

COMMITTEE ON LEGISLATION
MINUTES: February 23, 2009

LEGISLATION

MEMBERS:

Chair: Burton; Legislators: Myers, Jenkins, Nonna, Harckham, Rogowsky, Bronz, Oros, Abinanti

IN ATTENDANCE:

CE: A. Neuman, B. Randolph; **CA:** L. Trentacoste, L. Cipollo; **BOL:** S. Bass, R. Pezzullo, J. Sold, E. Vita, M. Amodio; **DCP:** G. Brown, J. Gaccione
GUESTS: S. Swift, P. Brodhagen, B. Hempson

With a quorum present, the Committee on Legislation was called to order at 1:50 p.m.

MINUTES

(Jenkins, Harckham) Move to approve the minutes of January 12, 2009 and February 2, 2009. Motion approved 6-0.

BOARDS AND COMMISSION

(Bronz, Harckham) Move to approve the appointments of Olivia King to the Fair Housing Board and Freedom Weekes to the Youth Board and reappointments of Reginald Bush, Cora Miles, Ernest Prince and Mae Williams to the African American Advisory Board.

Legislator Bronz gave a report from the Sub Committee on appointments recommending these individuals. Motion approved 7-0.

ITEM PRICING WAIVER LAW

Andrew Newman of the County Executive's Office, Director Gary Brown and John Gaccione of the Westchester County Office of Consumer Affairs gave an overview of the legislation and answered questions by committee members. The original item pricing law dates back to the early 70's. Technology has evolved which allows consumers to see prices on scanners. A number of other counties in New York State have already enacted this change with an enormous amount of success. Mr. Newman stated that this new proposal will continue to protect consumers, is something which is being embraced by the business community and provides an opportunity to allow the county to collect additional fees.

Mr. Brown said retailers would apply annually for a waiver from the item pricing law. In order to get the waiver the retailer would have to pass a check out scanner accuracy test, conducted by the Department of Consumer Protection, get at least a 98% accuracy and pay a sliding scale fee based on the store size. Shelf tags and price scanners will be required throughout the store. The problem is that retailers are not complying with the current law and are willing to just pay the fine. If the store scanners are inaccurate the waiver can be revoked. The law would not apply to Yonkers and Mt. Vernon since they have their own laws.

Pat Brodhagan of the Food Industry Alliance and Bob Hempson, a general manager of Stop and Shop spoke about their support for the bill. They also talked about the experience stores have had with pricing. They believe in the counties which have similar laws it has worked very well without consumer complaints.

Mr. Burton requested to invite non food retailers, The Consumer Union and the United Food and Commercial Workers Union to the next committee meeting on this topic. The Committee will also hear a report from the County Consumer Protection Advisory Council.

(Myers, Nonna) Move to adjourn. Motion approved 7-0. The Committee on Legislation adjourned at 3:33 p.m.

AUDIO RECORDING ON FILE FOR REVIEW UPON REQUEST