



Legislative Update

End of Year Newsletter

Assemblyman Steve Englebright

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Dear Neighbor:

As Chair of the Assembly Governmental Operations Committee, my legislative efforts this session focused in large part on improving our ability to prepare for and respond to future storms, natural disasters, and any other significant emergencies. These efforts include enhancements to the Division of Homeland Security and Emergency Services that will help improve New York State's ability to coordinate preparation and response for disaster emergencies.

The 2013 Legislative Session accomplished many important things for the people of New York. Working with the leadership of Governor Cuomo, my colleagues and I restored cuts to programs for the developmentally disabled; raised the minimum wage to \$9 an hour in 2015; passed the third consecutive on-time budget that extended middle-class tax cuts; and assisted New Yorkers rebuilding from the devastating effects of Sandy.

Building on my previous efforts to address Long Island's high incidence of breast cancer, I successfully pushed for a measure that opens a new source of funding for the mapping of breast cancer incidence from the Breast Cancer Research and Education Fund to cancer researchers at academic and research institutions.

We ended this year's session with major initiatives to jumpstart the economy here on Long Island – including Start-Up NY to create tax-free communities around our SUNY schools to attract new business. The achievements of this legislative session send a clear message that New York is open for business.

I hope you will find this newsletter informative and useful. My staff and I are always available to assist you in my District Office located at 149 Main Street, Setauket, New York, or by phone at (631)751-3094 or email at engles@assembly.state.ny.us

Warm wishes for a happy holiday season,

Steve Englebright

*Steve Englebright
Member of Assembly*

At Comsewogue School District's "Students not Scores" Rally

In late August, Assemblyman Englebright joined Superintendent Dr. Joe Rella at a rally at Comsewogue High School in Port Jefferson Station after Dr. Rella issued a letter with his thoughts on the failed implementation of the Common Core Educational Standards.

Dr. Rella's widely read and admired letter reduced what we have to do to a simple slogan, "Stop it, Fix it or Scrap it." At the rally, Englebright called for Education Commissioner John King to either "fix it" or resign.



From left to right: Gina Rennard, parent; Arya Hezarkani, CHS Senior; Ali Gordon, Comsewogue Board Member; Beth Dimino, PJSTA President; Assemblyman Englebright; Mrs. Rella; Dr. Joe Rella, Superintendent; Richard C. Iannuzzi, NYSUT President; Vivian Vilorio Fisher; Assemblyman Al Graf.

Highlights of the 2013 Legislative Session

Strengthening our Emergency Response System

Improving Response for the Next Superstorm Chapter 101 of 2013 (Englebright)

The Sandy and Nemo storms illuminated many shortcomings in our state emergency response system. Assemblyman Englebright has been working on ways to better prepare for future emergencies and severe weather events by improving our ability to coordinate the uses of all available local, state, federal and private resources.

Under this law, the Office of Emergency Management will now be able to accept any assistance including gifts of goods or services, excluding money, from a public or private source for the purpose of preparing for, responding to, or recovering from a state disaster emergency. To ensure transparency, a public database will be maintained to include names of donors and recipients, the type of assistance given, and the value of the assistance. This new law will also implement NY-Text, a system that allows for mass text messages to be sent to all wireless telephones in a chosen area before, during, or after an emergency.

Protecting Fuel Delivery Infrastructure from Pipeline to Pump

Our state is now implementing a 21st century fuel infrastructure protection strategy from the pipeline to the pump. We now have the strongest protections in the nation to ensure that gas stations have back-up power capacity making it possible to return to normal as quickly as possible after a major storm or other disaster.

Gas Reserve Created to Ensure that Fuel Keeps Flowing During Emergencies

One year after gas shortage caused panic and long lines at local pumps, New York State has set up a \$10 million gas reserve on Long Island to ensure that the fuel keeps flowing when the next emergency hits. Fuel NY Initiative will allow the Long Island region to tap into more than 3 million gallons of gas held locally at Northville Industries, which has terminals and storage tanks in Port Jefferson, Setauket, and Holtsville.



At the unveiling of the Emergency Gasoline Network at the Hess Gas Station on Route 112 in Port Jefferson Station with County Executive Steve Bellone (center) and Kevin Beyer (on right), president, Long Island Gasoline Retailers Association. Assemblyman Englebright was the first Assemblymember to promote requiring gas stations to have transfer switches and access to backup generators.

Gas Stations Installing Back-up Power Capacity to Prepare for Any Emergency

Under new law, gas stations in the downstate area located within ½ mile of highway exits or hurricane evacuation routes will be required to be wired with a transfer switch for an emergency generator and to have a plan in place to quickly deploy and install a generator in certain emergencies. Alternatively, the stations can choose to install a permanently affixed generator. Gas stations have significant time to make these improvements, and the State will provide grants to cover all or a portion of the costs.

New Funding Source for Mapping the Incidence of Breast Cancer Chapter 106 of 2013 (Englebright)

Each year, nearly 14,000 New Yorkers are diagnosed with breast cancer and approximately 3,000 die from the disease. The Health Research and Science Board (HRSB), created in 1996 (Englebright, Chapter 279 of 1996), supports research for both prevention and cure of breast and other cancers. This new law authorizes the funding of mapping the incidence of breast cancer in New York through the Breast Cancer Research and Education Fund to encourage innovative mapping research proposals. This initiative will provide an opportunity to advance our understanding of why there are such geographic variations in the occurrence of breast cancer throughout New York.

Low-Cost Loans for Solar Energy Installations Chapter 386 of 2013

This new law allows residential and non-profit/small business access to low-interest state loans for the installation of solar panels and other renewables, repayable through monthly energy bills. Customers will now be able to borrow up to \$25,000 of the cost of a solar energy system. LIPA already offers a related on-bill financing plan for energy-saving products such as high-efficiency gas and oil burners and solar hot-water heaters. The loans are through the New York State Energy Research and Development Agency (NYSERDA). This program aims to reduce energy bills by approximately the amount of the monthly loan payment -- thus largely eliminating the high upfront cost of systems-- and also applies to wind energy and fuel cells.

START-UP NY: Creating New Jobs by Turning Academic Research into Innovative Businesses Chapter 68 of 2013

Under the new Start-Up NY program, public and private colleges as well as universities in New York will be able to have vacant space or land designated as tax-free areas to encourage economic growth. By offering an opportunity to operate completely tax-free while partnering with world-class institutions of higher learning, the Start-Up NY program will promote engagement with industry. This innovative program will also translate cutting-edge research into practical applications while providing jobs for skilled workers. Assemblyman Englebright worked to ensure that no tax-free areas would be permitted on privately held land around Stony Brook University so that the Three Village School District would not be harmed by loss of commercial property tax revenue.

Participating companies in the Start-Up NY program will not pay any taxes for 10 years. Employees in participating companies will pay no income taxes for the first 5 years. For the second five years, employees will pay no taxes on income up to \$200,000 of wages for individuals, \$250,000 for a head of household, and \$300,000 for taxpayers filing a joint return. The number of net new jobs eligible for personal income tax benefits will be as much as 10,000 new jobs per year.

In order to locate into a Start-Up NY tax-free community, a business will need to be aligned with or further the academic mission of the sponsoring campus. Business participants will also need to have positive community and economic benefits and must create and maintain net new jobs. Each university community will develop a plan for the types of businesses it intends to attract and the locations that will be tax-free. Under the Start-Up NY program, businesses that would compete with other local enterprise outside of the tax-free area would be ineligible to participate.

Cuts Restored to Programs for Special Needs Children and Adults Chapter 349 of 2013

Earlier this year, the Governor proposed a budget that contained a harsh \$90 million cut to programs that care for children and adults with developmental disabilities. These cuts would have effectively left 125,000 families of special needs children and adults vulnerable to having their services taken away. As a long-time advocate for those who rely on the impacted programs through the New York State Office for People with Developmental Disabilities (OPWDD), Assemblyman Englebright joined with Assemblyman Harvey Weisenberg in pushing for legislation (A.6692-C) to restore the funding. With statewide support from thousands of residents, the restoration bill garnered an unprecedented amount of bipartisan support. By the date of its passage in the Assembly, every member of the Assembly sponsored the measure in that house. The bill passed the Assembly and Senate and was signed into law by the Governor, ending this turbulent time and ensuring that these families can continue to have the assistance they need.

Hospitals Required to Offer Hepatitis C Testing Chapter 425 of 2013

Hepatitis C is known as the “silent killer” because it can attack the liver for over a decade before symptoms appear. It is estimated that 1 out of 30 baby boomers could be infected while as many as 75% will be unaware of their perilous condition. This new law ensures that all people born between 1945 and 1965 are offered a hepatitis C screening or diagnostic test whenever a patient at a hospital, clinic, or doctor’s office. By offering testing, we have an enormous opportunity to treat those infected before they become seriously ill.

Ensuring the Safety of Crime Victims and their Families Chapter 261 of 2013 (Englebright)

Victims of crimes sometimes have to relocate to ensure their safety and that of their family. The NYS Office of Victims Services (OVS) covers the cost of relocation expenses for the crime victim, but there is no provision to make a relocation award that includes the moving expenses of other family or household members. This puts an untoward burden on a family that may not have the ability to cover moving costs. Assemblyman Englebright’s new law corrects this shortcoming by providing that when an award is made for relocation expenses, the award shall include the reasonable costs of moving and transporting the victim’s spouse and dependents. For a child victim, the child’s parents, step-parent or guardian and other dependents in the household can be covered for reasonable costs. The Office of Victim Services is funded through fees and court fines. No taxpayer dollars are used for this program.

Protecting Domestic Violence and Crime Victims by Strengthening the Power of Court Order of Protection Chapter 368 of 2013

This new law builds on the recently created State Order of Protections registry by sharing the information with employees of local and state correctional facilities as well as those responsible for monitoring, supervising, or classifying inmates or parolees so that they can better track which inmates should not come into contact with the victims of their crime. Access to this registry has previously been limited to courts and law enforcement officers. Expanded access will now allow officials to better protect victims involved in domestic violence cases, and the community at large, when considering inmate programming and release plans.

Closing a Loophole on Repeat Child Abusers Chapter 172 of 2013

Under this measure, the window for charging an adult with aggravated assault upon a person less than 11 years old will be extended from 3 to 10 years. By increasing the look-back time for previous convictions when charging an individual with aggravated assault on a child, this

new law fixes a gap in state law which allowed that a crime of violent assault upon a child more than three years after a prior assault be treated as an isolated incident.

Protecting Homeowners from “Robo-signing” in Foreclosures Chapter 306 of Laws of 2013

One of the worst abuses during the mortgage crisis was “robo-signing” where mortgage lenders used false affidavits in foreclosure proceedings. This new measure requires the filing of a Certificate of Merit in foreclosure actions on home loans. By requiring lenders’ lawyers to submit certifications at the time they file suit, the legislation will deter “robo-signing,” prevent the filing of wrongful foreclosures by lenders who don’t own the loan, and provide thousands of homeowners with an opportunity to negotiate a fair and affordable loan modification.

Preventing Fraud from Unsolicited Checks Chapter 467 of Laws of 2013

Many financial institutions, particularly those that issue credit cards, often send out unsolicited checks to consumers. These unsolicited checks are easy targets for thieves because they are able to use them before the intended recipient becomes aware that the checks have been stolen. Under this new law, consumers to whom an unsolicited check has been mailed or delivered are now exempt from liability for any amount resulting from the use of such check, unless the named bearer has accepted the check by signing it. The bill also clarifies that a consumer’s failure to return or destroy an unsolicited check does not constitute acceptance of the check or account.

East Setauket to Port Jefferson Station Greenway Nearing Completion



A stunningly beautiful stretch of the new greenway between Gnarled Hollow Road and Limroy Road just west of the East Setauket Post Office.

Since opening in 2009, the East Setauket-Port Jefferson Station Greenway-- a recreational and commuter path-- has been a big hit. As Phase II of the Greenway/Bikeway project is now just a few months from completion, we will be officially opening the full 3.5 miles of Greenway when the weather warms in the spring.

Thanks to Congressman Bishop for providing a \$5 million grant that funded Phase II. That, along with \$2 million in state highway funds secured by Assemblyman Englebright, has enabled the design, construction, and completion of this extraordinary recreational and commuter Greenway.

Coming soon: new, upgraded safety features at the Old Town Road, Sheep Pasture Road, and Gnarled Hollow Road crossings which will include new rapid-flash beacon pedestrian-activated crossing signs.

Would you like to become a friend of the Greenway? Friends will, without cost, receive updates on events and happenings along the Greenway. E-mail us at engles@assembly.state.ny.us.

Common Core Stop It, Fix It, or Scrap It

As the calendar moves through the months of 2013, there has been an escalating outrage from parents, educators, school board members, and superintendents who are taking a stand against further implementation of the new national curriculum called Common Core Educational Standards (CCES). The hurried “top down” imposition by the NYS Education Department of the curriculum and tests aligned with the Common Core has been severely misguided and costly. Without investing first in meaningful teacher training to create a broad-based, ground-up “buy in” from parents, educators, and administrators, the enthusiasm necessary to the success of any such initiative never materialized. In fact, the opposite effect has resulted: an excessive system of high stakes testing has dispirited teachers and their students by setting them up to fail. This has, in turn, caused a colossal setback both for the Common Core and the students and teachers in New York State’s public schools.

School should be a place where students find joy, encouragement, and support as they grow. Instead, they have been subjected to an often age-inappropriate curriculum and continuous anxiety from endless testing. This is neither an environment that fosters creativity nor the path to success in life and productive citizenship that is the ultimate goal of public education.

Assemblyman Englebright’s position on the Common Core implementation is that it should be halted because it is harming our children. If it can be fixed, then we need to fix it. If it cannot, then we need to return to learning strategies that kindle ideas, creativity, and a love of learning.

Safeguarding Student Privacy Assembly bills A.7872A and A.6059A

In response to the growing concern of parents about the safe handling of their child’s confidential educational information, Assemblyman Englebright is co-sponsoring bills A.7872A and A.6059A, two powerful pieces of legislation that give parents the right to “opt out” of sharing their child’s private information, sets limits on the access to and disclosure of personally identifiable information, and prohibits disclosure for commercial use.

These bills take important steps to safeguard the release and use of sensitive and personal information about students. Both measures passed the Assembly during the 2013 session.



Founder’s Day Unveiling of the Restored New York State Seal, Setauket Elementary School Assemblyman Englebright provided grant funding for the restoration of the hand-carved New York State Seal on the Setauket School belltower. Under the supervision of Katherine Downs Reuter, the badly-weathered State Seal was stripped down, repaired, painted and sealed, and now has been returned to its former glory.



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You Must Re-register for STAR Tax Break

Audits have found that fraudulent STAR filings could cost New York State a staggering \$73 million by 2015-2016. As a result, a new reform measure requires all homeowners receiving the Basic STAR benefit to register with the state’s tax department to maintain their exemption in 2014 and subsequent years. You should have already received a Basic Star Re-registration letter from the NYS Tax Department. If you have not received this letter, please call Assemblyman Englebright’s office at 751-3094. Registration deadline is December 31, 2013. Senior citizens who receive the Enhanced STAR exemption will not need to re-apply under this program.