

# The Senate Republicans' Rescue New York 2023 Agenda: A Plan for a Safer, Stronger, More Affordable and More Free New York

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The Vision for a Safer, Stronger, More Affordable and More Free New York will restore balance and common sense to our state government while vigorously rejecting the extreme policies that Senate Democrats have imposed on New Yorkers. From billions of dollars in tax relief, jump-starting our slow economic recovery, and restoring common sense to our criminal justice system, our agenda will lead New York to a safer, stronger, more affordable, and more free future.

## A Safer New York

### Restoring Common Sense to Our Criminal Justice System to Prevent Crime and Protect New Yorkers

- **Reversing the disastrous criminal justice policies** that have made our communities less safe including Bail Reform, Discovery Reform, Less is More, and HALT.
- **Reject criminal-first proposals** such as the Clean Slate Act, elder parole, and sentencing reform.
- **Making public safety a priority of our criminal justice system** by giving judges the ability to set bail based on risk and the danger posed by a defendant.
- **Investing in Local law enforcement** by creating the SAFER Communities Grant Program to invest in critical investigatory and prosecutorial resources designed to increase case clearance rates for homicides and gun crimes.
- **Reducing the use and prevalence of illegal firearms** by increasing funding for gun interdiction efforts, increasing penalties for crimes committed with stolen firearms, and requiring mandatory consecutive sentences for crimes involving an illegal firearm.
- **Curtailing Gun Crimes** by making any misdemeanor or felony offense involving the use or possession of a firearm, shotgun, or rifle bail eligible and by amending Raise

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the Age to ensure 16 and 17-year-olds charged with certain gun-related, gang-related, and/or violent offenses are prosecuted as adults.

- **Addressing drug crimes** by establishing the crime of homicide by sale of an opiate-controlled substance and by making drug offenses bail eligible and allowing judges to remand someone to treatment.
- **Protecting and supporting crime victims** by:
  - restricting the release of identifying information in certain cases;
  - increasing the caps on Office of Victim Services reimbursements for crime victims;
  - investing in victim support programs;
  - putting in place policies to protect victims' rights during the parole process; and
  - authorizing judges to set lifetime orders of protection for certain crimes (violent and domestic violence felonies).
- **Giving law enforcement more investigatory tools** by allowing familial DNA searching in New York State.
- **Increasing support for New York State Park Police officers** throughout the State Park system by increasing officer recruitment; retention; and ensuring a properly equipped, skilled, and diverse park officer force.

## **Increasing Efforts and Investment to End the Opioid and Mental Health Epidemics**

- **Increasing the availability of mental health treatment options** by:
  - increasing support for inpatient and outpatient treatment by funding both juvenile and adult mental health beds and restoring them to pre-OMH Transformation Plan levels of 2,866 Adult beds and 460 Childrens Beds;
  - make Kendra's Law permanent and adopt the expansions to the Assisted Outpatient Treatment (AOT) Program included in Mayor Adams' [Psychiatric Crisis Care Legislative Agenda](#).
  - appropriately funding our mental health system by increasing state mental health funding levels with a focus on funding services for children and young people; and

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- stopping any further reduction of mental health beds by placing a 5-year moratorium on bed reductions at State hospitals and requiring any public hearings and legislative approval before any future reductions as part of the OMH facility Transformation Plan
  - **Expanding access to mental health services in our schools** by establishing a Mental Health Services Coordinator Program, reimbursing school districts for the hiring of mental health services professionals, and providing targeted State-aid to address mental health issues related to remote learning and social isolation.
  - **Reducing overdose death and closing treatment gaps by:**
    - increasing heroin and opioid prevention and treatment funding by \$75 million over three years in line with recommendations given in the Senate Heroin & Opioid Addiction Task Force released in October 2018;
    - Increasing penalties for the sale, transportation, or processing of Fentanyl;
    - providing additional funding for drug courts;
    - expanding peer support programs and increasing the availability of naloxone and medication-assisted treatment.
  - **Opening crisis stabilization centers throughout New York** that connect people in need to critical mental health and substance-use services by supporting local efforts to establish centers and/or opening state-operated centers to ensure residents in every county have access to such facilities.
  - **Ensuring opioid settlement funds are being used for the treatment of opioid use disorder and preventing overdose deaths** by ensuring such funds have the approval of the Opioid Settlement Board.
  - **Supporting mental health, disability, and other human services direct care workforce** by increasing their cost-of-living adjustment and making sure these professionals have the resources to help those who need it most.

### **Supporting and Protecting our Seniors**

- **Providing relief to retirees** by increasing the amount of private pension and/or retirement income that is tax-free above the current \$20,000 limit.
- **Supporting and investing in our nursing homes** to ensure they have the resources to provide high-quality care to New York's seniors in a safe environment.

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- **Expanding home care options for aging New Yorkers** including bolstering our home care workforce and providing tax benefits for family caregivers.

## **A Stronger New York**

### **Providing a High-Quality Education to All Students**

- **Closing the pandemic learning loss gap** by ensuring unspent Federal Elementary and Secondary school Emergency Relief aid supports academic recovery programs (e.g. intensive daily tutoring) and by creating an office in the State Education Department to track outcomes of such programs.
- **Expanding school choice by eliminating or increasing the charter school cap** to provide for more options where they are needed, providing the ability for high-performing charter schools to expand, and infusing the system with efficient and quality education options.
- **Protecting and expanding educational opportunities for all students** by supporting the use of the Specialized High School Admissions Test (SHSAT) to determine admission to New York City's specialized high schools, increasing access to advanced placement courses, and ensuring special education students have access to the resources they need to thrive.
- **Setting high standards of performance** through accountability, rewarding and retaining high-performing teachers, structured teacher support and training efforts, providing a greater degree of autonomy to principals in personnel and budget decisions, and removing barriers to entering the teaching profession, opening the door to a larger and more diverse applicant pool.
- **Meeting the nutritional needs of students** by providing funding for food backpack programs that provide families with free groceries for weekends and school breaks, for the continuation of free breakfast and lunch programs for all students, and more local sourcing of food supplies.
- **Protecting our students** by establishing a school resource officer (SRO) education grant program to reimburse school districts outside the city of New York, for the hiring of an SRO.

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## Expanding Economic Opportunity and Strengthening Our Workforce

- **Bolstering workforce education** by:
  - creating a statewide industry certification policy that establishes a process for identifying in-demand credentials by region, tracking attainment and employment outcomes, and incentivizing colleges to offer and provide credit for in-demand industry credentials; and
  - encouraging community colleges to consolidate their non-credit and credit workforce education programs under one roof; and
- **Expanding Career and Technical Education (CTE)** by:
  - providing BOCES with enhanced incentives and resources to increase the number of skilled trade graduates in New York;
  - increasing state support for CTE by phasing in an increase of aidable salaries for CTE teachers, expanding opportunities to provide career and technical education to younger students and students with disabilities, and expanding the number of SED-approved technical assessments;
  - Developing career and college exploration curricula in our schools and increasing support for and utilization of BOCES by expanding pathways to high school graduation; and
  - Supporting innovative programs by providing flexibility and support for school districts to collaborate to form regional technical high schools.
- **Improving the alignment between employers' needs and workers' skills** by centralizing apprenticeship programs, funding regionally-driven/industry-led career pathways/sectoral partnerships, and adopting Invest in Skills NY "credential passport" enabling participants in various pathways (CTE, BOCES, etc.) to transition seamlessly from institution to institution.
- **Giving workers the freedom to work and expanding the state's skilled workforce** by eliminating unnecessary occupational licensing restrictions, promoting interstate professional licensing reciprocity, and eliminating unnecessary college education requirements for state/local government employment.

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- **Providing roughly \$200 million in targeted tax relief to hardworking families** and support work by Increasing New York's Earned Income Tax Credit (EITC) benefit to 35 percent of the federal credit.
  - **Investing in upgrading workforce development facilities and technology** at community colleges, noncredit programs, BOCES, public libraries, and local one-stop career centers.

## Investing in Infrastructure for the 21st Century

- **Expanding access to broadband** to all New Yorkers by:
  - ensuring that State-funded projects are based on accurate availability data;
  - clearing the way for new technologies;
  - reducing the cost of deployment by eliminating prevailing wage requirements on State-funded broadband projects; and
  - providing a refundable tax credit for residents and small businesses in rural areas that pay out-of-pocket expenses for network construction costs.
- **Ensuring funding parity between Upstate and Downstate infrastructure funding** by putting NYSDOT and MTA capital programs on equal footing.
- **Supporting investment in local roads and bridges** by increasing Consolidated Local Street and Highway Improvement Program (CHIPS) base aid.
- **Prioritizing projects that provide high-rate returns** on investments to the economy, public safety, and the environment via a coordinated capital planning process for infrastructure investment.
- **Reducing project costs through regulatory reform**, rationalizing the environmental review process, and the implementation of innovative practices such as best value procurement.
- **Protecting our drinking water** by increasing funding for a safe, reliable water and sewer infrastructure.
- **Making the Empire State more resilient to extreme weather events and the impact of climate change** by hardening our shorelines, taking additional steps to mitigate coastal erosion and flooding, and ensuring we have well-designed protocols in place to keep residents safe during weather-related emergencies.

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## Helping our Veterans and Military Families Thrive

- **Providing critical treatment and support to our veterans** by making funding permanent and expanding the Joseph P. Dwyer Veterans Peer Support Program and the number of Veterans Treatment Courts across New York State.
- **Ensuring injured veterans have access to healthcare** by establishing the "New York's Own Combat Veterans Healthcare Choice Program Act" to establish tax-free savings accounts to pay the healthcare costs of certain combat veterans until covered by the federal government.
- **Increasing funding for Local Veteran Service Agencies** that offer support programs, connect veterans to services and housing, increase community awareness about issues faced by veterans, and provide transportation.

### **A More Affordable New York**

## Cutting the Empire State's Highest-in-the-Nation Tax Burden and Controlling Government Spending

- **Requiring a Supermajority for Tax Increases** and further authorizing the State to deposit funds in the Rainy Day Fund.
- **Continuing to fight against misguided tax increases** and phasing out temporary tax provisions.
- **Permanently capping State spending** by making the two-percent spending cap permanent and increasing the State's authorization to deposit funds in the Rainy Day Fund.
- **Eliminating costly unfunded mandates that drive up local property taxes** by requiring the State to fund any future programs, placing a moratorium on any new unfunded mandates, and by creating a Mandate Review Counsel to eliminate or suspend costly and ineffective mandates.
- **Opposing New York Health Act (statewide single-payer health plan)** that would double taxes in New York State.

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- **Amending the state constitution to limit backdoor borrowing** and control state debt by broadening the debt cap and requiring voter approval of capital debt backed by revenue.
  - **Enacting a nearly \$300 million annual tax cut for New York taxpayers** by indexing the State’s income tax brackets, standard deduction, and dependent exemptions to inflation.
  - **Saving middle-class taxpayers roughly \$650 million**, simplifying the tax code, and ending a regressive practice by eliminating “tax benefit recapture” provisions.
  - **Reducing property taxes by \$2.3 billion** by requiring the State to pick up the local share of Medicaid outside of New York City over 5 years and local governments to pass the savings along to property taxpayers.
  - **Providing direct relief to taxpayers** by making the Property Tax Rebate program permanent and returning billions of dollars to hardworking individuals and families.

### **Reducing the Cost of Living for Families and All Residents**

- **Reducing healthcare costs by phasing out the Health Care Reform Act’s insurance taxes**, which add nearly \$2,000 in annual health coverage costs for a family of four, and reforming Section 206 assessments.<sup>1</sup>
- **Providing relief from heating costs** by creating a refundable heating tax credit of \$300 per individual making under \$125,000 in annual income and \$600 per married couple making under \$250,000 in annual income.
- **Reduce the cost of commuting and travel** by extending the gas tax holiday.
- **Addressing the exorbitant cost of childcare** by:
  - increasing childcare assistance subsidies for working families while ensuring income eligibility standards account for regional differences in the cost of living;
  - supporting a strong childcare workforce by implementing apprenticeship programs and designing career pathways; and
  - expanding the supply of childcare by reducing non-safety and health-related regulations, and supporting capital investments in building new sites,

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<sup>1</sup> <https://www.empirecenter.org/wp-content/uploads/2020/03/HCRA-2020-Final.pdf>



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expediting the process for establishing new childcare businesses, and further incentivizing employer-sponsored/provided care options.

- **Aiding commuters by repealing the current congestion pricing scheme** that will cost people commuting into the Business District of Manhattan \$1 billion annually.
- **Lowering housing costs** by:
  - creating successors to New York City's 421-A and J-51 programs;
  - establishing a program where the State may pre-approve parcels for housing development and waiving certain regulations for projects that create ten or more homes and/or apartments upon a municipality's request;
  - forgoing top-down mandates and instead incentivize localities to relax local zoning to allow for the development of more and more affordable housing; and
  - streamlining the development process by reforming the State Environmental Quality Review Act to speed up the approval of housing developments.

## Improving New York's Worst-in-the-Nation Business Climate

- **Taking action to protect businesses from Unemployment Insurance Tax increases** resulting from pandemic-related job losses by adjusting rates, paying down the deficit, and creating an Unemployment Insurance Solvency Reserve Fund.
- **Setting a goal to eliminate one-third of all State regulations** in three years by simplifying and streamlining the State's rulemaking and licensing practices, reforming the State's project-killing development process, fast-tracking the appeals process, and reining in overzealous State agencies.
- **Providing a \$464 million tax cut for our small businesses** by:
  - Increasing the corporate tax threshold from \$390,000 to \$500,000 and lowering the rate to 2.5 percent.
  - Expanding the small business exemption to all PIT businesses regardless of whether they have employees.
  - Increasing the threshold to \$500,000, the exemption to 15 percent, and the exemption to 20 percent for farmers.

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- **Strengthening New York’s manufacturing sector** by extending the zero-percent corporate franchise tax rate to small-to-medium-sized manufacturers currently paying among the highest tax rates in the nation.
  - **Reducing mandates on businesses of all sizes and making New York more competitive** by bringing the State’s excessive salaried overtime threshold (\$58,500 downstate and \$48,750 upstate) in line with the federal threshold (\$35,568) and fighting against further minimum wage increases.
  - **Re-thinking our approach to economic development** by moving away from ineffective and costly large, incentive-laden projects to focus on growing small-to-medium-sized businesses through best practices such as customized job training, manufacturing extension services, and expanding small business development assistance.
  - **Rolling back disastrous policies** within the “Farmworker Fair Labor Practices Act” such as the Farm Laborers Wage Board decision to lower the overtime threshold to 40 hours.
  - **Supporting our Farms** by:
    - making the Farm Workforce Retention Credit permanent;
    - creating a refundable investment tax credit for agriculture;
    - investing in new meat, vegetable, fruit, and seafood processing facilities in New York; and
    - supporting Made in New York products.

## **Enacting Climate Policies that Ensure Access to Affordable, Reliable, and Clean Energy**

- **Requiring independent cost studies and full transparency of all proposals from the Climate Action Council**, especially on proposals mandating energy producers to raise utility rates, before a vote by the legislature.
- **Supporting diverse energy sources** by:
  - recognizing the importance of natural gas and biofuels;
  - providing parity to zero-emissions technologies (ex. hydroelectric, nuclear) by utilizing technology-agnostic standards and targets;

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- investing in and welcoming burgeoning technologies such as next-generation nuclear and hydrogen; and
  - rapidly phasing out tax incentives/subsidies when technologies have matured and gained market self-sufficiency.
  - **Keeping needed power supply online to ensure the reliability of our grid** by enacting a temporary moratorium on the State shutting down any energy-producing facilities unless public safety is directly threatened while alternatives become more reliable or come online.
  - **Repealing and opposing costly and anti-market mandates on consumers** such as the ban on new internal combustion engines after 2035.

## **A More Free New York**

### **Upholding the Rights of New Yorkers**

- **Protecting private property rights** by opposing so-called “Good Cause Eviction” legislation and rolling back rent regulation.
- **Standing up for New Yorkers against overreach** by opposing unnecessary and inappropriate government mandates and protecting our state and federal constitutional rights.
- **Protecting parental rights** by ensuring school officials are transparent, communicate properly, and include parents in decisions regarding their child, and by protecting and expanding school choice

### **Improving State Governance and Restoring Accountability**

- **Reforming government** in the Legislative and Executive Branches.
- **Bringing more transparency and efficiency to the budgeting process and reducing the influence of special interest** by:
  - creating a Legislative Budget Office to provide objective, non-partisan analysis, requiring the budget to be balanced in terms of generally accepted accounting principles (GAAP);
  - limiting the use of messages of necessity;
  - putting in place new reporting requirements for lump sum allocations;

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- enforcing quarterly reporting requirements; and
  - limiting non-budget legislation included in the State Budget.
  - **Improving oversight** by fully funding the Authorities Budget Office (ABO) and fully restoring the Comptroller's authority in law to pre-emptively review all state contracts.
  - **Eliminating the undue influence of the executive on the Office of Inspector General** by requiring the Inspector General be appointed to a two-year term by a majority vote of the Governor, the Attorney General, the State Comptroller, the Temporary President of the Senate, the Speaker of the Assembly, the Minority Leader of the Senate and the Minority Leader of the Assembly.