

VETO MESSAGE - No. 6825

TO THE SENATE:

I am returning herewith, without my approval, the following bill:

Senate Bill Number 7137-B, entitled:

"AN ACT to amend the education law and the general municipal law, in relation to requiring that certain plumbing or electrical work on a school building to be performed by a licensed master plumber or licensed electrician"

NOT APPROVED

This bill would amend the Education Law and General Municipal Law to require all plumbing and electrical work of over \$10,000 performed by an independent contractor on a school building be supervised "and/or" performed by a master plumber or licensed electrician, to the extent one is required by the municipality in which the building is located. The sponsors contend that this bill is necessary to avoid the risk that projects are performed incorrectly, and that it would save school districts money by preventing shoddy work that would need to be remediated.

I am presented with no evidence, however, that any remediation has been required by any school district due to the use of plumbers or electricians who are not licensed in the particular locality where the school district is located, or that requiring use only of plumbers and electricians licensed locally would remove such risk in any way. Indeed, it is not clear to me why making such professionals obtain separate licenses in each locality that contains a school district in which they wish to work would do anything to ensure the quality or reliability of their work. While some of the bill's supporters contend that the bill only would require that a plumber or electrician be licensed in one of the State's jurisdictions, at best, the bill is ambiguous in this respect, and would generate significant litigation if enacted.

What is clear, in any case, is that enacting this legislation would reduce competition for the work at issue. Indeed, the very purpose of the bill is to prevent certain contractors, who otherwise would be the lowest bidders, from performing particular work for school districts. Inevitably, less competitors will mean increased costs. For that reason, numerous organizations representing the interests of the school districts, who presumably would support this measure if it produced the cost savings and quality work predicted by the sponsors, strongly oppose the bill. I recognize that school districts throughout the State have had to absorb necessary reductions in State aid. I salute these districts for the responsible manner in which they have adapted to the State's imperative to reduce expenditures. In these times of declining State aid and strained local budgets, I cannot approve a measure that would increase costs without resulting in any countervailing benefit demonstrated by specific evidentiary support.

The bill is disapproved.

(signed) DAVID A. PATERSON

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