

# STATE ISSUES

## - POLICY STATEMENT -

The health and vitality of State and local economies continue to be a top priority.

Local governments are finding it necessary to pay for “unfunded mandates” by passing the costs on to local citizens. Specifically, local property owners are seeing continuing increases in their school and property taxes. These increased taxes are a hardship for rural landowners, particularly farmers. Farmers are major landowners who rely on their land to generate their livelihood while they pay a disproportionate share of property tax. We therefore support legislation that would lessen the financial burden imposed by unfunded, mandated programs affecting local and rural citizens.

We strongly support the agricultural industry which makes vital contributions to the quality of life in our State by creating jobs, generating revenue, producing safe and wholesome products, and allowing us to sustain open spaces and beautiful rural landscapes. New York State continues to maintain approximately one-quarter of the total land area in this great State for agriculture.

We encourage the research and development of safe, economical, and environmentally friendly alternative energy sources. We support improving recycling practices and encourage all citizens to do their part to protect our environment.

Tax relief is essential to the revitalization of rural communities. We support legislation that addresses this issue.

On time passage of the annual New York State budget is very important. We support a timely annual New York State Budget.

The power of eminent domain should be used only for public projects, rather than as recently expanded by the Supreme Court, to include the taking of property for private economic development.

We favor the election of our judges and the retention of our town and village justice courts.

We ask that more programs be set up to educate drivers on dangerous distracting activities while driving, through Public Service Announcements and Driver Education classes.

The New York State Grange has an ongoing concern for the safety of children and families. It is important that local communities be provided with information regarding sexual offenders living there, to be able to better protect those who may be at risk. We support the timely reporting to proper authorities of missing or deceased children.

October 2011

## **ADVERTISING**

### **PUBLICATION OF LEGAL NOTICES IN COMMUNITY NEWSPAPERS**

We request the NYS Legislature and the Governor to amend the General Construction Law to allow newspapers, which do not charge for the paper, but with an established and large local circulation, to be considered as newspapers so that local governments are allowed to place legal notices in these local publications which may reach a larger audience and/or be less expensive to publish. (2007)

## **ALCOHOL/TOBACCO**

### **DRIVING WHILE INTOXICATED BY LAW ENFORCEMENT OFFICIALS**

We support legislation to increase the penalties for any law enforcement personnel employed by any law enforcement agency in New York State who are found guilty of violating the Driving While Intoxicated/Driving While Ability Impaired Laws of New York State while on duty, and further, we support legislation that any law enforcement personnel found in possession of a loaded weapon while in an intoxicated condition be immediately suspended until afforded a proper hearing to determine eligibility to continue employment. (2011)

### **ALCOHOL-RELATED DEATH SCENE MARKERS**

We oppose the placement of signs at the location of alcohol-related accidents causing fatalities and to use these state funds to educate the public of the dangers of alcohol and other drugs. (2009)

### **ALCOHOL BEVERAGE ADVERTISING**

We support legislation for alcoholic beverage advertising to be curtailed with special sensitivity given to its effect on our youth. (2009)

### **DRIVING WHILE INTOXICATED (DWI)/BOATING WHILE INTOXICATED (BWI)**

We support legislation that would allow the courts to consider information of prior convictions of Driving While Intoxicated (DWI) and Boating While Intoxicated (BWI) against the individual during sentencing. (2007)

## **BUSINESS/INDUSTRY**

### **PREVAILING WAGE RATES**

We support legislation that would eliminate the mandated prevailing wage rates in New York State and allow municipalities and school districts to enter into competitive bids for both wage rates and materials. (2010)

### **NEEDED CAPITAL FOR SMALL BUSINESSES**

We support legislation that could help small businesses remain in New York State. (2009)

### **FREEDOM OF BRAND CHOICE**

We oppose any practices by any company that requires exclusivity to carry their product except in the case of a legal franchise agreement. (2009)

### **SALE OF MAILING LISTS**

We support privacy legislation and do-not-call list laws. (2009)

### **EMPIRE ZONES**

We call upon State legislators to enact laws that would carefully examine all companies receiving tax credits and decertify undeserving recipients of Empire Zone tax breaks and, further, that the State enact legislation that requires administrators of Empire Zones to audit and seek repayment of tax credits where obligations have not been met. (2007)

## **CEMETERIES**

### **STATE VETERANS' CEMETERY**

We support the conversion of the John White Memorial Game Farm into a New York State Veterans' Cemetery and would ask the New York State Assembly and Senate to pass legislation at its earliest possible convenience, which would allow State funds to be put toward such a use and that the Governor would sign this legislation into law. (2011)

### **YEAR-ROUND BURIAL REQUIREMENTS**

We oppose any legislation that mandates year-round burial be available at all cemeteries, leaving the practice of providing such service optional to each cemetery association. (2010)

**DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**RESTRICTION ON ELEPHANTS**

We support allowing elephant rides at fairs and carnivals and ask the Department of Environmental Conservation to reconsider their ruling prohibiting elephant rides at fairs and carnivals. (2008)

**DRIVING HAZARDS**

**DRIVING WITH UNRESTRAINED PETS**

We support legislation that would prohibit a driver from allowing a pet to remain unrestrained/unrestricted in the vehicle, including prohibition of an animal on the driver's lap. (2011)

**ELIMINATION OF EYE EXAM FOR DRIVER'S LICENSE RENEWAL**

We oppose the elimination of the requirement for an eye examination for a driver's license renewal. (2011)

**TEXT MESSAGING**

We support proposed legislation which will make text messaging while driving illegal and that more educational programs be set up to address the hazards of distractive activities while driving. (2008)

**CELL PHONE USE WHILE DRIVING**

We support more stringent enforcement of the law forbidding the use of hand held phones while driving. (2007)

**DANGEROUS DRIVING HABITS**

We ask that more programs be set up to educate drivers on dangerous distracting activities while driving by using Public Service announcements and Driver Education classes. (2007)

**ELECTIONS, ELECTED OFFICIALS, ELECTION PROCEDURES**

**POLITICAL SIGNS**

We encourage political candidates and political election committees who have political signs displayed be responsible to see that said signs are removed within two weeks following the elections, and that Pomona and Subordinate Granges work to see that political signs are being

removed by bringing them to the attention of political candidates and/or county political election committees. (2011)

### **RECALL OF ELECTED OFFICIALS**

We support (A.9085) or similar legislation, that would permit the electorate to recall an elected official for cause. (2010)

### **REQUIREMENT OF RESIDENCY**

We support a requirement of residency of five (5) years in New York State preceding election of candidates for U.S. House of Representatives or U.S. Senate. (2009)

### **INITIATIVE AND REFERENDUM PROCEDURES**

We are opposed to any Initiative and Referendum proposals. (2008)

### **FILLING A VACANCY IN THE STATE OFFICE OF COMPTROLLER OR ATTORNEY GENERAL**

We support legislation to amend the New York State Constitution (Article V, Section 1) to stipulate that if a vacancy should occur in the offices of either the State Comptroller or Attorney General during their four-year term, the Governor shall make an interim appointment with such person only serving in the office until the very next general election, when they could choose to serve out the remainder of the term, thus giving back to the electorate the right to choose statewide public officials. (2007)

## **ENERGY**

### **ALTERNATIVE ENERGY SOURCE**

We encourage additional research into expanding the use of wind power as an alternative energy source where feasible. (2010)

## **ENGLISH LANGUAGE**

### **ENGLISH AS THE OFFICIAL LANGUAGE OF NEW YORK STATE**

We support the designation of English as our official language. (2008)

## **FIREARMS**

### **GUN OWNERSHIP FEES**

We oppose any attempt by the state to require additional registration and renewal fees for gun owners. (2011)

### **SALE OF FIREARMS**

We discourage lawsuits being brought against the legal manufacturing, distribution and sale of firearms. (2011)

## **GOVERNMENT - LOCAL & STATE**

### **LIEUTENANT GOVERNOR IN NYS CONSTITUTION**

We support current legislation that would allow a Governor to appoint a Lieutenant Governor that would be approved by both houses of the State Legislature, create a mechanism to allow the Lieutenant Governor to assume the powers of a Governor when he or she is unable to discharge his or her responsibilities, and establish that a Governor remains a Governor even when absent from the state. (2009)

## **INSURANCE**

### **DOG OWNER LIABILITY INSURANCE**

We oppose the requirement of mandatory liability insurance for all dog owners in New York State. (2009)

## **INTERNET**

### **INTERNET PROTECTION**

We support legislation, which would create the Internet Protection Act, that would not only require more adequate punishment for those that distribute sexually explicit materials, but also requires compliance by the public libraries and make financial assistance available to the libraries for the expense incurred by providing the segregated terminals. (2007)

## **LAW ENFORCEMENT/POLICE**

### **USE OF GLOBAL POSITIONING TRACKING SYSTEMS (GPS)**

We support legislation that would require police agencies to obtain a justified warrant before being allowed to attach GPS tracking devices to vehicles, thus preventing police from arbitrarily using them without cause. (2009)

## **LAWS/REGULATIONS/ COURT SYSTEM**

### **CRIMINAL VS. VICTIM LAWSUITS**

We support legislation that would prevent a criminal from bringing a civil lawsuit against a victim or a concerned citizen who might injure that criminal while defending themselves or trying to prevent a criminal act. (2009)

### **VICTIM'S RIGHTS IN THE NEWS MEDIA**

We endorse the protection of victims from the undue publicity regarding the nature of the crime committed against them, including the publication of their name. (2009)

### **STRENGTHENING HOME RULE**

We call upon our state leaders to preserve and strengthen home rule and strongly oppose any state initiative to eliminate or weaken our state's long-standing tradition of home rule and local government authority. (2008)

### **ROLE OF ENERGY GENERATION FACILITIES**

We call for legislation to develop new laws and regulations that will preserve local authority over the siting of Wind Energy Facilities (WEFs) and will allow local representation on the NYS Board of Electric Generation Siting (Siting Board). (2008)

### **TWO-YEAR CYCLE FOR BILLS IN LEGISLATURE**

We support legislation that would create a two-year cycle for bills within the NYS Legislature which would allow a bill passed in one house one year to be considered by the other house the succeeding year without necessitating discussion and repeat approval by the original house in the same year, thereby reducing the current inefficiency of time by the State Legislature and wasted money expended by state government. (2008)

### **AMENDMENT TO NYS LAWS RELATED TO TIMBER MANAGEMENT AND TIMBER THEFT**

We favor legislation amending various laws pertaining to timber theft and forest management, further that the Commissioner of Department of Environmental Conservation, in consultation

with the NYS Forest Practice Board, review and comment on local laws and regulations that may unreasonably restrict best management forestry practices. (2008)

### **RETENTION OF LOCAL COURTS/ELECTION OF JUDGES**

We urge our State Legislature to retain our local town and village courts, and to have all of our judges elected by the people whom they serve. (2007)

## **LEGISLATIVE REFORM**

### **NEW YORK STATE REFORM**

We support legislation that would have meaningful reform for our state government addressing the following:

1. If the legislative body is not meeting as prescribed by our constitution, that the Governor and Comptroller have the authority to withhold all salaries from that body until such time that they resume their deliberations.
2. All legislative sessions to be open to the public.
3. The budget process be open and not finalized behind closed doors by those in power. (2009)

## **LICENSING/REGISTRATIONS/FEES**

### **CAREGIVING AND CHILD DAY CARE LICENSING**

We support stricter enforcement of rules in licensing operator and caregivers of child day care centers. (2009)

### **DRIVERS' LICENSES FOR ILLEGAL IMMIGRANTS**

We oppose the issuance of drivers' licenses to illegal aliens. (2007)

## **LIFE SENTENCE**

### **LIFE SENTENCE WITHOUT PAROLE FOR CONVICTED KILLERS OF LAW ENFORCEMENT OFFICERS**

We support legislation for life sentence without parole for convicted killers of law enforcement officers in New York State, as the preferred deterrent for such heinous crimes. (2007)

## **MINORS**

### **REPORTING THE DEATH OF A CHILD**

We support legislation that would make it a requirement for parents, legal guardians or caregivers to notify the proper authorities within 12 hours of the time that they know that a child died, whether the child died accidentally or otherwise. (2011)

### **REPORTING OF MISSING CHILDREN**

We support legislation that would make it a requirement for parents, legal guardians or caregivers to notify law enforcement if a child under their care cannot be found within a reasonable amount of time. (2011)

### **GRANDPARENTS GUARDIANSHIP ACT**

We support the Grandparents Guardianship Act or similar legislation that would provide that all grandparents shall receive notice of any proceedings involving a grandchild and a non-parent party, including foster care proceedings and adoptions, and upon the removal of a child from a parent's home by Child Protective Services, all grandparents shall be notified and informed of the opportunity to become a foster parent. It also would provide that any grandparent who does not seek to become a foster parent must sign such a waiver. (2011)

### **ORDERS OF PROTECTION**

We support legislation that would permit youth over the age of 12 to petition for Orders of Protection on their own behalf, even if their abuser is a minor as well. (2009)

### **CHILD PROTECTION**

We support legislation which establishes the attempt of luring or enticing a child a Class D felony; provided that the creation of this separate crime shall not preclude, if the evidence so warrants, an indictment and conviction for attempted kidnapping, and that such legislation would expand the law so that the law would apply to cover a situation where an investigator poses as a minor in a sting operation. (2007)

## **MISCELLANEOUS**

### **PREDATORY LENDING**

We support legislation that will provide protection against predatory lending practices. (2011)

## **PROPERTY OWNERS' RIGHTS**

### **LIMITATION OF LOCAL GOVERNMENT AUTHORITY TO UTILIZE EMINENT DOMAIN**

We support legislation that would limit the use of eminent domain power to public projects. (2010)

## **RECREATION/SPORTS**

### **SNOWMOBILES IN THE ADIRONDACK PARK**

We oppose the closing of snowmobile trails in the Adirondack State Park. (2009)

### **BICYCLE HELMETS**

We support changes in the laws governing bicycling to require all cyclists to wear a safety helmet while riding a bicycle. (2009)

## **RECYCLING**

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We seek legislation to support all counties in NYS in developing and promoting recycling solutions such as placement of receptacles, recycling pickup, and recycling drop off centers consistent with county and municipal waste management practices; that New York State promote citizen awareness of the wide range of materials that can be recycled; and that such legislation should provide for collaboration between local governments, recycling partners, and consumers to develop and promote flexible local solutions to make recycling successful. (2009)

## **SAFETY/PRECAUTIONARY MEASURES**

### **REQUIRED BUILDING NUMBERING**

We encourage that all residential, commercial, industrial, institutional and recreational buildings in New York State prominently display four-inch **reflective** numbers on the structure. Numbers shall be visible from the road or at the access point of the property and on the structure, if it is not visible from the road. (2011)

### **HOTEL & MOTEL SAFETY**

We promote and encourage that all motel and hotel rooms be installed with safety grab bars in bathrooms. (2011)

## **SCHOOL BUS SAFETY**

We oppose the requirement of the installation of driver monitoring devices on school buses, but instead support the U.S. Department of Transportation requirement for random drug and alcohol testing to be conducted from time to time. (2009)

### **SHOULDER HARNESSSES IN SCHOOL BUSES**

We oppose the installation of shoulder harnesses in full-size school buses in New York State. (2009)

### **WEARING REFLECTIVE GEAR DURING POOR VISIBILITY**

We support the use of reflective gear for all police and emergency personnel/responders in all situations that require them to work during periods of poor visibility. (2007)

## **SEXUAL OFFENSES**

### **LEVEL II AND III SEXUAL OFFENDERS**

We support requiring all Level II and III sexual offenders to wear a lifetime monitoring device. (2011)

## **SOLAR POWER**

### **NEW YORK SOLAR JOBS ACT**

We support legislation, such as the New York Solar Jobs Act, that would encourage the use/purchase of solar power to aid in the reduction of greenhouse gases and the creation of new jobs within the state. (2011)

## **SPORTS/SPORTING ACTIVITIES**

### **NEW YORK STATE SPORTSMEN**

We support legislation that provides for continual sportsmen's rights and encourages youth to participate in outdoor sporting activities with proper adult supervision. (2010)

## **STATE BUDGET**

### **LATE STATE BUDGET**

We recommend that if the New York State Budget is not passed by April 1, the previous year's budget be continued in effect for another year, so that school districts and local governments have a tax rate for reference. (2011)

## **STATE FAIR**

### **LIGHTING**

We recommend that the State Fair provide lights at the exits so the State Police can be seen more easily from a distance away, and that these lights be used on any occasion the State Fairgrounds are used when people have to cross State Fair Boulevard to the parking lots. (2009)

### **SQUARE DANCING**

We request the NYS Fair Board keep square dancing as an activity at the NYS Fair; that the NYS Fair Board publicize the date, time, location, etc. that square dance clubs are scheduled to perform so the public can enjoy this activity; and that the NYS Fair Board provide ample floor space so square dance clubs can perform their routines safely. (2009)

## **STATE PROGRAMS/FUNDING, MANDATES**

### **MANDATE RELIEF**

We call upon the Governor and NYS Legislature to enact comprehensive mandate relief legislation that would take into consideration the following among other relief measures:

1. inventory existing mandates
2. fully fund all future mandates (2008)

### **REGULATIONS BY STATE AGENCIES**

We urge that state agencies follow the rule adoption set forth in the Governor's Office of Regulatory Reform. All agencies who receive funding from the New York State Budget must file a notice of adoption for publication in the State Register. The notice of adoption must contain a number of items of procedural information, the full text of the adopted rule, any revised regulatory impact statement, regulatory flexibility analysis for small businesses and rural area flexibility analysis, or a summary of any such document that exceeds 2000 words. It must also file the notice of adoption with this Office, the Governor and specified legislators. (2008)

## **RULES & REGULATIONS**

We urge the NYS Legislature to provide for adequate review and approval by the legislature of all rules and regulations which place burdens and obligations on the people, and recommend that the legislature review and limit the exercise of judicial power by administrative agencies and authorities, and provide for adequate review of the courts. (2008)

## **INDUSTRIAL DEVELOPMENT FUNDS**

We support immediate action to ensure that the Industrial Development Funds be used only for small or new businesses for which they were originally intended. (2008)

## **UNFUNDED MANDATES**

We urge the Governor and State Legislators to help minimize county financial burdens by: (1) passing the state budget on time (2) trimming government costs (3) eliminating unfunded mandates. (2008)

## **TRANSPORTATION/HIGHWAYS/ VEHICLES**

### **EFFICIENT HIGHWAY ADMINISTRATION**

We call upon the Governor and State Legislature to continue their support of the Consolidated Highway Improvement Program (CHIPS) and to explore every way possible to increase highway aid and, further, to enact appropriate enabling authority for Local Road Classification as recommended by the NYS Local Road Classification Force which will permit local governments to rationally reduce to more appropriate levels, the costs of maintenance and repair of such low volume roads. (2011)

### **FOG LINES/CENTER STRIPING**

We request that towns paint fog lines and center striping on their roads where feasible. (2011)

### **EXIT NUMBERS –INTERSTATE HIGHWAYS**

We urge that New York State change its exit marking system on Interstate roads so that the exit numbers are the same as mileage markers. (2011)

### **HEADLIGHTS “ON”**

We urge that all motor vehicles be required to have headlights “on” whenever in operation. (2011)

### **EMERGENCY LIGHTS**

We support legislation that requires all drivers to yield to volunteer firemen and ambulance personnel when displaying blue or green lights in emergency situations. (2011)

## **TRAFFIC SIGNS AND SIGNALS**

We support action to promote maintenance of road signs at all times. (2011)

## **ANIMAL DRAWN VEHICLES**

We encourage all operators of animal driven vehicles to utilize safety devices for better visibility by motor vehicle operators. (2010)

## **SPEED LIMIT FOR SCHOOL BUSES**

We support allowing school buses to travel up to the posted speed limit on all highways in New York State as opposed to the Department of Education regulation which limits school buses to a maximum of 55 mph, an unsafe speed on major expressways. (2009)

## **BRUSH OBSTRUCTIONS ON RURAL ROADS**

We favor a requirement that all highway departments of the State of New York keep brush obstructions trimmed to give a clear view of the crossroads. (2009)

## **CONSOLIDATED HIGHWAY PROGRAM (CHIP) FUNDS**

We request our State Government to return all road use funds to a dedicated highway fund for the repair of roads and bridges only, to eliminate the need of property or other taxes to replace these CHIP funds. (2009)

## **NYS DEPARTMENT OF TRANSPORTATION REGULATIONS RELATED TO TRUCKS 45 FEET OR LONGER**

We favor reducing fuel taxes for trucks 45 feet or longer paid on the Interstate Highway System in New York State to help alleviate truck traffic on non-interstate roads and support the reduction of Interstate tolls in New York State to trucks 45 feet or longer to provide incentives for truck drivers to travel the Interstate Highway System. (2008)

## **DESIGNATED TRUCK ROUTE FOR LANDFILL WASTE**

We support passage of a Designated Highway Route for trucks transporting solid waste to the Seneca Landfill. (2008)

## **HIGHWAY REFLECTORS**

We suggest that the various Departments of Transportation consider adding reflectors to the center lines of highways. (2007)

## **SPEED LIMITS ON TOWN ROADS**

We urge the State Legislature to extend to all towns the option, through adoption of a local law, the responsibility and authority to set speed limits on town roads within their respective jurisdictions, within the limits as defined in Sect. 1662 of the Vehicle and Traffic Law, so long as

those roads have been functionally classified by the Department of Transportation as local roads. (2007)

### **LOCATION OF “NO TURN ON RED” SIGNS**

We support the consistency in the placement of “no right turn on red” signs being next to the traffic light at all intersections deemed too dangerous for a right turn on a red light. (2007)

## **UTILITIES**

### **UTILITY COSTS FOR VOLUNTEER FIRE DEPARTMENTS**

We request that the Public Service Commission of New York State direct electric utility providers to set rates for service for volunteer fire departments equal to the lowest rate for all categories of accounts they serve. (2011)

### **OPPOSITION TO THE NEW YORK REGIONAL INTERCONNECT**

We oppose the NYRI (New York Regional Interconnect, a privately owned corporation) proposal that would construct a power transmission corridor and the use of Eminent Domain for its creation. (2007)

### **ELECTRIC CORRIDOR**

We support legislation that would require public hearings for proposed electric corridors be held in the area affected by the proposed project. (2007)

## **WILDLIFE/ HUNTING & FISHING**

### **CORMORANT POPULATION CONTROL**

We strongly support the efforts of the Cormorant Control Working Group, the NYS DEC and the Province of Ontario on their collaborative effort to control cormorants on the St. Lawrence River and Black Lake and receive immediate assistance in cormorant control to protect and maintain its current fishing and tourism economy. (2011)

### **POISONOUS SNAKES AND PREDATORY ANIMALS**

We support a ban on the introduction and/or release of any poisonous snakes or predatory animals in New York State. (2011)

We recommend that the Department of Environmental Conservation post public lands where there is an infestation of poisonous snakes. (2011)

## **SPOTLIGHTING IN NEW YORK STATE**

We support legislation that would change the Environmental Conservation Law to require that handguns must also be locked in a case or securely locked in the trunk of the vehicle while spotlighting. (2010)

## **HUNTING, FISHING AND TRAPPING FEES**

We support reducing hunting, fishing and trapping license fees. (2010)

## **AGE RESTRICTION FOR HUNTERS**

We oppose any changes to New York State Environmental Conservation Laws raising the current minimum ages for obtaining NYS hunting licenses. (2009)

## **INTRODUCTION OF WILDLIFE**

We urge our State Legislature to be diligent about protecting our people, livestock and crops from danger and that no wild animals be introduced into New York State without prior legal notice to the public and prior consultation with and the consent of the county legislatures in the areas affected, and that just compensation be provided to land owners whose property is set aside as a habitat for any endangered species. (2007)

## **RIGHT TO HUNT, FISH, AND TRAP**

We support the model language provided by the National Rifle Association-Institute for Legislative Action be followed for a State Constitutional amendment that would guarantee the right of legal hunting in New York State – “The people have a right to hunt, fish, trap, and harvest game, subject to reasonable regulations. Consistent with the public trust to conserve birds, fish, game and wildlife, traditional methods may be used to take non-threatened species traditionally pursued. Public hunting, fishing and trapping shall be the preferred means of managing and controlling non-threatened wildlife. Nothing in this amendment shall be construed to modify any provision of common law or statutes relating to trespass, eminent domain, or any other property rights.” (2007)