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Committee Assignment: Senate 1

Bill #: S-01

1 **Sponsors:** Kitty Bogdan, Olivia Caines, Taylor Cicoria, Devon Goodbody

2
3 **An Act To** Amend § 125.05 of the New York State Public Health Law to decrease
4 legal time frame in which abortion is allowed

5
6 ***The People of the State of New York, represented in the Senate and***
7 ***Assembly do enact as follows:***
8

9 **Purpose** To change the amount of time in which a woman is able to have an
10 abortion from twenty-four weeks to only permitted in the first trimester, after the
11 first trimester abortion will only be available in exceptional circumstances.
12

13 **Summary of Provisions**

14 **Section 1: Definitions**

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

17 **Trimesters:** Pregnancy is typically broken into three periods, or trimesters, each of
18 about three months. Each trimester is defined as 12 weeks, for a total duration of
19 42 weeks, although the average duration of pregnancy is about 40 weeks.

20 **Fetus:** An unborn offspring, from the embryo stage (the end of the eighth week
21 after conception, when the major structures have formed) until birth.

22 **Curette:** a surgical instrument used to remove material by a scraping action,
23 especially from the uterus.

24 **Section 2: Provisions**

25 § 125.05 Homicide, abortion and related offenses; definitions of terms.

26 The following definitions are applicable to this article:

27 1. "Person," when referring to the victim of a homicide, means a human
28 being who has been born and is alive.

29 2. "Abortional act" means an act committed upon or with respect to a
30 female, whether by another person or by the female herself, whether she
31 is pregnant or not, whether directly upon her body or by the
32 administering, taking or prescription of drugs or in any other manner,
33 with intent to cause a miscarriage of such female.

34 3. "Justifiable abortional act." An abortional act is justifiable when
35 committed upon a female with her consent by a duly licensed physician
36 acting (a) under a reasonable belief that such is necessary to preserve
37 her life, or, (b) within ~~twenty-four weeks from commencement~~ the first trimester
38 of her pregnancy. A pregnant female's commission of an abortional act upon
39 herself is justifiable when she acts upon the advice of a duly licensed
40 physician (1) that such act is necessary to preserve her life, or, (2)
41 within ~~twenty-four weeks~~ the first trimester from the commencement of her



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pregnancy. The submission by a female to an abortifacient act is justifiable when she believes that it is being committed by a duly licensed physician, acting under a reasonable belief that such act is necessary to preserve her life, or, within ~~twenty-four weeks~~ the first trimester from the commencement of her pregnancy.

Justification

The first trimester limit, present in Roe vs. Wade, is recommended by many well-known organizations, including the Joint Oireachtas Committee, American Life League and the Citizens' Assembly. After hearing legal and medical experts from both sides of the abortion debate over the course of several years, this bill in a sense pleases both sides. The majority of women find out they're pregnant between four and six weeks. A first trimester (12 weeks) access period would give them time to confirm their pregnancy, consider their options and access care if required. Women should not feel rushed in making this critical decision, but on the contrary, exceeding the time frame longer than the first trimester puts the developing baby and mother at greater risk. The period up to the first trimester is termed early pregnancy. The other major milestones are viability – or the possibility of survival outside the womb – at approximately 23 to 24 weeks, and term at 37 to 42 weeks when fetal development has been completed. In New York State, a woman can currently get an abortion up to 24 weeks into her pregnancy, but a baby could survive outside of the womb at 23 weeks. In exceptional circumstances, where a woman has been told her baby will not survive outside the womb, or if her health or life is at serious risk, medical professionals under this bill are still permitted to perform an abortion.

Fiscal Implications

There are no fiscal implications applicable to this bill.

Effective Date

This bill will go into effect one year after passage.



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Committee Assignment: Senate 1

Bill #: S-02

1 **Sponsors:** Sydney Holland, Olivia Caines

2
3 **An Act To** Amend New York State Penal Law § 230.34 to change the punishment of
4 sex trafficking a child from a class b felony to a class a felony.

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

7
8 **Purpose** This bill will change the punishment of sex trafficking a child from a class
9 B felony to a class A felony.

10
11 **Summary of Provisions**

12 **Section 1: Definitions**

13 Class A felony: the most serious types of felonies such as first-degree murder,
14 rape, involuntary servitude of a minor, kidnapping in the first degree, or other
15 crimes that are considered to be heinous.

16 Class B felony: include crimes against a person or possession of illegal items

17 Child: anyone under the age of 18

18 Sex trafficking: human trafficking for the purpose of sexual exploitation, including
19 sexual slavery.

20 Pimp: a person who controls prostitutes and arranges clients for them, taking part
21 of their earnings in return.

22 **Section 2:Provisions**

23 **§ 230.34-a Sex trafficking of a child.**

24 1. A person is guilty of sex trafficking of a child when he or she,
25 being twenty-one years old or more, intentionally advances or profits
26 from prostitution of another person and such person is a child less than
27 eighteen years old. Knowledge by the defendant of the age of such child
28 is not an element of this offense and it is not a defense to a
29 the prosecution therefore that the defendant did not know the age of the
30 child or believed such age to be eighteen or over.

31 2. For purposes of this section:

32 (a) A person "advances prostitution" when acting other than as a
33 person in prostitution or as a patron thereof, and with intent to cause
34 prostitution, he or she directly engages in conduct that facilitates an
35 act or enterprise of prostitution.

36 (b) A person "profits from prostitution" when acting other than as a
37 person in prostitution receiving compensation for personally rendered
38 prostitution services, and with intent to facilitate prostitution, he or
39 she accepts or receives money or other property pursuant to an agreement
40 or understanding with any person whereby he or she participates in the
41 proceeds of prostitution activity.

42 ~~Sex trafficking of a child is a class B felony.~~ Sex trafficking of a child is a class A
43 Felony.



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Committee Assignment: Senate 1

Bill #: S-02

Justification

This bill is necessary because changing the sentence of sex trafficking a child from a class B felony to a class A felony will make sex traffickers less likely to commit the crime. With the increase in their sentence from 5-25 years to 20-25 years or life, the crime will be more serious and won't seem worth the risk. Our bill will keep our communities safer and reduce the number of children entered into sex trafficking each year.

Fiscal Implications

This bill will cost the state \$60,000 to keep each inmate in jail per year and last year, the NYPD arrested 228 pimps.

Effective Date

This bill will go into effect immediately after passage.



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Committee Assignment: Senate 1

Bill #: S-03

1 **Sponsors:** Zarib Alam and Gabe Hoglund

2
3 **An Act To:** An act to amend Labor Law §591 to require a quota of 10 community
4 maintenance hours per week unemployed for claimants receiving unemployment
5 benefits.

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

9
10 **Purpose:**

11 By creating a quota of 10 community maintenance hours, a quarter of the time
12 spent on a full-time job, for every week a claimant is unemployed, the community
13 life of a claimant is expected to greatly improve and the cost spent by the State on
14 labor for community maintenance will greatly decrease.

15 **Summary of Provisions:**

16 **Section 1 - Definitions**

17 1. "Claimant" shall refer to the individual making a claim for a government-
18 sponsored unemployment benefit.

19 2. A claimant's "weekly benefit" shall be one twenty-sixth of the remuneration paid
20 during the highest calendar quarter of the base period by employers. However, for
21 any claimant who has remuneration paid in all four calendar quarters during his or
22 her base period or alternate base period and whose high calendar quarter
23 remuneration during the base period is three thousand five hundred seventy-five
24 dollars or less, the benefit amount shall be one twenty-fifth.

25 3. "Remuneration" shall refer to the money paid for work or a service.

26 4. "Community maintenance" shall refer to work in maintenance, such as painting,
27 cleaning, or minor repairing, done on community property.

28 5. "Base period" shall refer to a one-year time span consisting of the last four out of
29 the most recent five calendar quarters worked by a claimant and shall be used to
30 determine a claimant's weekly benefit.

31 **Section 2**

32 Labor Law §591. Eligibility for benefits.

33 2. Availability and capability. Except as provided in section five hundred ninety-
34 one-a of this title, no benefits shall be payable to any claimant who is not capable
35 of work or who is not ready, willing and able to work in his usual employment or in
36 any other for which he is reasonably fitted by training and experience.

37 4. (a) An unemployed individual shall be eligible to receive benefits with
38 respect to any week only if such individual participates in reemployment services,
39 such as job search assistance services, available under any state or federal law, if



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the individual participates in ten weekly hours of community maintenance per week unemployed, excluding weeks or days that commence during an established and customary vacation period or holiday recess, if the individual has been determined to be likely to exhaust regular benefits and needs reemployment services pursuant to a profiling system established by the commissioner, unless the commissioner determines that:

(i) the individual has completed such services; or

(ii) there is justifiable cause for the claimant's failure to participate in such services.

Justification:

As the unemployment issue persists nationally and on state-wide level, with the current unemployment rate in NYS being 3.9%, action must be taken to rejuvenate both businesses and workers. In 2015, the State of Alabama required unemployment benefits to be based on service hours in an educational institution. Since then, Alabama's unemployment rate reduced considerably from 6.1% to 3.9%, clearly with some influence from the act passed. Additionally, community maintenance has been found to improve both mental and public health. In studies conducted by Florida National University, the University of Nevada, and Western Connecticut State University, community service has profound benefits. Overall, the studies found that service combatted depression, provided for a stronger community bond, and allowed for vast networking, all of which are critical in rebounding from unemployment, especially in communities experiencing a recession. Those bonds formed are expected to improve community life and business, therefore rejuvenating employment opportunities, all while saving the state money in labor for community maintenance.

Fiscal Implications:

As of November 2018, approximately 95,000 claimants were receiving unemployment benefits at a maximum of \$450 per week, or \$23,400 annually. New York State spends approximately \$2.22 billion annually on delivering those benefits. With this bill in place, the State will save a minimum of approximately \$553 million in labor costs for community maintenance annually.

Effective Date:

This bill shall go into effect one year after passage.



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Committee Assignment: Senate 1

Bill #: S-04

1 **Sponsors:** Cassandra Dunbar, Julia Morris, Madison Vaus

2
3 **An Act To** Add section 3 to election law 14-120 to make transparent all donations made to
4 PACs that support candidates in New York State.

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

7
8 **Purpose**

9 We introduce this bill as a way to expose anonymous donors that give donations to PACs to
10 support candidates in political elections in New York State.

11
12 **Summary of Provisions**

13 **Section 1**

14 PACS - short for political action committee.

15 Super PACS - a type of independent political action committee which may raise unlimited sums
16 of money from corporations, unions, and individuals but is not permitted to contribute to or
17 coordinate directly with parties or candidates.

18 Donor - a person who donates something, especially money to a fund or charity

19 Candidate - a person who applies for a job or is nominated for election.

20 Corporations - a company or group of people authorized to act as a single entity (legally a
21 person) and recognized as such in law.

22 Social Security Card - a nine-digit number issued to identify U.S. citizens, permanent residents,
23 and temporary residents

24
25 **Section 2**

26 § 14-120. Campaign contribution to be under true name of contributor.

27 1. No person shall in any name except his own, directly or indirectly make a payment or a
28 promise of payment to a candidate or political committee or to any officer or member thereof, or
29 to any person acting under its authority or in its behalf or on behalf of any candidate, nor shall
30 any such committee or any such person or candidate knowingly receive a payment or
31 promise of payment, or enter or cause the same to be entered in the accounts or records of
32 such committee, in any name other than that of the person or persons by whom it is made.

33 2. Notwithstanding subdivision one of this section, a partnership, as defined in section ten of
34 the partnership law, may be considered a separate entity for the purposes of this section, and
35 as such may make contributions in the name of said partnership without attributing such
36 contributions to the individual members of the partnership provided that any such contribution
37 made by a partnership to a candidate or to a political committee, shall not exceed, twenty-five
38 hundred dollars. In the event that such partnership contribution to any such candidate or
39 political committee exceeds twenty-five hundred dollars, the aggregate amount of such
40 contribution shall be attributed to each partner whose share of the contribution exceeds ninety-
41 nine dollars.



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Bill #: S-04

3. All PACs in New York State that give or donate money to a candidate or candidates will be required to disclose the names of the donors, business, or corporations, and any other businesses affiliated with the individual or business within thirty days of candidial election or until the money is put into effect.

Justification

PACs and Super PACs control an enormous amount of money that is spent on election campaigns with nearly no regulatory oversight. Given the amount of influence that this level of spending can have upon an election, it is critical to our democracy to understand the identity of those that are financing the PACs and Super PACs, so that voters can decide for themselves the credibility of the political speech that they generate and determine whether such speech is self-serving.

Fiscal Implications

There are no fiscal implications.

Effective Date

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



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Committee Assignment: Senate 1

Bill #: S-05

Sponsors: Jessica Graham, Isabella Negron-Main

An Act To

Amend § 995-c of Executive Law to mandate that all people convicted of a crime and admitted into a state jail or prison will have a DNA sample extracted and added to the New York State DNA Databank.

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 decrease recidivism rates, reduce false convictions and to provide a larger selection of DNA available to solving cold cases and everyday crime.

Summary of Provisions

Section 1: Definitions

DNA: Deoxyribonucleic acid, a self-replicating material present in nearly all living organisms as the main constituent of chromosomes. It is the carrier of genetic information. The fundamental and distinctive characteristics or qualities of someone or something, especially when regarded as unchangeable.

State DNA identification index: A database in which a DNA sample is extracted from criminals charged and convicted of all felonies and Penal Law misdemeanors gets entered.

Section 2:

§ 995-c. State DNA identification index. 1. Following the promulgation of a policy by the commission pursuant to subdivision nine of section nine hundred ninety-five-b of this article, the commissioner of criminal justice services is authorized to promulgate a plan for the establishment of a computerized state DNA identification index within the division of criminal justice services.

2. Following the review and approval of the plan by the DNA subcommittee and the commission and the filing of such plan with the speaker of the assembly and the temporary president of the senate, the commissioner of criminal justice services is hereby authorized to establish a computerized state DNA identification index pursuant to the provisions of this article.

3. (a) Any designated offender subsequent to ~~conviction and sentencing for a crime specified in subdivision seven of section nine hundred ninety-five of this article,~~ admittance into a New York State jail or prison following conviction of every crime shall be required to provide a DNA sample appropriate for DNA testing to determine identification characteristics specific to such person and to be included in a state DNA identification index pursuant



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43 to this article.

44 **Justification**

45 Unsolved crime is a large issue in this country. The New York State DNA Databank
46 serves as a method of criminal identification. Currently in New York, only felonies
47 and penal law misdemeanors are deemed worthy enough to mandate DNA entrance
48 into the system, but with this bill in place, every crime will have DNA samples
49 extracted. By taking DNA samples, we can reduce the repeat offender statistics in
50 our state. Not only will this DNA entrance help to reduce the recidivism rates in the
51 state, but will help with identification of cold case perpetrators and convict other
52 criminals linked to family who has had their DNA entered into the system. This bill
53 will serve as a huge step forward in conviction of criminals, reducing recidivism and
54 overall serving as an incentive to not repeat a crime.

55 **Fiscal Implications**

56 Due to the fact that this bill is allowing these state prisons and jails to choose
57 whatever method they want to use, fiscal values will vary between these
58 institutions. Some samples can range to be as cheap as about \$2.95 such as a
59 cheek swab, but pricier samples can be around \$400.

60 **Effective Date**

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



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Committee Assignment: Senate 1

Bill #: S-06

Sponsors: Mariam Sheikh & Esther Fajardo

An Act To

Amend Section 802 of the New York State Education Law to establish Muslim holidays in all New York State public schools.

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

Purpose

An act to amend the education law, in relation to establishing Eid-al Adha and Eid-Al-Fitr as school holidays.

Summary of Provisions

Section 1: Definitions

The days of the Islamic lunar calendar designated to begin on the tenth day of the month of Dhul Hijja and commonly known as "Eid-al-Adha", and the first day of Shawwai known as Eid-Al-Fitr

Eid al-Fitr: An important religious holiday celebrated by Muslims worldwide that marks the end of Ramadan, the Islamic holy month of fasting.

Eid al-Adha: The second of two Islamic holidays celebrated worldwide each year, and considered the holier of the two.

Section 2:

§802: It shall also be the duty of the commissioner to make special provision for the observance in the public schools of Lincoln's birthday, Washington's birthday, Memorial day and Flag day, and such other legal holidays of like character including Eid-al-Adha and Eid-Al-Fitr as may be hereafter designated by law when the legislature makes an appropriation therefor.

Justification

Adding Muslim holidays to the school calendar is not only a logistical step but also a symbolic one. New York state is known for its extremely diverse culture and accepting nature of people of different backgrounds. By including these holidays, it emphasizes this mindset of diversity and inclusion. Also, in a time where Islamophobia is on the rise, adding them will show that we as New Yorkers are above the discrimination and hate going on in this country. Every student is equal no matter what religion. A Muslim student shouldn't have to stress and choose between their holy day and their studies every year while other religions get weeks off to celebrate their holidays. This privilege should be available to every student, regardless of religious background. Muslims should have the same opportunity and respect that students of other faiths have.

Fiscal Implications

There are no fiscal implications.

Effective Date

This act shall take effect 1 year after its passage.



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Committee Assignment: Senate 1

Bill #: S-07

Sponsors: Niquita Varier, Olivia Stepper, Owen Coffey

An Act To

Amend Article 9 § 204 of the New York State Workers' Compensation Law by adding subsection 3 and 4 to provide paid leave for cancer patients based on their stage number.

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

Purpose

To provide a "paid sick leave" for those diagnosed with different stages of cancer.

Summary of Provisions

Section 1

Workday: a day on which one works.

Certified: having or proved by a certificate.

Treatment: medical care given to a patient for an illness or injury.

Appointment: an arrangement to do something, in this case an arrangement to meet with a certified doctor at a particular time and place.

Stage: diagnose or classify (a disease or patient) as having reached a particular stage in the expected progression of the disease.

Employee: paid worker who works for an employer.

Disability: someone who has a medical illness.

Guardian: someone who looks after and is legally responsible for someone who is unable to manage their own affairs, in this case a child.

Child: someone who is below the legal age of an adult, seventeen or younger.

Section 2

§ 204. Disability and family leave during employment.

1. Disability benefits shall be payable to an eligible employee for disabilities,...

Family leave benefits shall be payable to an eligible employee for the first full day when family leave is required and thereafter during the continuance of the need for family leave,...

2. (a) The weekly benefit for family leave that occurs (i) on or after January first, two thousand eighteen shall not exceed eight weeks during any fifty-two week calendar period and shall be fifty percent of the employee's average weekly wage but shall not exceed fifty percent of the state average weekly wage,...

3. Disability benefits shall be payable to a cancer bearing employee, or the guardian/spouse of a cancer bearing child/spouse, beginning with the first treatment during stage one cancer and thereafter for each following appointment, with a doctor, during a workday. The Disabled is required to have a medical form, the Physician Letter Certification of Diagnosis, from a certified physician in order to be eligible for the "paid leave". Cancer patients, or a guardian/spouse of a cancer patient, are subject to the limitations as to maximum and minimum amount of pay and days of a "paid sick leave".



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Bill #: S-07

4. Stage zero cancer patients are accustomed to the established average amount of "sick days" and shall not exceed ten days. The weekly benefit for a family leave (i) of a stage one cancer patient is acknowledged for eight weeks during any fifty-two week calendar period and shall be fifty percent of the employee's average weekly wage, but shall not exceed fifty percent of the state average weekly wage, (ii) of a stage two cancer patient is acknowledged for ten weeks during any fifty-two week calendar period and shall be fifty-two percent of the employee's average weekly wage, but shall not exceed fifty-two percent of the state average weekly wage, (iii) of a stage three cancer patient is acknowledged for ten weeks during any fifty-two week calendar period and shall be fifty-two percent of the employee's average weekly wage, but shall not exceed fifty-two percent of the state average weekly wage, (iv) of a stage four cancer patient is acknowledged for twelve weeks during any fifty-two week calendar period and shall be fifty-five percent of the employee's average weekly wage, but shall not exceed fifty-five percent of the state average weekly wage, and (v) of a cancer patient that is undergoing chemotherapy is acknowledged for a long-term disability insurance that shall not exceed five months and shall not exceed fifty percent of the employee's average weekly wage but shall not exceed fifty percent of the state average weekly wage.

Justification

Passing this bill will ensure the stability, physically and financially, of those suffering from malignant cancerous tumors. Most cancer patients have one priority in mind: getting better. But the reality of it is, cancer is expensive even with health insurance. While many people are fighting to survive, a majority are also struggling to keep food on the table, and keep their job. Having the option and ability to have both a stable job and have good health is important, especially when raising a family. Cancer treatment gets more expensive depending on what stage is being treated, and since cancer cells are more harmful and destructive at higher stages, the treatments are more persistent and frequent. Not only is paid leave important in treatments, but a paid leave improves worker retention, which in turn helps save employers money through reduced turnover costs.

Fiscal Implications

The family leave fund is paid for through a payroll tax. This will allow for the extension of leave without affecting the state budget or on taxes, but it will deplete the funds faster. Payroll taxes generally fall into two categories: deductions from an employee's wages, and taxes paid by the employer based on the employee's wages.

Effective Date

This bill will go into effect on January 1st, 2020.



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Committee Assignment: Senate 1

Bill #: S-08

Sponsors: Zachary Kelly-Spadafino, Gabriela Abreu, Sydney Edwards, Rosa Fiorela

An Act To

Amend § 12-102 of the New York State Energy Law to mandate the use of solar energy in the construction of new residential homes.

Article

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 mandate the use of solar energy in newly constructed residential homes. This will promote the reduction of nonrenewable energy and fulfill the state's renewable energy initiative.

Summary of Provisions

Section 1: Definitions

Renewable energy: energy sources that will not get depleted by use, such as wind and solar

Newly constructed: projects for which a building permit is issued after the date of passage of the bill

Residential building: Any building which is designed or is to be used primarily as a dwelling or household as defined by the state fire prevention and building code council, including any factory manufactured home as defined in subdivision eight of section three hundred seventy-two of the executive law and any mobile home as defined in subdivision thirteen of section three hundred seventy-two of the executive law.

Fossil fuels: a natural fuel that comes from sources like coal or gas; contributes to global warming

Nonrenewable energy: energy that comes from a limited source, such as oil or coal.

Section 2: Provisions

The legislature hereby finds and declares that the use of renewable energy technologies, ~~such as specifically~~ solar energy, within the state should be ~~encouraged~~ required to the maximum extent possible; that effective, well-designed, carefully manufactured and properly serviced solar thermal systems are essential for the development of a viable solar industry; that false claims, fraudulent sales practices, shoddy workmanship, equipment failures and poor



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Committee Assignment: Senate 1

Bill #: S-08

servicing of products would inhibit the growth of the solar industry; that adequate warranty protections should be made available to consumers in order to prevent such deceptions; that certain warranty protections are presently made available to consumers of products normally used for personal, family or household purposes pursuant to the Federal Magnuson-Moss Warranty Act; 1 and that warranty protections should be made available to purchasers of all solar energy products in this state, regardless of use.

Justification

Whereas the nation is plummeting into a state of negligence when it comes to the negative effects of climate change, the State of New York must take a leadership position in quelling and countering them. According to the Environmental Protection Agency, 31% of greenhouse gas emissions come from electricity and heat production in buildings. This runs alongside the fact that since 2000, greenhouse gas emissions have increased by about 35%. In addition, the Organization for Economic Cooperation and Development expects the Greenhouse Gas Emissions Per Capita to increase by 43.5% from 2010 to 2050. Thus, the State of New York must act to prevent these ominous statistics from coming to fruition. California has recently passed legislation with a similar mandate, affording it unfathomable opportunity for economic growth and the creation of thousands of new jobs in the renewable energy sector. By implementing this legislation, we will ignite the process of reducing New York State's contributions to polluting the atmosphere while simultaneously pathing a new economic path forward for generations to come.

Fiscal Implications

Based on levelized energy costs calculated in 2018, the initial costs of installing renewable energy sources such as solar panels is higher than that of non renewable sources such as coal, with costs ranging from \$152-206/MW-hr for gas and \$160-267MW-hr for solar PV, among other sources. However, the cost of nonrenewable energy continues to drop each year, with a 56% drop in cost over the past five years. Overall, due to the lower monthly costs, homeowners would save money. It is important to note that non renewable energy may seem cheaper, but with full cost pricing and the environmental costs weighed in, non renewable energy ends up being more expensive. This bill has no fiscal implications on the state's budget, but rather on the citizens impacted by it.

Effective Date

This bill will go into effect on January 1 following its passage.



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Committee Assignment: Senate 2

Bill #: S-09

Sponsors: Colleen Griffin-Turk and Alanah Fitzgerald

An Act To: Amend §7 of the NYS constitution article II to require that voters present photo identification at polling stations before voting.

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

Purpose:

To decrease electoral fraud and voter impersonation by implementing a more effective voter verification system.

Summary of Provisions:

Section 1:

Electoral Fraud- illegal interference with the process of an election, either by increasing the vote share of the favored candidate, depressing the vote share of the rival candidates, or both.

Voter Impersonation- is a type of vote fraud in which a person claims to be someone else when casting a vote.

Vote- a formal indication of a choice between two or more candidates or courses of action, expressed typically through a ballot or a show of hands or by voice.

Voting- give or register a vote

Polling station- is a type of vote fraud in which a person claims to be someone else when casting a vote.

Provisional Ballot- used to record a vote when there are questions about a given voter's eligibility that must be resolved before the vote can count.

Section 2:

The people of New York State who exercise their right to vote would be subjected to mandation of presenting photo identification at their polling station. Upon entrance to the polling station voter must present photo identification. Acceptable photo identification would include a drivers license, passport, student ID, state ID, employee card, tribal ID with photo, or U.S. military identification card. If a voter does not have a form of photo identification present, they can fill out a provisional ballot which will be held for up to five days at the county register's office. Before the five day period is over the voter must go to the county register's office and present photo identification. §7 The legislature shall provide for identification of voters through their signatures in all cases where personal registration is required and shall also provide for the signatures, photo identification.



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Committee Assignment: Senate 2

Bill #: S-09

Justification:

The current system in place for voter verification is easily manipulated. With only a verification of signatures required many cases of voter impersonation and fraud occur. The number of cases in New York State continues to grow each year. In order to ensure a completely democratic system of voting, there should be no allotment of advantages to political candidates, an unfortunate side effect of electoral fraud. Enacting the mandate of presenting photo identification, would significantly limit the amount of fraudulent voting cases. If by chance a voter did not have photo identification with them, they fill out a provisional ballot and have five days to go to the county register's office and present photo identification. This provision would significantly decrease the amount of electoral fraud in the state and would protect the right of every eligible voter to vote.

Fiscal Implications:

This bill has no fiscal implications. There would be no added cost for mandating the showing of identification.

Effective Date:

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



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Committee Assignment: Senate 2

Bill #: S-09

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RESEARCH

? what are the facts supporting the need for this in NYS? Is there any evidence of such "fraud."
how many voter fraud cases occur each year? you should have this information on hand for questions, rebuttal, pro/con, and/or in your opening or closing
definitely make sure you have statistics and numbers on hand to backup your claims
? what are the arguments against requiring ID?
?Do you think that having this ID rule will by itself suppress voter participation?
look at other states and what they have done, make sure you know which states already have voter ID laws in place as it will strengthen your argument
https://www.voteriders.org/news_item/



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Committee Assignment: Senate 2

Bill # S-10

Sponsors: Samir Ghimire, Aanzan Sachdeva

AN ACT TO: Amend paragraph 16 § of section 3221 of the insurance law and § six of section 6527 of the education law to not require health insurance for FDA approved contraceptive pills and to authorize a registered professional nurse to administer or dispense emergency contraception to a patient.

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 mandate NYS hospitals to offer and distribute contraceptives, free of cost, without the need of health insurance.

SUMMARY OF PROVISIONS:

Section 1:

Contraceptives: A device or drug serving to prevent pregnancy.

Plan B: Works like other birth control pills to prevent pregnancy. The drug acts primarily by stopping the release of an egg from the ovary. Prevents fertilizations and/or prevents fertilized eggs from attaching to the womb.

Health Insurance: "Absorbs" or offsets health care costs associated with but not limited to, routine health examinations, specialist referral visits, inpatient and outpatient surgeries, unforeseen eventualities such as illnesses and injuries and prescription medication.

Cost Sharing: occurs when patients pay for a portion of health care **costs** not covered by health insurance.

Section 2:

Paragraph 16 § of section 3221 of the insurance law

~~(16) No policy delivered or issued for delivery in this state which provides coverage for prescription drugs and for which cost sharing deductibles or coinsurance obligations are determined by category of prescription drugs shall impose cost sharing, deductibles or co-insurance obligations for any prescription drug that exceeds the dollar amount of cost sharing, deductibles or co-insurance obligations for non-preferred brand drugs or its equivalent (or brand drugs if there is no non-preferred brand drug category).~~ FDA approved contraceptive pills will be free of cost to the public without the need of health insurance. There will be no out of pocket payments or cost sharing needed for obtaining the pill. This does not include abortion pills, procedures or birth control implants.

§ Six of section 6527 of the education law

A licensed physician may prescribe and order a non-patient specific regimen to a registered professional nurse, pursuant to regulations promulgated by the commissioner, and consistent with the public health law, for:



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Committee Assignment: Senate 2

Bill # S-10

- (a) administering immunizations.
- (b) the emergency treatment of anaphylaxis.
- (c) administering purified protein derivative (PPD) tests or other tests to detect or screen for tuberculosis infections.
- (d) administering tests to determine the presence of the human immunodeficiency virus.
- (e) administering tests to determine the presence of the hepatitis C virus.
- (f) the urgent or emergency treatment of opioid related overdose or suspected opioid related overdose.
- (g) screening of persons at increased risk of syphilis, gonorrhea and chlamydia.
- (h) administering or dispensing contraceptive pills

Justification:

According to the National Academies Press, up to 82% of teen pregnancies are unwanted. A widely-cited study from the *American Journal of Obstetrics and Gynecology* sampled over 4,000 women and found that the rape-related pregnancy rate was over 5.0 percent, meaning that over 200 women became pregnant against their will. Some of these women may be unable to get contraceptive pills due their costs, may not have the insurance to pay for it or are in a situation in the moment were they need it immediately. Women who are victims of rape may need a Plan B pill right away and in the moment may not have a resource to pay for it. Without insurance, contraceptive pills can cost from \$35 - \$60 per pill, amounting to \$720 annually. Conceiving a child and then bringing it into the world is a life-changing responsibility, one ought to choose whether or not they want to do so. This Bill considers women's moral values in that many women are against abortion, and so instead they can utilize a contraceptive pill before any fertilization or development of the fertilized egg occurs. It is intended to make this pill easily obtained by all women regardless of their financial status. You can't put a price on a choice, let alone a life. This bill ensures women are able to control their bodies and healthcare choices, by being able to obtain free contraceptive pills from all NYS public hospitals.

Fiscal Implications:

The fiscal implications of this bill will be minimal because hospitals will be contracting with the same company that provides contraceptive pills at the lowest possible cost while still maintaining the overall quality of the pill, and also because hospitals receive medication in bulks, meaning that they pay much less than the public.

Effective Date:

This bill will go into effect January 1st of the year following its passage



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Committee Assignment: Senate 2

Bill #: S-11

Sponsors: Benjamin McNutt and Richard Kaufman IV

AN ACT TO: Amend Article 5 of the General Obligations Law by adding Title 18 in relation to mandating disclosure of non-fiduciaries who provide investment advice, and mandate all individuals providing investment advice in relation to retirement savings and funds act as a fiduciary in that regard.

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

PURPOSE: We initiate this bill to mandate greater disclosure and transparency among non-fiduciaries serving as financial and investment advisors in an effort to protect New York.

SUMMARY OF PROVISIONS:

Section 1: Definitions

Fiduciary: An individual who is legally obligated to act according to any instructions from their client(s) or, where there are no instructions, act in the best interest of their client(s), and to avoid conflicts of interests.

Non-Fiduciary: An individual who is not legally obligated to uphold the duties of a fiduciary, and is therefore not obligated to act in the best interests of their client(s).

Financial Advisor: An individual who provides guidance in relation to investment decisions in a formal setting for payment, a title for which no license is required. As referred to in Section 2, financial advisors include but are not limited to individuals and organizations identifying as: brokers, dealers, investment advisors, financial planners, or financial consultants.

Retirement Funds: Any funds dedicated for retirement, located in accounts including but not limited to: 401(k), 403(b), IRA, and HSA.

Disclosure: The action of making something known by one party to all parties via a verbal or written statement.

Section 2:

§ 5 TITLE 18

FINANCIAL ADVISORS TRANSPARENCY AND REGULATION

§ 5-1801. All non-fiduciary financial advisors are required to make a plain language disclosure to their clients verbally and in writing at the outset of their relationship which ensures their clients understand their advisor's potential conflicts of interest. Such disclosure will read as follows: "I am not a fiduciary. Therefore, I am not required to act in your best interests, and I am allowed to recommend investments and decisions which may serve to monetarily benefit myself and my firm, even if such investments or courses of action are not best suited for your interests or situation."

2. Clients of non-fiduciary financial advisors must sign an acknowledgement that the advisor provided the plain language disclosure as stated in § 5-1801.1. Such signed acknowledgement is to be kept in the possession of the non-fiduciary advisor or his or her firm or organization, and it must be able to be produced and provided should it be requested by a pertinent government agency or party with such jurisdiction in relation to pertinent investigations or legal inquiries. The advisor must also give a copy to their client.



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Committee Assignment: Senate 2

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42 3. An individual or firm who fails to produce such signed acknowledgement documents upon
43 request by pertinent government agencies or other parties with such jurisdiction can be
44 charged with Falsifying Business Records in the first degree, a Class E Felony. Convicted
45 individuals or firms will be subject to punishment outlined in applicable sections of the New
46 York State Penal Code, including a fine of up to five thousand dollars and jail time.

47 4. An individual or firm who is found to have failed to provide adequate disclosure of their
48 non-fiduciary status can be charged with Issuing a False Certificate, a Class E Felony.
49 Convicted individuals and firms will be subject to punishments outlined in applicable sections of
50 the New York State Penal Code, including a fine of up to five thousand dollars and jail time.
51 § 5-1802 All financial advisors dealing with retirement funds shall be required to act as a
52 fiduciary when working with the retirement funds, sufficiently carrying out for their clients all
53 the required legal obligations and duties of a fiduciary.

54 2. Financial advisors who manage and work with funds both retirement and not, are only
55 required to act as a fiduciary when making decisions and suggestions regarding the retirement
56 funds. When not acting as a fiduciary regarding a client's non-retirement funds, that individual
57 must make the same disclosure detailed in § 5-1801.

58 3. Any individual or firm found to be in violation of their fiduciary duties can be charged with
59 Scheming to Defraud in the first degree, a Class E Felony. Convicted individuals and firms will
60 be subject to punishments outlined in applicable sections of the New York State Penal Code,
61 including a fine of up to five thousand dollars and jail time.

62 **JUSTIFICATION:**

63 According to a Reuters report, there were approximately 285,000 financial advisors in the
64 United States as of 2015. This is a vast number of choices for American and New York
65 consumers to choose from, however a lack of regulation and transparency makes these choices
66 a near minefield to navigate for the average citizen. A large amount of those 285,000 financial
67 advisors are what as known as non-fiduciaries, or individuals who are not legally obligated or
68 required to act in the best interests of their clients. Instead, these non-fiduciaries can make
69 decisions and suggestions which can result in a great deal of fees or monetary gain for
70 themselves and their firm while their clients may stand to benefit very little. Due to there being
71 no required disclosure as to whether or not financial advisors are non-fiduciaries, we have no
72 clue how many financial advisors fall into this category, and neither do consumers. These are
73 troubling circumstances, especially considering how many retirees or retiring New Yorkers
74 frequent these same types of advisors for retirement fund advice. According to the Bureau of
75 Labor Statistics, the median annual pay for a financial advisor in 2017 was a staggering
76 \$90,000 compared to the real median household income of \$61,000 for the same year. The
77 financial services industry specifically advisors continue to see monetary success while the
78 benefits seen by their clients are often questionable at best. This bill will serve to educate and
79 protect New York consumers when dealing with financial advisors, and help us understand just
80 how widespread this problem is.

81 **FISCAL IMPLICATIONS:** Minimal to none. Passage of this bill will have a negligible effect on
82 the New York State budget.

83 **EFFECTIVE DATE:** This bill shall go into effect on January 1st following one full year after
84 passage.



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Committee Assignment: Senate 4

Bill #: S-12

Sponsors: Kirsten Gollhofer, Max Gollhofer, Liana Grosser, and Molly Showers

An Act To

Amend Environmental Conservation Law to add a new Title 30 under Article 27 which mandates that food service and retail establishments discharge of used and unused food waste in more sustainable ways.

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

Purpose

To mandate that food service and retail establishments discard any food in more sustainable ways including, but not limited to, giving wholesome food to legitimate charity organizations, composting, and donating for animal feed.

Summary of Provisions

Section 1: Definitions

Wholesome Food: food with good enough value to be eaten

Legitimate Charity Organizations: charities certified by state and/or federal government

Section 2

Environmental Conservation Laws

Article 27: Collection, Treatment, and Disposal of Refuse and Other Solid Waste

Title 28:

Food service and retail establishments must discard unused food in certified sustainable methods approved by the Department of Environmental Conservation which includes, but is not limited to, scrapping for animal feed, donating wholesome food to legitimate charity organizations, and composting.

Establishments that can not afford this method of discard may file an application for a 15 month waiver from the Department of Environmental Conservation, where the Commissioner would review and approve in necessary.

Justification

Food waste is an increasing, yet quiet, epidemic facing New York state, the country, and the world. According to the United States Department of Agriculture, an estimated 30-40% of the total food supply is wasted in the country. Research performed by the USDA over a span of eight years (ending in 2014) showed that Americans waste over 150,000 tons of food per day, roughly one pound per person.



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Committee Assignment: Senate 4

Bill #: S-12

This has shown to have a major environmental impact; for example, research performed by ReFed, an organization whose goal is to mitigate food waste across America, showed that food waste consumes roughly 21% of fresh water, 19% of fertilizer, 21% of cropland, and 21% of landfills in America. The issue is that supermarkets, restaurants, and consumers are not doing anything to downsize this waste. Enacting this bill would put New York at the forefront of fighting the war on food waste, helping to reduce the negative effects on the environment.

Fiscal Implications

There will be minimal fiscal implications for this bill in terms of processing applications for waivers and certifying food service and retail establishments sustainable disposition of food.

Effective Date

Two years after passage.



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Committee Assignment: Senate 2

Bill#: S-13

Sponsors: Rachel Blake, Ashleigh Rosen, Cameron Conger, Jake Conger

An Act To

Amend § 4130 of the VITAL STATISTICS Law to create an opt in policy for mothers to donate their placenta for research purposes.

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 enable hospitals to conduct further investigations into the health benefits and risks of the placenta.

Summary of Provisions

Section 1

Definitions:

Placenta: A nutrient rich organ which is expelled from the body during childbirth.

Oxytocin: A chemical that balances stress and helps the post-childbirth body heal and stabilize.

Postpartum depression: depression suffered by a mother following childbirth, typically arising from the combination of hormonal changes, psychological adjustment to motherhood, and fatigue.

Section 2

§ 4130. Births; registration.

5. When a birth occurs in a hospital, the person in charge of such hospital or his designated representative shall obtain the personal data, prepare the certificate, secure the signatures required by the certificate and file it with the registrar. The physician in attendance or a physician acting in his behalf shall certify to the facts of birth and provide the medical information required by the certificate within five days after the birth.

6. Upon the conclusion of childbirth, the mother may choose to donate her placenta to the hospital for research purposes.



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Committee Assignment: Senate 2

Bill#: S-13

Justification

Women for many years have chosen to consume their own placenta after giving birth, believing that it has incredible healing and strengthening properties. However, this claim has no evidence to back it up. In fact, as eating one's placenta has become a recent trend, there have been cases of infections as a result. The Center for Disease Control and Prevention [CDC] has even issued a warning to new mothers about risk of infection. Many celebrities such as Kim Kardashian and Mayim Bialik have ingested their placenta and swear by it, which is a cause of the recent trend. One of the supposed properties of the placenta is that it cures postpartum depression, which affects one in seven new mothers. This could potentially mean that the severe issue of postpartum depression can be cured by consuming the placenta. On the other hand, it could equally mean risk of infection to the mother and thus the baby. There is shockingly little research done on placentas. This bill will enable such research to be done using placentas donated by mothers. Hospitals who wish to conduct such research will collect placentas in a process similar to organ donation, so that all the necessary tests will be run on the placentas to ensure their health.

Fiscal Implications

There are no fiscal implications.

Effective Date

One year after the passage of this bill.



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Committee Assignment: Senate 2

Bill #: S-14

Sponsors: Allison GiamBruno and Sofia Choppa

An Act To

Amend S 230.01 to make the act of prostitution legal for any individual over the age of New York State's legal age of consent. Under article 42, tax revenue would be 7%

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 lower the rate of human trafficking related to sex crimes in New York, lower the number of sexually transmitted diseases within the sex worker community, and create an overall safer environment for individuals involved in sex work.

Summary of Provisions

A person is guilty of prostitution when such person engages or agrees or offers to engage in sexual conduct with another person in return for a fee.

~~Prostitution is a class B Misdemeanor.~~

Justification

Individuals involved in the act of prostitution have long been afraid to seek help to get out of their current situation or to report a crime that had been committed against them while working because they would be seen as the criminals. With the passing of this bill, individuals involved in such work would be able to freely report violence that has been inflicted upon them with no fear of being criminalized. Not only would this bill decriminalize the act of prostitution but create a safer health environment for those involved. With the passing of this bill sex workers would be required to be tested for sexually transmitted diseases monthly. The passing of this bill would also require brothels to be regulated, therefore decreasing the percentage of illegal trafficking related to sex crimes.

Revenue- if this bill passes, we would increase the tax by 7%

Fiscal Implications

There are no fiscal implications with this bill. The passing of this bill would create a source of tax revenue for New York State as well as create new job opportunities for individuals living in New York State.

Effective Date: July 1st, 2019



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Committee Assignment: Senate 2

Bill #: S-15

Sponsors: Daniel Melendez and Treshelle Pierre

An Act To:

Amend section 65-c of the Alcoholic Beverage Control law to lower the legal drinking age to eighteen.

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

Purpose:

To spread awareness about drinking safely by lowering the drinking age from twenty-one to eighteen.

Summary of Provisions:

Section 1: Definitions

Alcoholic consumption- Alcoholic beverage or beverage mean and include alcohol, spirits, liquor, wine, beer, cider and everyday liquid, solid, powder or crystal, patented or not, containing alcohol, spirits, wine or beer, and capable of being consumed by a human being.

Section 2:

Unlawful possession of an alcoholic beverage with the intent

to consume by persons under the age of ~~twenty-one years~~ eighteen years

1. Except as hereinafter provided, no person under the age of ~~twenty-one years~~ eighteen years shall possess any alcoholic beverage, as defined in this chapter, with the intent to consume such beverage.

2. A person under the age of ~~twenty-one years~~ eighteen years may possess any alcoholic beverage with intent to consume if the alcoholic beverage is given:

(a) to a person who is a student in a curriculum licensed or registered by the state education department and the student is required to taste or imbibe alcoholic beverages in courses which are a part of the required curriculum, provided such alcoholic beverages are used only for instructional purposes during class conducted pursuant to such curriculum;

(b) to the person under ~~twenty-one years~~ eighteen years of age by that person's parent or guardian.



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Committee Assignment: Senate 2

Bill #: S-15

5. Whenever a peace officer as defined in subdivision thirty-three of section 1.20 of the criminal procedure law or police officer as defined in subdivision thirty-four of section 1.20 of the criminal procedure law shall observe a person under ~~twenty-one years~~ Eighteen years of age openly in possession of an alcoholic beverage as defined in this chapter, with the intent to consume such beverage in violation of this section, said officer may seize the beverage, and shall deliver it to the custody of his or her department.

7. Any New York State law under the Alcohol Beverage Control law will be changed from twenty-one-years old to eighteen years old.

Justification:

Eighteen is the age of adulthood in the United States, and adults should have the right to make their own decisions about alcohol consumption. When you turn the age of eighteen you are allowed to join the military, buy a house, college, get voted in for a state legislative, get married and go to jail. Even though biological science shows that the human brain isn't able to take in alcohol until the age of twenty-five, but behavioral science shows that teens can handle their alcohol intake better than adults. Teens from the ages of 16-19 years of age show 10% alcohol related accidents, while adults over the age of Twenty-one show 37%-54%.

Fiscal Implications:

There will be no fiscal implications to this bill.

Effective Date:

This law should go into effect one year after its passage.



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Committee Assignment: Senate 2

Bill #: S-16

Sponsors: Marleen Halepota and Crystal Santiago

An Act To

Amend Article 130 of the Education Law, to add §6509-e to prohibit mental health professionals from engaging in conversion therapy efforts with all patients.

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

Purpose

To ban the use of conversion therapy in New York State by mental health professionals.

Summary of Provisions

Section 1: Definitions

Conversion Therapy: the pseudoscientific practice of trying to change an individual's sexual orientation from LGBTQIA+ to heterosexual using psychological or spiritual interventions.

Mental Health Professional: health care practitioner or community services provider who offers services for the purpose of improving an individual's mental health or to treat mental disorders.

LGBTQIA+: is an initialism that stands for lesbian, gay, bisexual, transgender, queer or questioning of the sexual identity, intersex, asexual, and any additional expressions of sexuality.

Homosexual: (of a person) sexually attracted to people of one's own sex.

Heterosexual: (of a person) sexually attracted to people of the opposite sex.

Lesbian: a homosexual woman.

Gay: (of a person, especially a man) homosexual.

Bisexual: sexually attracted to both men and women.

Transgender: denoting or relating to a person whose sense of personal identity and gender does not correspond with their birth sex.

Queer: denoting or relating to a sexual or gender identity that does not correspond to established ideas of sexuality and gender, especially heterosexual norms.

Section 2:

§ 6509-e. Additional definition of professional misconduct; mental health professionals. 1. For the purposes of this section:

a. "Mental health professional" means a person subject to the provisions of article one hundred fifty-three, one hundred fifty-four or one hundred sixty-three of this title; or any other person designated as a mental health professional pursuant to law, rule or regulation.

b. "Sexual orientation change efforts" (I) means any practice by a mental health professional that seeks to change an individual's sexual orientation, including, but not limited to, efforts to change behaviors, gender identity, or gender expressions, or to eliminate or reduce sexual or romantic attractions or feelings towards individuals of the same sex and (ii) shall not include counseling for a person seeking to transition from one gender to another, or psychotherapies that: (A) provide acceptance, support and understanding of patients or the facilitation of patients' coping, social support and identity exploration and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices; and (B) do not seek to change sexual orientation.

2. It shall be professional misconduct for a mental health professional to engage in conversion therapy efforts upon any patient, and any mental health professional found guilty of such misconduct under the procedures prescribed in section sixty-five hundred ten of this sub article shall be subject to the penalties prescribed in section sixty-five hundred eleven of this sub article.

Justification

Being lesbian, gay, bisexual, or transgender is not a disease, disorder, illness, or deficiency. Mental health professional currently is allowed to administer conversion therapy with the intention of turning a homosexual individual to heterosexual. This treatment is stated by The American Psychological Association, to be harmful and even life threatening. They concluded after research that conversion therapy can pose critical health problems on those who identify other than heterosexual. These health risk include confusion, depression, guilt, hopelessness, shame, suicidality, substance abuse, stress, self-hatred, low self-esteem, hostility, and much more. Unfortunately, the list goes on and these individuals in turn face life altering experiences as a result of conversion therapy. These experiences include loss of friends and partners, problems with intimacy, loss of faith, feeling of dehumanization, and in end even suicidal tendencies. All of these negative factors hold a direct connection with conversion therapy, which is a treatment that consists of questionable scientific validity. With the bill proposed, we wish to go one step further in protecting the innocent lives of those who just wish to be loved and to love by banning the use of conversion therapy by mental health professionals on all patients. Mental health professions are educated with the importance of helping their patient and holding their wellbeing and mental state as their main priority, therefore they should no longer be able to abuse their patients with conversion therapy. Love is love and everyone should be able to live in peace with that belief.

Fiscal Implications

There are no fiscal implications to the bill.

Effective Date

This bill will go into effect one year after passage.



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Committee Assignment: Senate 3

Bill #: S-17

1 **Sponsors:** Finn Brauer, Scott Cottier, Alex Garcia, and Andrew Parsnip

2
3 **An Act To** Amend Article 33 § 1225-c of the New York State Vehicle and Traffic
4 Law

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

7
8 **Purpose** To increase the penalties for the use of mobile telephones while operating
9 a motor vehicle in New York State.

10
11 **Summary of Provisions**

12 **Section 1: Definitions**

13 Mobile Telephone: The device used by subscribers and other users of wireless
14 telephone service to access such service.

15 Using: Holding a mobile telephone to, or in the immediate proximity of, the user's
16 ear or calling on or answering a mobile telephone by pressing a single button.
17 Viewing, taking, or transmitting images, playing games, performing a command or
18 request to access a webpage for purposes of present or future communication, or
19 composing, sending, reading, viewing, accessing, browsing, saving, or retrieving
20 email, text messages, instant message, or other electronic data. This includes
21 reaching for a mobile telephone in a manner that requires such person to maneuver
22 so that he or she is no longer in a seated driving position.

23 Motor Vehicle: Every vehicle operated or driven upon a public highway which is
24 propelled by any power other than muscular power.

25 **Section 2:Provisions**

26 Section 2 Vehicle and Traffic Law 33.1225-c. An operator of any motor vehicle who
27 holds a mobile telephone to, or in the immediate proximity of, his or her ear while
28 such vehicle is in motion is presumed to be engaging in a call within the meaning of
29 this section; provided, however, that an operator of a commercial motor vehicle
30 who holds a mobile telephone to, or in the immediate proximity of, his or her ear
31 while such vehicle is temporarily stationary because of traffic, a traffic control
32 device, or other momentary delays is also presumed to be engaging in a call within
33 the meaning of this section except that a person operating a commercial motor
34 vehicle while using a mobile telephone to engage in a call when such vehicle is
35 stopped at the side of, or off, a public highway in a location where such vehicle is
36 not otherwise prohibited from stopping by law, rule, regulation or any lawful order
37 or direction of a police officer shall not be presumed to be engaging in a call within
38 the meaning of this section. The presumption established by this subdivision is
39 rebuttable by evidence tending to show that the operator was not engaged in a call.
40 A violation of subdivision two of this section shall be a traffic infraction and shall be
41 punishable by a fine of not less than ~~fifty~~ one hundred dollars nor more than two
42 hundred dollars upon conviction of a first violation; upon conviction of a second
43 violation, both of which were committed within a period of eighteen months, such



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violation shall be punished by a fine of not less than ~~fifty three hundred~~ five hundred dollars nor more than ~~two hundred fifty~~ five hundred dollars; upon conviction of a third or subsequent violation, all of which were committed within a period of eighteen months, such violation shall be punished by a fine of not less than ~~fifty five hundred~~ one thousand dollars nor more than ~~four hundred fifty~~ one thousand dollars.

Justification

In New York State, on average, 9 people are killed each day as a result of crashes involving a distracted driver, which amounts to 3,285 deaths per year, according to the NYS Department of Motor Vehicles. 48.6% of drivers say they answer incoming phone calls while driving. Considering there are more than 210 million licensed drivers in America, slightly more than 102 million drivers were answering calls and 50 million drivers were placing calls while driving in 2014. At any given daylight moment across America, 2.18 million drivers were using some type of mobile device at a typical daylight moment. In 2016, 26% of the drivers involved in fatal crashes were reported as being distracted at the time of the crashes, and of these, 23% were using cell phones. According to the National Safety Council, in 2017, 26% of motor vehicle accidents were caused by cell phone use while operating such vehicle.

Fiscal Implications

This bill has no fiscal implications.

Effective Date

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



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Committee Assignment: Senate 3

Bill #: S-18

Sponsors: Sophie Burhans, Logan Luke, Josie Williams

An Act To

Amend Penal Code PEN §130.35 to raise the penalty of first-degree rape from a class B felony to a class A-II felony.

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 change first-degree rape from a class B felony to a class A-II felony.

Summary of Provisions

Section 1: Definitions

Class A-II Felony: For a class A-II felony, such minimum period shall not be less than three years nor more than eight years four months, except that for the class A-II felony of predatory sexual assault as defined in section 130.95 of this chapter or the class A-II felony of predatory sexual assault against a child as defined in section 130.96 of this chapter, such minimum period shall be not less than ten years nor more than twenty-five years.

Class B Felony: A Class B felony in New York is one step below murder, meaning that homicide, armed robbery, rape, drug trafficking, or a violent assault could all qualify for a Class B felony in New York. For a class B felony, the term shall be fixed by the court, and shall not exceed twenty-five years

Predatory Sexual Assault: A person is guilty of predatory sexual assault when he or she commits the crime of rape in the first degree, criminal sexual act in the first degree, aggravated sexual abuse in the first degree, or course of sexual conduct against a child in the first degree, as defined in this article, and when: In the course of the commission of the crime or the immediate flight therefrom, he or she: Causes serious physical injury to the victim of such crime; or Uses or threatens the immediate use of a dangerous instrument; or He or she has engaged in conduct constituting the crime of rape in the first degree, criminal sexual act in the first degree, aggravated sexual abuse in the first degree, or course of sexual conduct against a child in the first degree, as defined in this article, against one or more additional persons.



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Committee Assignment: Senate 3

Bill #: S-18

35 Section 2:Provisions

- 36 1. A person is guilty of rape in the first degree when he or she engages in
37 sexual intercourse with another person: By forcible compulsion; or Who is
38 incapable of consent by reason of being physically helpless; or Who is less
39 than eleven years old; or Who is less than thirteen years old and the actor is
40 eighteen years old or more. Rape in the first degree is a class ~~B-felony~~ A-II
41 felony.

42
43 Justification

44 The changes proposed in this bill are important because rape is an awful act
45 committed on innocent people and offenders must have worse punishments for a
46 crime that oftentimes ruins the mental and physical state of victims. If this bill is
47 passed, it will increase the punishment of rape in the first degree to that of
48 predatory sexual assault, which includes rape. The definition of predatory sexual
49 assault is very similar to that of rape in the first degree so that the crimes are
50 almost indistinguishable to the victim. The mental toll these two very similar crimes
51 take on the victim should be reflected in the punishment of the offenders. The
52 elevation of rape in the first degree to a class A-II felony will not only even the
53 punishment of the two crimes, this will assure that convicted offenders are given at
54 least ten years of sentencing rather than what is decided by the court. This bill will
55 ensure victims that they are getting the justice they deserve for this heinous crime.

56
57 Fiscal Implications

58 This bill will cost the state sixty thousand dollars per year for each inmate which is
59 the same it costs for any other class of felony. This bill will not raise the taxes of
60 citizens. The average lifetime expenses for recovery for a victim of rape is one
61 hundred twenty-two thousand four hundred sixty-one dollars, much of which is not
62 covered by the state including, but not limited, to post-exposure HIV prophylaxis
63 and post-exposure counseling.

64
65 Effective Date

66 This bill will go into effect 30 days after its passage.



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Committee Assignment: Senate 3

Bill #: S-19

Sponsors: Odalys Fuentes, Courtney Pisano, Dahlia Ramos and Lesli Lopez

An Act To

Amend §1193 subsection b of the New York State Vehicle Traffic Law and raise the time in which a person's license is revoked.

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 raise the revocation period in which offenders have their license revoked from six months to a minimum of a year for people who have committed a prior DWI or a DWAI offence.

Summary of Provisions

Section 1: Definitions

DWI: Driving While Intoxicated.

DWAI: Driving While Ability Impaired.

Section 2:

§1193. 2. License sanctions. (a) Suspensions. Except as otherwise provided in this subdivision, a license shall be suspended and a registration may be suspended for the following periods:

(1) Driving while ability impaired. Ninety days, where the holder is convicted of a violation of subdivision one of section eleven hundred ninety-two of this article;

(2) Persons under the age of twenty-one; driving after having consumed alcohol.

Six months, where the holder has been found to have operated a motor vehicle after having consumed alcohol in violation of section eleven hundred ninety-two-a of this article where such person was under the age of twenty-one at the time of commission of such violation.

(b) Revocations. A license shall be revoked and a registration may be revoked for the following minimum periods:

(1) Driving while ability impaired; prior offense. ~~Six months~~ A minimum of a year, where the holder is convicted of a violation of subdivision one of section eleven hundred ninety-two of this article committed within five years of a conviction for a violation of any subdivision of section eleven hundred ninety-two of this article.

(1-a) Driving while ability impaired; misdemeanor offense. ~~Six months~~ A minimum of a year, where the holder is convicted of a violation of subdivision one of section eleven hundred ninety-two of this article committed within ten years of two previous convictions for a violation of any subdivision of section eleven hundred ninety-two of this article.

(2) Driving while intoxicated or while ability impaired by drugs or while ability impaired by the combined influence of drugs or of alcohol and any drug or drugs; aggravated driving while intoxicated. ~~Six months~~ A minimum of a year, where the



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holder is convicted of a violation of subdivision two, three, four or four-a of section eleven hundred ninety-two of this article. One year where the holder is convicted of a violation of subdivision two-a of section eleven hundred ninety-two of this article. (3) Driving while intoxicated or while ability impaired by drugs or while ability impaired by the combined influence of drugs or of alcohol and any drug or drugs; aggravated driving while intoxicated; prior offense. One year, where the holder is convicted of a violation of subdivision two, three, four or four-a of section eleven hundred ninety-two of this article committed within ten years of a conviction for a violation of subdivision two, three, four or four-a of section eleven hundred ninety-two of this article. Eighteen months, where the holder is convicted of a violation of subdivision two-a of section eleven hundred ninety-two of this article committed within ten years of a conviction for a violation of subdivision two, two-a, three, four or four-a of section eleven hundred ninety-two of this article; or where the holder is convicted of a violation of subdivision two, three, four or four-a of section eleven hundred ninety-two of this article committed within ten years of a conviction for a violation of subdivision two-a of section eleven hundred ninety-two of this article.

Justification

The bill sponsors would like to raise the time of revocation for offenders to a minimum of a year because the bill sponsors feel that six months simply isn't enough. Year upon year, hundreds of people drive while using alcohol or drugs and because of this many end up dying or being severely injured. If a person can't drive responsibly, despite already committing a DWI or DWAI, then they should have a more extensive punishment. In 2014 there was a total of 7,849 alcohol-related motor vehicle crashes and 1,239 motor vehicle crashes in New York. In total, 440 of those crashes were fatal. These alarming statistics demonstrate the importance of this bill, many New Yorkers are losing their lives because of the irresponsibility of others. In order to make our roads safer, we need to go to the root of the problem and increase the revocation period.

Fiscal Implications

There are no fiscal implications.

Effective Date

This bill shall go into effect one year after its passage.



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Committee Assignment: Senate 3

Bill # S-20

Sponsors: Aiden Genender, Anna Schiavoni and Thomas Schiavoni Jr.

An Act To amend education law (EDN) section 3204 in relation to scheduling the starting time of school for secondary education to be no earlier than 8:30 am.

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

Purpose

All New York State schools which provide secondary education are to be prohibited from starting the school day for before the hour of eight-thirty am.

Summary of Provisions

Section 1

Secondary education-means instruction of academic grades between the elementary grades and college or university.

Public school-an elementary or secondary school funded by tax funds and the local government

Charter school-an elementary or secondary school independently established by teachers, parents or community groups under terms of a charter with a local or national government authority.

Nonpublic school-any nonprofit elementary or secondary school in the State of New York, other than a public school.

Section 2

Section 3204 of education law 4. Length of school sessions.

a. A full time day school or class, except as otherwise prescribed, shall be in session for not less than one hundred ninety days each year, inclusive of legal holidays that occur during the term of said school and exclusive of Saturdays and shall not begin any school day for secondary education in public, charter or non-public schools before the hour of eight-thirty am.

b. A part time day school or class shall be in session each year for at least four hours of each week during which the full time day schools are in session, and shall not begin any school day for secondary education in public, charter and non-public schools before the hour of eight-thirty am.

Justification

A lack of sleep by youths in the prescribed age range directly contributes to higher risk of the following illnesses: obesity, addictions, heart disease, depression, anxiety and many more.

Other results of a lack of sleep include poor performance in academics, lower immune system activity and overall lack of energy.

Fiscal Implications

Impact on the state budget will not be affected since the state government will continue to allocate monies to individual school districts and those districts will determine the daily schedule within state law.

Effective Date

This law will take effect at the beginning of the following school semester.



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Committee Assignment: Senate 3

Bill #: S-21

1 **Sponsors:** Alex Fenstermacher, Sam Brown, and Uriel Korin

2
3 **An Act To**

4 Amend §2164 of the Public Health Law to require mental health screenings for incoming
5 freshmen at high schools.

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 ensure that all students are aware of the mental health
11 problems they face and understand that there are options provided by the school
12 that can help them cope with it.
13

14
15 **SUMMARY OF PROVISIONS**

16 **Section 1: Definitions**

17 **Mental health:** a person's condition with regard to their psychological and emotional
18 well-being.

19 **Mental health screening:** the patient undergoes a mental status exam to determine
20 any mental health issues.

21 **SDQ mental health screening:** the SDQ

22 (Strengths and Difficulties Questionnaire) is a general psychosocial screening for
23 emotional symptoms, conduct problems, hyperactivity/inattention, peer relationship
24 problems, and pro-social behavior (not included in score); a separate scale
25 assesses impact of symptoms on global functioning.

26 **Section 2: Provisions**

27 (a) No principal, teacher, owner or person in charge of a school shall permit any
28 child to be admitted to such school, or to attend such school, in excess of fourteen
29 days, without the certificate provided for in subdivision five of
30 this section or some other acceptable evidence of the child's immunization against
31 poliomyelitis, mumps, measles, diphtheria, rubella, hepatitis B, varicella and, where
32 applicable, Haemophilus influenzae type b (Hib) and the Strengths and Difficulties
33 Questionnaire (SDQ) mental health screening (a school psychologist would
34 administer this exam to all 8th grade students at some point during the year);
35 provided, however, such fourteen day period may be extended to not more than
36 thirty days for an individual student by the appropriate principal, teacher, owner or
37 other person in charge where such student is transferring from out-of-state or from
38 another country and can show a good faith effort to get the necessary certification
39 or other evidence of immunization.



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Committee Assignment: Senate 3

Bill #: S-21

JUSTIFICATION

Students entering high school may have mental health issues unbeknownst to them, and this bill provides the opportunity to become aware, both for the safety of the school and the individual student. Thus, the school can make available its full resources to better the health of the students. Students have a right to receive help for their mental health and this test grants them an opportunity to find out precisely what they need. Administering this exam prior to entrance into high school is the optimal time due to the escalation of mental health issues upon reaching adolescence.

FISCAL IMPLICATIONS

There will be minimal fiscal implications for this bill. The Strengths and Difficulties Questionnaire (SDQ) is a freely accessible, self administered test. School districts will have to decide how much of their budget they want to allocate to the psychologists for supervising the exam.

EFFECTIVE DATE

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



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Committee Assignment: Senate 3

Bill #: S-22

Sponsors: Jadyn Turner

An Act To

Amend Article 19 § 409 of the Education Law by adding subsection 3 and 4 to install "panic alarms" in NYS public schools to increase school safety measures in classrooms and make what is going on in schools aware to people outside the building, in the event there is an emergency.

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 add safety measures into New York state schools, so that students, teachers and other staff in public schools are safe during their time in and around the school.

Summary of Provisions

Section 1

Panic Alarm: The bill defines "panic alarm" as a silent security system signal generated by the manual activation of a device intended to signal a life-threatening or emergency situation that requires a response from law enforcement.

School Safety Emergency: An emergency within the vicinity of the school that effects to safety of the students and staff in the school that could leave them with fatal injury or death.

Law Enforcement: A group of police or other first responders that will go to the school in case of an emergency that requires outside help.

Section 2

§ 409. School building regulations in relation to health and safety.

1. All school buildings of common, union free, central, central high school and city school districts other than city school districts of cities having one hundred twenty-five thousand inhabitants or more and boards of cooperative educational services shall comply with such regulations as the commissioner shall adopt from time to time for the purpose of insuring the health and safety of pupils and staff in relation to proper heating, lighting, ventilation, sanitation and health, fire and accident protection.

2. Notwithstanding the provisions of any other law, rule or regulation, tobacco use shall not be permitted and no person shall use tobacco on school grounds. "School grounds" means any building, structure and surrounding outdoor grounds, including entrances or exits, contained within a public or private pre-school, nursery school, elementary or secondary school's legally defined property boundaries as registered in a county clerk's office.

3. All public elementary, middle and high schools will be required to be equipped with a series of panic alarm for use during a school safety emergency, including, but not limited to, a non-fire related evacuation, a lockdown, a possible bomb or



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other explosive weapon or active shooter situation any of these happening in or around the school property. The panic alarm, which will not be heard within the school building, but must be directly linked to law enforcement authorities and must immediately transmit a signal or message to the authorities upon activation in any location from within the building.

4. All public elementary, middle and high schools are required to be equipped with a red emergency light that is fastened to the exterior of the school building and is in a highly visible location above or close to the front entrance and is visible from the nearest public roadway or, if the school building is not visible from the nearest public roadway, then the panic alarm should be located in a location surrounding the school visible on that roadway. It is required that the emergency light be linked to the school's panic alarm so that it turns on when the panic alarm is activated.

Justification

This bill is very important because there are so many school shootings. It is at the point where the students in school are now known as the "massacre generation". We see school shootings all the time and act as if they are normal which they shouldn't be, so we need to take a stand and we have to do something about it. On average we have one school shooting every eight days, that is two school shootings every three weeks but, this counts all the time we are off from school as well so, we wind up have more than one school shootings per week. With countless lives lost we have to do something. With this bill we can lower the rate of shots fired if there is a school shooting because we can get police there faster so that they can respond to the issue and get the students and staff in and around the building to safety much faster. In addition to this they will be able to stop the shooter faster as they are in the building faster.

Fiscal Implications

The bill directs that the panic alarms and emergency lights will be paid for by bonds that are issued by New York state after the school district pays or gets bonds to pay for the first \$10,000 towards the safety implications for the district as a whole.

Effective Date

This bill will go into effect on January 1st, 2020.



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Committee Assignment: Senate 3

Bill #: S-23

Sponsors: Jennifer Jalal and Melisa Kilic

An Act To

RESOLUTION- The members of the assembly urge congress to guarantee voting rights to parolees in New York, excluding sex offenders and murders.

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

Purpose

To restore the voting rights of those on parole excluding sex offenders and murders.

Summary of Provisions

Whereas, in the 15th Amendment it states that the federal or state government should deny any citizen the right to vote based on race, color, or previous conditions of servitude such as if said person was in prison.

Whereas, currently in New York no person who has been convicted of a felony may register to vote at any election unless they have been pardoned or restored to the rights of citizenship by the governor, or their maximum sentence of imprisoned has expired, or they have been discharged from parole.

Whereas, Tens of Thousands of New Yorkers are deprived of their right to vote because of previous conviction or their current status on parole.

Whereas, these people are active members of society, who despite do the same thing as every other American, are not allowed to express their opinions in a legal setting.

Whereas, Disenfranchisement of individuals disproportionately affects people with minority backgrounds, therefore reducing the representation of the minority population.

Whereas, there is a strong correlation between voting participation and reduced rates of recidivism, creating a safer environment in New York.

Whereas, the right to vote is a fundamental part of reintegrating someone into society and helps transform individuals into law-abiding and productive citizens.

Fiscal Implications

No fiscal implications for this bill

Effective Date

This bill will go into effect January 1, 2019



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Committee Assignment: Senate 3

Bill #: S-24

Sponsors: Ryan Penson, James Pinnell

AN ACT TO: Add to § 137 of Article 6 of the Correction Law to prohibit all persons under the age of 18 from being admitted to any solitary Special Housing Unit, Segregated Housing (Including PIMS), or Juvenile Separation Unit and to prohibit any person admitted to any solitary Special Housing Unit or Segregated Housing (Including PIMS) from remaining for longer than 1 year.

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

Purpose:

To decrease the number of post-solitary confinement suicides and mental disease, and abolish the inhumane practice of solitary confinement for minors.

Summary of Provisions:

Section 1: Definitions

Minor: Any person under the age of 18 years. Includes the term "juvenile", even if a person under the age of 18 was charged for a crime as an adult.

Special Housing Unit: Inmates are securely separated from the general inmate population and may be housed alone under disciplinary or safety measures. Social interaction and exercise is limited. Includes the term "Segregated Housing".

PIMS: Abbreviation for Progressive Inmate Movement System.

Solitary: 1 individual inmate housed in a cell with no interaction with other inmates or visitors during their time.

Section 2: Provisions

5.(a) Inmates participating in any solitary confinement, Special Housing Unit, or PIMS program may not be admitted into a solitary housing unit if they are under the age of 18 years, even if the juvenile inmate was charged, and is serving, as an adult.

(b) No inmate may remain in any solitary Special Housing Unit or solitary disciplinary Special Housing Unit for longer than 1 year from the day the inmate was placed into the Special Housing Unit. Only the Commissioner may warrant repeated admission to a Special Housing Unit in an appropriate circumstance.

(c) No inmate in the care or custody of the department shall be subjected to degrading treatment, and no officer or other employee of the department shall inflict any blows whatever upon any inmate, unless in self-defense, or to suppress a revolt or insurrection. When any inmate, or group of inmates, shall offer violence to any person, or do or attempt to do any injury to property, or attempt to escape, or resist or disobey any lawful direction, the officers and employees shall use all suitable means to defend themselves, to maintain order, to enforce observation of



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discipline, to secure the persons of the offenders and to prevent any such attempt or escape.

6. Except as provided in paragraphs (d) and (e) of this subdivision, the superintendent of a correctional facility may keep any inmate confined in a cell or room, apart from the accommodations provided for inmates who are participating in programs of the facility, ~~for such period as may be necessary for a period not~~ extending one year from the time the inmate was initially placed into the solitary housing unit, for maintenance of order ~~or discipline~~. But in any such case the following conditions shall be observed:

(a) The inmate shall be supplied with a sufficient quantity of wholesome and nutritious food, provided, however, that such food need not be the same as the food supplied to inmates who are participating in programs of the facility;

(b) Adequate sanitary and other conditions required for the health of the inmate shall be maintained;

Justification:

According to the U.S. Department of Justice and the American Journal of Public Health, "... in the New York City jail system from January 1, 2010, through January 31, 2013, 2182 acts of self-harm were committed, (103 potentially fatal and 7 fatal). Although only 7.3% of jail admissions included any form solitary confinement, 53.3% of acts of self-harm and 45.0% of acts of potentially fatal self-harm occurred within this group. After we controlled for gender, age, race/ethnicity, serious mental illness, and length of stay, we found self-harm to be associated significantly with being in solitary confinement at least once, serious mental illness, being aged 18 years or younger, and being Latino or White, regardless of gender." This shows a correlation between solitary confinement and self-harm. This bill, in the process of reforming these harmful solitary confinement practices, will decrease the amount of post-solitary confinement inmates performing acts of self-harm or even suicide.

Fiscal Implications:

This bill will have no fiscal implications.

Effective Date:

This bill will go into effect 90 days after passage.



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Committee Assignment: Senate 4

Bill #: S-25

Sponsors: Justin Iorio, Joseph Mazzaella, Makayla Willets

An Act To Add section 4 to the New York State Penal 125.15

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

Purpose

To punish opioid dealers for causing overdose deaths by selling opioids to users with a class C felony of manslaughter in the second degree. By implementing additional legislation to combat drug dealers, the amount of opioids in the hands of the public will decrease. Ultimately, opioid related death rate will be driven down in the State of New York.

Summary of Provisions

Section 1: Definitions

Opiate: relating to, resembling, or containing opium

Controlled Substance: an illegal drug that can have a detrimental effect on a person's health and welfare

Class C felony: For a class C felony, the term shall be fixed by the court, and shall not exceed fifteen years

Manslaughter: the unlawful killing of another person without premeditation or lack of prior intention to kill anyone or create a deadly situation.

Section 2:

§ 125.15 Manslaughter in the second degree.

A person is guilty of manslaughter in the second degree when:

1. He recklessly causes the death of another person; or

2. He commits upon a female an abortifacient act which causes her death, unless such abortifacient act is justifiable pursuant to subdivision three of section 125.05; or

3. He intentionally causes or aids another person to commit suicide.

4. By the sale of an opiate controlled substance when such opiate controlled substance causes the death of the person to which the opiate was sold.

Justification

In New York State, approximately 2,750 lives in one year were taken due to overdosing on opioids. Opioid use across New York State is an epidemic that must be dealt with. Citizens obtain opioids by illegal sale, the passage of this bill will hold opiate drug dealers responsible for the overdose deaths of individuals. By convicting dealers of the class C felony of manslaughter, the amount of opioids in the hands of the public will decrease because there will be less opiate dealers. This will ultimately drive down the opioid related death rate in the State of New York.

Fiscal Implications There will be no additional fiscal implications on New York State with the passage of this bill.

Effective Date This bill will go into effect six months after passage.



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Committee Assignment: Senate 4

Bill #: S-26

Sponsors: Alexander Fingland, Jaidyn Hill, Jacob Monroe

An Act To Amend §125.3- g of NYS Fire and safety regulations to require all New York State School Districts (public and private) to purchase and install (1) simple trauma kit for every (4) classrooms in active use.

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

Purpose

We initiate this bill as a way to increase New York State students' chances of surviving any traumatic event including school shootings in the school environment.

Summary of Provisions

Section 1: Definitions

Simple Trauma Kit: A standard medical kit upgraded with the key addition of clot gauze and tools required for the use of the clot gauze in the context of severe trauma injuries.

Classroom: A room used for the purpose of academic instruction, measuring in excess of 10' squared.

School Shooting: Any incident of violence or with violent intent in which a firearm is present.

Active Use Classroom: Any classroom in a school that will be occupied by students during a school day

Section 2:

§125.3 Fire and safety regulations.

(g) Other safety standards.

(1) Safeguards shall be provided to protect children against injury on account of low windows, exposed pipes, hatchways and window wells.

(2) Peeling or damaged paint or plaster shall be repaired.

(3) Paint containing lead shall not be used on walls, window sills, beds, toys or any equipment accessible to children.

(4) A first-aid kit ~~shall be provided~~ containing both conventional first-aid needs such as band-aids, antibacterial ointment, and burn cream to treat conventional injuries,



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Committee Assignment: Senate 4

Bill #: S-26

as well as a wall-mounted simple trauma kit containing a minimum of: 20 pairs of rubber gloves, 10 rolls *Z-Medica Quikclot gauze 3" x 48"*, a set of 5 oral airways, 5 pairs medical scissors, 5 standard tourniquets and alcohol prep pads should be located in ¼ of all the rooms in every school. It shall be kept in a clean container, out of reach of young children. Installation of simple trauma kits will be accompanied by instruction of students and staff as to their locations and basic use.

Justification

2018 Has been a year with an unprecedented number of school shootings in the United States, with 23 recorded incidents and 113 people killed or injured. Tragically, it would appear that many people are taking out their anger on schools as of late. While attempts to seriously regulate weaponry have fallen by the wayside, our New York State Schools have been reduced to examining ways to lessen casualties rather than prevent events. Most school plans include security measures such as lock-down drills and active shooter drills. The next logical step is to provide better medical equipment in schools that could help the lives of those students brought to harm by severe accidents and traumatic events. The current NYS regulations on fire and safety mandate that all schools have a medical kit suited to the characteristics of a classroom. Incorporating a number of simple trauma kits will provide access to essential supplies where they are needed most.

Fiscal Implications

There are about 75,000 classrooms in New York and each kit costs \$108.22 with one kit per every four classrooms. The estimated cost to equip 1 in 4 classrooms with a simple trauma kit is around \$ 2,206,000. This initiative would be paid for by a \$6.50 surcharge on every firearm sold in New York State. Since more than 80% of firearms used in school shootings over the past 30 years have been legally purchased, it stands to reason that an ongoing surcharge on legally-obtained firearms would be acceptable.

Effective Date

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



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Committee Assignment: Senate 4

Bill #: S-27

Sponsors: Anastasia Acerno, Chris Padilla, Stephanie Perez, Stephany Grande

An Act To

Amend Section 353 of Article 26 of the New York State Agriculture and Markets Law relating to Cruelty to Animals to state that any animals faced with neglect or mistreatment leading to animal cruelty will face a felony charge.

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

Purpose

This bill will ensure that any animal owners who are making their animals overdriven, tortured, injured, or neglected, will face a felony charge in order to prevent future instances.

Summary of Provisions

Section 1: Definitions

Animal: every living creature besides a human being, domestic, farm-raised, wild

Felony: a crime for which the punishment in federal law may be imprisonment for more than a year or death

Misdemeanor: an offense punishable with a maximum of one year in a county jail.

Mutilate: inflict a violent and disfiguring injury on

Overdrive: drive or work to exhaustion

Overload: to load something or someone to excess

Torture: the action or practice of inflicting severe pain on a creature as a punishment or to force them to do something

Maim: a wound or injury that leaves part of the body with permanent damage

Section 2

A person who overdrives, overloads, tortures or cruelly beats or unjustifiably injures, maims, mutilates or kills any animal, whether wild or tame, and whether belonging to himself or to another, or deprives any animal of necessary sustenance, food or drink, or neglects or refuses to furnish it such sustenance or drink, or causes, procures or permits any animal to be overdriven, overloaded, tortured, cruelly beaten, or unjustifiably injured, maimed, mutilated or killed, or to be deprived of necessary food or drink, or who willfully sets on foot, instigates, engages in, or in any way furthers any act of cruelty to any animal, or any act tending to produce such cruelty, is guilty of a felony, punishable by imprisonment for not more than one year, or by a fine of not more than one thousand dollars, or by both.



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Nothing herein contained shall be construed to prohibit or interfere with any properly conducted scientific tests, experiments or investigations, involving the use of living animals, performed or conducted in laboratories or institutions, which are approved for these purposes by the state commissioner of health. The state commissioner of health shall prescribe the rules under which such approval shall be granted, including therein standards regarding the care and treatment of any such animals. Such rules shall be published and copies thereof conspicuously posted in each such laboratory or institution. The state commissioner of health or his duly authorized representative shall have the power to inspect such laboratories or institutions to insure compliance with such rules and standards. Each such approval may be revoked at any time for failure to comply with such rules and in any case the approval shall be limited to a period not exceeding one year.

Justification

Given the growing public recognition of the rights of animals, many states have been working on passing bills in order to ensure that animals are being treated in a humane way. Cases of animal cruelty can include being overworked, underfed, being hung, being shot at, or even being set on fire. These animals include farm animals, domesticated pets, and wild animals. Animals on hunting grounds and animals on farms being killed for food and production are excluded. Other states have made laws to ensure that cases such as these are not being handled as misdemeanors but instead as felonies. These cases can happen on farms or in neighborhoods and have either left animals dead or with injuries that either leave the animal in permanent damage or in enough damage to where the animal has to be euthanized. This bill is to ensure that not only are the people committing these acts are being held accountable but also so that New York State can follow along in passing bills in favor of animal rights.

Fiscal Implications

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

Effective Date

This bill will be effective 6 months after passage.



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Committee Assignment: Senate 4

Bill #: S-28

Sponsors: Daisy-Ann Norman, Courtney Mapp, and Dejanae Carter-Montaque

An Act To Amend the correction law § 611 to include the ability of a pregnant woman who is in jail at least 1 family member in the delivery room when they go into labor.

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

Purpose To allow at least one family member is in the delivery room of a pregnant woman to allow support for the delivery of their baby.

Summary of Provisions

Section 1: Definitions

Labor: the process of childbirth, especially the period from the start of uterine contractions to delivery.

Incarcerated: imprison

Shackled: chained

Section 2

(13) No restraints of any kind shall be used when such woman is in labor, admitted to a hospital, institution or clinic for delivery, or recovering after giving birth. Any such personnel as may be necessary to supervise the woman during transport to and from and during her stay at the hospital, institution or clinic shall be provided to ensure adequate care, custody, and control of the woman. At least one family member should be present in the delivery room of the incarcerated pregnant woman to allow for emotional support and smooth delivery of the baby.

Justification The United States has the highest incarceration rate of women in the world, with over 205,000 women currently behind bars in either state and federal prisons or jails and another million on probation or parole. Between 5 and 10 percent of women enter prison and jail pregnant, and approximately 2,000 babies are born to incarcerated women annually. All women, regardless of incarceration status, deserve to have a safe, healthy, and dignified pregnancy and delivery, which necessarily entails freedom from medically unsafe and dehumanizing restraints. Many incarcerated mothers and newborns are separated after delivery. The least emotional support that New York State can allow for pregnant women is to allow for at least one family member in the delivery room of the child because women already go through traumatizing experiences after separated from their child. The combination of being separated from their babies, the severe isolation, and the poor physical care during the pregnancy and postpartum periods place new mothers at an increased risk for mental disorders following birth, including postpartum depression and postpartum psychosis. Hence, to lower such risk at least a family member should be present for the birth of the child.

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

Effective Date This bill will be effective 1 year after passage.



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Committee Assignment: Senate 4

Bill #: S-29

Sponsors: Grace Meredith

AN ACT TO: Amend the tax law, in relation to establishing a tax on carbon based fuels and to amend the state finance law, in relation to establishing the carbon tax revenue fund.

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 create a disincentive in the form of a carbon tax, to decrease the consumption of carbon fuels that are known to cause climate change, in favor of renewable sources of energy.

SUMMARY OF PROVISIONS:

Section 1: The tax law is amended by adding a new article 21-B to read as follows:

§ 530. Definitions: Furthermore the following words or phrases shall mean;

(a) "Carbon-based fuel" means coal, natural gas, petroleum products and any other product used for fuel that contains carbon and emits carbon dioxide when combusted

(b) "Distributor" means a person who imports carbon-based fuel for use, distribution, or sale within the state, or a person who produces, refines, manufactures, or compounds carbon-based fuel within the state for use, distribution, or sale.

(c) "Petroleum products" means propane, gasoline, unleaded gasoline, kerosene, number 2 heating oil, diesel fuel, kerosene based jet fuel, and number 4, number 5 and number 6 residual oil for utility and non-utility uses, and all petroleum derivatives, whether in bond or not, which are commonly burned to produce heat, power, electricity or motion or which are commonly processed to produce synthetic gas for burning.

(d) "Consumer" means a person who purchases carbon-based fuel for his or her own consumption.

(e) "Market Purchase" means a purchase of carbon-based fuel made by a person for his or her own consumption.

(f) "Tax Liability" means the total amount of tax debt owed by an individual, corporation, or other entity that is taxable under this law.

Section 2: § 531. Imposition of the rate of tax. (a) It is levied that the tax shall be at five dollars per ton of carbon in any carbon-based fuel that is sold to consumers within New York State. The tax rate shall increase annually based off of inflation. The department shall calculate the tax liability linked with any market purchase by multiplying the rate specified in this section by the total amount of carbon in each carbon-based fuel sold to consumers in the state.

(b) A distributor shall pay to the commissioner an excise tax per gallon determined by the department pursuant to subdivision (a) of this section upon each gallon of carbon-based fuel sold by such distributor in the state during the calendar month covered by the return required pursuant to subdivision (c) of this section. The tax imposed under this section shall be collected by the distributor upon completion of any sale or delivery of fuel.

(c) Every distributor that makes sales subject to the tax imposed by this section shall, on or before the twentieth day of each month, file with the commissioner a return on forms to be prescribed by the commissioner, showing its receipts from the retail sale of carbon-based fuel during the preceding calendar month and the amount of tax due. Such returns shall contain any further information that the commissioner may require. Every distributor required to file a return under this section shall, at the time of filing such return, pay to the commissioner the total amount of tax due on its retail sales of carbon-based fuel for the period covered by such return. If a return is not filed when due, the tax shall be due on the day on which the return is required to be filed.



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Committee Assignment: Senate 4

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§ 532. Deposit and disposition of revenue. All monies collected or received by the commissioner of taxation and finance under the taxes imposed by this article shall be deposited in the carbon tax revenue fund and disposed of pursuant to section ninety-nine-aa of the state finance law.

§ 2. The state finance law is amended by adding a new section 99-aa to read as follows:
§ 99-aa. Carbon tax revenue fund.

1. There is hereby established in the joint custody of the state comptroller and commissioner of taxation and finance a fund to be known as the "carbon tax revenue Fund".

2. Such account shall consist of revenues from all taxes, interest, and penalties imposed by article twenty-one-B of the tax law.

3. On or before the first day of February each year, the comptroller shall certify to the governor, temporary president of the senate, speaker of the assembly, chair of the senate finance committee and chair of the assembly ways and means committee, the amount of money deposited in the carbon tax revenue fund during the preceding calendar year as the result of revenue derived pursuant to article twenty-one-B of the tax law.

4. Monies of the fund may be invested by the state comptroller and income from such investments shall be credited to the fund.

5. Monies of the fund shall be appropriated by the legislature and paid out pursuant to the terms of such appropriation.

JUSTIFICATION:

Global warming is a reality and its impacts are only exacerbated by carbon emissions. New York needs to lead the United States by example and reduce its carbon emissions. By creating a disincentive for carbon emissions, a carbon tax will signal the marketplace to further develop alternative fuel resources, such as renewables and storage, by making them more cost-effective. By creating a price signal for increased production of alternative energy resources, this carbon tax will reduce potential negative health effects and environmental harms. In addition, this disincentive for fossil fuels will stimulate the development of a new fuel industry and create an incentive for new technology and better efficiency. According to the Intergovernmental Panel on Climate Change, countries and humans have just 12 years to alter energy infrastructure before the effects of human-caused global warming are permanent. As a state, it is the responsibility of New York to limit its harmful carbon emissions, in an attempt to reverse human-induced climate change.

FISCAL IMPLICATIONS:

This bill will create revenues, collected from fossil fuel distributors. This proposed legislation has the potential to earn an additional millions of dollars in revenue per year. In addition, the bill may reduce societal health costs and environmental costs by reducing carbon emissions, which cause negative health conditions and environmental harm.

EFFECTIVE DATE:

The law will go into effect one year after passage.



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Committee Assignment: Senate 4

Bill #: S-30

1 **Sponsors:** Madison Whitney, Matthew Murrell

2
3 **An Act To**

4 Amend Section 1 Paragraph (f) of subdivision 3, section 30.10 of the New York
5 State Criminal Procedure Law.

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 toll the running of the statute of limitations for the
11 children who are sexually abused until that child reaches the age of 50 years old.
12 This allows person(s) to prosecute claims of sexual abuse until the age 50.

13
14 **Summary of Provisions**

15 **Section 1 Definitions**

16 Statute of limitations - A statute prescribing a period of limitation for the bringing of
17 certain kinds of legal action.

18 Child Victim Act - Legislation to make it easier for victims of child molestation to
19 bring charges or their abusers

20 Sexual Abuse - Sexual abuse, also referred to as molestation, is usually undesired
21 sexual behavior by one person upon another. It is often perpetrated using force or
22 by taking advantage of another. When force is immediate, of short duration, or
23 infrequent, it is called sexual assault.

24 Class A misdemeanor-an offense that is punishable by a jail term of one-year
25 maximum. Offenses that require more than a year of incarceration are usually
26 classified as felonies.

27 **Section 2**

28 (f) For purposes of a prosecution involving a sexual offense as
29 defined in article one hundred thirty of the penal law, other than a
30 sexual offense delineated in paragraph (a) of subdivision two of this
31 section, committed against a child less than eighteen years of age,
32 incest in the first, second or third degree as defined in sections
33 255.27, 255.26 and 255.25 of the penal law committed against a child
34 less than eighteen years of age, or use of a child in a sexual
35 performance as defined in section 263.05 of the penal law, the period of
36 limitation shall not begin to run until the child has reached the age of
37 ~~eighteen~~ Fifty or the offense is reported to a law enforcement agency or
38 statewide central register of child abuses and maltreatment, whichever
39 occurs earlier. Penalties for failure to report.1. Any person required by this title to
40 report a case of suspected child abuse who willfully fails to do so shall be guilty of
41 class A misdemeanor.



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Justification

This bill will help bring justice to those under the Child Victim Act who had trouble coming out before the age of 18. Most victims don't say what happened to them until later on in life when it's too late but our bill will insure the victim some time since it is hard for victims to talk about what happened when they feel scared or ashamed. Raising the statute of limitations for the Child Victim Act will both allot more time in favor of the victim to ensure their abuser gets both adequate punishment and closure for the injustices forced upon them.

Fiscal Implications

The Fiscal Implications are not directly towards the bill but is affected by how many cases there will be.

Effective Date

This bill will go into effect one year if passed.



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Committee Assignment: Senate 2

Bill #: S-31

1 **Sponsors:** Sarah O'Connor

2
3 **An Act To**

4 Amend the education law, in relation to improving the quality of and ensuring
5 access to, civics education.
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 Although instruction in participation and government and economics is a
12 requirement for graduation for all high school students, there is a need for the
13 update and enhancement of standards, as well as to ensure that quality civics
14 education is available to all New York State students, regardless of SES status.
15

16 **Summary of Provisions**

17 **Section 1: Provisions**
18

19 A. Section 801 of the Education Law will be amended to require:
20

21 Courses of instruction in patriotism and citizenship and in certain historic
22 documents. 1. In order to promote a spirit of patriotic and civic service and
23 obligation and to foster in the children of the state moral and intellectual
24 qualities which are essential in preparing to meet the obligations of
25 citizenship in peace or in war, the regents of The University of the State of
26 New York shall prescribe courses of instruction in patriotism, citizenship,
27 including topics in the function of national, state, and local governments, the
28 balance of powers, democratic participation, political theory and philosophical
29 foundations of government, topics from international, national, state, and
30 local issues and current events, political history, instruction in both
31 theoretical and actual government function and issues, the process of policy
32 development, and the addition of the examination of economics and
33 economic policy through a political and social approach, along with the
34 implementation of project-based, service-based, and writing-based activities
35 in each required class. Instruction should also be provided in critical analysis
36 of a wide variety of media types relevant to civics. A focus should be given to
37 the connections between topics in different levels of government and societal
38 issues, access and usage of publicly-available resources related to civics,
39 particularly digital ones. Along with this the importance of lifelong



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engagement with civics and the active practice of civic values should be taught. It will also include human rights issues, with particular attention to the study of the inhumanity of genocide, slavery (including the freedom trail and underground railroad), the Holocaust, and the mass starvation in Ireland from 1845 to 1850, to be maintained and followed in all the schools of the state. The boards of education and trustees of the several cities and school districts of the state shall require instruction to be given in such courses, by the teachers employed in the schools therein. All pupils attending such schools, over the age of eight years, shall attend upon such instruction.

Similar courses of instruction shall be prescribed and maintained in private schools in the state, and all pupils in such schools over eight years of age shall attend upon such courses. If such courses are not so established and maintained in a private school, attendance upon instruction in such school shall not be deemed substantially equivalent to instruction given to pupils of like age in the public schools of the city or district in which such pupils reside.

Justification

Students in New York deserve a better civics curriculum, that is both held to rigorous standards and allows for exploration of a wide variety of topics. It must go beyond memorization of the functions of the three branches of government and how the President is elected. Inspiring youth to engage with civics has become increasingly challenging, but with the increase in both access to information and disillusionment with politics, it has become ever more essential to continually improve and evaluate our standards for education in the subject.

Fiscal Implications

No current accurate estimation, although funds may be spent on research into this area, and for the provision of resources to public schools in order to execute the content of this act. Some costs will be covered by local taxes paid into school districts by residents.

Effective Date

This act will be effective immediately, although schools will not be immediately required to implement said policies. It shall only be immediately required that the state will perform research in order to develop and elaborate on policy regarding this bill. A trial period will take place in order for schools to meet the standards and also in order to ensure that suggestions, ideas, and critiques from all stakeholders are considered and may influence policy changes.



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Committee Assignment: Senate 4

Bill #: S-32

Sponsors: Grace Templeton, Jordyn Beaulieu

AN ACT TO: Amend the tax law, in relation to establishing a tax credit for the adoption of household pets

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

PURPOSE: This bill is to encourage the adoption of animals, by offering a tax credit for the fees incurred through the adoption of a household pet from a shelter, humane society, and/or rescue association.

SUMMARY OF PROVISIONS:

Section 2. Section 606 of the tax law is amended by adding a new subsection (iii) to read as follows:

(iii) Credit for the adoption of household pets. (1) General. An individual taxpayer shall be allowed a credit for taxable years beginning on or after January first, two thousand and twenty for the cost of adopting a maximum of two household pets per taxable year from a qualifying animal shelter. The amount of the credit shall be one hundred and fifty dollars per animal or the actual cost of such adoption, whichever is less.

(A) The term "household pet" shall mean any dog, cat or other domesticated animal kept for the primary purpose of companionship that is normally maintained in or near the household of the owner or person cares for such domesticated animal, provided that keeping such animal is not in violation of any applicable provisions of federal, state or local law.

(B) The term "qualifying animal shelter" shall mean the following:

(i) Any municipal pound or shelter harboring animals pursuant to subdivision one of section one hundred fourteen of the agriculture and markets law;

(ii) Any pound, shelter, duly incorporated society for the prevention of cruelty to animals, duly incorporated humane society or duly incorporated animal protective association that operates physical animal sheltering facilities and offers household pets to the public for adoption by way of an established adoption program. Such facilities shall not be co-located on a residential premises.

(3) Eligibility. To qualify for the credit prescribed in this subsection, an individual taxpayer in New York State must provide proof of animal ownership in the form of an adoption agreement from a qualifying animal shelter as defined in this subsection, and written proof that such animal was spayed or neutered in accordance with section three hundred seventy-seven-a of the agriculture and



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markets law.

(4) When credit allowed. The credit provided for in this subsection shall be allowed with respect to the taxable year, commencing after January first, two thousand twenty, in which the pet is adopted.

Justification

According to the New York State Animal Protection Federation, more the 150,000 animals are annually brought into non-profit and municipality-run shelters. More shelters are going to the no kill policy and have no space. In 2018, Governor Cuomo awarded 5 million dollars for the New York State Companion Animal Capital Fund, encouraging the adoption of pets by decreasing the overall cost of said animal without fiscal implications for the shelter from which that animal is adopted. This precedent established in NYS would only further the support of animal rescue efforts and provide tax incentives to households.

Fiscal implications

Unknown.

Effective Date:

January 1, 2020