



LEGISLATIVE BRIEFS

December 2009

As Mid-Year Cuts Remain on the Table, 2010-11 NYS Budget Hearings Underway

While many feel the threat of mid-year cuts no more than an attempt to bring legislators to the table, the governor's proposal remains in play. At the same time, in a mid-November a quick start budget meeting was held in the state Capitol between the Division of the Budget, Senate Finance Committee, Assembly Ways and Means Committee, and the state Comptroller's Office to discuss revenue and disbursements for the 2009-2010 and 2010-2011 fiscal years.

Budget Director, Robert Megna and staff from the Legislature's fiscal committees spent much of the meeting discussing school aid and Medicaid. The Division of the Budget's mid-year financial plan projects budget gaps of \$3.2 billion in 2009-2010, \$6.8 billion in 2010-2011. The Division of the Budget estimated school aid spending will increase by an average annual rate of 6.2 percent, more than twice the rate of inflation, while state Medicaid spending is estimated to increase by an average annual rate of 11 percent.

For information and the joint committee report, go to:
http://www.legislativegazette.com/Articles-c-2009-11-16-63978.113122_2010_2011_budget_talks_begin.html

<http://www.budget.state.ny.us/pubs/press/2009/hearings/quickStart/2009QuickStartReport.pdf>

Federal Race to the Top Funding Ignites State Education Reform

President Obama created a \$4.3 billion Race to the Top fund to inspire excellence and leverage change in state education systems. The size of the award to states is dictated by the number of children, aged 5-17, so much as \$350- \$700 million could be available to New York. But to qualify, state leaders must agree to reforms on conflict-ridden issues that include ensuring successful conditions for high performing charter schools and other innovative schools. Criteria includes:

- Adopting standards and assessments that prepare students to succeed in college and the workplace and to compete in the global economy;
- Building data systems that measure student growth and success, and inform teachers and principals about how they can improve instruction;
- Recruiting, developing, rewarding, and retaining effective teachers and principals, especially where they are needed most; and
- Turning around our lowest-achieving schools.

New York is considering regulatory and legislative changes. The Board of Regents and newly appointed Commissioner David Steiner, along with Senior Deputy Commissioner John King and other key SED staffers, unveiled the department's plan for making significant changes to the State's educational system. The driving force behind many of the changes is the State's application for a share of the \$4B Race to the Top funds.

For further information go to:
<http://www.ed.gov/news/pressreleases/2009/11/11122009.html>

<http://www.oms.nysed.gov/press/TeacherPreparationSkilledTeachers.html>

Leandra's Law Signed: Legislation to Increase Penalties for DWI with Child Passenger

Governor David A. Paterson signed into law the Child Passenger Protection Act, now known as Leandra's Law. In a bipartisan effort both state houses had passed landmark legislation drastically increasing the penalty for any person who drives intoxicated with a child passenger. Two recent fatal incidents involving intoxicated drivers with child passengers have highlighted the need for stronger measures to prevent or punish persons who drive intoxicated with children as passengers.

The legislation provides for the harshest penalties and most significant expansion of preventative measures to date for any offender convicted of driving while intoxicated with a child passenger.

For details, go to:

http://www.state.ny.us/governor/press/press_1118091.html

Comprehensive Driving Safety Law Aims to Reduce Driver Distraction and Increase Restrictions on Young Drivers

More and more accidents have been caused by driver inattention and inexperience. A new law intended to improve safety by reducing the number of distracted motorists and placing tougher rules on teenage drivers is now in effect.

The law bans the use of hand-held mobile telephones, PDAs, handheld devices with mobile data access, laptops, pagers, electronic games and any portable computing devices to compose, send, read, view, access, browse, transmit, save or retrieve e-mail, text messages or other electronic data while driving.

Over the past few years some New York State counties passed similar local bans. But a statewide measure was needed to protect people all across New York.

The state law also strengthens New York's graduated driver licensing laws and brings the state's program closer to the model laws recommended by National Highway Traffic Safety Administration.

The Comprehensive Driving Safety Bill:

- eliminates the Limited Class DJ/MJ driver license so that young, inexperienced drivers will be supervised for the full six-month learner's permit holding period otherwise required by current law;
- increases from the current 20 hours to 50 hours (including 15 hours of driving after sundown) the number of practice driving hours that must be certified by a parent or guardian before a permit-holding junior driver can obtain a license; and
- reduces the number of non-family passengers under the age of 21 who will be able to ride with a junior driver who is not accompanied by a specified supervising adult from two to one.

According to the National Highway Traffic Safety Administration, a significant percentage of junior drivers are involved in traffic crashes and are twice as likely as adult drivers to be in a fatal crash. Sixteen-year-old drivers have crash rates that are about three times greater than 17-year-old drivers and five times greater than 18-year-old drivers.

For further information, go to:

<http://assembly.state.ny.us/Press/20090617b/>