

# Legislative & Research Transcript

11/29/2021

## **SPEAKERS**

Jean Raymond, Matt Veitch, Several Supervisors, Mo Wright, Tara Gaston, Mike Smith, Michael Hartnett, Preston Allen, Ridge Harris, Dick Lucia, Jean, Bridget Rider

### **Mike Smith**

So do you want me to officially call this to order? Alright, so welcome everyone to the November 29, 2021 Legislative Committee. I think attendance has been taken. Can I get a motion for the approval of the minutes of the September 29, 2021 meeting?

### **Mo Wright**

So moved.

### **Dick Lucia**

So moved.

### **Mike Smith**

I've got Supervisor Wright and Supervisor Lucia. Any discussion? All in favor?

### **Several Supervisors**

Aye.

### **Mike Smith**

Opposed? Carried. All right, we're going to, I've got to put my glasses on here, we're going to skip past number three, and we're going to go to number four, adopting the Saratoga County Legislative Program. Ridge, I'm going to turn this over to you for a second.

### **Ridge Harris**

Thank you, Supervisor. So the team had been working on an update the 2022 legislative program, as you'll see attached to the agenda. So what we did with that was reviewed some of the proposed legislation, proposed issues at the state and federal level, that were either passed and we removed them from the update and then we also included additional items based on feedback from some of the Supervisors. So what you'll see in there is, you know, requests to maintain funding at certain levels, restoration of VLT aid stayed the same, a new one is item number four opposing the proposed amendments to tax law to end racing subsidies, like that is in response to a proposal in the State Assembly that was just introduced on late last month. So happy to answer any questions you have, as you go through this about any of the specific changes that are made, but really what we did was we

went through and kind of updated the terminology that was being used to either ask for maintain certain levels or continue support of previous requests.

**Mike Smith**

Nope, what's that? Supervisor Wight?

**Mo Wright**

Yeah. Ridge, on proposal number four, do you know if there's a sister bill in the Senate?

**Ridge Harris**

So in the in the press release and media reports announcing this bill, it had indicated there was a same as in the Senate. However, reviewing that Senators proposed legislation on their website and through the through the state kind of bill postings, I did not see one at the time that this was submitted for the agenda. But it is anticipated there's gonna be a same as.

**Tara Gaston**

Chairman. Its Supervisor Gaston, I don't want to jump, I know I'm not on the committee.

**Mike Smith**

Supervisor Gaston. Sorry, speak up.

**Tara Gaston**

Number nine, I think there's a typo in the title. It's not a big one. Just want to correct that before it goes to publication. For number six, is there a certain plan that we're supporting for broadband? I certainly support the general topic, I was just wondering, is there a plan or legislation in specific that it's referencing or just the general topic.

**Ridge Harris**

So that was the general topic based on the feedback from the last time this committee had met to allow the counties to ensure accurate mapping. I don't know if there's a specific program that the state has in place at this time, that allows counties to take lead on those mapping efforts. I know it was done previously. And in and some of the feedback we received was that the mapping could be more accurate. So that if one person was served in a specific zip code, it didn't count the entire zip code as served when it left multiple residents or businesses without service so

**Tara Gaston**

So as a goal for the County to take the lead on this, or just to make sure that we have, because I would absolutely support that allowing us to, to do that. I just I didn't read it.

**Mo Wright**

Yeah, I think what we're looking for in this is more the state come up with a plan, not so much as there's a plan in place now. But the state come up with a plan to allow counties to ensure that FCC maps are accurate. Um, whether or not, you know, I think it'd be up to the counties at that point, if the state funds a plan of some kind for the counties to do that, I think that's what we're looking for, is a state to fund

some kind of a plan to make so counties can ensure that FCC mapping is, is accurate. And when the FCC releases some of the funds for this project that we have plans in place, so that we're prepared to at least try to get some of that money. When the time comes. I don't think this specific legislative agenda item has points to a certain plan. I think it's asking the state to come up with a plan is more what the purpose of this would be. As far as I was. That's, when I brought it up at this committee meeting, that's what I was looking for, to have this added so when we go to Albany, we can kind of, um, you know, try to get them to come up with a plan to allow counties to ensure that its FCC mapping is correct.

**Tara Gaston**

Okay, I support that. And I know that you've been doing a lot of work on that I would suggest maybe that it be worded a little bit more closer to that, especially that, like you said that counties can take the funding in the plan from the state. And because we have the best idea of what's going on. Thank you.

**Mo Wright**

That's fine. I just I just wanted to see it on our agenda. Just when we go to Albany, we have at least some talking points to bring up to, so it doesn't get lost in the shuffle that's all.

**Dick Lucia**

I support that Supervisor Wright.

**Mike Smith**

Any further discussion? All right. I have a motion to accept the 2022 legislative program update agenda.

**Mo Wright**

I'll move that.

**Mike Smith**

Supervisor Wright. Do I have a second?

**Preston Allen**

Second.

**Mike Smith**

Supervisor Allen. All in favor?

**Several Supervisors**

Aye.

**Mike Smith**

Opposed? Carried. All right I think we're in limbo till Supervisor Raymond. Do we have any other business to attend to here? Outside of the retail

**Mo Wright**

Can I ask a quick question? I don't know who I would ask it to, probably Ridge at this point.

**Mike Smith**

Go ahead.

**Mo Wright**

What's our plan to go to Albany and present our legislative agenda? Are we planning to get down there in January when they first get into session? Or? Or what? I mean, typically we wait till March and it's, by that time they're into the budget process and they kind of we get a 10 minute window where we can talk to him. Are we going to try to get down early when they first get in session or what? Do we know what the plan is at this point?

**Ridge Harris**

Yeah, I'm not certain of a specific plan but what I can share based on my experiences, the best time to get into the legislature to advocate for changes is after the executive budget is proposed and before the end of, before the end of March as the budget's due, as I'm sure you know, by April 1. So sometime in that February timeframe is generally the best time to get down there and advocate.

**Mike Smith**

Alright, well, we'll be in a little bit of a holding pattern here for a second until a Supervisor Raymond gets here.

**Tara Gaston**

Can I, it's not a question but while there is an empty space, I would also recommend all Supervisors check out the NACO information on the build back better in the infrastructure bill, they have a lot of information tied to our local communities and how that might help us so that might be something for all of us it helps break down the six inch thick bill into something that's actually understandable.

**Bridget Rider**

Supervisor Lucia, Supervisor Raymond said she'd be here in about five minutes to continue the meeting. Just so you know.

**Dick Lucia**

Thank you.

**Bridget Rider**

You're welcome.

**Jean Raymond**

Thank you all very much for your patience and indulgence. I will, I will move closer next year. I can find a pen and we'll be all set to go. This last item should only take a few minutes. It's non-controversial. I'm sure we could get through that quickly. We have been requested by the city of Saratoga Springs to entertain what is required is a county resolution passed by the county Board of Supervisors to limit the hours of established establishments that serve alcohol on premises to remain open so that they would

close at two in the morning as opposed to four in the morning. This has been done several, this request has been made several times before to this board. Our attorney I believe, supplied everybody with very well researched information on what has taken place. I think you've all had it for quite some time, had time to review it. of particular interest is the fact that at some point in the past, I don't have the date in front of me. It was particularly asked of the Liquor Authority, couldn't we just as a County Board pass a resolution that would permit a change of hours for just the City of Saratoga was ruled, I believe in, Mr. Attorney, if you want to add to that, that it was not something that could happen in very legalistic terms. If you want to add to that,

**Michael Hartnett**

Thank you, Supervisor, that is accurate. The State Liquor Authority was asked that specific question, I believe it was in 2012 and they provided an opinion letter that the way the alcoholic beverage control law is written is that it would have to apply county wide any modification that they would impose through a regulation. So it would require that state regulation to be or state law to be modified to allow for municipal specific changes to closing times.

**Jean Raymond**

Does anybody have any questions about that, in particular? And I would add, which is just an interesting note that while the Liquor Authority says that the county must determine whether or not hours change, and it has to be done county wide, the legislature in its last session specifically did exactly the opposite, when it passed the cannabis legalization law, and instead said, every community has to either opt in or effectively opt out of being in so they left the decision up to each city/town. And I think all of us have probably experienced in the last several months the opportunity to do just that, if we chose to. We have three choices, as I understand it. One would be to take no action. One would be to agree to what this resolution is requesting. And one would be to not agree to it. If we were to agree to it, and correct me if I'm wrong, please, I'm not the legal person up here, if we agree that we want to move forward with it, it would go through our process of Law and Finance and to the full board and I believe there has to be at least one public hearing, if not more,

**Michael Hartnett**

Thank you, Chairman. So yes, I agree with the sentiment that it would be either to agree, forward a resolution or to not and if the county were to forward a resolution, a public hearing wouldn't be required, because the State Liquor Authority would do the public hearings after the resolution goes to them. But it's certainly encouraged. I know that public hearings were done last time prior to taking it up as it was based on significant public input. The other option that would be out there is to pass a resolution requesting a Home Rule change, asking the county or the state legislature to change alcoholic beverage control law to allow for municipal specific, specific to municipalities allowing them to change that, I don't know how fruitful that would be given the background on this, but that that would be an option as well.

**Jean Raymond**

Discussion. Any members of the committee have any questions or comments?

**Mike Smith**

Yeah. I don't know, I guess I, you know, the City has their reasons for requesting this. But I think as a as an overall County, I think it's a bigger picture than just the city's request. So I would have to say that I wouldn't, I don't believe I could vote for moving it forward. I mean, the idea of the way it's set up with the cannabis law, that's different. Maybe something like that works. But certainly wouldn't want to have proceed on this without full input from the county from, you know, residents and businesses, especially I think businesses have been hit pretty hard, I don't know, as I have, and Galloway really have any, any bars that are truly affected by this, but I think it's a bigger picture than just for the City of Saratoga. No offense to you guys but, you know, I think it's maybe the way forward is, you know, if something can be done on a community type basis. I don't know if that's, that's something that would have to be looked at.

**Jean Raymond**

Any other comments from the committee? Would the two Supervisors from Saratoga like to comment at all on this?

**Tara Gaston**

Thank you, Chairwoman. I would, I would like to see the committee move forward with the opportunity for each community to make their rules similar to the cannabis legislation, as you said that way the City of Saratoga Springs can make the decision they feel is best for their community, but the rest of the county would be able to do that as well. And that would be something that I would be happy to support this committee doing that would both allow our city to take the steps it needs, but without infringing on other communities.

**Jean Raymond**

Thank you, Supervisor Gaston. Supervisor Veitch?

**Matt Veitch**

Getting a little hum on the microphone, can you hear me all right? What just happened there? But basically, you know, I mean, I've been pretty clear, you know, throughout my tenure here, this came up, you know, I was already here, the first time it came up the second time it came up. And, you know, I generally feel that, you know, going to a 2am, closing time earlier than 4 is, you know, you know, something that we don't really need to do in the City, and generally county wide as well, which, again, I think is, I think there's other things we could do to try to help make our downtown safer. But, you know, I would say that generally, if the committee's desire is to move forward with trying to push the Home Rule, idea where each community gets to make the decision on their own, then I think I would support that through the board's process, if we do that. So I guess I'll leave it up to the committee members to decide whether they want to do that or not. As I think our attorney said, I don't know how much success it would meet at the state level, but it's worth a try.

**Jean Raymond**

Thank you, Supervisor Veitch. If we wanted to add that to the legislative agenda, as seeking Home Rule legislation to allow each community across the state, I mean, not certainly not just in Saratoga County to make their own decisions, is that something that we could do? Under the new rules? We

haven't noticed that we're going to do that. Do we have to take that to another meeting? Or can we do that, as part of this meeting? How does that work?

**Michael Hartnett**

Thank you, Supervisor. My opinion on that would be, it could be both. The legislative agenda that was just passed, there could be a motion in a second from this committee, if this committee so chose to amend or to add this to the legislative update as a talking point item to bring to the state legislators and then it could also go through the committee process to go to full resolution with a resolution supporting that, which is an additional step that the board can take to take a position. So I would say both.

**Jean Raymond**

So it would seem to me it would be simpler to amend the legislative agenda. And to bring it up as a talking point, because I don't think we're in a position as a county to determine what form that home rule would take. That would have to be something that would be generated by the people in Albany who, the staff of the people in Albany, who would then make the decision on whether they were going to support it, whether it would be a majority vote of a council if it was a mandatory referendum, all of the technical stuff. So I think it would be easier to do it more generally. And more expeditiously. Would somebody like to move, in some fashion?

**Mo Wright**

I'll move we add that item to the, our legislative agenda?

**Jean**

Okay.

**Mike Smith**

I'll second that.

**Dick Lucia**

I would second that.

**Jean Raymond**

Thank you.

**Jean Raymond**

Discussion? All in favor?

**Several Supervisors**

Aye.

**Jean Raymond**

Any opposed? Okay, can we up? I see Ridge in the background. I see a hand. Do I have to stand up or are you going to stand up? Sorry, the chairs in the way. Do you, are you comfortable with our conversation that you could add that to the legislative agenda as a talking point?

**Ridge Harris**

Absolutely, we can do that.

**Jean Raymond**

Okay. In that case, it will be added to the agenda and we will then send the legislative agenda on to Law and Finance for their action and for the full boards action and get it to our legislators, which they requested that they have this time of year, rather than later in the season into 22, 2022. Any other questions or discussion?

**Tara Gaston**

Chairwomen?

**Jean Raymond**

Yes?

**Tara Gaston**

I just want to thank you. I, like Supervisor Veitch, I'm not sure about the necessity, but I appreciate you taking the steps to help us move forward what the City Council's requested of us and in doing it in this way. So I appreciate the entire committee for being willing to help.

**Jean Raymond**

I would be willing to bring anything forward that gives more voice to the hometowns and cities and less voice on our destiny from people who are not familiar with perhaps some of the issues that we deal with. And I speak as an Adirondack legislator. Some of the things that are asked of us are impossible to do because of our circumstances and I think they're asked in good faith but they're not necessarily appropriate. So you're welcome.

**Mo Wright**

Mrs. Chairman. I think if the City Council I think there's some people in the city that probably have more pull, even than we do in Albany, I think it would behoove the city council to do some lobbying for this particular item and Albany, I think you carry as much weight as we're gonna. By all means we'll do what we got to do, but I think it's gonna take some work by the city and the City Council, some of your, I mean, there's some people in the City of Saratoga Springs that, you know, come up from downstate that probably have more pull in the assembly. This is basically gonna be an assembly fight, I think you'd get through the Senate. So I think you're going to need to have somebody who's got some pull downstate. And that soundly. And lobby the hell out of them to get this passed. I think it can get passed, but it's going to be a fight in the assembly.

**Jean Raymond**

And if I could add to that, I would hope that whoever is lobbying on behalf of this, if it gets to that point where it's being lobbied for, that there also be continuity between what is happening with the cannabis legislation, and the Liquor Authority legislation, because it doesn't do a lot of good to close the bar two o'clock in the morning, if the place next door has turned into a cannabis lounge and is open until four in



the morning, or five in the morning or maybe open 24/7. So I think we need to have continuity across the state on what we're saying because, I don't know about Saratoga Springs may not be an issue, but for instance, in Edberg, if you decide to go from the bar to the cannabis lounge, you can't call an Uber to get home, you gonna get home the same way you got there, which is in your car, you're just going to be two hours more intoxicated. So there's a lot of little side lights that go along with some of this legislation. Any other discussion?

**Matt Veitch**

Chair? Yes. Yeah. So I thank you Supervisor Wright. I totally agree with you. I think that that's a, by doing this, I think that actually will bolster that that lobbying effort. So I appreciate that. Again, I'm along with Supervisor Gaston, not sure about the issue on its face, whether it's the right thing, but by doing this, it gives them something they can hold their hand and bring down there and say the county is saying we should have home rule, can we have home rule? So I appreciate that. Thank you.

**Jean Raymond**

Any other discussion? Any other business? If not, I'll call for a motion to adjourn.

**Dick Lucia**

So moved.

**Mo Wright**

I'll second.

**Jean Raymond**

Second, all in favor of adjourning?

**Several Supervisors**

Aye.

**Jean Raymond**

Thank you. And thank you for your patience with me today.

**Dick Lucia**

Be careful going home.

**Jean Raymond**

Believe me, I'm gonna go a little slower going home.

**Dick Lucia**

Bye bye.