



**GREATER
BINGHAMTON**
CHAMBER OF COMMERCE



**PREPARED BY THE GREATER
BINGHAMTON CHAMBER OF COMMERCE**

**2022
AGENDA**

LEGISLATIVE AGENDA

FEDERAL, STATE AND LOCAL PRIORITIES FOR 2022

MESSAGE TO OUR MEMBERS

The 2022 Legislative Agenda is developed by input from our annual legislative survey and our core advocacy committees: Government Affairs and Small Business Legislative Committee. The political realities in New York make advocacy for business issues extremely important. 2021 was an active year for legislators in Albany. Unfortunately, legislation has the ability to move quickly in a one party rule environment.

Despite the challenges of the COVID-19 pandemic, the Chamber has continued to advocate for a pro-growth, pro-business agenda.

That is why, the Greater Binghamton Chamber of Commerce supports the concept of a **bipartisan Upstate Caucus that will help give a voice to Upstate issues**. It is essential that Upstate NY and Upstate businesses have a pro-active voice in creating a climate for economic growth. The Census has showed us that nearly all gains have taken place downstate while Upstate lost representation. The Chamber will work with local elected leaders and advocacy partners to advance the development of a dynamic Upstate Caucus.

TY MUSE

Chairman of the Board

STACEY DUNCAN

President and CEO

MATT SIEGEL

Co-Chair, GAC

GREG LESKO

Co-Chair, GAC



Photo by Drones Over Broome

GOVERNMENT AFFAIRS COMMITTEE

Brett Pennefeather, Eck Plastic Arts

Chad Nixon, McFarland Johnson, Inc

Christopher Hutchings, Smith Brothers Insurance LLC

Donna Ciancio, So. Tier Home Builders & Remodelers Assoc.

Gregory Lesko, Lesko Financial Services

James McDuffee, Delta Engineers, Architects, & Land Surveyors, DPC

James O'Brien, Bothar Construction LLC

Jeff Smith, Binghamton Baseball Boosters

Joe Mirabito, Mirabito Energy Product

Kenneth Kamlet, Hinman, Howard & Kattell, LLP

Matt Siegel, National Pipe & Plastics

Melissa Hackford, Greater Binghamton Association of Realtors

Michael Fosbury, Columbian Financial Group

Mike Pemberton, DoubleTree by Hilton Binghamton

Robert Warholic, The Smith Group

Sam Lupo, Sam A. Lupo & Sons, Inc.

Terry Wood, Willow Run Foods, Inc.

Tim Strong, Visions Federal Credit Union

Tina Dolan, United Health Services, Inc

greaterbinghamtonchamber.com/advocacy



RELEARNING THE FUNDAMENTALS – FOR A PROSPEROUS SOCIETY

In baseball, football or any other sport, it is all about the fundamentals. You never outgrow these practices. It is this muscle memory that you build that allows you to hit a home run, or drop back into the pocket before a game winning touchdown pass. However, in times of crises fundamentals can go by the wayside. The coaches and managers of the team must always point their players back to the fundamentals as the building blocks of success.

In NYS, we have lost sight of the fundamentals to build a healthy economy: low taxes, fewer regulations and a recognition of small business as a driver of the economy. We frequently know of talented individuals who have left the area because we've lost sight of the basics. New York actually lost congressional representation this year because of this. If we want to be on a winning team, we must reverse this trend.

Unfortunately, New York has developed some poor fundamentals and the coaching provides the wrong gameplan. New Yorkers live in a high tax, high regulatory, environment. When the pandemic hit, New York legislators tried to spend and regulate their way out of the pandemic. New York had a 10% year over year budget increase. The NY HERO Act added an additional burden to employers who were trying their best to balance their budget and make payroll. While small business grants most certainly helped businesses, these funds and others could have been used to pay down the Unemployment Insurance Trust Fund or lower the overall tax burden. The UI trust fund has more than a \$9 billion deficit, and NYS did not put funds in to keep it whole.

The CCIA (Climate and Community investment Act) and Extended Producer Responsibility Bill, and Single Payer were thankfully stopped but were all too close to passing.

New York Legislators need to lead our team to success, and that requires relearning some key fundamentals.

A few fundamentals, New York Legislators need to understand:

- 1) Business is a partner, not an adversary.
- 2) Business success drives prosperity and opportunity for everyone.
- 3) Government is not able to solve every problem. It must partner with the private sector.
- 4) Keeping talent and investment in the community is a key to success.
- 5) Routinely examine the effectiveness of a program before throwing more money towards it.

REGULATORY AND LEGISLATIVE PRIORITIES

TAXES & SPENDING

The Chamber believes that government should use its resources effectively and efficiently to decrease the tax burden on citizens and businesses.

Beginning in 2021 municipalities faced shortfalls, and by the end of the 2021 faced staggering surpluses. New York State exercised little to no fiscal restraint and passed a \$18 billion dollar budget increase. The only state with a comparable budget is California and they have double New York State's population.

The Chamber will advocate for fiscal responsibility: that includes decreased spending and lower taxes. The Chamber believes that government should use its resources effectively and efficiently to decrease the tax burden on citizens and businesses.

The Chamber supports:

- Broad based reforms to lower taxes including the proposed small business tax cuts that would have taken the franchise tax rate from 6.5% to 4%.

- Initiatives that consolidate or eliminate ineffective or redundant government services/programs so that we may lower taxes and keep resources in the hands of citizens and businesses within our community.

- Maintaining the 2% property tax cap. Property owners simply cannot afford any tax increases at this time.

The Chamber opposes:

- Publicly financed campaigns that use tax dollars for things like yard signs, robo-calls and political television ads.

Instead, tax dollars should be going toward beneficial initiatives such as improving infrastructure, workforce development, and tax relief.

MANDATES & EMPLOYER REGULATIONS

The Chamber is supportive of efforts to eliminate burdensome regulations that make doing business in NY unnecessarily difficult.

Unemployment Insurance: Many businesses have had to utilize the unemployment system either through the shared work program or by laying workers off during COVID. Due to the unique circumstances every effort should be made to keep UI costs controllable. The State currently has a \$9 billion dollar hole in the UI trust fund. The State must take action and put funds towards replenishing the fund rather than looking to business for a bailout. Over 30 States put American Rescue Plan funds toward their UI systems and New York was not one of them. The State's Unemployment Trust Fund hole is a top concern for our business owners and the State should take every step to reduce payroll tax increases.

Extended Producer Responsibility Legislation: The EPR bill would shift recycling costs from municipalities onto businesses. Businesses would have to join producer responsibility programs to work on and fund the collection, processing & education on recycled materials. It is estimated that it will

increase a "Basket of goods" by 4.01% to 6.35%. This would equate to an additional \$36 to \$57 per month in grocery costs for the average family of four. This would cost approximately \$684 a year.

Scaffold Law: Scaffold Law requires an absolute liability standard on gravity related construction accidents. This law was once intended to champion safety but making the employer 100% liable for all gravity related accidents has the reverse effect. This law stifles development in our community and costs taxpayers approximately \$800 million annually. The Chamber supports repealing the Scaffold Law and replacing with a comparative negligence standard in order to spur more development in our area.

Minimum Wage: The Chamber strongly shares the goal of wanting people to have higher wages. However, we believe the best way for this to be done is, first, through a robust economy

and a need for talent and, second, through programs for upskilling and training our workforce. Minimum wage increases often cause entry level positions that provide an opportunity for advancement to go away. Most businesses are paying well above the \$13.20 minimum wage. This issue should be left to market forces.

Prevailing Wage Expansion: Unfortunately, in 2020, Prevailing Wage expansion passed to include projects that receive incentives of more than 30 percent of construction costs and the costs exceed \$5 million. This policy has captured a lot of projects and will stagnate economic recovery. The law has just taken effect and it is currently difficult to know the number of projects that are not happening because of this. The Chamber will stand against attempts to alter the prevailing wage law to capture more projects or lower thresholds.

Tipped Wage: Employees are entitled to earn the full minimum wage per hour as set by federal or state law (whichever is higher - \$13.20 for Upstate NY). In 2021, Upstate New York food service workers will earn \$10 per hour plus tips (which must total at least \$4.15 an hour). The elimination of this model would be devastating for restaurants and restaurants workers.

Predictive Scheduling: Placing restrictions on the ability of employers to change employee work schedules, makes it extremely difficult for businesses to be flexible at a time when their ability to adapt is critical to their survival. Under previously proposed predictive scheduling laws, the employer is punished for work schedule changes by having to pay a fine to the employee for schedule changes. Compliance with these types of laws is very difficult, especially in sectors that have fluctuating workloads such as retail and restaurants, and has the potential to sour the employer-employee relationship. The Chamber opposes any onerous scheduling mandates proposed by the State of New York.

Paid Family Leave/ Bereavement Leave: New York State is on its fifth year of Paid Family Leave. The current benefits include 12 weeks of paid leave at 67% of the employee's average weekly wage. It is likely that increased benefits will lead to greater use of the benefits.

The Chamber will advocate that the Paid Family Leave program does not expand from its current form. The employee contribution rate for this program has increased nearly every year. As the cost for this program grows, the Chamber will continue to stand against any attempt to shift the cost of Paid Family Leave onto the employer.

Permanent Paid Sick Leave: This legislation is a challenge for many businesses in our community who are grappling with the additional cost and labor shortage. This additional mandate can be very difficult to comply with especially in industries like construction where wages fluctuate based upon the location of the work.

Rent Control/Stabilization: The NYS legislature passed a rent reform package in 2019 that shifted the landscape for tenants and landlords. Upstate Communities can now opt into NYC style rent stabilization. This will significantly hurt investment in our housing stock and reduce the incentive small time landlords have to revitalize aging housing. The Chamber will advocate for housing policy that encourages growth and reinvestment into our current housing stock.

Gig Economy: Any reform involving the gig economy must be done in such a way that it does not pose an existential threat to the success and innovation created by these workers and businesses. It also should not create an undue barrier to entry into this space.

Marijuana Legalization: Marijuana legalization in conjunction with scaffold law could pose to be a real challenge for businesses and liability costs. We encourage scaffold law reform in light of marijuana legalization.

Reform MWBE Contract Requirements: The Chamber will advocate that the MWBE process is streamlined to make it easier to find eligible businesses and to become MWBE certified. Any increase in the number of contracts that would be required to meet MWBE goals will make it more difficult for businesses to comply. This change would increase the administrative cost for businesses and is another way NYS businesses would lose their competitive edge.

Worker's Compensation: Worker's compensation costs remain high in NY in spite of the recent reforms that have improved the system. It is important that common sense reforms continue to be put in place to further improve the system.

Local Government Mandates: Unfunded mandates that are passed down from the State limit our local governments and put strain on our communities. The Chamber will fight against additional mandates that increase costs on local governments. The property tax cap is a good policy but must be coupled with mandate relief.



WORKFORCE DEVELOPMENT

The Chamber is committed to advancing an employer led talent pipeline to meet the real demand of employers locally.

The Chamber of Commerce continues to advocate for policies and initiatives that will reduce workforce barriers including Childcare and Transportation. Childcare centers face numerous challenges that make it difficult for them to stay open. The cost imposed on many working families is unbearable, and centers are unable to charge the true cost of care. The Chamber will continue to work with community partners and advocate for pro-business solutions that will help address the Childcare crisis in our community

The Chamber's affiliate organization, the Greater Binghamton Education Outreach Program (GBEOP), continues to foster business-education relationships to develop and inspire a dynamic local workforce. The newly launched PEAK program provides students with a visual and interactive pathway that connect them with job opportunities available now and in the future. Peak provides businesses with the opportunity to tap

into the workforce of the future.

GBEOP will continue to work with educators to identify opportunities to partner and facilitate programs and create resources that will address the career readiness needs of the graduating class of 2022 while promoting career exploration for students at all grade levels. This includes reimaging Family Career Nights to increase student participation and creating more opportunities for the incoming workforce to engage with local employers.

The Chamber will continue to support initiatives to keep low level offenders out of prisons and get them into the workforce. Employment for someone with a prior criminal record typically reduces recidivism and is beneficial to the well-being of our community. The Chamber will support initiatives based on the voluntary cooperation of employers in our region.

HEALTH CARE

The Chamber will support healthcare policies that increases affordability and access to coverage.

Healthcare remains a top concern for businesses in our area. A constant complaint from membership is the high cost of healthcare coverage in New York State.

The Chamber of Commerce holds that universality, affordability and quality of care are all important factors in a healthcare system. The best way to achieve this is through a gradual approach and sustained efforts, not through a government takeover of the health insurance industry.

New York State is approaching universal coverage through a public-private partnership that provides over 95% of New Yorkers with medical coverage. The New York Health Act would raise taxes by approximately \$250,000,000,000, and there are still looming questions about associated cost controls and reimbursement rates for healthcare providers.

The State should take steps to approach 100% coverage and promote cost saving measures without abolishing private insurance as the New York Health Act would do.

If Medicaid reimbursement rates are used under a single payer system, our local hospitals will lose significant revenue. Our

area hospitals have already absorbed significant pandemic-related costs for which government and other payers have inadequately paid. The Chamber supports finding ways that medical technology can be used to expand healthcare access, reduce costs and improve quality. These funding gaps make investing in these innovations, like telehealth development, even more difficult for healthcare facilities.

The Chamber is very interested in making sure a sufficient talent pipeline is developed for the healthcare industry. Currently, dire staffing shortages are undoubtedly affecting patient access and overall community health. Expanding clinical training capacity is a key component to assuring that doctors, nurses and other health care professionals have capacity to meet our community's future healthcare needs. A healthy community is critically important to sustaining a thriving community. Strengthening the healthcare workforce is critical to delivering excellent healthcare.

Additional mandates on health plans and HCRA taxes on healthcare is a large part of the problem that makes healthcare coverage unaffordable for New Yorkers. Let's look for ways to decrease cost and increase choice.

ENERGY

The Chamber will fight for affordable and reliable energy that can keep our businesses competitive.

Our local businesses must have access to the energy they need at a price that keeps them competitive. With a global economy, our businesses compete with companies from around the world. Our statewide energy policy must be affordable, accessible, and reliable if our community is going to be able to thrive. The Community Leadership and Climate Protection Act was signed into law in 2019. This legislation requires New York to cut greenhouse gas emissions to 85% of 1990 levels by 2050. It also requires 70% of statewide electricity be sourced from renewables by 2030 and to go carbon free by 2040. New York State will have to work to build more infrastructure and make significant investments into the grid to make electric cars and trucks feasible. There is still insufficient information on the cost and feasibility of the CLCPA.

Previously, Governor Cuomo had taken control of the Article 10 process to speed up the permitting process for renewable energy. It is important that local communities have a say, and

that the costs of these proposals are made publicly available. Upstate Communities should not be on the hook for downstate projects. The Chamber will be advocating that CLCPA implementation be done with as little cost to the business community as possible. Our State Government must be aware that increased energy costs will drive more businesses out of NY, which will create more pollution when operating in less environmentally conscience states.

Oppose the CCIA: The Greater Binghamton Chamber of Commerce stands against the Climate and Community Investment Act (CCIA) that would equate to a 55 cent gas tax on gasoline and a 26% increase on natural gas and other home heating oils. Since Upstate New Yorkers are more reliant on private transportation, this would equate to a over \$350 increase per driver. Also, each residential household would expect to see an increase of \$357 per year.

ECONOMIC DEVELOPMENT

The Chamber will champion economic development processes that match the needs of businesses.

Foremost, we believe that free markets and a favorable regulatory climate is the best economic development program.

Expedite the economic development process: It is more important for the state to move at the paces of business and investment and not get hamstrung in bureaucratic practices.

Improve transportation and infrastructure: Transportation is a critical workforce barrier. Typical bus-lines need to match the needs of employers more accurately. The Chamber will continue to work to find solutions to this problem including creative private-public partnerships that will allow workers to overcome this barrier.

Broadband Access: The Chamber is supportive of initiatives to expand broadband access. During COVID, the ability for students and employees to have access to highspeed internet is more important now than ever.

Revitalization: For communities to revitalize across Upstate NY, the downtown area of a community must be an area of key investment. Empty buildings and vacant lots should be either torn down or repaired to help bring a sense of order and community to an area. The Chamber strongly supports community revitalization efforts and we have really begun to see the fruits of these projects across Broome County.

IDA Legislation: The Chamber stands against attempts that would make the IDA's less effective at promoting local economic development, including limiting PILOT timeframes and increasing the scope of prevailing wage.

Infrastructure: Improving utility infrastructure including roads, water, sewer, electric, and gas will be important as new businesses consider our area for investment.

2022 GREATER BINGHAMTON LEGISLATIVE DIRECTORY

Federal

CONGRESSWOMAN - CLAUDIA TENNEY

329 Cannon HOB
Washington, DC 20515
202.225.3665
tenney.house.gov

CONGRESSMAN - TOM REED

2263 Rayburn HOB
Washington, DC 20515
202.225.3161
reed.house.gov

U.S. SENATOR - KIRSTEN E. GILLIBRAND

478 Russell Senate Bldg.
Washington, DC 20510
202.224.4451
gillibrand.senate.gov

U.S. SENATOR - CHARLES SCHUMER

313 Hart Senate Bldg.
Washington, DC 20510
202.224.6542
schumer.senate.gov

State

GOVERNOR - KATHY HOCHUL

State Capital
Albany, NY 12224
518.474.8390
governor.ny.gov

SENATOR - FREDERICK J. AKSHAR II

District Office
44 Hawley Street
Room 1607
Binghamton, NY 13901
607.773.8771

Albany Office
LOB 608
Albany, NY 12247
518.455.2677
akshar@nysenate.gov

ASSEMBLYWOMAN - DONNA LUPARDO

District Office
44 Hawley Street
Room 1704
Binghamton, NY 13901
607.723.9047

Albany Office
LOB 828
Albany, NY 12248
518.455.5431
LupardoD@nyassembly.gov

ASSEMBLYMAN - JOE ANGELINO

District Office
1 Kattelville Road
Suite 1
Binghamton, NY 13901
607.648.6080

Albany Office
LOB 549
Albany, NY 12248
518.455.5741
angelinoj@assembly.state.ny.us

ASSEMBLYMAN - CHRISTOPHER S. FRIEND

District Office
1250 Schweizer Road
Horseheads, NY 14845
607.562.3602

Albany Office
LOB 938
Albany, NY 12248
518.455.4538
friendc@nyassembly.gov

County

COUNTY EXECUTIVE - JASON T. GARNAR

60 Hawley Street
6th Floor
Binghamton, NY 13902
607.778.2109
countyexecutive@co.broome.ny.us

LEGISLATIVE CHAIR - DANIEL J. REYNOLDS

60 Hawley Street
6th Floor
Binghamton, NY 13902
607.778.2131
daniel.j.reynolds@broomecounty.us