



Assemblyman Steve Otis



Legislative Update

Summer 2024

Dear Friends,

This newsletter includes highlights of my work during this year's legislative session and advocacy during the budget process on issues of importance to Westchester residents, local governments, and school districts.

As chair of the Assembly Committee on Science and Technology, I have been working on several fast-moving issues related to artificial intelligence, cybersecurity, data privacy, and digital equity. Actions have included the passage of legislation and ongoing work on issues that continue to evolve in our country, Europe, and around the globe.

As a former mayor, my work with local governments and school districts is always a priority. In addition to special legislation requested by local entities specific to their communities, I work actively to assist municipalities, schools, and not-for-profits to help them secure outside grants and achieve their goals. Using my experience to help groups secure grants is an important part of my work.

This has been a successful year on several key budget and legislative issues. The work continues during the summer and into the fall on legislative and budget issues that continue to require attention.

One pressing issue continues to be a work in progress. We have made gains in recent years on policy changes to assist struggling EMS programs around the state. I carry one of the key pieces of legislation that focuses on EMS as an essential service (A3392-C). The bill provides organizational changes to help programs succeed. We made progress this session, with more work with the different programs around the state needed to get to the finish line. My partner on this bill is Senator Shelley Mayer.

As always, do not hesitate to contact me on any matter in which I can be helpful. My office number is 914-939-7028.

Warm regards,

Steven Otis
State Assemblyman

Focus on Flood Mitigation Continues *Resilient NY Streams Study Program*

Every community on the Sound Shore faces flood mitigation and stormwater infrastructure challenges. This year my annual Water Infrastructure Funding Workshop included a special presentation on the NYS Department of Environmental Conservation's Resilient NY Streams Study Program, which was provided by Tom Snow who oversees DEC's Watershed and Flood Resiliency Programs.

This DEC initiative is of special importance in assisting Westchester local governments that need to address flood damage issues. The program reviews past and current flood mitigation studies through state funded consultants and produces a priority list of projects to help local governments put shovels in the ground. The program also helps local governments identify funding options. The six stream studies covered Blind Brook, Beaver Swamp Brook, Mamaroneck Sheldrake Rivers, Hutchinson River, Bronx River, and Saw Mill River watersheds.

Mamaroneck Flood Project Receives Additional State Funding

Senator Shelley Mayer and I succeeded in having an additional \$10.85 million appropriation towards the Mamaroneck-Sheldrake Army Corp of Engineers flood mitigation project included in the adopted FY 2024 - 2025 State Budget. To announce the funding, we were joined by NYS Department of Environmental Conservation (DEC) Interim Commissioner Sean Mahar in the village where the Mamaroneck and Sheldrake rivers meet. We also announced a new state and county initiative to proceed with flood mitigation projects before the Army Corps work begins.

In March, USACE officials visited Mamaroneck and indicated that cost recalculations required additional funding commitments towards the project as the next step in moving forward with the \$162 million plan to construct a series of flood mitigation improvements to address flood vulnerabilities in the village. Those commitments are necessary for the signing of two required documents: the Memorandum of Agreement

and the Public Participation Agreement (PPA), by USACE, NYS, and Westchester County. The USACE, NYS DEC, and the county are now moving forward to finalize and execute the needed documents.

Last year Senator Mayer and I succeeded in having the initial state share, \$17.5 million, included in the 2023-24 state budget. When news of the new cost recalculation arrived on March 7th, Senate and Assembly one-house budget proposals had already been submitted. Senator Mayer and I worked closely with leadership in both houses of the legislature, Senate Finance and Assembly Ways and Means Committee staff, Governor Hochul, the NYS Division of the Budget, and the DEC to win inclusion of this funding in the adopted State Budget.

Flood Buyout Program in Rye Brook Update

After Hurricane Ida, Senator Mayer and I brought a federal flood buyout program to Westchester for the first time. The Natural Resources Conservation Service (NRCS) program had previously been used successfully in Oneida County.

The village of Rye Brook had the most properties eligible to qualify for the NRCS Program. Earlier this year, 22 Rye Brook properties were appraised and made an offer by NRCS. The property owner has the option of accepting or rejecting the offer. The village of Rye Brook and the staff of the NRCS, a unit of the USDA, have worked together to make these opportunities possible.

The buyout approach makes sense at other locations. New York State is developing a state-based program that may be a good fit for other Westchester communities. As the severity of storms becomes more of a challenge, there are more locations where repetitive flood loss makes the buyout option a choice to consider.

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Focus on Flood Mitigation Continues (CONT'D)

Stormwater Grant Program

NYS DEC is also working on the rollout of a new statewide stormwater grant program to help municipalities fund expensive stormwater projects. I proposed this program as part of the approved Environmental Bond Act. The Bond Act included \$250 million for this purpose. I will push for additional funding to supplement the initial commitment. Expanding stormwater system capacity and repairing old pipes are major challenges for local governments. State funding will be part of the solution.

Every Sound Shore Community Focused on Water Infrastructure

I work with every Sound Shore local government to assist with applications for long-term sanitary sewer, stormwater, flood mitigation, and drainage infrastructure improvements. Every community has been aggressive in planning for upgrades and applying for funding. Sound Shore communities have received grants for water infrastructure projects. I will continue to help in every way I can.

Senator Mayer and I also passed legislation to increase the number of properties eligible for the Coastal Market Assistance Program (CMAP) The program was established under the insurance law after Hurricane Andrew and is meant to ensure that homeowners are able to purchase coverage in areas where private insurers are reluctant to go. The legislation increases the distance from the coast to qualify for insurance eligibility under the program (A9821/S8320).



At a press conference on Mamaroneck flood mitigation funding I am flanked by DEC Regional Director Kelly Tuturro, Village Trustee Lou Young, Mayor Sharon Torres, DEC Interim Commissioner Sean Maher, and Senator Shelley Mayer.

Oversight and Assessment of State Agency Use of Automated Decision-Making

My bill to provide assessment, transparency, and oversight of automated decision-making systems used for high stakes decisions by state agencies passed both houses of the legislature. This legislation, the first of its kind to pass a state legislature, was a major priority of the Assembly Science and Technology Committee.

The measure requires that state agencies provide an assessment and disclosure to the legislature of all automated decision-making systems used for decisions affecting individual receipt of public benefits, rights, civil liberties, safety, welfare, or statutory and constitutional rights. The bill also establishes procedures that require meaningful human review when state agencies use automated decision-making systems in high stakes actions, requires the completion of impact assessment reports covering the objectives, accuracy, fairness, and vulnerabilities of systems to be used, and requires that agencies stop using systems determined to produce discriminatory or biased

outcomes by the impact assessment.

Automated decision-making and artificial intelligence provide great tools for improving services. These tools must be accompanied by guardrails, transparency, and oversight to make sure that management of

these systems remain controlled by humans and that they do not provide faulty, biased, or discriminatory outcomes. This legislation establishes a statutory framework to provide state agencies and the public with a process for ongoing assessment of the evolving use of automated decision-making. The bill, A9430B/S7443B, was sponsored by in Senate Internet and Technology Chair Kristen Gonzales.



Assemblyman Otis speaking at an Albany press conference on his legislation to provide oversight for the use of automated decision-making and AI systems by state agencies. The legislation passed both houses of the legislature.

Laptop Distribution with the STEM Alliance and the Carver Center

I have been a leading proponent of digital inclusion programs in the state legislature that advocate for statewide programs to address the digital divide – the inequities that leave students and adults at a disadvantage when it comes to education, health care, employment, and the countless other parts of our lives that require digital access.

Digital inclusion programs provide affordable broadband access, a training course, and a device to individuals in need of digital literacy assistance.

I was very excited to attend the distribution of 60 new Chromebooks to high school students at the Carver Center in Port Chester at the conclusion of a digital inclusion program through a partnership with The STEM Alliance and Carver. I was joined at the distribution by STEM Alliance and Carver Center staff, Carver Center Chief Executive Officer Anne Bradner, and Port Chester Mayor Luis Marino.

These programs are best provided through partnerships between groups like The STEM Alliance and community organizations that help individuals who need these services. This distribution was made

possible through a \$90,000 grant I helped secure through the Office of Children and Family Services to provide these programs through The STEM Alliance with community groups on the Sound Shore.

To date I have helped fund grants that have provided 19 of these programs to 350 individuals with the following local partners: New Rochelle YMCA, Community Resource Center in Mamaroneck, Don Bosco Community Center in Port Chester, Open Door Community Health Center, La Plaza de Paulo in Port Chester, and the Carver Center. Additional grant funds are in the pipeline to provide more programs and laptops to those needing devices and training.

In Albany I work with a statewide network of groups providing digital equity programs and a national group advancing this model across the country. Digital inclusion programs are an effective tool in successfully addressing structural inequities in society. I am thrilled to work with and advocate for the technology groups and local not-for-profits that partner to provide these programs.



Science and Technology Committee Activities

In addition to the work of the committee on legislation, I led the Assembly Science and Technology Committee to Buffalo in July for a series of meetings and site visits on issues related to the work of the committee: artificial intelligence, digital skills training, and renewable energy.

AI Roundtable at University of Buffalo

Our lead meeting was held with SUNY Chancellor John King at the University of Buffalo National AI Institute for Exceptional Education. SUNY Buffalo is the home of New York's Empire AI Consortium, a new public/private partnership approved in this year's state budget, which is based on public-benefit focused development of AI. Chancellor King and a team of SUNY professors provided presentations on recent UB AI projects that included public health, environmental benefits, cybersecurity, privacy protection, and tools to assist students with learning barriers. The roundtable included questions and discussion from legislators with the SUNY experts and demonstration of several AI driven projects by current students.

It was an informative and fascinating session. From past meetings, I can report that SUNY campuses have been involved in artificial intelligence projects for over 20 years. SUNY is well-positioned to lead the Empire AI consortium that includes seven New York-based founding institutions: Columbia University, Cornell University, New York University, Rensselaer Polytechnic Institute, the State University of New York, the City University of New York, and the Flatiron Institute.



Assemblyman Otis at AI Roundtable with SUNY Board Trustee Eunice A. Lewin, SUNY Chancellor John King, and Venu Govindaraju, PhD, UB Vice President of Research and Economic Development. Photo credit: Meredith Forrest Kulwicki.

Digital Equity and Tech Skills Training Roundtable

In a separate meeting we held a roundtable discussion with representatives of Microsoft, TechBuffalo, and the Buffalo Niagara Partnership for an overview of programming in Western NY focused on equity, workforce, and training for the Tech future. The focus of TechBuffalo's program is on creating digital inclusion and inclusive economic opportunities.

State government is placing great importance on training the next generation of workers to fill jobs in the chip industry, supporting startups, and closing gaps in the supply chain by making it easier for local firms to gain access to growth opportunities in the Hudson Valley and upstate.

Our discussion gave the committee an on-the-ground understanding of how technology training brings jobs, opportunity, and outside investment. My meetings with technology companies in the Hudson Valley has brought the same message: companies are expanding in New York because we have the training and workers to fill those jobs.

Cybersecurity Threats Continue to Evolve

We also visited M&T Bank's technology headquarters in Buffalo and learned how large financial institutions are deeply involved in the newest developments of digital technology and cybersecurity protection. Cybersecurity threats are changing rapidly. The private and public sector need to focus on the everchanging methods used by cybercriminals.

New York Power Authority Hydro-Electric Power Plant Site Visit

The committee visited NYPA's largest renewable energy plant, the Niagara Power Station, for a briefing on New York's renewable energy facilities, NYPA's entire system serving local governments, school districts, and government entities, and how the hydropower system works.

NYPA's system provides about 25% of New York's electricity, with 80% of their power provided by renewable, affordable hydropower. The turbines are massive in size. The technology is impressive as is the task of maintaining, updating, and operating a system that New Yorker's depend upon to meet our energy needs. NYPA is also very tied to economic development projects around the state and is an important player in New York meeting its long-term clean energy targets.

Our briefing was led by NYPA President and CEO Justin Driscoll. The discussion also included NYPA's role in expanding broadband access throughout the state.

Other Science and Technology Measures

Cybersecurity – Legislation I sponsored passed both houses that requires state agencies to procure end point devices that meet the National Institute of Standards and Technology (NIST) guidelines and best practices for computer security (A2833/S5615).

Materially deceptive political communication – I sponsored legislation that clarifies and refines the language in the election law related to "Materially deceptive media" in political communications. "Materially deceptive media" relates to any image, video, audio, text, or any technological representation of speech or conduct fully or partially created or modified that is visually or audibly indistinguishable from reality, depicts a scenario that did not actually occur, and is created by or with software, machine learning, artificial intelligence, or any other computer-generated or technological means. The language in the law needed clarification and the legislation makes it clear that media companies and news organizations are not responsible for materially deceptive media created by others. (Signed as Chapter 169 of the Laws of 2024.)

Boys and Girls Club Remington Clubhouse Opening

The exciting opening of the New Rochelle Boys & Girls Club Remington Clubhouse has made the clubhouse the home of numerous important New Rochelle events this year. The official joint opening and ribbon-cutting of the Remington Clubhouse with the Renaissance at Lincoln Park, the new 179-unit housing complex next door, brought community and business leaders together. Both projects were part of a joint public private partnership made possible through the vision of the Boys and Girls Club board, local clergy, the City of New Rochelle, Westchester County, and New York State. The Clubhouse also hosted Mayor Yadira Ramos-Herbert's first State of the City Address.



The New Rochelle civic and business community showed up in full strength to celebrate the opening of the Remington Clubhouse.

Legislation Supporting Village Referenda Signed into Law

Governor Hochul signed legislation I sponsored with Senator Mayer correcting a conflict between two provisions in state law that made it impossible for a village to place a referendum on the ballot on the regular November election date because there was no way to comply with the conflicting timetable requirements of the two sections of law.

NYS Election law specifies that in order for a proposition to be submitted to voters at the general village election in November, the village clerk must submit the question to the County Board of Elections at least three months prior to General Election Day. At the same time village law required that referenda be held sooner than the three-month election law requirement. Consequently, it was impossible for a village to comply with both the timing requirements of village law and election law and have a proposition appear on a November ballot. This bill reconciles that conflict. (Signed as Chapter 219 of the Laws of 2024)

This legislation was brought to my attention by local officials who discovered that the conflict of law made it impossible for a village to set a date for a referendum and be in compliance with both sections of law. As a former mayor, I know that these types of nuts-and-bolts obstacles must be resolved to allow local governments to function and to provide voters their voice through meaningful public participation.

State Budget Highlights

The biggest victory in this year's state budget was maintaining our commitment to state aid to school districts. The final budget included record funding in School Aid – \$35.9 billion, including \$24.9 billion in Foundation Aid. Agreement with the Governor succeeded in building upon our phase-in of full funding for Foundation Aid completed last year.

Our negotiated budget prevented the possibility of cuts this year to half of the school districts in the state. I have been a long-time advocate for Foundation Aid fairness to underfunded school districts. I expect controversy next year as we await a SUNY Rockefeller Institute study to propose changes to the Foundation Aid formula going forward. I will be scrutinizing those recommendations and expect significant discussion within the legislature and through next year's budget process.

Another major budget issue was our successful effort to maintain the state's annual commitment to clean water funding at \$500 million. The Water Infrastructure Improvement Act (WIIA) grant program I helped initiate in 2015 receives the biggest share of the \$500 million appropriation each year.

Taxpayers will also benefit from the first increase in general state aid to local governments in over a decade and increased funding for transportation programs benefiting municipalities.

Other priorities received increased funding including flood mitigation, college tuition financial aid programs, restorations to many health care programs, childcare funding, and support for 4201 schools, including New York School for the Deaf based in Westchester.



We toured the NYPA hydropower facility from above, river level and underground to learn about the massive infrastructure needed to provide renewable electricity. This plant opened in 1961, but hydro plants have operated at this site since the 1880's.

New York State Assembly, Albany, New York 12248



Assemblyman
**Steve
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Workers Memorial Day in Port Chester

The Sustainable Port Chester Alliance organized a well-attended Workers Memorial Day event to mark the anniversary of the effective date the Occupational Health and Safety Act. I joined regional labor leaders, Village of Port Chester Trustees and staff, Westchester County elected officials, workers, non-profit leaders, and the Sustainable Port Chester Alliance to mark the occasion. The annual event serves to remember those who died or suffered injuries in workplace accidents and underscores our work together to fight for workplace safety rules. In my comments, I reflected on the tragedy of workers lost in recent accidents and reported on legislation (A7595) I initiated to improve notice of labor law, OSHA, and health and safety rules to workers that was signed into law in 2022.

