Legislative Update

New York Upstate APA Spring Planners Day
March 9, 2018
Gateway Center
SUNY ESF
Syracuse, NY

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Like Putting Your Arms Around a Rhino

- Federal Context and Issue Update

- New York State Context and Issue Update

- APA National Advocacy Resources

- APA NY Upstate Chapter Advocacy

- Questions/Discussion

Federal Context – Trump Administration

45th President of the United States

Donald J. Trump (Term – 2017-2020)

Key Planning Agency/Departments

DOT Secretary **– Elaine L. Chao (FHWA, FTA, FAA)**
HUD Secretary **– Benjamin S. Carson, Sr. (CPD)**
Interior Secretary **– Ryan Zinke (NPS, Fish and Wildlife, BLM)**
Commerce Secretary **– Wilbur L. Ross (Census, BEA, NOAA, EDA)**
Treasury Secretary **– Steven T. Mnuchin (CDFI, IRS)**
EPA Administrator **– Scott Pruitt**

Sub-Cabinet Appointments

- still coming along, President continues to question the need for these appointments
- these include FTA, FAA, Census, National Park Service
- Investigate network contacts for connections
- APA Appointments Tracker relevant for list

The 115th Congress

115th Congress of the United States – (2017-2018)

- most diverse Congress in history, still less diverse than the population
- fractured coalitions, but unified control

House of Representatives – 238 Republicans, 193 Democrats (4 vacant)

- Speaker Hon. Paul Ryan
- Minority (Democratic) Leader Hon. Nancy Pelosi

Senate – 51 Republicans, 49 Minority Members (Democrats/Independents)

- Majority Leader Hon. Mitch McConnell
- Minority Leader Hon. Chuck Schumer

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LEGISLATIVE PRIORITIES

Stand up for planning in 2018

Our policy agenda calls on Congress to address four issues to create stronger, more just communities for all.

1. Infrastructure

2. Housing Choice and Affordability

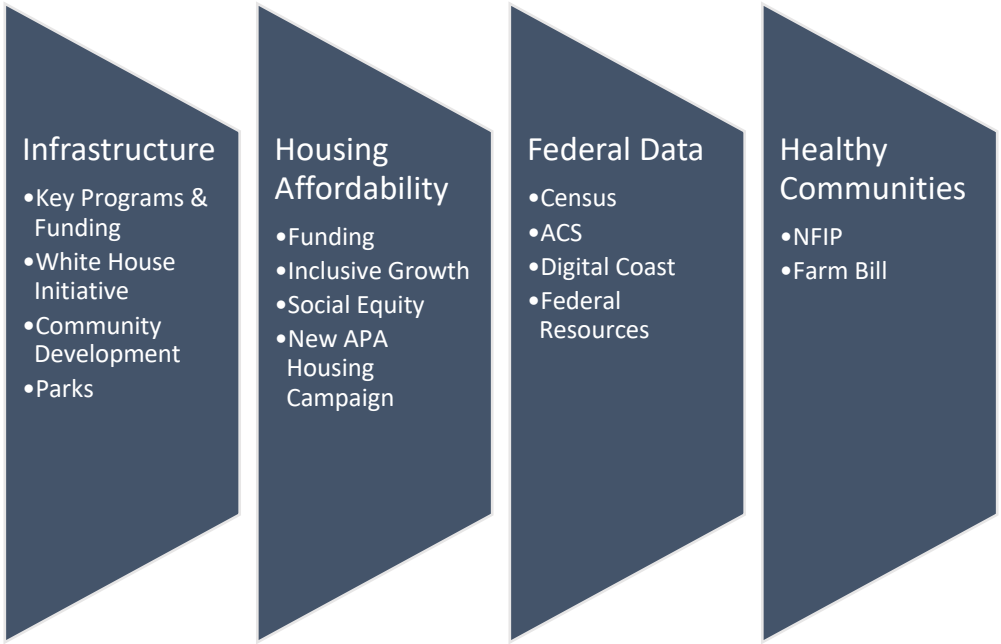
3. Federal Data

4. Healthy and Safe Communities

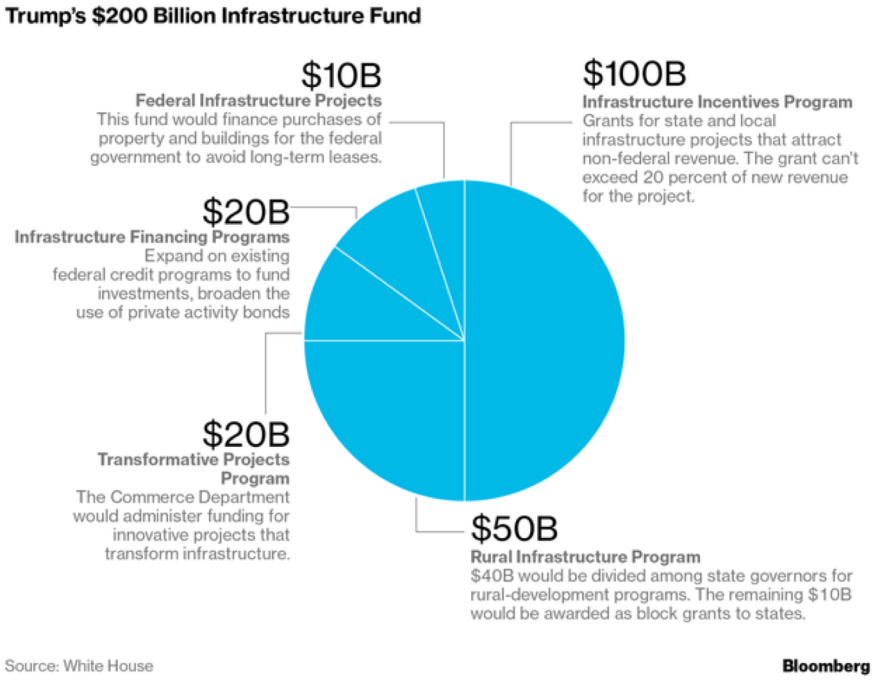
Share these priorities with your representatives at **planning.org/policy**

2018 Legislative Priorities

Creating stronger and more just communities through access to opportunity, strategic investments in innovation, and broadly-shared prosperity



Trump Infrastructure Plan



- **$200b in Direct Spending**
- **But, Off-Sets from Existing Programs**
- **Aim to Leverage $1.5t in Investment**
- **20% Max Cap on Federal Investment**
- **Includes Policy and Environmental Review Changes**
- **Detailed Summary on the APA Website -**

Federal Issues – Infrastructure…it's here!

- how (or if) to pay for still?

- Texas high speed rail held and the hyperloops held out as examples (primarily privately funded)

- like Administration budget, "details astounding disinvestment in federal programs that support good planning"

- see adopted APA Infrastructure Principles

APA Response

Statement Released to Capitol Hill

Key Points:

- **No Cuts to Existing Infrastructure Funds to Off Set New Program**
- **Stabilize the Highway Trust Fund**
- **No Burden Shift to Local Governments (Oppose 20% Federal Cap)**
- **Improve Support for Transit**
- **Boost Finance Tools and Support Innovation**
- **Address All Critical Infrastructure**

Next Steps on Infrastructure

Challenging Climate for Action

- **Funding Levels, Off Sets & the Gas Tax**
- **Deficit Concerns**
- **Policy Differences**
- **Midterms**

Next Steps:

- Allocation Decisions for New Funding under Updated Budget Caps
- March Hearings & Committee Action
- Debate Continues

"APA appreciates the bipartisan interest in addressing our critical infrastructure needs. While recent steps mark progress, the infrastructure plan as presented falls far short of meeting the nation's needs. There are important changes needed to deliver the kind of policy and funding required to strengthen communities, spur economic prosperity and support investments in access and opportunity"

- Cynthia Bowen, AICP
President, American Planning Association

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Budget and Tax Reform Update

- **FFY 2018: Current stopgap funding bill expires March 23, final spending bill on House floor next week?**
- **FFY 2019: President's proposal released last month, devastating cuts to HUD, EPA, DOT**
- **Tax reform: Finalized December 2017, preserves Low-Income Housing Tax Credit, Private Activity Bonds, Historic Preservation Tax Credit, New Market Tax Credit**

APA Budget Statement – Trump FFY 2019 Budget

"Once again, the Trump Administration has sent to Capitol Hill a budget proposal that fails local communities. The budget threatens essential and proven programs for community development, housing and transportation. More importantly, it fails communities and the work of creating stronger, more prosperous places for all. APA urges Congress to reject this approach and invest in the needs and priorities of the nation's communities."

- Cynthia Bowen, AICP
President, American Planning Association

Federal Issues – Digital Coast Act

Provides Critical Coastal Data for Planners

Enjoys bipartisan support in Congress

- Digital Coast Act (S. 110) passed in Senate by unanimous consent to formalize the program and appropriate funding for it this Congress

- House version (HR 4062) is gaining co-sponsors

- APA is working closely with the Digital Coast Partnership to encourage passage in the House

Federal Issues – Regulations

- environmental streamlining continues to be a top priority

- February 24, 2017 Executive Order created Regulatory Reform Officers and Task Forces in Most Agencies

- many regulations that were in process have been postponed

- Bureau of Land Management rule recently reversed; CAFE standards under review

- The EPA and Army continue to implement rulemaking changes that redefine the Waters of the United States (WOTUS) – see https://www.epa.gov/wotus-rule

- if you have a regulation that you want scaled back now is the time to act

NYS Context – 2018 NYS Election

NYS Governor Hon. Andrew M. Cuomo (Term 2015-2018)

NYS Senate

Republican/Independent Democratic Caucus (IDC) controlled – 31 Republicans, 24 Democrats, 8 IDC

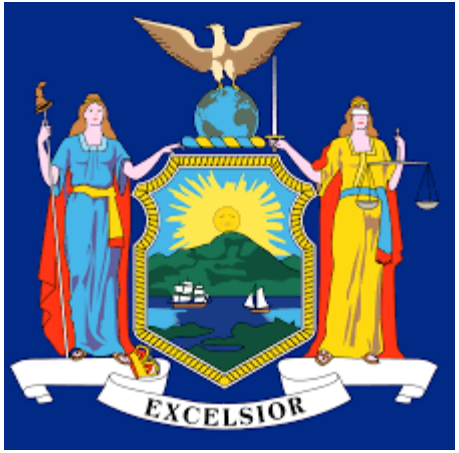
- **Temporary President/Majority Leader Hon. John J. Flanagan (Suffolk County, Long Island)**
- **IDC Leader Hon. Jeffrey D. Klein (Bronx, Westchester)**
- **Minority Leader Hon. Andrea Stewart-Cousins (Westchester)**

NYS Assembly

Solidly Democratic (Downstate) controlled – 104 Majority (Democrats/Independent), 37 Republicans, 9 Vacant

- **Speaker Hon. Carl E. Heastie (Bronx)**
- **Minority Leader Hon. Brian M. Kolb (Northern Finger Lakes/Geneva)**

All NYS legislators and Governor are up for election in November 2018



State Issues – 2018-19 Budget

March 31, 2017 is the State Fiscal Year End

Key Fiscal Considerations

- Dealing with Impact of Federal Tax Reform
- $5 billion Projected Deficit

Next Steps in 2018-19 Budget Process

March 14 – One House Budget Actions

March 14 through 22 – Joint Budget Conference Committees

March 27 through 29 – Joint Budget Bill Actions

State Issues – 2018-19 Budget

Infrastructure: MTA Funding and Congestion Pricing Big Focus

Subway Action Plan – $428 million for half of an upfront capital investment

Fix NYC – Contemplates congestion pricing, only pieces included in budget

<u>Transportation, Energy, and Communications</u>

- Continues Investment in $2.5 Billion Clean Water Infrastructure Act ($100 million)
- $300 million for Environmental Protection Fund ($154 million for open space, $86 million for parks and recreation, $40 million for solid waste, $20 million for climate change programs)
- $100 million for State Superfund Program and Environmental Restoration Program
- $11.7 billion for continuation of 5-year transportation capital program

State Issues – 2018-19 Budget

Upstate Economic Development

- Round 7 of the Regional Economic Development Councils – $750 million
- Downtown Revitalization Initiative – Round 3 – $100 million; 10 awards in 10 regions
- $62.5 million in capital funding for ORDA
- Sixth round of $15 million for the Market NY program
- $210 million in NY Broadband Round 3 grants recently announced

State Issues – 2018-19 Budget

Reforming the Energy Vision (REV)

Reduce GGE by 40 percent in 2030, 80 percent by 2050

- financial support for local resiliency plans ($?)
- VW settlement investment to reduce GGE ($130 million)
- plan to reduce GGE from transportation sector
- Climate Justice Road Map

State Issues – 2018-19 State Budget

Shared Services

$225 million appropriation to fund one-time match for actual shared services savings

- makes permanent shared services panels
- 34 of 57 counties have submitted adopted plans
- Continues $4 million appropriation for Local Government Efficiency Grants

State Issues – Other Items of Note

Article VII Legislation

Brownfield Opportunities Area (BOA) Program (Part U, TED)

Make enhancements to the BOA program to allow plans that are financed with local or other state funding to also apply for designation as well as reform the current BOA process to bolster efficiency."

Siting of Small Cell Wireless Facilities (Part F, TED)

Authorize the Department of Transportation (DOT) to charge for use and occupancy of fiber optic lines on DOT right of way and establish a uniform process for the siting of small cell wireless facilities.

Planners' Advocacy Network

Stand up for planning by joining APA's free, federally focused grassroots network.

What's in it for you?

- **Exclusive email newsletters and coverage of Capitol Hill**
- **Access to APA's easy-to-use action alerts in the Legislative Action Center**
- **"How to" advocacy resources**
- **Members-only webinars**
- **Discounted registration for APA's 2018 Policy and Advocacy Conference**

Join the Network online at https://planning.org/advocacy/

APA Policy and Advocacy: Q & A

Q: How much does it cost to join?

- **All of these Policy and Advocacy resources are free for all members**

Q: How can I be an advocate?

- **There are many different ways to be an advocate, from reviewing early policy drafts, contacting your legislator, or becoming a District Captain or State Chair, but the first step in becoming an advocate, is joining the Planner's Advocacy Network!**

For more information visit planning.org/policy or contact govtaffairs@planning.org

National APA Advocates Toolbox

One Stop Shop for All Your Engagement Needs!

https://www.planning.org/advocacy/toolbox/

- Trump Administration Appointments Tracker
- Resources
- Best practices
- Webinars
- Communications Guide

Additional National APA Advocacy Resources

Policy Guides

Represent APA's official positions on issues central to planning

Infrastructure Principles

APA provides guiding principles for future infrastructure proposals

Updated Website and Action Alerts

APA keeps you updated on all federal planning news, and alerts you when it is time to take action

Legislative Priorities

APA outlines what we'd like to see happen in Congress this year

Thanks to our NY advocates!

APA Policy and Advocacy Conference

- NY advocates met with 9 congressional offices

Great Places in America

- 2017 Great Street – Waterloo, NY
- Participation by Rep. Reed staff
- Now accepting 2018 Great Places suggestions: https://planning.org/greatplaces/

APA NY Upstate Chapter Advocacy

It's Time for Us to Advocate!

- What Are Your Legislative Issues and Needs
- Create Legislative Workplan
- Create and Maintain Bill Tracking
- Map Membership/Legislator Connections
- Advocate!

American Planning Association

Making Great Communities Happen