



2018 New York State YMCA

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FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Assembly Liberty 1

Bill #: AL-01

1 **Sponsors:** Brandon Coonan, Sadat Gresham, Daniel Hintze, Brianna Benitez

2
3 **An Act To**

4 Amend §2.00 of New York State's Public Lands Law by adding subdivision 4 to allow
5 for fifteen percent of state-owned land to be opened to private companies to build
6 beehives.

7
8 ***The People of the State of New York, represented in the Senate and Assembly do enact as follows:***

9
10 **Purpose**

11 To set aside state land to allow for the safe reproduction of bees.

12 **Summary of Provisions**

13 **Section 1: Definitions**

14 **Bee:** any of numerous hymenopterous insects (superfamily Apoidea) that differ
15 from the related wasps especially in the heavier hairier body and in having sucking
16 as well as chewing mouthparts, that feed on pollen and nectar, and that store both
17 and often also honey.

18 **Beekeeper:** a person who raises bees.

19 **Artificial Beehive:** a structure for housing bees, especially honeybees.

20 **Neonicotinoids:** a relatively new class of insecticides that share a common mode of
21 action that affect the central nervous system of insects, resulting in paralysis and
22 death.

23 **Section 2:**

24 §2.00. 3.) State-owned real property management program. The commissioner of
25 general services is authorized and directed to study, evaluate and coordinate state
26 agency management practices, plans and procedures for the acquisition, utilization
27 and disposition of state-owned real property, and to advise and assist state
28 agencies in the improvement of such management practices, plans and procedures.

29 **4.) Fifteen percent of state-owned land (one thousand one hundred and twenty-**
30 **eight sq. miles) from state parks will be opened up for private corporations to lease**
31 **for the construction of artificial beehives in. The area in which the hives are being**
32 **constructed in will be marked for the public to see. Corporations will have to give**
33 **ten percent of the profits from the honey produced during the fiscal year by the**
34 **bees to the state. A general sales tax of ten percent will be placed on the sales of**
35 **pesticides under the classification of "Neonicotinoids".**

36 **Justification**

37 The bee population has been rapidly decreasing since 2015 and as of 2017 the bee
38 population is coming close to extinction in New York state. The bee population itself
39 has an enormous effect on crops and lower population among farms in New York.
40 By allowing them to go extinct would not only be devastating to crops and all parks
41 around New York State but many species as well. Many species of birds, mammals,
42 reptiles and insects are major predators of honeybees. if the honeybee went extinct
43 the population of these other animals would dwindle too, causing a disruption in
44 local ecosystems that could cause unforeseen problems for generations to come.

45 **Fiscal Implications**

46 The state does not have to pay for the beehives. The private industries will pay for
47 the cost of hive construction and for maintenance. The State itself will receive ten
48 percent of profits from the corporations, shall be added to the New York State
49 Office of Parks, Recreation and Historic Preservation treasury. This will also include
50 a ten percent tax on neonicotinoids which are the pesticides responsible for killing
51 bees.

52 **Effective Date**

53 This bill will go into effect one year after its passage.



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Committee Assignment: Assembly Liberty 1

Bill #: AL-02

1 **Sponsors:** Grace Brody, Wells Liscomb, Kason Romanowski

2

3 **AN ACT TO:** Amend the environmental conservation law

4

5 *The People of the State of New York, represented in the Senate and*
6 *Assembly, do enact as follows:*

7

8 **PURPOSE:**

9 The purpose of this bill is to increase the number of trees planted throughout New
10 York State.

11

12 **SUMMARY OF PROVISIONS:**

13 Section 1:

14 Construction Developer: A person who obtains the land, creates building lots,
15 obtains

16 the necessary permits and paperwork, and decides what to build.

17 Ecosystem: A biological community of interacting organisms and their physical
18 environment.

19 Biodiversity: The variety of life in the world or in a particular habitual or ecosystem.

20 Carbon Dioxide: A colorless, odorless gas that is naturally present in air and is
21 absorbed by plants.

22 Climate Change: A change in global or regional climate patterns, largely due to the
23 increased levels of carbon dioxide in the atmosphere.

24 Section 2:

25 The environmental conservation law is amended by adding a new section, 49-0212
26 to read as follows: For every two trees cut or taken down by a construction
27 developer, One more must be planted throughout the state after the completion of
28 the contractors development.

29

30 **JUSTIFICATION:**

31 Trees are an important part of NYS ecosystem. The benefits include clean water
32 and air, fish and wildlife habitats, flood protection, open space, and reduction of
33 greenhouse gases. Especially in NY, where people are 60% more likely to get
34 cancer due to air pollutants, trees are important to create clean air for us to breath.
35 They are also a key aspect of regulating climate change. A single trees stores 48
36 pounds of carbon dioxide per year, which if too many trees were cut down, would
37 have a lasting effect on our health and safety. Not only are there health benefits,
38 but \$1.9 billion are brought into the NYS economy with forest related tourism. For
39 many people who experience high blood pressure or stress can experience a



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Committee Assignment: Assembly Liberty 1

Bill #: AL-02

1 decrease in these symptoms. With this bill, people's health and overall wellness
2 would benefit.

3

4 **FISCAL IMPLICATIONS:**

5 It will cost in between \$0.10 and \$20.00 to plant a tree (depending on the type of
6 tree that was cut down). This number will be multiplied by the number of trees,
7 with that number multiplied by ½ due to the bill's implications.

8

9 **EFFECTIVE DATE:**

10 This bill will go into effect one year after its passage.



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Committee Assignment: Assembly Liberty 1

Bill #: AL-03

Sponsors: Kirubeal Wondimu, Elizabeth Szulgit

An Act To

Amend the Public Housing Drug Elimination PILOT Program § 304.5 and § 305.3 of the Public Housing Law to grant certain authorities to tenants of public housing and abate the training of tenant patrols.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose

To reduce the number of drugs and drug-related activity in public housing, and protect tenants from corrupt landlords and potential danger.

Summary of Provisions

Section 1: Definitions

Controlled substance: shall have the same meaning given such term in section thirty-three hundred six of the public health law.

Drug-related crime: shall mean the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use a controlled substance.

Tenant patrol: a volunteer group of residents who patrol a housing compound or project.

Tenants' association: a union of all or most of the residents residing within the same building, who work together to protect the rights of the tenants and advocate for their needs.

Section 2

§ 304. Eligible Activities. A public housing authority or agency may use a grant under this article for:

(5) ~~the provision of training, communications equipment, and other related equipment for use by voluntary public housing tenant patrols acting in cooperation with local law enforcement officials;~~

(5) the provision of aiding residents when forming a tenants' association;

§ 305. Applications.

(3) A landlord will be required to fully and honestly fill out an application if at least one-third of the tenants demand so. If the landlord refuses, the tenants may notify



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Committee Assignment: Assembly Liberty 1

Bill #: AL-03

the state and the state will then send a group of state examiners that will arrive at the premises within three days of the tenant's inquiry. The state examiners will proceed to fill out an application on behalf of the landlord if their investigation proves necessary to do so.

Justification

The state has an obligation to provide public housing that is decent, safe, and free from illegal drugs. Public housing projects in many areas suffer from widespread drug-related crimes. Drug dealers are increasingly imposing a reign of terror on tenants of public housing. Due to these conditions, tenants participating in tenant patrols are putting themselves at risk of being retaliated against by drug dealers and affiliated gangs. Furthermore, tenant patrols are often ineffective as the tenants are not allowed to carry firearms, nor do they have the authority to make arrests. The dangerous job of dealing with drug dealers and drug users should be left to professional security personnel whose job is to protect those they serve. Additionally, tenant patrols are simply unnecessary since there are already other defenses being used. A much more feasible, effective, and safer alternative to the training of tenant patrols is the formation of a tenants' association. Inside a tenants' association, tenants work together to protect and expand their rights, advocate for their needs, get the attention of elected officials, and get their landlord to listen to them. Tenants' associations are also great at fostering positive and healthy community relations among neighbors. Lastly, some landlords may actually benefit from the rampant spread of drugs in their community and will not proceed to fill out an application even if there is a drug problem within their housing development—which will only lead to the increased plaguing of tenants residing in public housing; instead, tenants should be protected from this sort of abusive authority deriving from their corrupt landlords.

Fiscal Implications

The Division of Housing and Community Renewal currently funds the Public Housing Drug Elimination PILOT Program. Based on recent data, the program costs approximately eight-hundred and fifty thousand dollars. Additional funding wouldn't be necessary because the provision for training tenant patrols is being remitted; the money saved will be reinvested in the program.

Effective Date

This bill shall go into effect one year after passage.



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Committee Assignment: Assembly Liberty 1

Bill #: AL-04

1 **Sponsors:** Emera Aquila, Kayci Bigelow, Natalie Brodman, Mia Burnell

2

3 AN ACT TO: Provide foster parent benefits to family members that take in related
4 children.

5

*The People of the State of New York, represented in the
6 Senate and Assembly do enact as follows:*

6

7

8 **Purpose**

9 The purpose of this bill is to equalize financial aid being given to family members
10 taking care of children. It is needed because family members who take care of
11 children don't get the same amount of financial support that foster parents receive.

12

13 **Summary of Provisions**

14 **Section 1: Definitions**

15 Informal care taking: grandparents or other relatives taking care of children without
16 being in the foster care system. **Section 2:** (or Section 1 if you have no
17 definitions)

18 This is the actual bill. Underline all materials that you want to add to the revised bill
19 and strikeout what you want to delete. You may use subsections if needed. Be sure
20 the language is correct and formal.

21

22 **Justification**

23 The plan for this act is to provide family members who take in a child better
24 financial and professional support. Relatives who take in the child do not receive the
25 same financial support as foster parents. Not everyone, including relatives, register
26 to become foster parent because there are more restrictions to become a foster
27 parent. Some restrictions are criminal background checks, cleared through the state
28 central registry, medical clearance to show that they are physically capable to take
29 care of a child, and a home inspection. Foster parents receive approximately \$500
30 per child. Relatives receive approximately \$400 for one child but not for each child.
31 There is also a difference in the rate if a child has special or exceptional needs.
32 Foster parents are able to receive this at a higher rate and relatives who choose not
33 to become foster parents can't get a higher rate. Children have less trauma by
34 staying with relatives rather than staying with foster parents, who are complete
35 strangers. If children stay with a relative they will have a less traumatic life. If a
36 child goes with a foster parent and they live somewhere else, the child would have
37 to move schools, they wouldn't have friends or family that they were connected to.
38 Children who live with grandparents achieve more permanency, better well-being,
39 and better outcomes than children in foster care. 68% of caregivers express



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Committee Assignment: Assembly Liberty 1

Bill #: AL-04

1 financial needs, including struggling to pay bills or saving for the future. Informal
2 families outside of the foster care system are often invisible to community-based
3 agencies. Providing more financial assistance and support to relative caregivers
4 could produce more positive long-term outcomes for children. More children would
5 finish high school and have better work ethic. Addressing this issue will improve
6 child outcomes and provide stability for children.

7

8 **Fiscal Implications**

9 This would cost tax payers about \$427,00 a year.

10

11 **Effective Date**

12 This bill will go into effect one year after passage.



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Committee Assignment: Assembly Liberty 1

Bill #: AL-05

1 **Sponsors:** Nicholas Moore, Fanta Wague, Keith Pacia
2

3 **An Act To**

4 Amend New York Consolidated Laws, Real Property Tax Law - RPT § 1903-a. To
5 lower the original tax on homestead business owners by 3%.

6 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*
7
8

9 **Purpose**

10 To lower the taxes of homestead business owners to benefit the economy.
11

12 **Summary of Provisions**

13 **Section 1**

14 Homestead: a person's or family's residence, which comprises the land, house, and
15 outbuildings, and in most states is exempt from forced sale for collection of debt.

16 Aggregate: a material or structure formed from a loosely compacted mass of
17 fragments or particles.

18 **Section 2**

19 The aggregate tax district homestead proportion shall be computed by dividing the
20 aggregate taxable full valuation of the real property in the homestead class in the
21 tax district as a whole by the aggregate taxable full valuation of the real property in
22 both the homestead and non-homestead classes in the tax district as a whole. The
23 tax that is computed for a homestead business owner shall be lowered by 3
24 percent.

25
26 **Justification**

27 When taxes are lowered on the owners of homestead properties, it lessens their
28 financial burden. When extended to business owners, it opens them up to growth.
29 With the surge of small businesses. These small business will then have capital to
30 reinvest in themselves and in their workers, eventually increasing wages and
31 eliminating wage stagnation in New York State.
32

33 **Fiscal Implications**

34 There will be minimal fiscal implications because over time the economy will benefit
35 so the initial economic loss caused by the tax reduction is cancelled out.
36

37 **Effective Date**

38 This bill will go into effect one year after its passage.



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Committee Assignment: Assembly Liberty 1

Bill #: AL-06

1 **Sponsors:** Ethan Burrell, Dijon Wilson

2

3 **An Act To**

4 Amend § 2164 subsections 6 and 9 of the New York State Public Health Law to
5 eliminate vaccine exemptions for religious reasons.

6

7 ***The People of the State of New York, represented in the Senate and***
8 ***Assembly do enact as follows:***

9

10 **Purpose**

11 To eliminate religious vaccine exemptions for pupils enrolling into public schools.

12

13 **Summary of Provisions**

14 **Section 1: Definitions**

15 **Immunizations:** shots or vaccinations used to make a person immune to infection.

16 **Religious Exemption:** the right to a religious exemption belongs to a particular
17 religious' believer because of his sincere religious beliefs.

18 **Section 2:**

19 § 2164-6.) In the event that a person in parental relation to a child
20 makes application for admission of such child to a school or has a child attending
21 school and there exists no certificate or other acceptable evidence of the child's
22 immunization against poliomyelitis, mumps, measles, diphtheria, rubella,
23 varicella, hepatitis B, pertussis, tetanus, and, where applicable, Haemophilus
24 influenzae type B (Hib), meningococcal disease, and pneumococcal disease, the
25 principal, teacher, owner or person in charge of the school shall inform such person
26 of the necessity to have the child immunized, that such immunization may be
27 administered by any health practitioner, or that the child may be immunized
28 without charge by the health officer in the county where the child resides, if such
29 person executes a consent therefor. In the event that such person does not wish
30 to select a health practitioner to administer the immunization, he or she shall be
31 provided with a form which shall give notice that as a
32 prerequisite to processing the application for admission to, or for continued
33 attendance at, the school such person shall state a valid reason for withholding
34 consent or consent shall be given for immunization to be administered by
35 a health officer in the public employ, or by a school physician or nurse. The form
36 shall provide for the execution of a consent by such person and it shall also
37 state that such person need not execute such consent if subdivision eight ~~or nine~~ of
38 this section apply to such child.

39 9.) This section shall ~~not~~ apply to children whose parent, parents, or
40 guardian hold genuine and sincere religious beliefs which are contrary
41 to the practices herein required, exemption shall be eliminated for existing specified
42 immunization requirements based upon personal beliefs as of January 1, 2019, but
43 would allow exemption from future immunization requirements deemed appropriate
44 by the State Department of Public Health for either medical reasons or religious

1 beliefs. No certificate shall be required as a prerequisite to such children being
2 admitted or received into school or attending school. Any pupils who, prior to
3 January 1, 2019, have a letter or affidavit on file at a public elementary or
4 secondary school, child day care center, day nursery, nursery school, family day
5 care home, or development center stating religious beliefs opposed to
6 immunization, are to be remained enrolled in the current school district within the
7 state until the pupil graduates high school.

8
9 **Justification**

10 The safety of America's youth should be ensured. To allow certain children to
11 potentially endanger another student's health should not be ignored. We need to
12 take the right precautionary steps because vaccinations can prevent many
13 potentially harming and highly contagious diseases from spreading and harming
14 others. Children are being put at risk by leaving these diseases unvaccinated. Not
15 being vaccinated is not only putting the individual in danger but also many around
16 them. By getting vaccinated you are protecting yourself and the people who are
17 unable to get vaccinated for medical reasons. No religion has openly come out and
18 specifically stated they are against vaccinations. This bill is needed because the
19 children of New York need to be protected. Upon the implication of this bill
20 vaccination rates will increase and ultimately lower the amount of people getting
21 vaccine preventable diseases.

22
23 **Fiscal Implications**

24 There will be no cost to the state since an individual would be liable for his/her own
25 health care. There will only be an exception if an individual cannot afford the
26 immunization. In that situation, the state would be held liable to pay.

27
28 **Effective Date**

29 This bill will go into effect January 1, 2019.



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Committee Assignment: Assembly Liberty 1

Bill #: AL-07

1 **Sponsors:** Zachary Phelps, Ethan Armstrong, Mariona Moline, Chelsea Wright,
2 Kate Wimberly

3 4 **An Act To**

5 Change Subdivision i of §259 of the Executive Law regarding parole for inmates
6 from twenty-four months to thirty-six months.

7

8 ***The People of the State of New York, represented in the Senate and***
9 ***Assembly do enact as follows:***

10

11 **Purpose**

12 To extend the number of months from twenty-four to thirty-six as the time within
13 which the parole board must set a date for reconsideration for a denied application
14 where an inmate was incarcerated for first or second degree murder.

15

16 **Summary of Provisions**

17 § 259-i.A member or members as determined by the rules of the board shall
18 personally interview such inmate and determine whether he should be paroled
19 in accordance with the guidelines adopted pursuant to subdivision four of
20 section two hundred fifty-nine-c of this article. If parole is not granted upon such
21 review, the inmate shall be informed in writing within two weeks of such
22 appearance of the factors and reasons for such denial of parole. Such reasons shall
23 be given in detail and not in conclusory terms. The board shall specify a date
24 not more than twenty-four months from such determination for reconsideration,
25 and the procedures to be followed upon reconsideration shall be the same. In the
26 case of first or second degree murder, the date for redetermination shall be
27 specified on a date not less than 36 months.

28

29 **Justification**

30

31 Currently after an inmate is denied parole, the parole board must set a date for
32 reconsideration within a time span of twenty-four months. Extending the range of
33 time to before thirty-six months and after twenty-four months will give grieving
34 families a longer period of peace before having to testify at the next parole hearing.
35 For crimes such as murder in the first and second degree parole will usually be
36 denied several times. For the victim's family to impress the impropriety of a
37 premature release to the Parole Board, they must endure and relive the horrors of a
38 dreadful crime.

39 **Fiscal Implications**

40 In the short term, the state will save money with less parole hearings, however,
41 inmates will remain incarcerated for a longer period of time, causing an minimum
42 increase in the state's expenditure.

43 **Effective Date**

44 This bill will go into effect six months after passage.



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Committee Assignment: Assembly Liberty 1

Bill #: AL-08

1 **Sponsors:** Nick Lynch, Simon Minich, Andre DeSalvo

2
3 **An Act To** Amend Article 23 Section 0505 of the New York State Environmental
4 Conservation Law to legalize hydraulic fracturing.

5
6 *The People of the State of New York, represented in the Senate and*
7 *Assembly do enact as follows:*

8
9 **Purpose**

10 To legalize hydrofracking in New York State.

11
12 **Summary of Provisions**

13 **Section 1: Definitions**

14 Hydrofracking: the act of forcing a solution at high forces into a fissure in the rock
15 for the purpose of extracting gas from shale deposits, stands for hydraulic fracking

16 Fracking Solution: any solution used during the fracking process

17
18 **Section 2: Provisions**

19
20 ~~3 § 23-0505. Hydraulic fracturing; prohibition on certain fracking~~
21 ~~4 solutions.~~

22 ~~5 1. For purposes of this section, the following terms shall have the~~
23 ~~6 following meanings:~~

24 ~~7 a. "fracking solution" shall mean a substance used during hydraulic~~
25 ~~8 fracturing which is injected into rock formations surrounding oil or gas~~
26 ~~9 deposits in order to expand the rock and facilitate the extraction of~~
27 ~~10 oil or gas; and~~

28 ~~11 b. "hydraulic fracturing" shall mean a process used to create frac-~~
29 ~~12 tures that extend from a borehole into rock formations to increase or~~
30 ~~13 restore the rate at which oil or gas may be produced from a well.~~

31 ~~14 2. On and after the effective date of this section, every person~~
32 ~~15 granted a well permit pursuant to section 23-0501 of this title shall,~~
33 ~~16 during hydraulic fracturing, use only fracking solution composed of~~
34 ~~17 natural and organic materials. No fracking solution containing diesel,~~
35 ~~18 benzene, ethibenzene, toluene, xylene, or any other substance determined~~
36 ~~19 by the commissioner to be toxic shall be used during hydraulic fracture-~~
37 ~~20 ing on or after such date.~~

38 ~~21 § 2. This act shall take effect on the one hundred eightieth day after~~
39 ~~22 it shall have become a law.~~



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Committee Assignment: Assembly Liberty 1

Bill #: AL-08

40 **Justification**

41 New York is the only state with significant shale gas potential to ban fracking, "the
42 most important, and the biggest, energy innovation of this century."-Forbes
43 The legalization of hydrofracking will open the economy to a new stream of revenue
44 from taxing the production and distribution of new oil supplies. It will provide lots of
45 new jobs for both people working at the sites and the inspectors sent to enforce
46 regulations.

47

48 **Fiscal Implications**

49 The State will pay approximately \$3 million annually for the salary of oil and gas
50 inspectors. Between \$133.2 and \$200 million per year in tax revenue will be
51 collected.

52

53 **Effective Date**

54 This bill will go into effect three years after date of passage.



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Committee Assignment: Assembly Liberty 2

Bill #: AL-09

1 **Sponsors:** Brady Stark and Jackson LaSarso

2

3 **An Act To**

4 Amend the general municipal law in order to preserve the enforcement of federal
5 laws

6 ***The People of the State of New York, represented in the Senate and***
7 ***Assembly do enact as follows:***

8

9 **Purpose**

10 The purpose of this bill is to ensure the safety of the people of New York by allowing
11 cooperation between federal, state and local law enforcement.

12

13 **Summary of Provisions**

14 To allow the cooperation between federal, state and local law enforcement in order
15 to ensure the safety of the public and the preservation of the rule of law.

16

17 **Section 1**

18

19 The general municipal law is amended by adding a new section 139-E to read as
20 follows:

21 § 139-E. Prohibiting government action preventing enforcement of federal laws. No
22 county, city, town or village, or any agency, office, department or authority thereof,
23 municipal police department, or district attorney's office, or the governing body
24 thereof, shall adopt any rule, order, ordinance, local law or policy, either formally or
25 informally prohibiting the following:

26 A. Compliance with a detainer request issued by a Federal Law Enforcement
27 Agency pertaining to a lawfully detained individual; or

28 B. The ability of federal law enforcement to enter and conduct enforcement
29 activities in the course of their duty to enforce federal laws

30 C. An individual is not considered to be lawfully detained if contact with law
31 enforcement is for the reporting of criminal activity or suspected criminal activity,
32 or occurs within a school district, charter school or health services facility.

33

34 **Section 2**

35

36 For the purpose of this section, a "Federal Law Enforcement Agency" includes the:

- 37 (A) United States Central Intelligence Agency,
38 (B) United States Department Of Homeland Security,
39 (C) United States Department Of Justice,
40 (D) United States Drug Enforcement Administration,
41 (E) Federal Air Marshal Service,
42 (F) Federal Bureau Of Investigation,
43 (G) Federal Emergency Management Agency,
44 (H) Federal Protective Service,



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Committee Assignment: Assembly Liberty 2

Bill #: AL-09

- 45 (I) United States Immigration And Customs Enforcement,
- 46 (J) National Park Service,
- 47 (K) United States Secret Service,
- 48 (L) Transportation Security Administration,
- 49 (M) United States Coast Guard,
- 50 (N) United States Customs And Border Protection, And
- 51 (O) United States Marshals.

52

53 **Justification**

54

55 It is well established that the laws of the Federal Government reign supreme, that
56 under Article VI of the United States Constitution, the "Laws of the United States
57 which shall be made...shall be the supreme Law of the Land; and the Judges in
58 every State shall be bound thereby". This bill exists simply to codify what is already
59 known to be true and ensure that the safety of the public not be jeopardized by
60 those that believe that they are above the law. We are a nation of laws and not of
61 men, and this bill will ensure that those that wish to circumvent the established law
62 and risk public safety will be unable to.

63

64 **Fiscal Implications**

65 None to the State.

66

67 **Effective Date**

68 This act shall take effect immediately.



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Committee Assignment: Assembly Liberty 2

Bill #: AL-10

Sponsors: Carlos Rodriguez Grayson Hawthorn, Madeline Rank and Paige Rivera

An Act To

Amend Section §899 of Article 39 of the General Business Law to add a punishment for people or businesses that do not adequately protect a person's personal information.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose:

The purpose of this bill is to further force businesses to protect the identities held by of New York citizens.

Summary Of Provisions:

Section 1: Definitions

Personal Information: Any information concerning a natural person which, because of name, number, personal mark, or other identifier, can be used to identify such natural person, which includes social security, debit or credit cards, or driver's permit and license.

Due Diligence: reasonable steps taken by a person in order to satisfy a legal requirement, especially in buying or selling something

Section 2:

§ 899- 2. Any person or business which conducts business in New York state, and which owns or licenses computerized data which includes private information shall disclose any breach of the security of the system following discovery or notification of the breach in the security of the system to any resident of New York state whose private information was, or is reasonably believed to have been, acquired by a person without valid authorization. The disclosure shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, as provided in subdivision four of this section, or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the system. If any person or business that conducts business in New York state, and which owns or licenses computerized data including personal information, which does not adequately protect the private information, will face a fine of up to \$100,000 per incident of inadequate protection. A determination of inadequate protection shall be made by the state comptroller and attorney general who shall be granted



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Committee Assignment: Assembly Liberty 2

Bill #: AL-10

access to the business and its protection methods

Justifications:

The privacy software of CVS has reported 60% of patient files that have been compromised across the US; these include social security numbers and driver's license information. Despite the massive amount of information theft that has occurred, CVS has not notified any of the affected parties or changed their privacy policies at all. CVS has also been known to intrust these files with contractors without any background checks required. For many, CVS is the only pharmacy they can use for their pharmaceutical needs, and the fact that CVS can put people's identities on the line is truly despicable. They are not the only company that fails to take the consumer's safety into consideration; they are just one of many. With identity theft as prevalent as it has become, with 400,000 cases being filed for in the US alone last year, our companies aren't doing enough to protect their customers. We want to push for a safer environment for the consumer, free from the fear that our personal information is not personal anymore.

Fiscal Implications:

There will be no fiscal implications that will affect the New York State Budget

Effective Date:

This bill will go into effect immediately after passage



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Committee Assignment: Assembly Liberty 2

Bill #: AL-11

1 **Sponsors:** Colleen Griffin - Turk and Julia Colbert

2

3 **AN ACT TO:** Amend § 301 of the Public Housing Law to require that residents of
4 public housing be subjected to a drug test before moving in and then monthly on a
5 random date.

6

7 *The People of the State of New York, represented in the*

8 *Senate and Assembly, do enact as follows:*

9 **Purpose:**

10 To decrease and over time eliminate drug consumption among public housing
11 residents and to increase the safety of the Public Housing locations by decreasing
12 the amount of violence that arises from drugs.

13

14 **Summary of Provisions:**

15 **Section 1**

16 Public housing- may be a form of housing tenure in which the property is owned by
17 a government authority, which may be central or local.

18 Tenant-a person who occupies land or property rented from a landlord

19 Drug test- A drug test is a technical analysis of a biological specimen, for example
20 urine, hair, blood, breath, sweat, and/or oral fluid/saliva — to determine the
21 presence or absence of specified parent drugs or their metabolites.

22 Rehab- a course of treatment for drug or alcohol dependence, typically at a
23 residential facility.

24 **Section 2**

25 The people of New York State who benefit from Public Housing should be
26 subjugated to a drug test before they move in and then random monthly drug tests
27 to ensure they are not abusing drugs and the law while residing on state property.

28 If the drug tests come back positive and the person is found to be taking any illegal
29 drugs, which have not been prescribed to them for medicinal use, they will be

30 offered the option to attend a rehab program, at no cost of the individual. If they
31 deny this offer they will be denied public housing, because they should not be given

32 the privilege of public housing if they are not going to abide by the law. § 301 This
33 bill would put in place the option of rehab programs for individuals who receive

34 public housing and test positive for drug use. (1) the state has a duty to provide
35 public housing that is decent, safe, and free from illegal drugs; (2) public

36 housing projects in many areas suffer from rampant drug-related crime;

37

38 **Justification**

39 New York City alone houses 400,000 people in public housing. The public housing is
40 paid for through New York State residents' taxes. If taxpayers have to pay for

41 affordable housing for other people, the individuals benefiting should abide by the
42 law and not do drugs. Subjecting the people who benefit from public housing to

43 random drug tests monthly and a drug test before they move in, and this will not
44 only insure that they are abiding by the law but it will also increase the safety of



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Committee Assignment: Assembly Liberty 2

Bill #: AL-11

45 the public housing locations. Public housing within New York State has long
46 struggled with the issue of drug use. Drug deals and the consumption of drugs
47 occur frequently in these locations. This puts the people living in the public housing
48 at risk because violence is frequently a result of drug deals and drug consumption.
49 It is imperative that these locations be safe because so many children live within
50 public housing. The children should not have to suffer because of the problems that
51 arise from drugs. If tenants are subjugated to random drug tests the amount of
52 tenants possessing or consuming drugs would significantly decrease. If there drug
53 test comes back negative and they are found to be taking drugs they will be given
54 the option to attend rehab at no cost to the individual. If they chose not to go to
55 the rehab program they will be kicked out of public housing, because they should
56 not be given the privilege of public housing if they are not going to abide by the
57 law. The option of rehab is beneficial because not only would it help to rid drug
58 consuming tenants of their drug problem, but in addition it is a good use of
59 taxpayer money. Rehab is cheaper than going to prison and this is where the
60 tenants would go if caught participating in the action of buying, selling, or using
61 illegal drugs. Therefore, in the long term, this program would save taxpayers
62 money.

63

64 **Fiscal Implications:**

65 The cost of a drug tests ranges from \$12 to \$50. This cost for drug tests and rehab
66 programs would be covered through NYS taxpayer money which goes towards
67 funding public housing projects.

68

69 **Effective Date:**

70 This bill will go into effect one year after it is passed in legislative.



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Committee Assignment: Assembly Liberty 2

Bill #: AL-12

1 **Sponsors:** Kyla Philippe, Daisy-Ann Norman, Myles Charles

2

3 **An Act To:** Amend the New York State Domestic Relations Law §240 to include no
4 obligation toward a victim of rape to pay their pro rata share of basic child support.

5

6 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

7

8 **Purpose**

9 To ensure that victims of rape are treated fairly and are not forced to pay child
10 support for a child that they never intended to have, that was a product of rape.

11 **Summary of Provisions**

12 **Section 1: Definitions**

13 **Rape-** unlawful sexual activity and usually sexual intercourse carried out forcibly or
14 under threat of injury against the will usually of a female or with a person who is
15 beneath a certain age or incapable of valid consent because of mental illness,
16 mental deficiency, intoxication, unconsciousness, or deception

17 **Child Support-** payment for the support of the child(ren) of divorced or separated
18 parents while the children are minors or as otherwise legally required

19 **Section 2**

20 (10) Any other factors the court determines are relevant in each case, the court
21 shall order the non-custodial parent to pay his or her pro rata share of the basic
22 child support obligation, and may order the non-custodial parent to pay an
23 amount pursuant to paragraph (e) of this subdivision. In the case that the non-
24 custodial parent is a victim of rape in a situation where the custodial parent is the
25 abuser, there will be no obligatory payment of his or her pro rata share of basic
26 child support to the custodial parent.

27 **Justification**

28 Men's sexual aggression towards women is a pervasive problem in US society.
29 Research concludes of having between 25-27% of men report having perpetrated a
30 sexually aggressive behavior against a woman. Perpetrators use rape supportive
31 attitudes and sexual assault incident characteristics to justify forcing sex on their
32 victims. Victims of rape deserve to be treated fairly by our justice system, which is
33 why they should be obligated to pay child support for a child that was a product of
34 them being raped.

35 **Fiscal Implications**

36 There will be no fiscal implications with the introduction of this bill.

37 **Effective Date**

38 This bill will go into effect one year after passage



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Committee Assignment: Assembly Liberty 2

Bill #: AL-13

1 **Sponsors:** Jordan Amaya, Emilia Brandimarte, Jack Lacey

2

3 **An Act To**

4 Amend § 210.20, by adding subdivision 4 of the New York State Penal Law to make
5 trials mandatory for people who have falsely accused someone of rape or sexual
6 assault.

7

8 *The People of the State of New York, represented in the Senate and Assembly do*
9 *enact as follows:*

10

11 **Purpose**

12 To make trials mandatory for the accusers of sexual assault that have been proven
13 false by the court system on charges of perjury.

14 **Summary of Provisions**

15 **Section 1: Definitions**

16 **Perjury:** the offense of willfully telling an untruth in court after having taken an oath
17 or affirmation.

18 **Sexual Assault:** any type of sexual contact or behavior that occurs without explicit
19 consent of either partner.

20 **False Allegations:** when there is insufficient supporting evidence to determine
21 whether an accusation is true or false in court.

22 **Under Oath:** having sworn to tell the truth in a court of law.

23 **Section 2:**

24 § 210.20. Perjury; pleading and proof where inconsistent statements involved.

25 Where a person has made two statements under oath which are inconsistent to the
26 degree that one of them is necessarily false, where the circumstances are such that
27 each statement, if false, is perjurally so, and where each statement was made
28 within the jurisdiction of this state and within the period of the statute of limitations
29 for the crime charged, the inability of the people to establish specifically which of
30 the two statements is the false one does not preclude a prosecution for perjury, and
31 such prosecution may be conducted as follows:

32 1.) The indictment or information may set forth the two statements and, without
33 designating either, charge that one of them is false and perjurally made.

34 2.) The falsity of one or the other of the two statements may be established by
35 proof or a showing of their irreconcilable inconsistency.

36 3.) The highest degree of perjury of which the defendant may be convicted is
37 determined by hypothetically assuming each statement to be false and perjurally.
38 If under such circumstances perjury of the same degree would be established by
39 the making of each statement, the defendant may be convicted of that degree at
40 most. If perjury of different degrees would be established by the making of the two
41 statements, the defendant may be convicted of the lesser degree at most.

42 4.) A person who has falsely reported an individual of sexual assault or rape is
43 guilty of perjury and will be tried as such.

44 **Justification**

45 During trials an accusation will be taken more seriously if there are more inevitable
46 punishments that would discourage accusations that are incorrect and false. Up to
47 two to ten percent of sexual assault allegations are false, however those
48 accusations can lead to the ruining of careers and lives of innocent people without
49 justice for either true victims of sexual assault or victims of false allegations. Even
50 one person that has this crime committed against them is affected by it greatly and
51 the impact will last throughout the rest of their life. Since 1989, only fifty-two
52 people have been exonerated from false accusations of sexual assault. Even if the
53 rate of exoneration in these victims had had been higher, it still would not have had
54 much of an impact on the victims' ruined reputation and occupation. This Bill would
55 do far more to prevent situations like these from occurring in the first place, and be
56 significantly more effective than if the punishment for these crimes were raised.
57 This is because there will be an inevitable trial and punishment for the people who
58 have committed this crime. The biggest problem with false allegations is that they
59 are often unnoticed and swept under the rug, which will be prevented by this bill.

60

61 **Fiscal Implications**

62 Two to ten percent of rape accusations are false, which is approximately forty-three
63 thousand more cases per year. A court case costs the state around one hundred
64 thousand dollars to three hundred and twenty thousand dollars.

65

66 **Effective Date**

67 This bill will go into effect one year after its passage.



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Committee Assignment: Assembly Liberty 2

Bill #: AL-14

1 **Sponsors:** Sydney Martinez, James Gocke, Tiffany Brace, and Judit Segura
2 Martinez

3 4 **An Act To**

5 Add subdivision i to § 601 of New York State Tax Law exempting New York City
6 from paying income taxes and subdivision g to § 1105 of New York State Tax Law
7 stating that sales tax will be increased in New York City .

8
9 ***The People of the State of New York, represented in the Senate and***
10 ***Assembly do enact as follows:***

11 12 **Purpose**

13 This bill will be placed in order to eliminate New York City income taxes and
14 increase the New York City sales taxes.

15 16 **Summary of Provisions**

17 Section 1:

18 § 601. (a) Resident married individuals filing joint returns and resident surviving
19 spouses. There is hereby imposed for each taxable year on the New York taxable
20 income of every resident married individual who makes a single return jointly with
21 his spouse under subsection (b) of section six hundred fifty-one and on the New
22 York taxable income of every resident surviving spouse a tax determined in
23 accordance with the following tables:

24 (i) Exempt New York City residents from paying New York State income taxes.

25 Section 2:

26 § 1105. On and after June first, nineteen hundred seventy-one, there is hereby
27 imposed and there shall be paid a tax of four percent upon:

28 (a) The receipts from every retail sale of tangible personal property, except as
29 otherwise provided in this article.

30 (b)(1) The receipts from every sale, other than sales for resale, of the following:

31 (A) gas, electricity, refrigeration and steam, and gas, electric, refrigeration and
32 steam service of whatever nature; (B) telephony and telegraphy and telephone
33 and telegraph service of whatever nature except interstate and international
34 telephony and telegraphy and telephone and telegraph service and except any
35 telecommunications service the receipts from the sale of which are subject to tax
36 under paragraph two of this subdivision; (C) a telephone answering service;
37 and (D) a prepaid telephone calling service.

38 (g) Increase sales tax in New York City to 20%. The increase will take place in
39 order to replace the revenue loss from the removal of New York City's income
40 taxes.

41 42 **Justification**

43 Currently in the U.S.A. there are seven states that do not have to pay income
44 taxes. These states include Alaska, Florida, Nevada, South Dakota, Texas,



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Committee Assignment: Assembly Liberty 2

Bill #: AL-14

45 Washington, Wyoming and two states with nearly no income taxes, New Hampshire
46 and Tennessee. While eliminating income taxes will decrease the states tax
47 revenue, lost revenue will be recouped by increasing sales tax to 20%. In doing
48 this, we will be helping local residents that are forced to pay draining income taxes.
49 At the same time by increasing the sales tax, the bustling New York City will prove
50 to be just as lucrative for New York State, placing a smaller amount of the tax
51 burden on the working class of New York City.

52

53 **Fiscal Implications**

54 This bill will remove any income taxes being paid by residents and increase the
55 sales tax to 20%.

56

57 **Effective Date**

58 This bill will go into effect one year after passage.



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Committee Assignment: Assembly Liberty 2

Bill #: AL-15

1 **Sponsors:** Madison Whitney, Julianna Uglialoro

2

3 **An Act To**

4 To Amend § 903.00 subdivision 1 of New York State Education Law to mandate the
5 offering of a web based depression and anxiety test when getting a school physical
6 at ages eleven and eighteen years old.

7

8 ***The People of the State of New York, represented in the Senate and Assembly do enact as follows:***

9

10 **Purpose**

11 To help people recognize they might have anxiety and/or depression so they can
12 get the help they need and if found at a younger age it will be easier to help
13 someone from suffering from anxiety and/or depression.

14 **Summary of Provisions**

15 **Section 1: Definitions**

16 **Anxiety:** a nervous disorder characterized by a state of excessive uneasiness and
17 apprehension, typically with compulsive behavior or panic attacks.

18 **Depression:** mood disorder that causes a persistent feeling of sadness and loss of
19 interest. Also called major depressive disorder or clinical depression, it affects how
20 you feel, think and behave and can lead to a variety of emotional and physical
21 problems.

22 **Mental Illness:** a wide range of mental health conditions — disorders that affect
23 your mood, thinking and behavior. Examples of mental illness include depression,
24 anxiety disorders, schizophrenia, eating disorders and addictive behaviors.

25 **Psychiatrist:** a physician who specializes in the prevention, diagnosis, and
26 treatment of mental illness. A psychiatrist must receive additional training and
27 serve a supervised residency in his or her specialty. ... Psychiatrists can prescribe
28 medication; which psychologists cannot do.

29 **Psychology:** the study of the mind and mental processes, especially in relation to
30 behavior. Clinical psychology is concerned with diagnosing and treating disorders of
31 the brain, emotional disturbances, and behavior problems.

32 **Test:** a procedure intended to establish the quality, performance, or reliability of
33 something, especially before it is taken into widespread use.

34 **Web-based depression and anxiety test:** a test to determine anxiety and/or
35 depression.

36 **Section 2:**

37 § 903.00. 1.) A health certificate shall be furnished by each student in the public
38 schools upon his or her entrance in such schools and upon his or her entry into the
39 grades prescribed by the commissioner in regulations, provided that such
40 regulations shall require such certificates at least twice during the elementary
41 grades and twice in the secondary grades. An examination and health history of any
42 child may be required by the local school authorities at any time in their discretion
43 to promote the educational interests of such child. Each certificate shall be signed
44 by a duly licensed physician, physician assistant, or nurse practitioner, who is
45 authorized by law to practice in this state, and consistent with subdivision three of

46 section six thousand nine hundred two of this chapter, or by a duly licensed
47 physician, physician assistant, or nurse practitioner, who is authorized to practice in
48 the jurisdiction in which the examination was given, provided that the
49 commissioner has determined that such jurisdiction has standards of licensure and
50 practice comparable to those of New York. Each such certificate shall describe the
51 condition of the student when the examination was made, which shall not be more
52 than twelve months prior to the commencement of the school year in which the
53 examination is required, and shall state whether such student is in a fit condition of
54 health to permit his or her attendance at the public schools. The examination may
55 include a diabetes risk analysis. Each such certificate shall also state the student's
56 body mass index (BMI), ~~and~~ weight status category, and proof of the offering of a
57 mental illness examination for Anxiety and Depression for ages 11 to 18 years of
58 age with the Web-Based Depression and Anxiety (WB-DAT) test, this test will be
59 10\$ if someone decides to take the test.

60 **Justification**

61 This bill will make it mandatory that the physician has to offer a mental illness
62 exam to anyone who is taking a physical but does not require a student to take this
63 exam. Children ages eleven through fourteen starts to develop Mental illnesses and
64 most mental illnesses go unrecognized and untreated, if you are diagnosed at a
65 young age at it is easier to treat anxiety or depression however the test does not
66 fully diagnose you but after taking the test you have the decision to further
67 investigate their mental state.

68 **Fiscal Implications**

69 The fiscal implications of this bill will be free of charge for the test if decided.
70 Psychiatrists will then evaluate said test.

71 **Effective Date**

72 This bill will go into effect one year after its passage.



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Committee Assignment: Assembly Liberty 3

Bill #: AL-16

1 **Sponsors:** Ethan Hill, Michael Fitzgerald, Clayton Spaulding

2
3 **An Act To**

4 Amend Article Four Section 132 of New York State Labor Laws:

5 § 132. Employment of minors sixteen or seventeen years of age.

6 1. No minor sixteen or seventeen years of age shall be employed in or in
7 connection with any trade, business, or service when attendance upon
8 instruction is required by the education law or in violation of the
9 employment certifying provisions of the education law. Throughout a qualifying
10 student's high school career, such student must complete on the job skills training
11 for at least the minimal period of time by the end of senior year in order to earn the
12 requisite academic credit to graduate with a Local, Regents, or Advanced Regents
13 Diploma. This program can be completed through in-school courses or outside job
14 experience. As used herein, defined terms shall have the meanings set forth below

15
16 **The People of the State of New York, represented in the Senate and**
17 **Assembly do enact as follows:** Provide mandatory acceptance of academic
18 credit for on-the-job skills training in the public high school setting as well as
19 mandating the service of said job for a minimal period of time over a qualifying
20 student's high school career via outside work experience **or** an in-school course.

21
22 **Purpose**

23 We initiate this bill as a way to teach responsibilities as well as better time
24 management in the future generations of the state of New York. This will be
25 accomplished by allowing for real world work experience as part of the New York
26 State high school system.

27
28 **Summary of Provisions**

29 **Section 1**

30 On-the-job skills training: The experience gained for working on a job for the
31 minimal period of time.

32 Academic Credit: The credit needed to graduate a New York State high school.

33 Public High School: Any high school that receives public funding from New York
34 State.

35 Minimal period of time: One-Hundred hours of job experience.

36 High school career: The three to five year duration of time spent in high school.

37 Qualifying Student: Any student who is physically and mentally able to complete
38 this program safely and effectively in the allocated amount of time.

Commented [1]: This must have the original law in it:
i.e. AN act to amend law blah blah blah to and then
state your change.



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Committee Assignment: Assembly Liberty 3

Bill #: AL-16

40 Section 2

- 41 (1) Every high school student affected by this bill will be required to obtain the
42 minimum amount of work experience through an in school program or
43 outside employment hours.
44 (2) Students can be exempt from this program if they do not meet the physical
45 and/or mental requirements to successfully and safely complete this program
46 in the time allocated.
47 (3) Any student who chooses outside employment will be given a forum to be
48 completed by the end of senior year.
49 (4) For any student who chooses to complete this program via in-school courses,
50 a sign-up sheet will be provided by the school's guidance office at the
51 beginning of each school year.

52

53 Justification

54 Over the last generation, the work ethic of young adults in New York State has
55 dwindled significantly. This act will create an immediate impact on the social and
56 economic foundations of New York State and will insure that the future generations
57 of New York State prosper as they enter the workforce.

58

59 Fiscal Implications

60 This bill will positively affect the economy by increasing training and workforce
61 involvement for young adults in New York State. It will also increase the available
62 workforce for local communities and large cities. Long term economic benefits and
63 the increase in tax revenue will offset the initial increase in school budgets and
64 serve as a long term investment in New York State.

65

66 Effective Date: 09/01/2018

67

Commented [2]: This must be in terms of months or years. such as one year after passage or six months after passage.



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Committee Assignment: Assembly Liberty 3

Bill #: AL-17

1 **Sponsors:** Georgia Ferguson, Angelica Hernandez, Kayla Scharf, Sean Siegel

2

3 **An Act To**

4 Amend § 130.30 of the New York State Penal Law by adding subdivision 3 to
5 classify “stealthing” as a form of rape in the second degree.

6

7 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

8

9 **Purpose**

10 The purpose of this bill is to classify “stealthing” as a form of rape in the second
11 degree.

12 **Summary of Provisions**

13 **Section 1: Definitions**

14 **Stealthing:** a practice where secretly removes or damage condoms without their
15 partners' knowledge.

16 **Rape in the Second Degree:** a person commits second-degree rape when he or she
17 engages in sexual intercourse with another person who is less than fifteen years old
18 and the defendant is eighteen years old or more; or who is incapable of consent by
19 reason of being mentally disabled or mentally incapacitated. This is punishable by
20 one to seven years in prison and up to five thousand dollars in fines.

21 **Consent:** give permission for something to happen.

22 **Section 2:**

23 § 130.30 Rape in the second degree.

24 A person is guilty of rape in the second degree when:

25 1.) being eighteen years old or more, he or she engages in sexual
26 intercourse with another person less than fifteen years old; or

27 2.) he or she engages in sexual intercourse with another person who is
28 incapable of consent by reason of being mentally disabled or mentally
29 incapacitated.

30 3.) he or she removes the condom, without the consent of the other person.

31 It shall be an affirmative defense to the crime of rape in the second degree as
32 defined in subdivision one of this section that the defendant was less than four
33 years older than the victim at the time of the act. Rape in the second degree is a
34 class D felony.

35 **Justification**

36 “Stealthing” must be classified as a form of sexual abuse because this is, not only, a
37 violation of victims’ bodies, but also of their trust and dignity. The removal of a
38 condom during sex opens up risks for both partners including: STI’s, STD’s, and
39 pregnancy. When one partner consents to sex with a condom, they are consenting
40 to sex with protection from those risks. Victims did not, however, consent to sex
41 without protection from those risks. Every ninety-eight seconds someone in the
42 U.S. is sexually assaulted but only six out of one thousand perpetrators go to
43 prison. This statistic doesn’t even include stealthing victims, yet there are already a
44 tremendous number of victims that don’t get justice and perpetrators that don’t pay
45 for their crimes. Representative Ro Khanna from California said that “consent is not

46 up for discussion," because it is a crucial requirement "for the entirety of any sexual
47 interaction" and stealthing is an obvious violation of the agreement made "between
48 partners" during any sexual interaction. Nonconsensual removal of a condom during
49 sex turns consensual sex into nonconsensual sex and any form of nonconsensual
50 sex is rape.

51 **Fiscal Implications**

52 The fiscal implications for this bill include the cost to house an inmate, which is
53 approximately sixty thousand dollars per year.

54 **Effective Date**

55 This bill will go into effect one year after passage.



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Committee Assignment: Assembly Liberty 3

Bill #: AL-18

1 **Sponsors:** Daisy Pantoja, Jack Pantoja, Ashley Poma, Alain Poma

2 **An Act To**

3 Create a standardized New York State charter school teacher certification

4

5 ***The People of the State of New York, represented in the Senate and***
6 ***Assembly do enact as follows:***

7

8 **Purpose**

9 The purpose of this bill to mandate that all teachers hired by Charter schools within
10 New York State must be NYS Department of Education Certified Teachers.

11

12 **Summary of Provisions**

13 Charter School - A charter school is an independently run public school granted
14 greater flexibility in its operations, in return for greater accountability for
15 performance. The "charter" establishing each school is a performance contract
16 detailing the school's mission, program, students served, performance goals, and
17 methods of assessment.

18 Certification - the action or process of providing someone or something with an
19 official document attesting to a status or level of achievement.

20 NYS Teachers must complete various qualifications while a charter school teacher
21 only needs a bachelor degree, and/or certifications delegated by the individual
22 charter school.

23 All current charter school teachers are given two years to get their certifications
24 This bill will establish that all hired charter school teachers will possess a NYS
25 Department of Education Teacher's Certification certificate.

26 All Charter School Teachers will be mandated to possess NYS Department of
27 Education Certification before being hired by a NYS Charter School.

28

29 **Justification**

30 The requirements of a charter school teacher in New York State, is currently left to
31 the individual charter school to decide. All NYS Teachers will be certified by the
32 State education department prior to employment, whether they work in charter or
33 regular NYS Public schools.

34

35 **Fiscal Implications**

36 None, this bill is sustained by fees from the NYS certification process.

37

38 **Effective Date**

39 January 1st, 2019.



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Committee Assignment: Assembly Liberty 3

Bill #: AL-19

1 **Sponsors:** Julia Mastrup, Madison Mentz, Charlie Cowan

2

3 **An Act To:**

4 RESOLUTION – Members of the Assembly urge the Commissioner of Education to
5 amend graduation requirements.

6

7 ***The People of the State of New York, represented in the Senate and Assembly do enact as follows:***

8

9 **Purpose:** This resolution is intended to amend the Commissioner's regulations to
10 require two ½ year courses in consumer education in order to graduate in New York
11 State.

12 **Summary of Provisions:**

13 ***WHEREAS:*** It is necessary to have an informed citizenry to contribute to
14 the economic growth of New York State.

15 ***WHEREAS:*** Economic knowledge is a necessary prerequisite for
16 individuals to achieve financial security in the future.

17 ***WHEREAS:*** The curriculum in New York State currently does not teach
18 students the basic requirements necessary for financial stability.

19 ***WHEREAS:*** The Educational Commissioner's Regulations will require
20 students to take two ½ year courses in consumer education which will be
21 part of the 3 ½ elective credits now required to graduate. Requiring the
22 consumer education courses will ensure informed graduates in the future.

23 ***WHEREAS:*** New York State needs to implement this educational change
24 to continue to guarantee that the center of business in our nation will
25 remain in our state.

26 ***Resolved*** by the Assembly and Senate of the State of New York jointly, that the
27 Legislation will require the Commission of Education to increase the requirements
28 for graduation to include financial literacy.



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Committee Assignment: Assembly Liberty 3

Bill #: AL-20

1 **Sponsors:** Jonathan Yohannan, Mary Cacevic, Tyson Walker

2

3 **An Act To**

4 Amend § 16-123 of the New York City Administrative Code to mandate the repair
5 and removal of snow and ice be completed by the State.

6

7 ***The People of the State of New York, represented in the Senate and***
8 ***Assembly do enact as follows:***

9

10 **Purpose**

11 The purpose of this bill is to create safer sidewalks and to assist those who are
12 physically unable to remove the snow or ice from the sidewalks adjacent to their
13 property.

14

15 **Summary of Provisions**

16 **Section 1**

17 Sidewalk: a paved public path for pedestrians at the side of a road.

18 Post meridian-the time intervention of 12 hours after noon

19 Ante meridian-the time intervention of 12 hours before noon

20 Violation-an infringement of the law

21 Sanitation Department-the city department that maintains cleanliness and deals
22 with sewage and trash

23 **Section 2**

24 § 16-123 Removal of snow, ice and dirt from sidewalks; ~~property owners'~~

25 ~~duties.~~ a. (Delete Section a.)

26 The New York City Sanitation Department shall repair and remove the snow or ice,
27 dirt, or other material from all sidewalks and gutters.-

28 b. In case the snow and ice on the sidewalk shall be frozen so hard
29 that it cannot be removed without injury to the pavement, the owner, lessee,
30 tenant, occupant or other person having charge of any building
31 or lot of ground as aforesaid, may, within the time specified in the preceding
32 subdivision, cause the sidewalk abutting on such premises to be strewed with
33 ashes, sand, sawdust, or some similar suitable material, ~~and shall, as soon~~
34 ~~thereafter as the weather shall permit, thoroughly clean such sidewalks.~~

35 ~~—c. Reserved.~~

36 ~~—d. (Delete section d.)~~

37 ~~—e. (Delete section e.)~~

38 f. This section shall not be regarded as interfering with the owner of any lots
39 throwing into the roadway of the streets any snow or ice which may be removed
40 from the sidewalk or gutter directly in front of such
41 lot.

42 g. The term "lot" as used in this section shall include a space not to



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Committee Assignment: Assembly Liberty 3

Bill #: AL-20

43 exceed twenty-five feet in width fronting the street upon which the violation is
44 charged to have been permitted, committed or omitted.

45 ~~—h.—~~(Delete section h.)

46 ~~—i.—~~(Delete section i.)

47 ~~—j.—~~(Delete section j.)

48 **Justification**

49 Property owners often fail to complete or fully complete their duty to remove snow
50 or ice from sidewalks. The potential icy or snowy conditions on sidewalks can lead
51 to a large number of people receiving injuries when traveling on sidewalks. If the
52 city assumes this responsibility, the sidewalks are guaranteed to be clear and would
53 be in a much safer condition. This being a property owner's duty is also unfair to
54 those who are physically incapable to achieve their task. Mandating the city to
55 remove snow or ice from all sidewalks will also cease all confusion and disputes
56 between apartment owners and their several tenants. If the ice is frozen too hard
57 onto the sidewalk, property owners must spew it with ashes or sand to make it
58 safer to walk on; but this is unjust because of the high cost many have to pay to
59 buy these materials and to maintain the sidewalks adjacent to their property, thus
60 the city should undertake this task. Those with disabilities, disorders, or diseases
61 may have received fines for not removing the snow and ice from the sidewalk
62 bordering their property. Those of old age also cannot typically remove snow from
63 the sidewalks adjacent to their property due to their physical condition. Over 17%
64 of the city's population are people over the age of 60, and this is cruel to the many
65 people in that age range that are mandated to maintain a sidewalk. The State of
66 Delaware assumes the responsibility of clearing snow and ice from sidewalks as a
67 matter of safety and compliance with the Americans with Disabilities Act. Their
68 system works very efficiently and removes the heavy burden to many people
69 suffering from health conditions. New York City shall remove snow or ice and repair
70 along the 12,750 miles of sidewalk and follow the virtuous example from Delaware.

71

72 **Fiscal Implications**

73 It will cost roughly \$30,000,000-\$45,000,000 to repair and remove snow or ice
74 from the 12,750 miles of sidewalk in New York City each year.

75

76 **Effective Date**

77 This bill will go immediately into effect on January 1st of the year after passage.



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Committee Assignment: Assembly Liberty 3

Bill #: AL-21

1 **Sponsors:** Rachael Bessette, Gabrielle Delorm-Varsi, Matthew Noel, Joseph Marang

2
3 **An Act To:** Amend New York Administrative Code section 17-405 to create a
4 definitive age of consent for abortions and parental rights for minors receiving
5 abortions.

6 *The People of the State of New York, represented in the*
7 *Senate and Assembly, do enact as follows:*

8
9 **PURPOSE:** Create parental awareness over minors abortions.

10
11 **SUMMARY OF PROVISIONS:**

12 **Section 1: Definitions**

13 **Abortion:** the deliberate termination of a human pregnancy, most often performed
14 during the first 28 weeks of pregnancy.

15 **Consent:** permission for something to happen or agreement to do something

16 **Written consent:** an official binding agreement signed either on paper or digitally
17 by parties involved, which is recognized legally

18 **Section 2: Provisions**

19 § 17-405 Requirements for informed consent. No sterilization shall be
20 performed which does not meet the following conditions:

21 1. Initial consent may not be elicited from a female patient during
22 admission or hospitalization for childbirth or abortion.

23 2. Consent may not be taken from females under the age of 17 a parent
24 must be present at time of abortion and give written consent.

25 3. An informational session conducted by a counselor, who is not the
26 operating physician, must precede the patient's consent. During the
27 session, information about the irreversibility of sterilization,
28 alternative methods of contraception, and the corresponding risks must
29 be discussed in the preferred language of the patient.

30 4 Written informed consent for sterilization must be obtained from
31 each patient. A standardized consent form must be used to satisfy this
32 requirement. The form, supplied by the department must be explained
33 orally by the counselor in the presence of a witness. A copy of the
34 signed consent form shall be provided the patient.

35 5. On admission to the facility where the sterilization will be
36 performed each patient must give written affirmation of his or her
37 informed consent to the sterilization.

38 6. The patient must be given oral and written assurance that medical



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Committee Assignment: Assembly Liberty 3

Bill #: AL-21

39 services or benefits will not be lost as a result of refusing
40 sterilization.

41 7. Contraceptive devices will be prescribed for the patient's use
42 during the thirty-day waiting period.

43 8. Consent for the sterilization may be revoked any time prior to the
44 operation.

45 **JUSTIFICATION:**

46 Children under the age of 17 are still minors. They need parents to sign if they have
47 major surgeries, or to be prescribe medication. Why is it that in the state of New
48 York that it allowed for minors to receive an about

49 **FISCAL IMPLICATIONS:**

50 This bill will have no fiscal implications to the state or to the individual.

51 **EFFECTIVE DATE:**

52 This bill will go into effect two years after passage.

53



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Committee Assignment: Assembly Liberty 3

Bill #: AL-22

1 **Sponsors:** Taylor Fryer, Allison Hunt, José Perez-Marino, MacKenzie Randolph

2

3 **An Act To**

4 To amend § 200.4 of the General School Requirement Act in order to have Spanish
5 language education to begin at the grade of kindergarten in all New York State
6 school districts.

7

8 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

9

10 **Purpose**

11 The purpose of this bill is to commence the education of the Spanish language for
12 children entering kindergarten and continuing through seventh grade.

13 **Summary of Provisions**

14 **Section 1**

15 Public school districts ~~must~~ ~~may~~ commence Spanish language ~~other than English~~
16 instruction at kindergarten and carry teaching of the language through the seventh
17 grade, at which districts must allow students to choose between other district
18 offered languages or advanced Spanish any grade level prior to grade eight but
19 ~~shall do so no later than the beginning of grade eight~~ so that students are provided
20 the required two units of study by the end of grade nine.

21 **Justification**

22 Understanding that individuals undergo most major language development early in
23 their life, it is prudent to introduce language as soon as possible in their formal
24 education. It is largely agreed upon in the scientific community that fully
25 comprehensive bilingualism at a young age fuels brain development and, as shown
26 by nations who teach foreign language at younger age, results in children having a
27 higher understanding in all educational fields.

28 When considering the relevance of Spanish to New York as the most spoken
29 language other than English within the state, it becomes abundantly clear that if
30 any language were to be made mandatory from a young age other than English, it
31 would be Spanish. Fluency in Spanish will promote greater cultural understanding
32 and diversity in New York

33 **Fiscal Implications**

34 New York State school districts will be required to allot money toward the payment
35 of teachers who would be hired under the provisions of this bill. Teachers must be
36 able to teach the students at the elementary level. This change would lead to
37 economic benefits for the state as we believe that statewide fluency in Spanish
38 would help the economic sector of New York grow, in particular, the international
39 businesses within New York City. This will not change the requirements of Spanish
40 credits to graduate.

41 **Effective Date**

42 One school year after the passage of this bill.



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Committee Assignment: Assembly Liberty 3

Bill #: AL-23

1 **Sponsors:** Thomas Chase, Ryan Penson, James Pinnell

2

3 **An Act To:** Amend § 2164 of Article 21 of the Public Health Law to require all 8th
4 grade level teenagers to obtain the Gardasil vaccine.

5 ***The People of the State of New York, represented in the***
6 ***Senate and Assembly, do enact as follows:***

7

8 **Purpose:**

9 We initiate this bill to prevent the spread of STIs and to decrease the risk of cancer
10 in youth.

11

12 **Summary of Provisions:**

13 **Section 1: Definitions**

14 **Gardasil:** Form of the HPV vaccine available for both men and women

15 which protects against cervical, vulvar, vaginal, and anal cancers and
16 precancers caused by HPV 16 and 18, as well as genital warts caused by HPV
17 6 and 11. This vaccine specifically targets types 6, 11, 16, and 18 of the
18 disease.

19 **HPV:** Abbreviation for Human Papillomavirus Infection, an STI transmitted through
20 vaginal, anal, or oral sex.

21 **Vaccine:** A substance used to stimulate the production of antibodies and provide
22 immunity against one or several diseases, prepared from the causative agent
23 of a disease, its products, or a synthetic substitute, treated to act as an
24 antigen without inducing the disease.

25 **STI:** Abbreviation for Sexually Transmitted Infection, an infection you can get
26 through sexual contact.

27 **Section 2: Provisions**

28 2. a. Every person in parental relation to a child in this state shall have
29 administered to such child an adequate dose or doses of an immunizing agent
30 against poliomyelitis, mumps, measles, diphtheria, rubella, varicella, Haemophilus
31 influenzae type b (Hib), pertussis, tetanus, pneumococcal disease, and hepatitis B,
32 which meets the standards approved by the United States public health service for
33 such biological products, and which is approved by the department under such
34 conditions as may be specified by the public health council.

35 b. Every person in parental relation to a child in this state born on or after
36 January first, nineteen hundred ninety-four and entering sixth grade or a
37 comparable age level special education program with an unassigned grade on or
38 after September first, two thousand seven, shall have administered to such child a
39 booster immunization containing diphtheria and tetanus toxoids, and an acellular



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Committee Assignment: Assembly Liberty 3

Bill #: AL-23

40 pertussis vaccine, which meets the standards approved by the United States public
41 health service for such biological products, and which is approved by the
42 department under such conditions as may be specified by the public health council.

43 c. Every person in parental relation to a child in this state entering or
44 having entered seventh grade and twelfth grade or a comparable age level special
45 education program with an unassigned grade on or after September first, two
46 thousand sixteen, shall have administered to such child an adequate dose or doses
47 of immunizing agents against meningococcal disease as recommended by the
48 advisory committee on immunization practices of the centers for disease control
49 and prevention, which meets the standards approved by the United States public
50 health service for such biological products, and which is approved by the
51 department under such conditions as may be specified by the public health and
52 planning council.

53 d. Every person in parental relation to a child in this state entering or
54 having entered eighth grade or a comparable age level special education program
55 with an unassigned grade on or after September first, two thousand eighteen, shall
56 have administered to such child an adequate dose or doses of immunizing agents
57 against human papillomavirus as recommended by the advisory committee on
58 immunization practices of the centers for disease control and prevention, which
59 meets the standards approved by the United States public health service for such
60 biological products, and which is approved by the department under such conditions
61 as may be specified by the public health and planning council.

62 **Justification:**

63 9 in 10 people will suffer from an HPV infection in their lifetime. Left untreated
64 these infections can grow into different types of cancer. Through the use of this
65 vaccine, rates of HPV infections will dramatically decrease, and an array of different
66 cancers will also diminish in rate over time.

67 **Fiscal Implications:**

68 Each shot costs around \$130 to \$150 and after all three shots the total comes to
69 around \$390 to \$450. Most insurance companies cover the costs. There will be no
70 fiscal implications to schools or New York State. As of the 2015-2016 school year,
71 2,640,250 students attended high school in New York State. Assuming the shots
72 altogether are pooled, the maximum estimated cost is \$1,188,112,500.

73 **Effective Date:**

74 This bill shall go into effect at the beginning of the academic school year following
75 its passage.

76



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Committee Assignment: Assembly Liberty 4

Bill #: AL-24

1 **Sponsors:** Laura Haight, Emma Koster, Lauren Schlote, Matthew Roberson

2

3 **An Act To**

4 Foster safe environments for children, by amending Article 65.10, subsection 4 of
5 Penal Law to include the prohibition of Level 2 and 3 sex offenders from entering
6 into or upon school grounds or facilities serving persons under the age of 18, no
7 matter their probationary or parental/guardian status.

8

9 ***The People of the State of New York, represented in the Senate and Assembly do enact as follows:***

10

11 **Purpose**

12 To ensure the safety and well-being of children on school grounds, and other
13 childcare facilities, by preventing the entry of individuals who have been legally
14 deemed moderate and high risks to their community due to prior sexually predatory
15 behavior. The amendment additionally seeks to implement consequences for
16 inexcusable conduct, particularly in regard to vulnerable populations.

17

18 **Summary of Provisions**

19 **Section 1: Definitions**

20 1. "School grounds" means (a) in or on or within any building,
21 structure, athletic playing field, playground or land contained within
22 the real property boundary line of a public or private elementary,
23 parochial, intermediate, junior high, vocational, or high school, or (b)
24 any area accessible to the public located within one thousand feet of
25 the real property boundary line comprising any such school or any parked
26 automobile or other parked vehicle located within one thousand feet of
27 the real property boundary line comprising any such school. For the
28 purposes of this section an "area accessible to the public" shall mean
29 sidewalks, streets, parking lots, parks, playgrounds, stores and
30 restaurants.

31 2. "Sex offender"

32 a. If the risk of repeat offense is low, a level one designation
33 shall be given to such sex offender.

34 b. If the risk of repeat offense is moderate, a level two designation
35 shall be given to such sex offender.



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Committee Assignment: Assembly Liberty 4

Bill #: AL-24

36 c. If the risk of repeat offense is high and there exists a threat to
37 the public safety a level three designation shall be given to such sex
38 offender.

39 Section 2

40 a. 4-a. Mandatory conditions for sex offenders. (a) When imposing a
41 sentence of probation or conditional discharge upon a person convicted of an
42 offense defined in article one hundred thirty, two hundred thirty-five or two
43 hundred sixty-three of this chapter, or section 255.25 , 255.26 or 255.27 of
44 this chapter, and the victim of such offense was under the age of eighteen at
45 the time of such offense or such person has been designated a level two or
46 three sex offender pursuant to subdivision six of section 168-1 of the
47 correction law , the court shall require, as a mandatory condition of such
48 sentence, that such sentenced offender shall refrain from knowingly entering
49 into or upon any school grounds, as that term is defined in subdivision
50 fourteen of section 220.00 of this chapter, or any other facility or institution
51 primarily used for the care or treatment of persons under the age of eighteen
52 while one or more of such persons under the age of eighteen are present,
53 ~~provided however, that when such sentenced offender is a registered student~~
54 ~~or participant or an employee of such facility or institution or entity~~
55 ~~contracting therewith or has a family member enrolled in such facility or~~
56 ~~institution, such sentenced offender may, with the written authorization of~~
57 ~~his or her probation officer or the court and the superintendent or chief~~
58 ~~administrator of such facility, institution or grounds, enter such facility,~~
59 ~~institution or upon such grounds for the limited purposes authorized by the~~
60 ~~probation officer or the court and superintendent or chief officer.~~ Nothing in
61 this subdivision shall be construed as restricting any lawful condition of
62 supervision that may be imposed on such sentenced offender.

63 Justification

64 Individuals who have been legally designated as Level 2 and 3 sex offenders at
65 times must register in the sex offender database for life, as their prior crimes
66 demonstrated a severe degree of sexual predation and/or violence. The New York
67 State judicial system, in some manner has concluded that these individuals pose
68 "moderate" or "high" risks to their communities, meaning that there is a high
69 likelihood of their becoming (if not already), predicated offenders. And although the
70 criminal justice system should encourage rehabilitation, this rehabilitation should
71 not infringe upon the security of communities, nor the welfare of children.
72 Particularly considering the predatory nature of Level 2 offenders, oft-defined as



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Committee Assignment: Assembly Liberty 4

Bill #: AL-24

73 individuals who've manipulated a position of power to prey upon those in
74 intrinsically subjugated positions; their presence in educational and child care
75 environments provides a direct outlet for the continuation of such behavior.

76

77 **Fiscal Implications**

78 Fiscal Implications include the cost to amend any publications of this bill,
79 including but not limited to school codes, government websites, and printed law
80 books. They may also include mailing notices and/or alerting parole officers and
81 other affected peoples of authority of this change in privilege. It may also include
82 the alteration of the access to education if said offender is enrolled in high school,
83 including but not limited to access to a government computer for online courses.

84

85 **Effective Date**

86 This bill will go into effect one year after passage.



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Committee Assignment: Assembly Liberty 4

Bill #: AL-25

1 **Sponsors:** Christopher Baker, Aidan Conroy and Grace Meredith

2

3 **An Act To** Amend New York State Labor Law Section 194 to add Section 194-A to
4 prohibit inquiries regarding wage or salary histories.

5

6 *The People of the State of New York, represented in the Senate and*
7 *Assembly do enact as follows:*

8 **Purpose**

9 To amend the New York State Labor Law Section 194 to add Section 194-A to
10 prohibit employers from inquiring as to a prospective employee's salary or wage
11 history.

12

13 **Summary of Provisions**

14 Section 1 Definitions:

15 Prospective employee- shall mean any individual seeking an interview or
16 employment.

17 Salary or wage history- shall mean any written or oral account of past earnings.

18 Commissioner- shall mean the commissioner of the state department of labor

19 Section 2:

20 Amends the New York Labor Law Section 194 by adding Section 194-A as follows:
21 S 194-A. Prohibition on wage and salary inquiries.

- 22 1. No prospective employer shall request from a prospective employee or prior
23 employer information regarding salary or wage history by oral, written or
24 electronic means.
- 25 2. No prospective employer shall require from a prospective employee
26 information regarding salary or wage history as a condition of employment or
27 promotion or as a prerequisite to being interviewed for employment or
28 promotion.
- 29 3. A prospective employee may voluntarily disclose wage or salary history
30 information to a prospective employer.
- 31 4. If an applicant reports an alleged violation to the Commissioner, the
32 Commissioner shall investigate and provide the employer with a notice an
33 opportunity to be heard.
- 34 5. If the Commissioner finds, after notice and an opportunity to be heard, that
35 an employer has violated the provisions of this Section, the Commissioner
36 may by an order which shall describe particularly the nature of the violation,
37 assess a civil penalty of not more than ten thousand dollars for the first such
38 violation, not more than fifteen thousand dollars for a second violation and
39 not more than twenty thousand dollars for a third or subsequent
40 violation. Such penalty shall be paid to the Commissioner for deposit in the
41 treasury of the state. In assessing the amount of the penalty, the
42 Commissioner shall give due consideration to the size of the employer's



Committee Assignment: Assembly Liberty 4

Bill #: AL-25

43 business, the good faith of the employer, the gravity of the violation and the
44 history of previous violations.
45

46 **Justification**

47 A handful of States, including Oregon, California, Massachusetts, and Delaware
48 prohibit employers from asking an applicant or previous employer about a
49 prospective employee's wage or salary history. According to the American
50 Association of University Women, minority women including African American,
51 Hispanic, American Indian and Pacific Islander on average had lower annual
52 earnings compared to Caucasian and Asian-American women, and also compared to
53 men of their same origin Specifically, according to data released by the Census
54 Bureau in 2015, women earn on average, 79.6 cents for every dollar made by their
55 male counterparts. Women of color earn even less- African American women earn
56 70.6 cents to the dollar paid to men, Hispanic women earn 60.7 cents, and Asian
57 American women earn only 94.6 cents for every dollar paid to men. The tactic used
58 by employers of asking prospective employees' salary history is unjust, as it is the
59 root cause for continued wage inequality, justifying the lower pay rates for
60 employers to impose, primarily targeting women and minorities. Because women
61 are on average, paid less than men, basing an employee's salary on their previous
62 salary history and not on experience, job readiness, or skill, this tactic perpetuates
63 inequalities in the workplace. Prohibiting employers from asking about past salary
64 history would protect all job applicants from discrimination on aspects unrelated to
65 their skill and experience. Passing this bill would work to promote equality in
66 employment for all workers.

67
68 **Fiscal Implications**

69 No known fiscal implications.

70
71 **Effective Date**

72 The law will go into effect one calendar year after this bill passes.



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Committee Assignment: Assembly Liberty 4

Bill #: AL-26

1 **Sponsors:** Jeremy Khang, Aaron Levy, Jonathan Rucinski, Joseph Tripi

2

3 **An Act To:**

4 Amend Section 3 of the New York Consolidated Laws, Public Health Law - PBH §
5 2989 to legalize euthanasia for terminally ill patients under specific circumstances.

6

7 *The People of the State of New York, represented in the Senate and*
8 *Assembly do enact as follows:*

9

10 **Purpose:**

11 This bill will allow for the legalization of the process of euthanasia as a way to
12 respect the rights of terminally ill individuals.

13 **Summary of Provisions**

14 Section 1: Definitions

15 Euthanasia: the painless killing of a patient suffering from an incurable
16 and painful disease or in an irreversible coma.

17 Terminal illness: an incurable disease that cannot be adequately treated
18 and is reasonably expected to result in the death of the patient
19 within a short period of time

20 Section 2: Provisions

21 1. A competent adult failure to appoint a health care agent or to provide the agent
22 with specific health care instructions pursuant to this article shall create no
23 presumptions regarding the adult's wishes about health care.

24 2. Nothing in this article creates, expands, diminishes, impairs or supersedes any
25 authority that a principal may have under law to make or express decisions, wishes
26 or instructions regarding health care, including decisions about life sustaining
27 treatment, whether or not expressed in a health care proxy.

28 3. ~~This article is not intended to permit or promote suicide, assisted suicide, or~~
29 ~~euthanasia; accordingly, nothing here in shall be construed to permit an agent to~~
30 ~~consent to any act or omission to which the principal could not consent under~~
31 ~~law.~~ All terminally ill individuals that are eligible to receive euthanasia must be
32 limited to one year. Evidence of pain, suffering, discomfort, etc. must be proven
33 and verified by a certified public health practitioner.

34

35 **Justification**



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Committee Assignment: Assembly Liberty 4

Bill #: AL-26

36 Terminally ill individuals that are enduring physical or emotional suffering should
37 have the right to control their own destiny. If the given individual is not under a
38 correct state of mind in order to make a deliberate and thorough decision. One that
39 goes against the process must place themselves in this type of situation. One would
40 rather a family member that they hold so dearly die a peaceful death rather than
41 one characterized by downright torment. Furthermore, the cost for the drugs
42 needed to do euthanasia are significantly less expensive than providing medical
43 care.

44

45 **Fiscal Implications**

46 The treatment costs \$50-\$70. The treatment will be covered by the patient's health
47 care provider.

48

49 **Effective Date**

50 This bill will go into effect two years after passage.



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Committee Assignment: Assembly Liberty 4

Bill #: AL-27

1 **Sponsors:** Kaden Tennent, Jaidyn Hill, and Emmett Clesceri

2

3 **An Act To**

4 Repeal New York State Education Law Article 7 - A and add Article 7 - B making
5 standardized testing illegal.

6

7 ***The People of the State of New York, represented in the Senate and***
8 ***Assembly do enact as follows:***

9

10 **Purpose**

11 The purpose of this bill is to repeal all of the new york state standardized tests for
12 elementary and middle school students. The classes whom would repeal the
13 standardized tests are english, mathematics, and science.

14

15 **Summary of Provisions**

16 Article 7 - A

17 Article 7 - B: Standardized testing shall hereby be illegal under this provision.

18

19 **Justification**

20 Many students feel as if that the stress and workload of taking these tests is too
21 much for students in elementary school and middle school. By taking away these
22 tests, it will enable students to focus on their school work instead of these tests.

23

24 **Fiscal Implications**

25 There will be no fiscal implications for this bill. This bill will lower the cost that the
26 state has to spend to create these tests.

27

28 **Effective Date**

29 The bill will go into effect in September 1, 2018.



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Committee Assignment: Assembly Liberty 4

Bill #: AL-28

1 **Sponsors:** Gabby Abato, Lauren Cassidy, Selma Mrkulic, and Liora Reiken

2

3 **An Act To**

4 Amend § 801 of the New York education law to add civil rights to the U.S. History
5 curriculum in high school.

6

7 ***The People of the State of New York, represented in the Senate and***
8 ***Assembly do enact as follows:***

9

10 **Purpose**

11 The purpose of this bill is to require civil rights to be taught in high school U.S.
12 History classes. These constitutional rights would also be incorporated into the New
13 York State Regents since they will be part of the curriculum. This bill will educate
14 high school students on amendments that protect their natural rights which can be
15 favorable in the long run.

16

17 **Summary of Provisions**

18 **Section 1: Definitions**

19 **Civil Rights:** rights that protect individuals' freedom from infringement by
20 governments, social organizations, and private individual. These include our
21 Miranda Rights and the fourth through ninth Amendments.

22 **Amendments:** changes to the constitution that establish a citizen's natural rights.

23 **Section 2: Provisions**

24 The regents shall determine the subjects to be included in such courses of
25 instruction in patriotism, citizenship, and human rights issues, with particular
26 attention to the study of the inhumanity of genocide, slavery (including the freedom
27 trail and underground railroad), the Holocaust, and the mass starvation in Ireland
28 from 1845 to 1850, and in the history, meaning, significance and effect of the
29 provisions of the constitution of the United States, the amendments thereto, the
30 declaration of independence, the constitution of the state of New York and the
31 amendments thereto, civil rights, and the period of instruction in each of the grades
32 in such subjects. They shall adopt rules providing for attendance upon such
33 instruction and for such other matters as are required for carrying into effect the
34 objects and purposes of this section. The commissioner shall be responsible for the
35 enforcement of such section and shall cause to be inspected and supervise the
36 instruction to be given in such subjects. The commissioner may, in his discretion,
37 cause all or a portion of the public school money to be apportioned to a district or
38 city to be withheld for failure of the school authorities of such district or city to
39 provide instruction in such courses and to compel attendance upon such instruction,
40 as herein prescribed, and for a non-compliance with the rules of the regents
41 adopted as herein provided.

42

43



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Committee Assignment: Assembly Liberty 4

Bill #: AL-28

44 **Justification**

45 Teaching civil rights is a necessity in the society that we live in today. Students
46 need to be aware of what their rights are because it is an important part of reality
47 that they are entitled to be aware of. In recent times, there are a various number
48 of cases where a victim's rights have been violated by law enforcement. Since these
49 victims were not aware of their rights, they had no choice but to be constrained by
50 these massive violations. In these cases, not knowing one's rights prevented them
51 from anticipating legal troubles and then approaching a lawyer for help. This puts
52 them at a disadvantage when put in front of a court to plead innocent or guilty.
53 These amendments were created in order to protect the rights and freedoms of the
54 people and not knowing them can leave a person feeling helpless and confused in a
55 time of need. Not being aware of these entitlements can be a significant loss to
56 someone when these rights are being infringed upon. Being unaware can leave one
57 feeling intimidated and alienated from the law. It is unjust that what was originally
58 made to protect people is now essentially unknown by most people, therefore
59 becoming detrimental to their access to justice. This lack of awareness can also
60 increase the effect of a legal problem, and lead the victim to hurt their case instead
61 of, by using their civil rights, help their case. In summation, not knowing your civil
62 rights blocks your access to justice and that needs to be changed. This bill will do
63 just that by teaching people their civil rights which will empower them to demand
64 justice. They will be able to use their civil rights the correct way when faced by a
65 police officer, in court, or anywhere else.

66

67 **Fiscal Implications**

68 We are adding to the U.S. History curriculum and not creating a new class, so there
69 will be minimal fiscal implications for this bill. Schools will use resources they
70 already have to introduce the new topic and doing so would not cost them much.
71 School districts can decide to use free resources and create their own resources to
72 teach the additional curriculum. Therefore, there will be very minimal fiscal
73 implications in order for this bill to be implemented.

74

75 **Effective Date**

76 This bill will go into effect July 1 of the year following its passage.



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Committee Assignment: Assembly Liberty 4

Bill #: AL-29

1 **Sponsors:** Jayden Fritz-Berrios, Jasmine Willard

2

3 **An Act To**

4 Amend § 730.40 of the New York State Criminal Prosecution Law by adding
5 subsection six to postpone the prosecution of veterans who have been accused of
6 misdemeanors if they have been diagnosed with mental illness due to military
7 service.

8

9 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

10

11 **Purpose**

12 The purpose of this bill is to postpone prosecution of veterans who have been
13 accused of misdemeanors if they have been diagnosed with mental illness due to
14 military service.

15 **Summary of Provisions**

16 **Section 1: Definitions**

17 PTSD: a trauma and stress related disorder that may develop after exposure to an
18 event or ordeal in which death, severe physical harm or violence occurred or was
19 threatened.

20 Sexual trauma: an all-encompassing term that refers to crimes such as sexual
21 assault, rape, and sexual abuse.

22 Mental health problems: any mental illness deemed by the court to be deserving of
23 postponement of prosecution and (for the intents of this bill) caused by previous or
24 current military service.

25 Department of Defense: executive branch department charged with coordinating
26 and supervising all agencies and functions of the government concerned directly
27 with national security

28 Department of Veterans Affairs: provides patient care and federal benefits to
29 veterans and their dependents.

30 Pretrial diversion: the procedure of postponing prosecution, either temporarily or
31 permanently, at any point in the judicial process from the point at which the
32 accused is charged until adjudication.

33 **Section 2:**

34 § 730.40. 6.) (a) This chapter shall apply whenever a case is before a court on an
35 accusatory pleading alleging the commission of a misdemeanor offense, and both of
36 the following apply to the defendant: (1) The defendant was, or currently is, a
37 member of the United States military. (2) The defendant may be suffering from
38 sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance
39 abuse, or mental health problems as a result of his or her military service. The
40 court may request, using existing resources, an assessment to aid in the
41 determination that this paragraph applies to a defendant.

42 (b) If the court determines that a defendant charged with an applicable offense
43 under this chapter is a person described in subdivision (a), the court, with the
44 consent of the defendant and a waiver of the defendant's speedy trial right, may
45 place the defendant in a pretrial diversion program, as defined in section 1. If

46 mental health treatment services are ordered by the court, the county mental
47 health agency shall coordinate appropriate referral of the defendant to the county
48 veterans service officer. An order shall be made referring a defendant to a county
49 mental health agency only if that agency has agreed to accept responsibility for all
50 of the following: (1) The treatment of the defendant. (2) The coordination of
51 appropriate referral to a county veterans' service officer. (3) The filing of reports
52 pursuant to subdivision (d).

53 (c) The period during which criminal proceedings against the defendant may be
54 diverted shall be no longer than two years. The responsible agency or agencies
55 shall file reports on the defendants' progress in the diversion program with the
56 court and with the prosecutor not less than every six months.

57 (d) A record filed with the Department of Justice shall indicate the disposition in
58 those cases diverted pursuant to this chapter. Upon successful completion of a
59 diversion program, the arrest upon which the diversion was based shall be deemed
60 to have never occurred. The defendant may indicate in response to a question
61 concerning his or her prior criminal record that he or she was not arrested or
62 diverted for the offense, except as specified in subdivision (f). A record pertaining
63 to an arrest resulting in successful completion of a diversion program shall not,
64 without the defendant's consent, be used in any way that could result in the denial
65 of any employment, benefit, license, or certificate.

66 (e) If it appears to the court that the defendant is performing unsatisfactorily in the
67 assigned program, or that the defendant is not benefiting from the treatment and
68 services provided under the diversion program, after notice to the defendant, the
69 court shall hold a hearing to determine whether the criminal proceedings should be
70 reinstated. If the court finds that the defendant is not performing satisfactorily in
71 the assigned program, or that the defendant is not benefiting from diversion, the
72 court may end the diversion and order resumption of the criminal proceedings. If
73 the defendant has performed satisfactorily during the period of diversion, at the end
74 of the period of diversion, the criminal charges shall be dismissed.

75 **Justification**

76 The service men and women are some of the most reassured and renounced
77 citizens in our country, and as of late there has been a rise in mental illness directly
78 caused by their time spend defending the freedoms and rights of the people. It is
79 now time to stand up for them and attempt to help them through this unbelievably
80 hard time by giving them a break when their mental troubles are too much to
81 handle, it's time to rise and support the people who have protected us for so much
82 of their lives.

83 **Fiscal Implications**

84 Veteran Centers run by the Department of Veterans Affairs across the country
85 provide a broad range of counseling, outreach, and referral services to combat
86 Veterans and their families. Services for a Veteran may include individual and group
87 counseling in areas such as Post-Traumatic Stress Disorder (PTSD), alcohol and
88 drug assessment, and suicide prevention referrals. All services through the
89 Department of Veterans Affairs are free of cost and are strictly confidential.

90 **Effective Date**

91 This bill will go into effect one year after its passage.



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Committee Assignment: Assembly Liberty 4

Bill #: AL-30

1 **Sponsors:** Erica Whitman, Teresa Tran

2

3 **An Act To**

4 Amend § 5-210 subdivision 5 of the New York State Election Law to require all
5 eligible New York State residents to be automatically registered to vote.

6

7 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

8

9 **Purpose**

10 To automatically register all eligible New York residents to vote when acquiring or
11 renewing a New York State identification and state license.

12 **Summary of Provisions**

13 **Section 1: Definitions**

14 **State Identification Card:** a state issued card for people who do not own a driver's
15 license that gives identifying data about a person, as full name, address, age, and
16 the color of his/her hair and eyes.

17 **Section 2:**

18 § 5-210. Registration and enrollment and change of enrollment upon application.

19 5.) Statewide application forms shall be designed by the state board of
20 elections, which shall conform to the requirements for the national voter
21 registration form in the rules and regulations promulgated by the federal election
22 commission and the federal Help America Vote Act, and shall elicit the information
23 required for the registration poll record. All residents of New York State that are
24 acquiring or renewing a state issued identification card or a state license who meet
25 the requirements of being a U.S. Citizen, being 18 years old by the end of the year,
26 living at their present address at least 30 days before an election, not being in
27 prison or on parole for a felony conviction, not being adjudged mentally
28 incompetent by a court and not claiming the right to vote elsewhere will be
29 automatically registered to vote.

30 **Justification**

31 By automatically being registered to vote, New Yorkers will not have to disrupt their
32 busy day to acquire a registration form to fill out and wait for their form to be
33 processed. Being registered to vote does not enforce residents to vote but enables
34 New Yorkers to act upon the right given to them as an American citizen. The extra
35 step to fill out the paper form will be out of the way, and will increase the number
36 of registered voters from ten million, which is only half of New York's population.
37 This will also help New Yorkers vote in local, statewide and national elections,
38 where the state's voter turnout has been very low.

39 **Fiscal Implications**

40 This bill will have minor and absorbable costs to the DMV within the state budget.

41 **Effective Date**

42 This bill will go in effect six months after its passage.



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Committee Assignment: Assembly Liberty 5

Bill #: AL-31

1 **Sponsors:** Chris DeLage, Skye De Lucia, Logan Luke, Sean Powers

2

3 **An Act To**

4 Amend § 353-f of the penal code to allow citizens to take any cautionary measure
5 remove an animal from a vehicle in extreme temperatures.

6 ***The People of the State of New York, represented in the Senate and Assembly do enact as follows:***

7

8 **Purpose**

9 The purpose of this bill is to allow citizens to take any necessary measure to
10 remove an animal from extreme temperatures of a vehicle. This would save the
11 lives of thousands of domesticated animals each year.

12

13 **Summary of Provisions**

14 **Section 1**

- 15 1. A person shall not confine a companion animal in a motor vehicle in extreme
16 heat or cold without proper ventilation or other protection from such extreme
17 temperatures where such confinement places the companion animal in
18 imminent danger of death or serious physical injury due to exposure to such
19 extreme heat or cold.
- 20 2. Where the operator of such a vehicle cannot be promptly located, a police
21 officer, peace officer, or peace officer acting as an agent of a duly
22 incorporated humane society, and citizens may take necessary steps to
23 remove the animal or animals from the vehicle.
- 24 3. Police officers, peace officers, ~~or~~ peace officers acting as agents of a duly
25 incorporated humane society, or citizens removing an animal or animals from
26 a vehicle pursuant to this section shall place a written notice on or in the
27 vehicle, bearing the name of the officer, ~~or~~ agent, or citizen and the
28 department or agency and address where the animal or animals will be
29 taken.
- 30 4. An animal or animals removed from a vehicle pursuant to this section shall,
31 after receipt of any necessary emergency veterinary treatment, be delivered
32 to the duly incorporated humane society or society for the prevention of
33 cruelty to animals, or designated agent thereof, in the jurisdiction where the
34 animal or animals were seized.
- 35 5. Any person who knowingly violates the provisions of subdivision one of this
36 section shall be guilty of a violation, punishable by a fine of not less than fifty
37 dollars nor more than one hundred dollars for a first offense, and a fine of
38 not less than one hundred dollars nor more than two hundred and fifty
39 dollars for a second and subsequent offenses.



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Committee Assignment: Assembly Liberty 5

Bill #: AL-31

- 1 6. Officers and citizens shall not be held criminally or civilly liable for actions
2 taken reasonably and in good faith in carrying out the provisions of this
3 section.
4 7. Nothing contained in this section shall be construed to affect any other
5 protections afforded to companion animals under any other provisions of this
6 article.

7

8 **Justification**

9 This bill is important because a police officer or peace officer acting as an agent of
10 duty incorporated humane society may not always be available to help. It would
11 assure thousands of animals their lives a year. Under horrible conditions, dying of
12 heat stroke and exhaustion is mournful to humans and animals alike: especially if it
13 could have been prevented. As the number is too high to be accounted for, there
14 are no official numbers for how many animals die because of exposure to extreme
15 temperatures. The number is too great and too drastic to calculate, making the bill
16 eligible for New York State.

17

18 **Fiscal Implications**

19 This bill has no fiscal implications.

20

21 **Effective Date**

22 This will go into effect a year after its passage.



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Committee Assignment: Assembly Liberty 5

Bill #: AL-32

1 **Sponsors:** Mikayla Blunt, Thomas Kane, Tyler Lewis, & Madison Boughton

2

3 AN ACT TO: Amend Section 801.2 of the education law to include the teaching of
4 current events curriculum in grades 9-12.

5

6 *The People of the State of New York, represented in the*
7 *Senate and Assembly, do enact as follows:*

8

9 **PURPOSE**

10 This bill seeks to expose high school students to current events curriculum to have
11 informed citizenry and informed adult voters.

12 **SUMMARY OF PROVISIONS**

13 **Section 1: Definitions**

14 **Current events:** Present-time news events concerning important people, places,
15 things, and ideas

16 **Public School:** A secondary school in the United States supported by public funds
17 and providing free education for children of a community or district.

18 **Section 2: Provisions**

19 The education law subsection 2 is amended to read as follows:

20 1. The regents shall prescribe courses of instruction in the history,
21 meaning, significance and effect of the provisions of the constitution of the United
22 States, the amendments thereto, the declaration of independence, the constitution
23 of the state of New York and the amendments thereto, **and current events** to be
24 maintained and followed in all of the schools of the state. The boards of education
25 and trustees of the several cities and school districts of the state shall require
26 instruction to be given in such courses, by the teachers employed in the schools
27 therein. All pupils attending such schools, in the ~~eight~~ **ninth** and higher grades,
28 shall attend upon such instruction.

29

30 **JUSTIFICATION**

31 Current New York State 12th grade Participation in Government curriculum
32 ([https://www.engageny.org/resource/new-york-state-k-12-social-studies-
34 framework](https://www.engageny.org/resource/new-york-state-k-12-social-studies-
33 framework)) covers "**Active, engaged, and informed citizens are critical to the
35 success of the United States representative democracy**" lessons. However,
36 this curriculum is not taught until the senior year. This law seeks to include current
37 events curriculum into all four years of high school starting in grade 9. Thomas
38 Jefferson stated, "If we are to guard against ignorance and remain free, it is the
39 responsibility of every American to be informed". Given that many current high
40 school students will be able to vote in the next presidential election, being an
informed student is imperative. Being informed can only happen through



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Committee Assignment: Assembly Liberty 5

Bill #: AL-32

1 awareness and of daily current events at the local, state, national and international
2 levels and an understanding of how these current events affect us. Informed
3 students have exposure to larger vocabularies and conversational skills which helps
4 to build stronger language skills. Informed students can in turn score higher on
5 standardized achievement tests, be more aware of global issues, be more media
6 'literate' and will be able to have more constructive conversations based on fact.
7 Studying current events curriculums can lead to stronger reading comprehension,
8 critical thinking, problem solving, oral expression and listening skills. Studying
9 current events curriculum stimulates students to be more attentive to the news
10 cycles and better able to evaluate what is true news vs. "fake news". Teaching
11 current events in 9-12th grade curriculums will help to develop an informed citizenry
12 and lifelong learners.

13 www.blog.mimo.com/current-events-and-why-we-need-to-teach-them

14 www.blog.brown.edu/choices/2016/09/23/why-should-we-teach-current-events/

15 www.socialstudies.pressible.org/lizhoelzle/current-events

16

17 **FISCAL IMPLICATIONS**

18 The Department of Ed needs to accommodate these new directives within its
19 existing budget as the cost is not significant.

20

21 **EFFECTIVE DATE**

22 This bill will go into effect one year after its passage.

23



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Committee Assignment: Assembly Liberty 5

Bill #: AL-33

1 **Sponsors:** Anthony Hristidis, Randy Quinteros, Zachary Sheikh, Kevin Bennett

2
3 **An Act To**

4 Amend § 3004.00 of the New York State Education Law by adding subdivision 1-a
5 to regulate governing certification of teachers by implementing the NYBEST test.

6
7 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

8
9 **Purpose**

10 To mandate that all new teachers take the NYBEST test to become certified to
11 teach.

12 **Summary of Provisions**

13 **Section 1: Definitions**

14 **NYBEST:** a standardized test administered throughout New York State for
15 individuals who want to teach at public schools and gain a credential. The test is
16 designed to provide information about basic proficiency in reading, mathematics,
17 and writing.

18 **ALST:** an exam required by the NYSTCE for all candidates applying for a New York
19 State Teaching License.

20 **Section 2:**

21 § 3004.00. Regulations governing certification of teachers.

22 1.) The commissioner shall prescribe, subject to approval by the regents,
23 regulations governing the examination and certification of teachers employed in all
24 public schools of the state, except that no such regulation affecting the
25 examination, certification, license, probationary periods, appointment, and tenure
26 of position of persons employed in the teaching, and supervising service in a city
27 having a population of four hundred thousand or more shall be prescribed which
28 may cause the discontinuance of the service of such persons who have satisfactorily
29 completed their probationary periods, or the removal of such persons from their
30 positions in a manner other than that provided by section twenty-five hundred
31 seventy-three of this chapter, but no such regulations established by the
32 commissioner or by any school district, or pursuant to the provisions of section
33 twenty-five hundred fifty-four, twenty-five hundred sixty-six, twenty-five hundred
34 sixty-nine, twenty-five hundred seventy-three or three thousand eight of this
35 chapter or otherwise, shall hereafter prohibit, prevent or disqualify any person, who
36 is otherwise qualified, from competing, participating and registering for such
37 examination or from obtaining a teacher's certificate or from qualifying for a
38 position as a teacher solely by reason of a disability provided such disability does
39 not interfere with such person's ability to perform teaching duties, nor shall any
40 person who is otherwise qualified be denied enrollment in any teacher training,
41 which provides for certification as a teacher in a school or facility which conducts
42 classes for children with disabilities solely by reason of a disability.

43 1-a.) The NYBEST will be given to all perspective teachers before teachers are given
44 their teaching certificate.

45 1-b.) The commissioner shall waive fees paid by applicants for the renewal of a
46 temporary teaching certificate or license, as defined by the commissioner, if such
47 certificate or license lapsed while such applicant was deployed by the United States
48 armed forces and any of its reserve components in a combat theater or combat
49 zone of operations at any time on or after the second day of August, nineteen
50 hundred ninety.

51 2.) Notwithstanding any other provision of law, the commissioner shall prescribe
52 regulations requiring that all persons applying, on or after January first, nineteen
53 hundred ninety-one, for a certificate or license to be a teacher shall, in addition to
54 all the other certification or licensure requirements, have completed two hours of
55 coursework or training regarding the identification and reporting of child abuse and
56 maltreatment. The coursework or training shall be obtained from an institution or
57 provider which has been approved by the department to provide such coursework
58 or training. The coursework or training shall include information regarding the
59 physical and behavioral indicators of child abuse and maltreatment and the
60 statutory reporting requirements set out in sections four hundred thirteen through
61 four hundred twenty of the social services law, including but not limited to, when
62 and how a report must be made, what other actions the reporter is mandated or
63 authorized to take, the legal protections afforded reporters, and the consequences
64 for failing to report. Each applicant shall provide the department with
65 documentation showing that he or she has completed the required training.

66 **Justification**

67 Teachers must be held to a higher standard so we can have the best educators
68 possible for our students, and although teachers need a bachelor's degree to teach
69 applicants were still failing this test, making them unfit to teach. The old ALST was
70 found to be biased and this new test does not have that problem. This new test
71 (NYBEST) is proven to not be biased because this test is the same test used in
72 California and has been tested and proven to be biased free.

73 **Fiscal Implications**

74 Future teachers must pay a one hundred and eighteen-dollar fee to cover the cost
75 of the NYBEST test.

76 **Effective Date**

77 This bill will go into effect January 1, 2019.



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Committee Assignment:

Bill #:

1 **Sponsors:** Zarib Alam

2

3 **An Act To:** An act to amend NY Penal Law §220.18 to change the classification of
4 the criminal possession of a controlled substance in the second degree from a Class
5 A-II felony to a Class A misdemeanor and thereby mandate the rehabilitation of
6 offenders.

7 ***The People of the State of New York, represented in the***
8 ***Senate and Assembly, do enact as follows:***

9

10 **Purpose:**

11 Currently, the nonviolent criminal possession of a controlled substance in the
12 second degree is classified as a Class A-II felony and bears the sentence of up to 10
13 years in prison. By changing that classification to a Class A misdemeanor, a 90-day
14 detoxification rehabilitation process for convicts is intended to be in place of
15 imprisonment. That will reduce New York's incarceration and re-incarceration rates,
16 provide a new pool of labor to promote the New York workforce, and benefit the
17 state's budget and taxpayers.

18

19 **Summary of Provisions:**

20 Section 1 - Definitions

21 1. A "controlled substance" is a drug or chemical whose manufacture, possession,
22 or use is regulated by a government. Such substances include prescription drugs,
23 cocaine, and heroin.

24 2. To possess "a controlled substance in the second degree" is to knowingly and
25 illegally possess a controlled substance.

26 3. A "Class A-II felony" is the classification of the possession of a controlled
27 substance in the second degree. It carries a sentence of up to 10 years in prison.

28 4. A "Class A misdemeanor" is the classification of a criminal act that carries a
29 sentence of up to 1 year in prison.

30 5. "Detoxification rehabilitation" involves removing the entirety of harmful
31 substances from a patient and psychosocial treatment to remove a person's
32 dependence on controlled substances.

33

34 Section 2

35 §220.18

36 8. Criminal possession of a controlled substance in the second degree is a ~~class A-II~~
37 felony class A misdemeanor.

38 a. Those charged with the criminal possession of a controlled substance are to be
39 immediately rehabilitated for up to 90 days in place of a prison sentence in state-
40 approved rehabilitation facilities.

41 b. Patients can be released prior to 90 days of rehabilitation at the discretion of an
42 approved rehabilitation psychologist.

43 c. Patients are to be on probation for 180 days immediately after release from
44 rehabilitation.



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Committee Assignment:

Bill #:

45

46 **Justification:**

47 The dangerous heroin epidemic that plagues New York can be attributed to the
48 failure of current lackluster drug policies. Many help-seeking drug abusers are
49 incarcerated in prisons fueled by gangs, violence, and an internal drug trade, which
50 only aids the problem. That is represented by the national statistic that nearly 95%
51 of released offenders return to drug abuse and that an average 70% commit a new
52 crime (typically drug-driven) after release from imprisonment. The current
53 imprisonment policies for drug abuse ultimately hinder the economy of New York
54 direct the much-needed funds and taxes to the ever-growing prison population.
55 However, the rehabilitation mandated by this bill promises a solution. In effect,
56 rehabilitation will provide an opportunity for addicts to be rescued from their
57 addiction and it will result in a mass of reformed people contributive, rather than
58 obstructive, to society. Communities and the youth will be free from the plague of
59 drugs and drug addicts. Economically, the change in the offense classification from
60 a Class A-II felony to a Class A misdemeanor will make jobs more accessible to
61 former drug abuse offenders, promote the New York workforce and industry, and
62 lead to a more prosperous state.

63

64 **Fiscal Implications:**

65 In New York, the incarceration rate for the nonviolent criminal possession of a
66 controlled substance in the second degree, a Class A-II felony, is approximately
67 150 people per year. As the average annual cost per a prisoner in New York is
68 \$60,000 and the offense of §220.18 bears up to 10 years of imprisonment, New
69 York taxpayers spend approximately \$90 million dollars per year for incarcerated
70 offenders. However, the 90-day rehabilitation program, which will be in place of
71 imprisonment and cost approximately \$12 million dollars annually, will save New
72 York taxpayers up to approximately \$78 million dollars annually.

73

74 **Effective Date:**

75 This bill shall go into effect at the start of the tax season that follows its passage.

76



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FOR SOCIAL RESPONSIBILITY

Committee Assignment: Assembly Liberty 5

Bill #: AL-35

1 **Sponsors:** Victoria Cordova-Morote, Crystal Santiago, Aracely Perolta, Marleen
2 Halepota

3 **An Act To**

4 Amend § 466-a of the New York State Social Service Law to mandate mental health
5 screenings prior to individuals leaving the foster care system.
6

7
8 ***The People of the State of New York, represented in the Senate and Assembly do enact as follows:***
9

10 **Purpose**

11 To mandate foster youth mental screenings and proper mental care if needed.

12 **Summary of Provisions**

13 **Section 1: Definitions**

14 **Foster Care:** a system in which a minor has been placed into a ward, group home,
15 or private home of a state-certified caregiver, referred to as a "foster parent". The
16 placement of the child is normally arranged through the government or a social
17 service agency.

18 **Mental Health Screening:** a series of questions about lifestyle, eating and drinking
19 habits and mental wellness designed to check for potential mood or anxiety
20 disorders, including depression substance abuse and post-traumatic stress.

21 **Section 2:**

22 § 466-a. Agreements. The department shall enter into memorandums of
23 understanding with the office of mental health and the office of mental retardation
24 and developmental disabilities which shall facilitate access by those offices to child
25 care facilities providing transitional care to young adults as may be necessary for
26 those offices to meet their responsibilities for monitoring the care of young adults.
27 **Office administration will provide children with mental health screenings and**
28 **developmentally appropriate, medically necessary mental health screenings. If the**
29 **office fails to administer said screenings, they will pay a fee and the cost of any**
30 **remaining mental health care a child may need.**

31 **Justification**

32 Many New York State youth are placed in foster facilities for traumatizing reasons.
33 These include things like physical or sexual abuse, abandonment, and even
34 incarceration. The trauma caused by these issues can leave children mentally
35 unstable. However, upon implementation of this bill, we will be able to ensure that
36 all foster children are examined and given the proper care needed to eventually
37 become upstanding members of society.

38 **Fiscal Implications**

39 This bill has no fiscal implications at this time since they are covered by Medicaid.
40 Therefore, no new doctors will need to be employed and/or compensated. However,
41 children who were in New York foster care but now live in another state will need to
42 check with their state's Medicaid program to determine what health insurance
43 programs are available.

44 **Effective Date**

45 This bill will go into effect one year after passage.



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Committee Assignment: Assembly Liberty 5

Bill #: AL-36

1 **Sponsors:** Roma Carbone, Kiera Higgins, Megan Latas, Kelly Lozy-Lester

2

3 **AN ACT TO:** New York Consolidated Laws, Public Health Law - PBH § 2805-i. to
4 require all nurses to be trained on how to use a rape kit.

5 *The People of the State of New York represented in the Senate and*
6 *Assembly, do act as follows:*

7 **PURPOSE:** To make the handling of rape cases more efficient and readily prepared
8 by training all nurses in a hospital setting on how to use a rape kit.

9 **SUMMARY OF PROVISIONS:**

10 Section 1: Definitions

11 Rape: penetration, no matter how slight, of the vagina or anus with any body part
12 or object, or oral penetration by a sex organ of another person, without the consent
13 of the victim.

14 Rape kit: a container that includes a checklist, materials, and instructions, along
15 with envelopes and containers to package any specimens collected during the
16 exam. May also be referred to as a Sexual Assault Evidence Kit. The contents of the
17 kit vary by state and jurisdiction and may include: Bags and paper sheets for
18 evidence collection, Comb, Documentation forms, Envelopes, Instructions, Materials
19 for blood samples, Swabs.

20 Section 2: Provisions

21 Section 2805 of the New York Public Health Law

22 §2805. 4. No hospital or treating practitioner shall be liable in civil damages for
23 failing to comply with the requirements of subdivision one, two or three of this
24 section or acting in good faith to provide treatment as provided in subdivision three
25 of this section. 4-a. On and after April first, two thousand one, a hospital providing
26 treatment to alleged victims of sexual offenses shall be eligible to receive from the
27 division of criminal justice services, at no cost, sexual offense evidence collection
28 kits. 4-b. (a) All nurses on site should be trained on to know how to use a rape kit
29 to perform an examination on the victim in any situation at any time. (b) Rape kits
30 shall be in all hospitals, victims shall not have to pay for them, and all staff shall be
31 readily prepared to handle the situation.

32 **JUSTIFICATION:**

33 Currently in New York State, forensic nurses who have received special training to
34 conduct sexual assault evidentiary exams are the only ones who know how to
35 administer the kits. Our bill would require all nurses, rather than just specialized
36 nurses, to be trained on how to administer a rape kit.

37



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Committee Assignment: Assembly Liberty 5

Bill #: AL-36

38 **FISCAL IMPLICATIONS:**

39 The money would come from the state to pay the training required for nurses and
40 paying the same nurses to be on call. The average hourly rate for a nurse is \$32.45
41 per hour. Administering these tests will be part of the job that these professionals
42 already do.

43 **EFFECTIVE DATE:**

44 This year will go into effect two years after passage.



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Committee Assignment: Assembly Liberty 5

Bill #: AL-37

1 **Sponsors:** Cassie Dunbar, Sheridan Millington, Hunter Mulvey

2

3 **An Act To**

4 Amend §144 to Article 5 of the Public Building Law to Create single occupancy
5 unisex bathrooms in all public places.

6 ***The People of the State of New York, represented in the Senate and Assembly do enact as follows:***

7

8 **Purpose**

9 This bill will provide equality to the transgender people in our country that do not
10 receive the same treatment as people of their birth-sex by compelling all public
11 buildings to have at least two unisex, single occupancy bathrooms.

12

13 **Summary of Provisions**

14 Article 5 - PUBLIC BUILDINGS GENERALLY

15 140 - Fire and emergency protection in public buildings.

16 141 - Display of foreign flags on public buildings.

17 142 - Water conservation in public buildings.

18 143 - Lighting restrictions.

19 **Section 1**

20 Transgender: Relating to someone whose sense of identity and gender does not
21 correspond with their birth sex.

22 Restroom: A public lavatory.

23 **Section 2**

24 144 - Statutory: Every building that provides public male and female restrooms
25 must also provide one single occupancy unisex restroom. New public buildings will
26 require these bathrooms to be part of the construction plan and pre existing public
27 buildings will be required to provide them by January 1, 2020. A fine of \$10,000
28 will be imposed each year for any public building that does not comply with this
29 law.

30 **Justification**

31 If all public buildings have a unisex bathroom, it can make an individual that is
32 unisex feel less insecure. To an individual a bathroom special for them can help
33 them have a safe area that's reserved for them.

34 **Fiscal Implications**

35 Public institutions may have to incur the cost of adding bathrooms.

36

37 **Effective Date**

38 This bill shall go into effect on January 1, 2020.