

9



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
OFFICE OF THE EXECUTIVE
112 STATE STREET, ROOM 900
ALBANY, NEW YORK 12207-2021
(518) 447-7040 - FAX (518) 447-5589
WWW.ALBANYCOUNTY.COM

PHILIP F. CALDERONE, ESQ.
DEPUTY COUNTY EXECUTIVE

Chairman Farrell, Chairman DeFrancisco, members of the legislature. Thank you very much for allowing me to come and speak to you today. I would like to highlight Albany County's requests as it relates to the state budget:

- **Public Defense Expenses** - Last year I brought on esteemed Judge Larry Rosen to serve as the Albany County Assigned Counsel Administrator. We worked to draft legislation to require the state to fund the Assigned Counsel, or 18-B program. The goal is simple. We want to assure that all persons accused of a crime in New York receive effective legal representation, regardless of their ability to pay. The Supreme Court in *Gideon v. Wainwright* ruled that those defendants who were unable to afford counsel have the right to an attorney. Since that ruling the state has required counties and New York City to pay for that representation. Despite some grant funding from the State, this represents an underfunded mandate. The legislation we've drafted will be sponsored by Assemblywoman Part Fahy and has the support of the New York Association of Counties, the Albany County Bar Association and others. I am hopeful that the Legislature will look favorably on the bill and work to serve the interests of equal justice under the law for all defendants regardless of their ability to pay. The Governor proposes to fund \$3 million for those counties involved in the Hurrell-Harring lawsuit, I encourage you to expand this funding to cover all Counties in the state in line with our proposed legislation.
- **Community College Chargeback Reform** – I am proud to say that over 300 Albany County residents have enrolled in Schenectady County Community College classes right in downtown Albany, just down the hill at the County Office Building. And while we are very proud of this partnership, in many ways we were forced into it by the way Hudson Valley Community College is allowed to calculate their chargeback. Therefore, I ask that you accelerate the reforms identified by SUNY's own "State University of New York Chargeback Phase In Methodology and Plan." This plan would require host counties to contribute a fair amount compared to non-host counties. If it is determined that the fiscal impact on certain counties or communities colleges may be too great, the State should bare those costs. As it stands currently, Albany County is being forced to subsidize other Counties' community college costs. From 2006 to 2014, Albany County's contribution to Hudson Valley Community College has almost doubled, from \$4.9 million to \$8.8 million annually. In contrast, the host County's contribution has increased from \$3.1 million to \$3.6 million. As part of last year's budget, these reforms were delayed until the 2017-18 school year. I ask that you accelerate those changes.
- **Capping the Mandated Costs of Youth Detention Placement in State Facilities** – the Governor proposed and Albany County actively supports the proposal to cap these costs and end the practice of retroactive billings. Current practice is for the State to

retroactively bill multiple years at once. We are currently still waiting to reconcile our bill from 2011, and have not received a bill from 2012, 2013 or 2014. Our costs for this program are in excess of \$2 million per year.

- **Oil Spill Funding** - as you may know, Albany County has been at the forefront of encouraging the responsible transportation and storage of oil throughout the State – specifically as it relates to the oil that comes via train to the Port of Albany. It has been a focus of my administration to ensure that the desires of the oil companies do not trump the safety of Albany County residents and I strongly support Governor Cuomo’s proposal to increase oil spill funding. However, I would encourage you to go further. The costs to cleanup the Lac-Megantic disaster in Quebec will be more than \$2 Billion.
- I wanted to specifically point out that last week the **Center for Biological Diversity** published a study on the issue that concluded, “The reality is that there is no way to safely transport highly volatile crude oil from the Bakken oil field in North Dakota or heavy crude from the Alberta tar sands...”
- A recently revealed USDOT report predicts that potentially deadly oil train accidents are expected to occur an average of 10 times a year over the next 20 years potentially killing hundreds of people and costing billions in damages. The AP story that revealed this USDOT study noted, “If just one of the more severe accidents occurred in a highly-populated area, it could kill more than 200 people and cause roughly \$6 billion in damages.”
- The AP reporter noted, “Most of the proposed rules that regulators are expected to release this spring are designed to prevent a spill, rupture or other failure during a derailment. But they will not affect the likelihood of a crash.” That is why I ask that investments be made to prevent and respond to possible spills. The Governor proposed \$15 million in investments at the Port of Albany, some of this money should be geared to towards safety.
- **Support NYSAC State Agenda** - specifically efforts to reduce local Medicaid costs and restoring the 50/50 state/county share of safety net costs.
- **Lastly, I request the extension of our 1% additional sales tax** –the additional one percent sales and use tax rate yields approximately \$60 million annually, with approximately \$24 million being distributed to the municipalities within Albany County. I also support NYSAC’s request that these authorizations be made permanent.

Thank you for allowing me to come before you today and if you have any questions I would be happy to answer them now, or at a later time.