender people at an even greater risk of daily harassment, discrimination, and violence.

To further New York's success in comprehensive improvements to identity document policies for transgender communities, Governor Cuomo has directed the New York State Department of Motor Vehicles to implement a policy change for correcting gender markers on New York State driver's licenses consistent

with DOH's policy, including making available a non-binary gender marker on driver's licenses. Governor Cuomo will also advance legislation to eliminate outdated barriers in the legal name change process that jeopardize the safety of transgender New Yorkers. The legislation will remove the archaic requirement that name changes must be published in a newspaper and will establish a reasonable standard for the sealing of name change records when requested. The legislation will also give a judge explicit jurisdiction to order a gender marker change for a petitioner who is already requesting a name change. This will ensure that transgender New York residents who were born outside of New York are able to correct the gender marker on their out-of-state birth certificates without the costly burden of traveling to their birth state and beginning a separate court case.

Furthermore, Governor Cuomo will direct the Bureau of Vital Records to develop a process for transgender New Yorkers to correct the name on their marriage certificate to the one they legally now use. Lastly, Governor Cuomo will direct all State agencies to assess data systems and forms controlled by the State, and to provide recommendations to ensure that non-

binary New Yorkers have a gender marker option that affirms who they are.

These actions will make New York a national leader in modernizing identity document policies to ensure transgender, gender non-conforming, and non-binary New Yorkers have the accurate identification they deserve.

Proposal. Expanding Access to Fertility Coverage for Same-Sex Couples

Under the leadership of Governor Cuomo, New York has been a national leader in protecting the rights of LGBTQ New Yorkers. From the enactment of the nation-leading Marriage Equality Act in 2011 to the Gender Expression Non-Discrimination Act in 2019, the Governor has been a steadfast advocate for expanding equality. The Governor has also acted to prohibit discrimination in the delivery of health care services and access to health insurance coverage. For example, in 2019 the Governor directed the Department of Financial Services to promulgate new regulations protecting access to health insurance coverage by transgender and gender non-conforming New Yorkers, and signed new

legislation prohibiting insurers from discriminating in the provision of coverage for fertility treatments.

Despite these advances, some inequities persist. In particular, insurers still sometimes deny immediate coverage for infertility benefits to female same-sex couples, notwithstanding their incapacity to conceive without some form of fertility treatment. Unlike opposite-sex couples, such couples may first be required to incur the high, often prohibitive, costs of therapeutic donor insemination procedures for up to one year before qualifying for coverage. Out-of-pocket costs can range from several hundred dollars up to \$4,000 or more per cycle of treatment, depending on the type of fertility treatment used and a variety of other factors.¹²²

Governor Cuomo will direct DFS to require that insurers provide immediate, day one coverage for fertility treatment for same sex couples seeking to start a family. No New Yorker should ever be denied the opportunity to become a parent, or the joys of raising a child, because of their sexual orientation.

Proposal. LGBTQ Fairness in Child Custody

Governor Cuomo has championed LGBTQ rights throughout his time in office. In 2011, Governor Cuomo signed marriage equality into law four years before it was nationally recognized.¹²³ In 2019, Governor Cuomo signed the Gender Expression Non-Discrimination Act (GENDA), which prohibits discrimination on the basis of gender identity and expression under the State's human rights law. That year, Governor Cuomo also banned the fraudulent practice of conversion therapy and prohibited the gay and trans panic legal defense.¹²⁴ In 2020, even as the state was confronting a global pandemic, Governor Cuomo legalized gestational surrogacy and streamlined the second parent adoption process so that LGBTQ New Yorkers could build and protect their families.¹²⁵

Unfortunately, stigma and discrimination are still all too present in the lives of many transgender New Yorkers. And, while GENDA's anti-discrimination protections represent a significant advancement in the protection of transgender rights, some loopholes in the law's coverage remain. For example, the protections provided by GENDA do not extend to judicial proceedings. In the past, judges presiding over cases in

family court have made determinations based on the gender expression of a parent involved in the case, and our anti-discrimination laws do not yet prevent such decisions from being handed down again. That judges retain the discretion to consider characteristics like the gender identity and expression of parents when making child custody decisions is a painful reminder of the historic discrimination that transgender and gender non-conforming individuals have faced in our state and nation. To ensure that New York State's laws reflect our values, Governor Cuomo will advance legislation to explicitly prohibit judges from considering the sex, sexual orientation, gender identity, or gender expression of the parents when making a determination of a child's best interests in a child custody proceeding. The legislation will also prohibit judges hearing child custody cases from prohibiting a transgender parent from seeking gender affirming medical care.

Part 8: Supporting New York Veterans

New York State is home to more than 730,000 veterans, and throughout his time in office, Governor Cuomo has ensured that his deep respect and

appreciation for their service is shown not just through words but also through actions. In 2018, for example, he signed legislation expanding access to and raising the value of the Gold Star Parent Annuity, and in 2019 he enacted pension poaching protections to prevent scammers from charging unreasonable fees to assist veterans in accessing their benefits. The Governor has also launched initiatives supporting veteran suicide prevention and peer-to-peer support programs, and recently secured a partnership with HelloFresh to deliver nutritious meals to veterans and military families experiencing food insecurity as a result of COVID-19.

In the year ahead, Governor Cuomo will remain steadfast in his support for New York State's veterans and their families, and will ensure that our state remains a national model for excellence in serving those who have served our state and nation.

Proposal. Connect Underserved Veterans to Their Benefits

Governor Cuomo is deeply committed to ensuring that New York State's veterans and their families are connected to the benefits they earned through their

service to our state and nation. In 2016, for example, he announced the launch of the New York State Veterans App, which connects veterans and their family members to benefits and services relating to employment, housing, education, and more.¹²⁶ In 2019, Governor Cuomo signed the Restoration of Honor Act into law, restoring eligibility for State veterans' benefits to veterans who were denied an honorable discharge due to their sexual orientation, gender identity, military sexual trauma, post-traumatic stress disorder, or traumatic brain injury.¹²⁷

Yet a significant number of New York veterans are disconnected from their earned benefits because they are difficult to identify and reach or because they live outside the geographical area where certain benefits are easily accessible. For example, some individuals who have served in the armed forces do not self-identify as veterans. This lack of veteran self-identification may be tied to a veteran's experience with military service: for example, some researchers have found that women veterans may find it more difficult to identify with their veteran status because of negative experiences during their service or the societal stereotypes about military

service.¹²⁸ Others may be concerned that their veteran status will lead to stigmatization, as was the experience of many veterans returning from the Vietnam War.¹²⁹ Individuals who do not self-identify as veterans may be less likely to learn about and take advantage of the programs, benefits, and services to which they are entitled.

Separately, New York State veterans are eligible to receive federally funded stipends of up to \$4,000 per month to pay for housing and supplies while training to be electricians, plumbers, and other skilled tradespeople. The Governor will do more to ensure that this valuable training and accompanying stipend are available to more of our state's veterans who are unemployed or underemployed.

To address these challenges, Governor Cuomo will direct New York State agencies to take affirmative measures to provide greater support to our veterans. Governor Cuomo will direct:

- All Executive State agencies that interact with the public to ask individuals in their service population whether they or any of their immediate family members have ever served in

the nation's armed forces. Individuals who self-identify as being veterans or members of a veteran's family will be provided with information about how the Division of Veterans' Services can review their eligibility for veteran's benefits and services.

- All applicable Executive State agencies to seek certification to provide the on-the-job benefit for at least one appropriate position at each agency facility around the state.

These measures will bring more veterans into contact with the State's system of veterans' benefits advisors and ensure benefits that they have earned are granted to all who qualify.

Proposal. Expand Veterans Treatment Courts

During his time in office, Governor Cuomo has remained dedicated to ensuring that New York State honors the brave men and women who have served in our armed forces by supporting them when they return home. The Governor's efforts in this regard have given New York's veterans the tools they need to transition to

and thrive in civilian life. In 2014, for example, Governor Cuomo enacted legislation creating the nation's most robust goals for awarding State contracts to Service-Disabled Veteran-Owned Businesses,¹³⁰ and in 2016 he launched a first-of-its-kind program allowing Veterans to use military benefits while receiving job training for careers in the agricultural industry.¹³¹ In 2018, the Governor oversaw the State's first-ever set of financial awards to not-for-profit organizations that provide peer-to-peer assistance for veterans and their family members who have returned to New York State.¹³²

But for many veterans, the transition from military service to civilian life remains deeply challenging and may be marked by difficulties stemming from substance abuse,¹³³ mental health conditions such as post-traumatic stress disorder,¹³⁴ and homelessness.¹³⁵ For some veterans, these circumstances may cause them to come into contact with the criminal justice system.¹³⁶ New York State has long been a national leader in providing alternatives to incarceration for veterans in such situations, and in 2008 was the site of the country's first-ever Veterans Treatment Court (VTC). VTCs allow veterans with mental

health conditions or substance use disorders who are charged with crimes to receive treatment instead of punishment. Today, there are more than thirty VTCs around the state, and more than 4,500 veterans have benefited from the second chance that these courts provide. In New York and in other states that have followed our lead, veterans whose cases are handled in VTCs have seen reduced rates of recidivism and governments have saved public funds that would otherwise be put towards the cost of incarceration.¹³⁷ However, not all New York State veterans have equal access to VTCs — in fact, nearly one-third of all veterans living in the state reside in counties that do not have a VTC.¹³⁸ Further, existing State law does not authorize judges to transfer such cases into other jurisdictions that do have VTCs.

To address this issue and ensure that all of New York State's brave veterans have access to this valuable alternative to incarceration, Governor Cuomo will advance legislation that will create a process enabling veterans charged with certain criminal offenses, excluding domestic violence matters, in counties without a VTC to be transferred to a VTC in another county. In all

circumstances, this process would be initiated by an application submitted to the court by the defendant and would require consent from the district attorney in the county where the VTC is located. This legislation will ensure that New York veterans all around the state are afforded access to lifesaving Veterans Treatment Courts.

Part 9: Protecting Immigrants' Rights

Proposal. Provide Legal Services to Immigrants

New York State has long been a beacon of hope for immigrants from across the globe. In 2020, we witnessed the Trump Administration threaten the rights of new Americans in unimaginable ways. As welcomed change comes to Washington in 2021, much work must be done to restore rights for countless families and right the ship on immigration policy. New York will continue to ensure immigrants are protected and receive full access to the representation, rights, and benefits they need and deserve.

Launched in 2017 under Governor Cuomo's leadership, the first-in-the-nation Liberty Defense Project has provided more than 45,000 vital legal

services to immigrants and communities in need — particularly those who have been targeted by federal immigration enforcement tactics, including those in Deferred Action for Early Childhood Arrivals (DACA) or Temporary Protected Status (TPS). The project is administered by the Office for New Americans and run in partnership with law firms, legal associations, advocacy organizations, colleges, universities, and bar associations across the state. The Liberty Defense Project provides free legal consultations and screenings for immigrants throughout New York, direct representation in deportation proceedings and other cases, assistance in applying for naturalization and employment authorization, and other education and support, including connection to social services and health care.

This year, Governor Cuomo will continue to support the Liberty Defense Project to keep fighting for immigrants seeking a better life for themselves and their families. New York's strength, character, and pride are found in the diversity and rich culture that makes us the Empire State. We will continue to support and defend all who call New York home.

Proposal. Outlaw Discrimination on the Basis of Citizenship or Immigration Status

In the face of the Trump Administration's efforts to enact cruel and discriminatory anti-immigrant policies, Governor Cuomo has repeatedly taken action to ensure that New York State remains a welcoming place for new Americans. In 2017, he directed several State agencies to launch a statewide investigation into landlord practices and policies that discriminated against tenants on the basis of immigration status, national origin, ethnicity, or race; landlords who were found to have engaged in such discrimination were ordered to pay fines and penalties, reverse discriminatory policies, and advertise the prohibition against requesting immigration status information from tenants.¹³⁹ And in 2019, he signed legislation establishing penalties for employers who report or threaten to report an employee's suspected citizenship or immigration status to authorities.¹⁴⁰

Even with these measures, non-citizens and immigrants continue to face discrimination in employment, housing, and access to public accommodations. The New York State Division of Human

Rights has received reports of landlords imposing citizenship requirements on or refusing to rent to otherwise qualified tenants whom they believe are “undocumented,” as well as companies using customers’ immigration status to justify high-than-normal interest rates on loans and other forms of financing. The outgoing federal government has also fanned the flames of anti-immigrant sentiment around the country, causing more and more individuals, business owners, property managers, and others to feel emboldened to act with open hostility toward those they perceive to be born outside the United States. These instances of biased and unequal treatment are not reached by existing provisions of the Human Rights Law that protect New Yorkers on the basis of race, ethnicity, or national origin.

To reaffirm the State’s commitment to protecting immigrants, Governor Cuomo will advance legislation to amend the New York State Human Rights Law to include “citizenship or immigration status” as a protected class. In so doing, Governor Cuomo will shield New Yorkers, regardless of their citizenship or immigration status, from discrimination in employment, housing, places of public accommodation, and continue to show why for

centuries, New York has been a beacon of hope to migrants from around the world.

Part 10: A Fair and Supportive Start for Vulnerable Children

Proposal. Create A More Just and Safe Child Welfare System

Governor Cuomo has a longstanding record of fighting for social justice, race equity, and improved outcomes for children and families in the juvenile justice and child welfare systems. In 2017, the Governor signed into law landmark Raise the Age legislation to reform the treatment of children in the criminal and juvenile justice systems. In 2019, the Governor created the Family First Transition Fund which provided \$3 million to support local departments of social services (LDSSs) to expand recruitment and retention of current and prospective foster families, including kin caregivers.¹⁴¹ This work is focused on producing sustained systemic improvements that encourage the least restrictive setting for children in foster care. In 2020, the Governor required frontline child welfare investigators to redact racial and other

demographic data from case files they present to supervisors, who have final say on whether to seek a judge's approval to remove a child to foster care, and also required a kin-first firewall, an extra layer of administrative review before any county foster care agency places a child in the care of strangers.¹⁴²

Furthermore, in 2011, the Governor made permanent the option for districts to develop a groundbreaking approach — Family Assessment Response (FAR) — an alternative CPS response to certain reports of child maltreatment, in which families are engaged in an assessment of their unique needs, seeking tailored solutions, and identifying supports. The collaborative approach of FAR does not use an adversarial approach or require an investigation, and leads to improved quality and focus of caseworker visits and expanded options, such as the identification and use of kin and extended families. These strategies produce better outcomes for families.

For children, especially those 12 and younger, it is particularly important for their developmental needs to be met in family-like settings. Placements in congregate care should be based on the specialized behavioral and

mental health needs or clinical disabilities of children. Congregate care should be used only as needed to stabilize the child or youth so they can return to a family-like setting.

In 2019, black children were 3.7 times more likely to enter foster care than white children, representing 52 percent of children in foster care in New York. The most recent data from 2019 also indicates five New York counties had extreme disparity, six had high disparity, and 15 had moderate disparity in reporting black families to the Statewide Central Register of Child Abuse and Maltreatment (SCR). Fourteen counties had extreme disparity, nine had high disparity, and two had moderate disparity for the placement of black children in foster care. Disparity rates ranged from 1.6 (moderate) to 6.7 (extreme) for reporting; they ranged from 2.0 (moderate) to 56.1 (extreme) for placement. This data illustrates that there is racial disproportionality in reports of suspected child abuse and maltreatment and removal of children from their homes across New York State.¹⁴³

This year, Governor Cuomo proposes a multi-pronged approach to create a more just and safe child welfare system for children and youth in New York. This

proposal will promote the well-being of youth in foster care and address the disproportionality of black children in the child welfare system by:

- Eliminating the use of prone restraints in all child welfare and residential juvenile justice settings;
- Creating a “blind step-up” procedure to determine if a child needs to be elevated into congregate care. This would require decision makers to review only the relevant facts, without any information that may reveal the race, socio-economic background, or sexual orientation/gender identity of the child;
- Requiring implicit bias training for all child welfare staff; and
- Requiring statewide implementation of the FAR program over a three-year period.

Proposal. Make it Easier for Parents to Find and Collect Unclaimed Child Support

Governor Cuomo has been steadfast in his efforts to eradicate poverty and increase economic mobility for all New Yorkers, making this work a cornerstone of his policy agenda as exemplified through actions such as

expansion of pre-kindergarten, increasing the minimum wage, expanding the Empire Child Tax Credit, and historic investments in homeless housing.

Child support is critical to keeping families out of poverty; for poor families, it represents an of average 40 percent of family income, and for deeply poor families the percentage is even greater.¹⁴⁴ Unfortunately, in some circumstances, the proper payee of the money cannot be located or the payment is received without enough identifying information to match it to the right account. When this happens, the unclaimed child support money is classified as “undistributed collections.”

New York had the second highest undistributed collections balance in the country (\$52.7 million) at the end of federal fiscal year 2019.¹⁴⁵ Although improvements to processes at the state and local levels have been made to distribute these important dollars to families (e.g., increasing electronically disbursed payments via direct deposit and debit cards and enhanced location procedures), New York State continues to have the highest amount of undistributed collections. Under the current law, districts must follow outdated and unique provisions in the Family Court Act

that require the district to petition the Family Court to allow the funds to be deposited with the County Treasurer where they must remain for five years before they can be turned over to the Office of the State Comptroller as abandoned property. This process results in a minimum of seven years before the funds are part of the transparent and easily searched Unclaimed Funds process on OSC's website.

To ensure families can more easily identify and claim critical child support funds they are owed, Governor Cuomo will introduce legislation to simplify the process for transferring unclaimed child support money to OSC. Enactment of this proposal would allow parents to search for and claim child support payments or overpayments due to them by utilizing the public resources available on the OSC website, thereby creating the best possible chance to get this money into the hands of the family as expeditiously as possible.

Part 11: Facilitating Policing Reform

This year, Governor Cuomo took swift and aggressive action to respond to community concerns and rebuild public trust in the law enforcement profession following the tragic deaths of George Floyd, Breonna Taylor, Daniel Prude, and far too many others. The Governor signed the “Say Their Name” reform agenda which repealed 50-a, banned chokeholds, prohibited race-based 911 calls, and codified his 2015 Executive Order that appointed the Attorney General as an independent prosecutor for police involved deaths of unarmed civilians.¹⁴⁶ He also signed legislation creating the Law Enforcement Misconduct Investigative Office within the Attorney General’s Office to investigate complaints of misconduct filed against law enforcement agencies.¹⁴⁷

However, unrest and distrust continued to roil communities in New York and across the nation. The Governor noted that this unrest is unsustainable and must be addressed. Maintaining public safety is imperative; it is one of the essential roles of government and communities require mutual trust and respect between police and the communities they serve.

In recognition of this, Governor Cuomo issued Executive Order 203 creating the New York State Police Reform and Reinvention Collaborative.¹⁴⁸ This created a collaborative process requiring all local governments and police forces to develop a plan to modernize their policing strategies and strengthen relationships with the communities they serve. With more than 500 law enforcement agencies in this large and diverse state, there is no "one size fits all" solution, and with guidance from the State, each locality was called upon to engage in a public process.¹⁴⁹ Localities are required to engage their community and ratify a plan by April 1, 2021. Failure to complete this process will result in loss of State funding.

Many localities have enthusiastically taken up this challenge, bringing community stakeholders together to discuss and design the future of public safety in their locality. For example, the Village of Lowville has taken this seriously, bringing in consultants to organize discussions, poll residents, and ensure that this is a fruitful process for their community.¹⁵⁰ All localities should complete and certify their reforms by April 1,

2021, but New York will not wait until then to continue statewide reforms that will support these local efforts.

Proposal. Strengthen New York’s Policing Profession

To build upon the Collaborative, Governor Cuomo is advancing a robust agenda to ensure New York State’s more than 500 law enforcement agencies and more than 70,000 police officers represent the pinnacle of effectiveness, professionalism, and respect.

First, the Governor will advance legislation to strengthen hiring standards for all police officers. Current law does not require a thorough background investigation of all recruit or lateral police officer candidates. The absence of statewide background check standards causes the absence of an investigation altogether or inconsistencies and inadequacies in the execution of background checks by hiring agencies around the state. The legislation will require law enforcement agencies to comply with background check standards developed by the Division of Criminal Justice Services that include, at a minimum, a criminal history check, a mental health exam, prior employer disclosure, review of decertification records, and disclosure of

determinations by the Law Enforcement Misconduct Investigative Office and Inspector General's Offices.

Second, law enforcement agencies will be required to become accredited by the Division of Criminal Justice Services. For nearly thirty years, the Division has administered the Law Enforcement Agency Accreditation Program for police agencies to improve their organization, training, and operational standards based on best practices in the field. The accreditation program "aims to provide law enforcement executives of eligible police departments and sheriff's offices' formal recognition of their compliance with 109 professional standards which are designed to enhance the effectiveness, efficiency, and professionalism of an agency, promote training and foster public confidence in law enforcement."¹⁵¹ However, this program is voluntary and approximately 75 percent of agencies do not participate. To correct this deficiency, Governor Cuomo will advance legislation to require all police agencies to become accredited in order to enhance the effectiveness and professionalism of policing statewide. The Governor will also direct DCJS to revise accreditation standards to ensure that police departments have

policies designed to maintain mutual trust between the police and the community, and to eliminate overly detailed administrative mandates that needlessly burden departments.

Additionally, the Governor's professional policing agenda will establish robust, enforceable decertification standards for police officers. Unlike other public professions, New York does not currently have a strong enforcement mechanism to hold police officers accountable who engage in serious misconduct. In order to establish a more robust accountability mechanism to prevent bad actors from serving as police officers, the Governor's package will accomplish the following:

- **Clearly define conduct that results in permanent decertification.** Current regulation does not define conduct that results in removal for cause and decertification. The Governor will clearly define removal for cause and serious misconduct that results in permanent decertification to include corruption, fraud and dishonesty, use of excessive force, criminal activity such as sexual abuse, and abuse of power. This proposal will also prohibit officers who have

been decertified from being eligible to be a police officer elsewhere in the state.

- **Mandate reporting and establish enforcement mechanism.** Law enforcement agencies are currently required to report to the Division of Criminal Justice Services when an officer separates from service and the grounds for such separation. However, the Division does not have an effective tool to ensure agencies comply with reporting standards. The Governor will put forward legislation that will require all agencies to report all officers whose separation from service was precipitated by allegations of serious misconduct. Lastly, this proposal will establish departmental and individual consequences for failure to comply with decertification standards, including removal of access to State resources and funds, and potential referral to the Attorney General's office for criminal investigation for false attestation of compliance.
- **Require information sharing for serious misconduct investigations.** There are multiple entities responsible for investigating serious

misconduct by police officers, but one agency is not responsible for ensuring that serious misconduct determinations result in the decertification of an officer. To correct this deficiency, the Governor will advance legislation to require the Law Enforcement Misconduct Investigative Office and Inspector General's Offices that investigate an officer's pattern or practice of misconduct to report to the Division of Criminal Justice Services all cases involving serious misconduct. Also, this legislation will require the Attorney General's Office of the Special Prosecutor to report to the Division all cases where it is determined that an officer's criminal conduct resulted in the death of another individual. The Division will utilize this information to ensure that all officers separated from service as a result of serious misconduct are decertified.

- **Establish authority to remove officers who have separated from service for serious misconduct.** Current law does not provide a mechanism for the Division of Criminal Justice

Services to ensure officers that have engaged in serious misconduct are removed from the police officer registry. The Governor will propose legislation to enhance the Division's authority to allow removal of all officers that have separated from service upon serious misconduct allegations from the registry, even if a department fails to properly report said officer's removal.

Through this robust agenda, Governor Cuomo is solidifying New York State's position as the progressive capital of the nation and implementing a vision for the future of policing in this state. These actions will enhance public safety through the employment of the most effective, professional, and respectful police forces in the nation.

Proposal. Promote Diversity in Public Safety Careers

Throughout his time in office, Governor Cuomo has advanced significant criminal justice reforms, improving every stage of the criminal justice system from arrest to community re-entry. Through the Gun Involved Violence Elimination (GIVE) initiative and

SNUG, the State's street outreach program, New York continues to employ innovative programs to improve public safety in the areas of the state hardest hit by gun violence. In addition, Governor Cuomo continues to make dramatic strides to expand economic opportunity for New Yorkers, promoting fairness and equity in employment practices and fostering a diverse and inclusive workforce.

The tragic images of black men, women, and children facing unfair treatment, injury, and death at the hands of certain members of police departments across the nation and the ongoing protests and civil unrest taking place in response illustrate the stark imbalance in demographics and distrust between many police agencies and the communities they serve. Furthermore, a report by the Washington Post found that "many major police forces are still much whiter than the communities where they work," often leading to cultural and gender-related misunderstandings in emergency situations.¹⁵²

This also holds true for communities throughout New York State, where the demographics of the community are often not represented in the police departments that protect them.¹⁵³ Moreover, though

women make up 18 percent of the New York City Police Department's 34,000 uniformed officers, a female officer has never been appointed police commissioner, chief of department, or chief of detectives in the department's 175-year history.¹⁵⁴

Governor Cuomo will fight to create opportunities and remove barriers for New Yorkers seeking to serve their communities. We will work with the Law Enforcement Agency Accreditation Council to add standards for the recruitment, retention, and promotion of black, indigenous, other people of color, and female personnel into the law enforcement agency accreditation program and mandate law enforcement agencies to annually submit racial and gender demographics of police officers to the Division of Criminal Justice Services. This will provide public safety agencies with the structure, policies, and assistance they need to increase the representation of black, indigenous, other people of color, and women in their ranks, while enhancing public confidence in and support for those who protect and serve the people of New York.

Proposal. Make Safer and More Efficient Virtual Arraignments Permanent

As COVID-19 ravaged New York State, Governor Cuomo worked to ensure that systems were in place to ensure that our criminal justice system continued to be just for all New Yorkers, and that everyone received their day in court. Enforcement of social distancing became a necessity to decrease the spread of the disease, making in-person court arraignments unsafe.

At the direction of Governor Cuomo, the Office of Court Administration, in collaboration with law enforcement partners throughout the state, created and tested a virtual arraignment process utilizing secure video conferencing technology to safely connect all parties in New York's local courts. This led to a fairer and more expedient process that allowed for public benefits from effectual police patrol operations, experienced counsel for defendants at minimal cost, increased judicial and prosecutorial proficiency, and faster arraignments for individuals charged with crimes.

Furthermore, technology has allowed for the off-hour arraignment process to be more accessible, whereby all parties can be connected and participate

virtually. At the conclusion of the arraignment, all court documents are sent by email and accepted by all stakeholders as an official court document. Virtual arraignments have been shown to enhance our criminal justice system by limiting expenses, eliminating travel for prosecutors, defense counsel, and judges, and providing those facing criminal charges with a more expedited arraignment.

Due to all of these benefits, Governor Cuomo will propose legislation to permit virtual arraignments statewide and will work with the Office of Court Administration and its partner law enforcement agencies to permanently establish virtual arraignment protocols throughout the local criminal court system. This action will eliminate obsolete — and in the time of COVID-19 possibly dangerous — in-person arraignments and advance another aspect of our criminal justice system into the 21st century.

Part 12: Keeping Illegal Guns off the Street

Proposal. Close the Federal Loophole Permitting Individuals with Active Warrants to Purchase Guns

Under Governor Cuomo's leadership, New York has led the nation in passing the most comprehensive package of common-sense gun laws. In 2013, the Governor enacted the New York Secure Ammunition and Firearms Enforcement (SAFE) Act, which prevents criminals and the dangerously mentally ill from buying a gun by requiring universal background checks on gun purchases, increases penalties for those who use or possess illegal guns, and imposes the toughest assault weapon ban in the country.

Despite these efforts, criminals continue to find ways to obtain firearms. One way the current system can be circumvented is by exploiting a federal loophole that allows individuals subject to an active arrest warrant for a felony or misdemeanor offense to purchase or acquire firearms. In early 2017, the U.S. Department of Justice reinterpreted a gun purchase prohibitor of the National Instant Background Check System (NICS) to include only those individuals who have fled from one state to

another for the purpose of evading prosecution for a crime while subject to an active or imminent arrest warrant versus those subject to any arrest warrant. Under Governor Cuomo's leadership, New York State addressed this issue by prohibiting any person who is subject to an outstanding arrest warrant for a felony or serious misdemeanor from being issued or maintaining a firearms license, which is necessary to purchase a pistol or revolver.

Building upon this action, Governor Cuomo will propose legislation to amend the Penal Law to prohibit the purchase or acquisition of a rifle, shotgun, or firearm by any person who is subject to an active arrest warrant for a felony or serious misdemeanor offense. This will allow these types of arrest warrants to once again be entered into the NICS database as a state-specific prohibitor, whether the individual has fled New York State or not, ensuring that those individuals wanted in New York for a serious crime cannot acquire new guns.

Proposal. Enhance the Sharing of Crime Gun Data

Smart use of data is essential for effective law enforcement, and because crime guns typically cross

multiple jurisdictions, data sharing is essential as well. Accordingly, Governor Cuomo is proposing legislation to require all law enforcement agencies in New York State to share information on firearms and ballistic evidence with federal databases. The legislation will require law enforcement agencies to submit identification data from all firearms recovered by law enforcement to the Bureau of Alcohol, Tobacco, Firearms, and Explosives' (ATF) crime gun trace data sharing program (eTrace). The legislation will also require agencies to collect and submit qualifying ballistics evidence to the National Integrated Ballistics Identification Network, which can assist local and State law enforcement agencies in matching and analyzing ballistic evidence found at crime scenes to ballistic data from across the state and nation.

These actions will provide the state's law enforcement agencies with more robust data to supplement their investigations into firearm-involved crimes, and they will help law enforcement in other states apprehend gun traffickers before they bring illegal firearms to New York.

6. PROTECTING OUR DEMOCRACY

New York is the laboratory of democracy, constantly taking today's lessons to make tomorrow better. That started more than a century ago when the Progressive movement rooted out government corruption, grew with Governor Al Smith's sweeping agency reforms, and continues today /under Governor Cuomo, who has delivered on-time budgets that produce real progress for real people.

When Governor Cuomo entered office, New York State's voting laws were among the most arcane and outdated in the country. Since then, he has worked tirelessly with the State Legislature to bring New York's elections into the twenty-first century. These historic legislative changes included establishing early voting and automatic voter registration, consolidating federal and state primary dates, allowing for voter pre-registration for minors, and making it easier to transfer voter registration for New Yorkers who change addresses.

After the onset of the COVID-19 pandemic, the Governor worked with the Legislature and through executive action to provide unprecedented access to absentee ballots and safe in-person voting, ensuring that New Yorkers were able to engage in the democratic process in a manner that maintained the integrity of our elections while protecting public health. While the Governor's efforts to ensure orderly and accessible elections during the pandemic proved successful, many of the underlying measures were temporary. The experience of administering an election with large numbers of mail-in ballots and high turnout during early voting served as a stark reminder that New York's election laws remain in need of modernization to meet new challenges.

Governor Cuomo will continue to lead efforts to modernize New York's elections system by introducing a sweeping package of legislative reforms to the State's election laws. These proposals will focus on four key areas — expanding opportunities for voter participation, modernizing our absentee voting and counting procedures, improving access to early voting, and ensuring effective elections administration. This

legislative package will mark another historic step toward making New York the most voter-friendly state in the nation.

Proposal. Reform Election Administration and Speed up Canvassing of Ballots

The primary and general elections of 2020 posed extraordinary challenges for the State and the nation as a whole, as we confronted a historic pandemic and a highly charged political environment. At a moment that demanded the highest standards of accountability and efficiency, the administration of the elections by county boards fell short of what the people of New York State deserve.¹⁵⁵ The state's election law impedes the timely counting of large numbers of absentee ballots because it only requires that boards of elections meet to process and count such ballots within two weeks of a general election and within eight days of a primary election. In 2020, some counties did not finish counting absentee ballots until weeks after election day.¹⁵⁶

Governor Cuomo will advance legislation to clean up election administration and speed up the canvassing process by requiring county boards of elections to

process absentee ballots as they are received and begin counting and reporting those ballots on election day. We will also establish uniform processes for the timely administration of recounts. Boards will no longer be permitted to wait for weeks to get started.

Proposal. Open and Modernize Absentee Voting

Governor Cuomo is a champion for voting rights at a time when many elected officials and anti-democratic interest groups work hard to prevent many Americans from exercising their right to vote.¹⁵⁷ The Governor's commitment to easing access to the polls was never more apparent than during the 2020 election season, when the spread of COVID-19 presented unprecedented challenges to elections administration.

In the midst of the COVID-19 pandemic, New York needed to adapt quickly to ensure a more accessible absentee voting process to keep New Yorkers safe while voting. Governor Cuomo worked with the Legislature and through executive action to enact measures — such as allowing all voters to request absentee ballots and requiring boards of election to provide voters with the opportunity to “cure” mistakes on those ballots —

ensuring that all New Yorkers could participate in the democratic process while continuing to safeguard public health. But while these emergency measures enabled New Yorkers to cast their ballots safely despite the unprecedented challenges posed by the pandemic New York State's experience with administering a mostly mail-in election served as a stark reminder that our election laws are in need of significant reform.

To ensure that absentee voting in all future elections is administered smoothly and effectively, Governor Cuomo will introduce a sweeping package of legislation to modernize New York State absentee voting laws:

- **No-Excuse absentee voting for all New Yorkers.**

Under New York State's current election law, individuals seeking to vote by absentee ballot must qualify for one or more "excuses" for not being able to vote in person at their polling place. Allowable excuses include, for example, being absent from the county of residence or having an illness or disability that precludes voting in person. These restrictions are outdated and unnecessary, and dozens of states now allow all

eligible voters to request an absentee ballot without an excuse.¹⁵⁸ In 2019, Governor Cuomo supported the passage of a resolution beginning the process of amending the State constitution to make no-excuse absentee voting a reality in our state. In 2021, the Governor will call on the Legislature to act quickly to pass the resolution again so that the proposed amendment can go on the ballot to be ratified by the voters. Once the amendment is passed in a public referendum, the Governor will advance a range of corresponding legislation.

- **Allow more time for voters to request absentee ballots.** The State's election law currently prohibits voters from requesting their absentee ballots more than 30 days prior to Election Day. Particularly in elections with large numbers of absentee voters, this timeline may make it difficult for county boards of elections to process ballot requests in a timely and efficient manner. This, in turn, provides voters with less time to receive their ballots, vote, and mail them back. Governor Cuomo will advance legislation

allowing voters to request absentee ballots 45 days prior to an election, ensuring they can be mailed as soon as the ballot is finalized and approved by the Board.

- **Require Boards of Elections to process absentee ballot requests faster.** New York State’s current election law requires county boards of elections to send absentee ballots to voters “as soon as practicable” after determining that a voter’s request for that ballot is valid. This term is imprecise and permits boards of elections to delay the mailing of absentee ballots to eligible voters. Governor Cuomo will advance legislation requiring county boards of elections to review ballot applications and mail ballots to qualified voters within four days of receiving an application, and more rapidly as Election Day nears.

Proposal. Expand Access to Early Voting

Among Governor Cuomo’s most important voting rights and election administration achievements is the 2019 enactment of legislation establishing early voting

in New York State. By providing more than a week in advance of Election Day for voters to cast their ballots at a date and time of their convenience, the law has expanded opportunities for millions of New Yorkers to make their voices heard at the ballot box. In the general election in 2020 — the first major election following the implementation of New York State’s early voting law — more than two and a half million New Yorkers, representing nearly one-fifth of all registered voters in the state, chose to cast their ballots during the early voting period.

New York remains in the early stages of its experience with early voting, and room for improvement remains. To strengthen New York State’s early voting law and make early voting easier and more accessible for all New Yorkers, Governor Cuomo will mandate additional hours of early voting, keeping early voting sites open until nine o’clock at night on weekends as well as on a minimum of three weekdays during the ten-day early voting period.

Proposal. Protect Judges and their Families from Threats

The talented men and women of the judiciary are committed to upholding our democracy and the rule of law and are required to make challenging decisions to defend our nation's values. In the face of rising personal threats, it is critical that the State does everything in its power to protect the judiciary's independence and security.

Recent incidents have underscored the risks facing our judiciary, including the tragic attack on U.S. District Court Judge Esther Salas at her home in New Jersey that resulted in her 20-year-old son being killed and her husband seriously wounded.¹⁵⁹ Nationwide, U.S. Marshals Service has seen a 479 percent increase in threats to federal judges and other members of the federal judiciary between 2012 and 2019.¹⁶⁰ In the digital age, the availability of personal information on the internet has heightened concerns for the safety of our state and federal judges.

To further protect judges and their families, and ensure they can do their jobs without fear of harassment

or reprisal, the Governor will advance legislation to ensure current and former federal and state judges and their immediate family and household members can request that the boards of elections remove from public display their home address.

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