

ABC Empire State Chapter

6369 Collamer Drive, E. Syracuse, NY 13057-1115

www.abcnys.org

(315) 463-7539 (800) 477-7743

(315) 463-7621 (Fax)

Regional Offices/VP's

CNY	James DeChene	315-463-7539/Fax 7621
ENY	John Nerney	518-449-1062/Fax 9084
LI/Metro	Ruth Mulford	631-738-2086/Fax 2083
WNY	Scott Zylka	716-832-0777/Fax 0749
ROCH	Andrea Harvey	585-266-3280 Fax 585-544-6502

ABC – A Strategy for 2006 and Beyond!

In January, the Empire State Chapter held its annual strategic planning conference, and we spent a considerable amount of time determining specific goals and objectives for 2006 and beyond.

The goals were approved by the State Board during the February board meeting, and are summarized on this page for your information. Committees have been formed in each region to begin identifying strategies and tactics to make these goals a reality.

As it relates to government and political affairs, in January of 2006, Scott Zylka, our WNY Regional Vice President, was given the additional assignment as 'Government Affairs Director'. In this role, Scott will have responsibility for overall coordination of all political, grassroots and government affairs activities for the Empire State Chapter, eliminating the need for a state lobbyist.

In addition, the Board, under the direction of the Long Island leadership, has implemented a grassroots issue advocacy campaign to retain a "Field Coordinator" to monitor anti-merit shop legislation and regulations in every region in the state, and implement strategies to prevent them from becoming law. Our "Field Coordinator" is none other than the Honorable Allan Binder, a former Suffolk County Legislator who knows first-hand how the political process is manipulated by those who seek to legislate away competition in both the public and private construction marketplace.

Over the next few weeks, the various committees in your region will be calling on you to provide assistance and support in the achievement of these goals..and we hope you will respond generously with your opinions, input and your time.

ABC is your VOICE..but it takes a '*sustained and unified*' voice to see real results.

GET INVOLVED



ABC members and staff working on government and political affairs goals during the ABC 2006 Planning Conference

MEMBERSHIP MISSION

To increase membership and to enhance the value of being a member of ABC

GOALS

Increase net membership by a minimum of 8%

Integrate and coordinate membership recruitment and retention efforts among all the regions

Determine strategies for increasing net non-dues revenue

GOVERNMENT & POLITICAL AFFAIRS MISSION

To create a political environment in which the legislative and regulatory process reflects the ABC merit philosophy and the system of free enterprise

GOALS

Strengthen and enlarge the grassroots *advocacy capacity* of the Association's issues

Raise a minimum of \$250K for the state PAC; and \$25K for the federal PAC

EDUCATION & SAFETY MISSION

To raise the awareness and increase the utilization of ABC's construction training programs throughout the construction industry

GOALS

Increase the promotion of ABC construction training programs

Expand the depth and availability of ABC or ABC-sponsored craft and apprenticeship training

Examine new technologies for learning with the objective of decreasing costs and increasing availability

2006 ABC Empire State Board of Directors

Jeff Grube, Chairman, Chesterfield Associates, Inc.; **Sam Fresina**, Chair-Elect, Tersal Construction; **Chip Jones**, Past Chairman, Wittburn Enterprises; **Ken Gardiner**, Treasurer, Dannible & McKee ♦ **CNY Rep's**: **Peter Donohoe**, Demco NY Corp; **Jerry Pollock**, Seven Valley Glass Co.; **Bob Moses**, Bond, Schoeneck & King ♦ **ENY Rep's**: Vice Chair - **Dan Crandell**, Cranbrook Construction; **Steve Ryan**, Frank J. Ryan & Sons Painting ♦ **LI/Metro Rep's**: **Ed Tyrrell**, Core Electric; **Todd Panzner**, Panzner Brothers Demolition ♦ **ROCH Rep's**: Vice Chair - **Joel DiMarco**, DiMarco Constructors LLC; **Floyd Rayburn**, F.G. Rayburn Mason Contractors, Inc. ♦ **WNY Rep's**: Vice Chair - **Jim Collins**, Milherst Construction, Inc.; **Dave Resetarits**, Resetarits Construction Corp.

Erie County Apprenticeship Law Vetoed by County Executive

Citing his concern regarding the law's impact on the competitive bidding process and serious concerns regarding the overly restrictive nature of the law, Erie County Executive Joel Giambra vetoed Local Law Intro. No. 1-2006, "***A Local Law in relation to a requirement for Worker Training Programs by contractors and subcontractors under contract with the County of Erie***" on Friday, March 3, 2006. His veto message indicated that the public hearing on the law, which was well attended by ABC members and staff, accurately conveyed to him our concerns about the restrictive nature of the law, its impact on competitive bidding and therefore on public construction costs, and most importantly, the overall concern that the law goes well beyond the scope of Labor Law Section 816B in requiring that every construction worker working on a county construction project have proof of completion of a NYS-approved apprenticeship program.

The County Legislature, which passed the law by an 11-4 vote, will in all likelihood attempt to override the County Executive's veto, and ABC in Western New York has mounted an all-out campaign to try and secure enough votes to sustain the veto. A petition drive, letter writing campaign, advertising campaign, etc. are all underway as we speak. This grassroots campaign can be effective, but **ONLY** if all members and their employees are engaged. Never more than today does the ABC mantra, "***Get Into Politics, Or Get Out of Business***" hold more truth. Together, sending a strong message to the County Legislators, we can, and will make a difference.



Congratulations & Farewell

James De Chene, our CNY Regional V.P., has accepted a position as Director of Public Affairs, for the Massachusetts Chapter. Our best wishes go out to him for a long and successful future with another Chapter of ABC!

WARNING to ABC MEMBERS: ARE YOUR MARKETING ACTIVITIES REALLY "LOBBYING"???

New York State Lobbying Act Effective January 1, 2006

Many companies and organizations find that marketing is an important part of their business, but depending on what is being said or done, and to whom, ***you could be lobbying***. Others lobby but don't know it, and consequently don't report it properly.

As business owners, you must know the new lobbying rules and limits, ***and fully comply***, or the penalties can be stiff, and may even lead to debarment.

In August, 2005, Governor George Pataki signed into law major changes to the Legislative Law and the State Finance Law which regulate lobbying on procurement contracts. The new lobbying law, "***Chapter 1 of the Laws of 2005, as amended by Chapter 596 of the Laws of 2005***", expands upon EO 127 and the former lobbying statute. Among other things, the new regulations, ***effective January 1, 2006***:

- makes the lobbying law applicable to attempts to influence procurement contracts once the procurement process has been commenced by a governmental entity
- requires governmental entities to ***record all contacts*** made by lobbyists and contractors about a governmental procurement
- requires governmental entities to ***designate persons to be contacted*** relative to governmental procurement
- authorizes the Temporary State Commission on Lobbying to impose fines and penalties against person/organizations engaging in impermissible contacts about governmental procurement, and
- expands the definition of lobbying to include attempts to influence gubernatorial or local Executive Orders, Tribal-State Agreements, and procurement contracts

Recent scandals, in particular the Jack Abramoff scandal currently rocking Washington D.C., and criminal investigations related to lobbying activities will undoubtedly trigger even more restrictive lobbying reforms in the future. But for now, ***be very careful***. Review your organization's activities and revamp them, if necessary, to meet the new regulations.

The guidelines of the Lobbying Law, as set forth by the Temporary State Commission on Lobbying, do not include information on procurement lobbying or changes to the Lobby Act as amended August 23, 2005, ***at this point in time***. Final, amended guidelines are expected to be available sometime later this year. After the amended guidelines are available, each region will schedule a meeting where an expert will review the Lobbying Act with ABC members.

For now, please remember these two conditions:

- 1) If you are engaged in business development, you could be a lobbyist.
- 2) When placing calls to designated persons regarding governmental contracts, do not discuss or advise them about your business capabilities, etc. Stick to contract related discussions – ***ONLY!***

To discuss your company activities in relationship to the new lobbying law, call Rebecca Meinking, ABC Empire State Chapter President at 315-463-7539, or toll free at 1-800-477-7743.

ABC WORKERS' COMPENSATION TRUST

The 'Trust' you can depend upon. To confirm your eligibility for lower workers' compensation costs, call Reller Risk Management: (315) 432-8210