

 **10 OF NEW YORK'S MOST BURDENSOME LAWS**

New York State regularly lands at the bottom of the list of states across America that rank the most affordable places in which to live, pay taxes, and do business. This is not a coincidence.

We are so non-competitive and expensive because of the crushing policies emanating from Albany. Such policies have led to the highest combined state and local taxes in the nation.

No state has seen more of its residents flee to greener pastures than New York. We can reverse that.

Below is a list of reforms of ten of the most burdensome and illogical laws on the books in New York, as compiled by the Center for Cost Effective Government. Here's a suggestion: Put each of these ten burdens in a single bill that will eliminate them. Then, sit back and watch New York experience an unprecedented Renaissance.

1. **Enact pension reform** by installing a 401K–type defined contribution pension for the public sector, as opposed to the present defined benefit pension, which keeps taxpayers on the hook for a guaranteed rate of return.
2. **Cap mandatory arbitration** awards that have propelled law enforcement salaries over the $200,000 mark.
3. **Eliminate overtime** from being factored into the base of a pension. This practice has allowed for pensions to be dramatically inflated. Six figure pensions are now quite common.
4. **End the Triborough Amendment** that provides for automatic step salary increases in the public sector, even after a contract has expired.
5. **Control Medicaid benefits** in New York to levels no greater than required by the federal government. New York taxpayers expend more than a billion dollars above the standards established by the Feds. For instance, while the Feds allow Medicaid to be made available to legal immigrants here more than five years, New York voluntarily waived the five year threshold.
6. **End the Wicks Law**. This relic from the early 1900s was originally enacted as a way to supposedly counter fraud in the letting of contracts. Instead of allowing the general contractor on public works projects to choose certain sub-contractors, the Wicks Law mandates that the subs be hired through a bidding process outside the control of the general contractor. It has been estimated by numerous budget experts that the law increases by up to 30% the cost of constructing public buildings in the state.
7. **End the Scaffold Law** that holds building owners liable for accidents occurring at their construction sites even though they might not have been negligent in any way. Any employee contributory negligence is discounted. New York is the only state that has such absolute liability.
8. **End disability abuse** that allows for some workers to get 3/4 of their pay tax-free if injured on the job. This has resulted in some employees (mostly in law enforcement) getting more staying home than if they are actually working, thereby eroding incentive to get back to work. Also end the "presumption" that heart and lung ailments are necessarily job related.
9. **End sick day abuse**. Some local governments allow for employees to cash out huge amounts of unused sick days upon retirement. Some Long Island police, for example, get 26 sick days a year, and many of those not used can be banked for payment upon retirement. The employee is paid for the day at the salary rate he or she has in the last year of service. This has led to some employees getting severance packages of almost a half-million dollars. The New York City policy for sick days of "use it or lose it" should apply.
10. **End 20 year retirements**. While the idea of allowing "20 years and out" policies in New York may have in the past been palatable, it is hard to justify such a policy with folks living so much longer today. By the time an officer age 23 reaches 83, the taxpayer could be funding one active and three retired officers (through their pensions) for that one position. It is simply unsustainable.

So there you have it. A reform package that would make New York a far more affordable place in which to live or do business. The Center for Cost Effective Government has placed them front and center.

Do not accept the naysayers' claim that there is no way to fix this expensive state. Our Center has identified the problems. And, as importantly, we've generated the solution: a single omnibus bill that finally rids us of these burdensome laws. What's lacking is a commitment from our state officials to step up and support such a hugely needed reform. Where does your legislator stand?