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Assemblymember
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Reports to the People

WINTER 2010

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Dear Friends,

These are difficult economic times for our City, State, and Nation. The legislative session has begun and the Governor has submitted a budget to close an \$8.5 billion deficit next year. I will report to you further about this in upcoming newsletters.

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Effort to Strengthen Ethics and Campaign Finance Laws Unsuccessful

A bill to strengthen the state’s ethics and campaign finance laws was passed by the Assembly and Senate in mid-January, but was vetoed by the Governor on February 2nd. An effort to override the veto was passed by more than two-thirds in the Assembly, but it did not obtain two-thirds in the Senate; as a result the veto was sustained and these laws remain the same. I argued on the floor of the Assembly at the time the bill passed that the Governor should sign the bill; that overall the elements of the bill were meritorious and outweighed concerns about the inadequacy of the bill in some parts. Several major good government organizations—the League of Women Voters, the Citizens Union, and the New York Public Interest Group also endorsed the bill; however, this was not enough to persuade the Governor of the merits of the legislation.

What the Bill Does

Strengthens Campaign Finance Enforcement

- Creates an enforcement unit within the State Board of Elections with an Enforcement Counsel appointed to a four year term. The Enforcement Unit is mandated to receive 35% of the Board of Elections’ budget.
- Compels all enforcement actions of the Board to take place by a public vote of the Commissioners. It would take a vote of 3 of the 4 Commissioners to stop an investigation. Under current law votes on enforcement actions take place in executive session, out of the public eye, and it takes 3 of the 4 Commissioners to begin an investigation.
- Establishes a penalty of \$10,000 for failure to file three or more reports within an election cycle. Establishes a penalty of \$10,000 for receipt of an excess campaign contribution, and other sanctions.
- Requires itemization of all candidate and political action committee credit card payments.
- Compels identification of communications from independent entities during elections and strengthens penalties for failure to do so.
- Reestablishes An Independent Lobbying Commission.
- Requires lobbyists and their clients to disclose any business relations with state officials, including all elected officials.

Continued on next page

Major New Laws of 2009

- **Foreclosure Protection:** expands the 90-day pre-foreclosure notice and mandatory settlement conference to all mortgages, not just subprime mortgages. Compels lenders to bring additional documents to conferences to assure adequate judicial review, and provides for access to counseling and legal services for distressed homeowners. (*Chapter 507*).
- **Public Authorities Reform Legislation:** establishes an independent Authorities Budget Office to improve oversight with subpoena power, sets higher standard for Authorities’ Operational

Transparency, allows the Comptroller to review certain noncompetitively procured contracts for more than \$1 million, and restricts ability of public authorities to dispose of their assets. (*Chapter 505*).

- **DWI/Leandra’s Law:** strengthens penalties for those who endanger children by driving while intoxicated (“DWT”) and mandates ignition interlocks for all misdemeanor and felony DWIs. (*Chapter 496*).
- **Rockefeller Drug Law Reform:** reforms the State’s drug laws by expand-

ing the availability of drug treatment and allows judges the discretion to sentence non-violent low-level drug possession offenders to probation or to treatment for substance abuse both in and out of prison. (*Chapter 56*).

- **Pension Reform:** will save taxpayers \$48 billion over three decades by requiring most new employees of State and local government to contribute to their pensions, require ten years of service to vest with the retirement system, and limits the amount of overtime

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SAVE THE DATE:

March 31st

Reduced-Fare MetroCard Van at My Park Slope and Cortelyou Road District Offices

Senior Citizens 65 years of age or older and people with disabilities are eligible for a half-fare discount on MTA New York City buses and subways with a Reduced Fare MetroCard.

On March 31, 2010, the MTA MetroCard Mobile Sales van will be stationed in front of both of my district offices to enable any senior citizens and persons with disabilities to purchase or refill a Reduced-Fare MetroCard—on the spot. The Mobile Sales van will be in front of my Park Slope office at 416 7th Avenue from 10 a.m.–noon and in front of my 1414 Cortelyou Road office from 1 p.m.–3 p.m.

If you are over 65 years of age or disabled, bring proof of age, such as Medicare card, passport or birth certificate, and a valid photo ID. The van provides free photography services. You will receive a temporary Reduced-Fare card that you can fill and use immediately on NYC Transit buses or subways.

If you need more information, call my office at 718-788-7221 (7th Avenue) or 718-940-0641 (Cortelyou Rd.)

May 13th

Brooklyn Community Volunteer Fair at the Park Slope Armory from 6 p.m.–8:30 p.m.

The third Brooklyn Community Volunteer Fair will be held at the Park Slope Armory on Thursday May 13th. Please put the date on your calendar if you have ever thought of spending a little of your free time as a volunteer making a difference by making a local organization stronger.

You'll meet representatives from a wide variety of organizations, from the arts, to education, to environmental, to choose from and you'll have a chance to match your skills and interests to their work and their mission. Past fairs have drawn over 500 potential volunteers and dozens of fascinating local organizations representing the richness of the Brooklyn nonprofit community, from the Gowanus Dredgers and FIDO to Brooklyn Museum and the Brooklyn Philharmonic.

The event is sponsored by Assemblymember Jim Brennan, Assemblywoman Joan Millman, Community Board 6, District Attorney Charles Hynes, New York Methodist Hospital, the Park Slope Civic Council, and the 5th Avenue BID.

If you have any questions, or know organizations that should be included in this event, please call Ann Schaezel or Sherri Levine in my office at 718-788-7221.

Effort to Strengthen Ethics... *(continued)*

Requires Greater Disclosure of Legislators' Outside Income and Activities

- Mandates all disclosure filings be available on a public web site, removes provision of current law that makes categories of value of outside income confidential, and adds new categories above \$250,000.
- Requires legislator lawyers to disclose that they have matters before specific state or local government agencies.
- Requires legislators to provide more specific information if they are providing consulting services.

Creates an Autonomous, Fixed-Term Investigative Body to Oversee Legislative Ethics

- The Investigative Arm is called the Legislative Office of Ethics Investigation. Legislative leaders would appoint two non-legislators each, for a total of 8 non-legislators, to serve fixed four-year terms to preserve their independence. They would be responsible for receiving complaints, conducting investigations of violations of the Public Officers, and making fact-finding reports.
- This body would file their investigative reports to enforcement and recommend actions to the Joint Legislative Commission on Ethics Standards. If the commission voted an enforcement action, the report would become public. If the commission voted to dismiss a report, the report would still become public if the dismissal vote was inconsistent with the report's recommendations.
- The Compliance Arm, the Joint Legislative Commission on Ethic Standards, in addition to enforcing the Public Officers Law (the ethics laws), would be empowered to conduct random reviews of disclosure statements as well as categorical reviews, to determine the integrity of the reports, and assure their completeness for filing.

Creates an Independent Ethics Commission for the executive branch of State government.

- Requires the state Committee on Open Government to publish annual reports summarizing the actions of the various ethics bodies.
- The law sunsets in four years, with a public hearing required six months prior to the law's sunset.

The Assembly had passed an earlier version of this legislation in June. The Senate had added the campaign enforcement sections and then attempted to pass the bill in September, but objections to some elements of the proposal led to a withdrawal of the bill from the floor at that time. Governor Paterson did not submit his own proposal until the Assembly and Senate had already completed work on a different proposal this January. The focus of the Legislature's proposal involves a strengthening of the enforcement of the ethics and campaign finance laws; while the Governor's proposal included some meritorious ideas, they arrived late in the process.

Where to Now?

Now is not the time to give up trying to pass improvements to the ethics and campaign finance laws. But the crushing economic problems will force our attention in the coming weeks to adopting a coherent budget. I will continue to press for legislation later in the session.

Opening of the Park Slope Armory Sports Complex

The long-awaited opening ceremony for the new Sports Complex at Park Slope Armory on 15th Street between 7th and 8th Avenues took place on January 11th, and the Sports Complex finally opened to the public on January 30th. The \$16 million renovation—funded by the Department of Homeless Services, Borough President Marty Markowitz and the New York City Council—has transformed the cavernous, 115-year-old Armory into a spectacular state-of-the-art sports facility, which will be operated by the Park Slope YMCA.

The vast drill floor now houses a world-class indoor track, basketball, and volleyball courts, adjacent classrooms and fitness studios are equipped for cardio group exercise, yoga, and pilates classes, and personal training. The Sports Complex's drill floor

has been reserved for use by local school children every school day from 10 a.m. to 2 p.m.

At the opening ceremony, PS 107 Principal Cynthia Holton and schoolchildren were on hand to applaud the beautiful new space, along with Borough President Markowitz, Public Advocate/former Councilmember Bill deBlasio, Councilmember Brad Lander, Deputy Mayor Linda Gibbs, Deputy Mayor Dennis Walcott, and Jack Lund, President and CEO of the YMCA of Greater New York.

Memberships are available at \$40/month for adults, \$72/month for families, and \$32/month for seniors and students, and the Y says that no one will be turned away for inability to pay the membership fees.

Understand your Right to Control your Health Care

New York State law protects a patient's right to (1) appoint a health care agent and (2) accept or refuse medical treatment, including life-sustaining efforts. Our State law also gives full visitation rights in all medical facilities to domestic partners.

The following simple steps will assure that your wishes are understood and followed in case of illness or accident. To protect your rights, you need to complete two simple forms:

- **A health care proxy.** A health care proxy authorizes a person you trust to make medical decisions on your behalf if you are unconscious or otherwise incapacitated. Hospitals, doctors, and other health care providers must follow your agent's decisions as if they were your own. You may allow your agent to make all health care decisions or only certain

ones. You may also give your agent instructions that he or she has to follow. The form is simple, free, and legally binding, and you will find it at the NYS Department of Health web site at http://www.health.state.ny.us/professionals/patients/health_care_proxy/form.htm.

- **A Living Will:** All adults in New York State have the right to accept or refuse medical treatment, including life-sustaining treatment. This means that you have the right to request or consent to treatment, to refuse treatment before it has started, and to have treatment stopped once it has begun. A living will states your explicit wishes and health care professionals must abide by them.

Census Bureau Hiring NOW!

The Census Bureau is looking to hire 10,000 New Yorkers this month for field positions with the 2010 Census.

To apply for these important temporary, part-time jobs that pay from \$12-\$25 per hour, offer flexible hours, and are close to home, call **1-866-861-2010** or go to **www.2010censusjobs.gov**.

Brooklyn bilingual speakers especially needed.

Tax Preparation Help

- **Brooklyn Public Library:** AARP is offering a tax clinic through 4/14 at the Central Branch at Grand Army Plaza on Wednesdays 11 a.m.–3 p.m.: It's first-come first-served, so you may have to wait in line. A similar clinic is held at the Brooklyn Heights Branch at 280 Cadman Plaza on Fridays 10 a.m.–2 p.m.
- **IRS:** The IRS offices provide free tax preparation help if your adjusted gross annual income is less than \$49,000. In Brooklyn, go to 625 Fulton Street, 1st Floor, Monday-Saturday 8 a.m.–5:30 p.m., or it may be worth a trip into Manhattan where the offices are much less crowded: 110 W. 44th Street and at 290 Broadway/Foley Square (212-436-1000). To make an appointment, go to www.irs.gov.
- **"Free File" Program:** Free tax preparation online: If your adjusted gross annual income for 2009 is less than \$57,000, go to www.irs.gov to use top professional tax preparation software for free. This secure program will guide you step-by-step through the preparation and filing of your federal tax return online—at no cost. And if you use the Free File Program with direct deposit, you may receive your refund in as little as 10 days.
- **Free Tax Program for the Self-Employed:** The Freelancers Union is partnering with the NYC Department of Consumer Affairs Office of Financial Empowerment to offer a new, free way to file your taxes if you: 1) earn less than \$58,000 per tax return; 2) are self-employed; and 3) have a valid e-mail address and basic computer skills. For more information or to register, visit freelancersunion.org/events.

Major New Laws of 2009 (continued)

- permitted in the calculation of pension benefits. (Chapter 504).
- **Bottle Bill Expansion:** extends the nickel deposit to water beverage containers of under one gallon, mandates large stores to maintain reverse vending machines, and increases percentage of unclaimed nickels returned to the State. (Chapter 59).
 - **NYC School Governance:** renews mayoral control of NYC school system, but requires additional public input into decision-making. (Chapter 345).
 - **Reproductive Health:** provides enhanced penalties if a person causes physical injury to someone seeking to provide, obtain, or assist in reproductive health care services. (Chapter 493).
 - **Green Jobs/Green New York:** establishes a program that will create green jobs and stimulate investment in weatherization and energy efficiency improvements for residential and commercial buildings. (Chapter 487).
 - **Falsifying Crane Inspection Records:** adds civil penalties and a minimum fine of up to \$1,000 for each violation by crane inspectors who submit false reports on the machine's safety. (Chapter 64).
 - **Disclosure of Retailer Refund Policies:** requires enhanced disclosure of retailer refund policies & requires stores to post whether return policies charge consumers fees. (Chapter 278).
 - **Public Schools Emergency Alert Act:** requires the NYC School District to implement an emergency alert notification system to convey timely information concerning emergency situations that pose a threat to students, faculty, and staff. (Chapter 31).
 - **Domestic Violence Victim Employment Discrimination Protections:** prohibits discriminatory practices against victims of domestic violence in relation to employment. (Chapter 80).
 - **Nursing Home Patient Representatives:** extends the current prohibition of nursing home retaliation against a patient who sues to the patient's representative. (Chapter 60).
 - **Permanent Timothy's Law:** makes the mental health parity law permanent. (Chapter 181).
 - **COBRA:** ensures that workers who have been laid off from small businesses have access to COBRA premium subsidies and extends the amount of time that an unemployed worker is eligible for COBRA from 18 months to 36 months. (Chapters 7 and 236).
 - **Managed Care Reform:** imposes limitations on denials of claims for health care services and strengthens the rights of providers to challenge an insurance plan's over-payment recovery procedures. (Chapter 237).
 - **Health Insurance Coverage up to Age 29:** extends opportunities for dependent children up to age 29 to access health insurance coverage through their parent's employer plan. (Chapter 240).
 - **Utility Arrears Payment Period Extended:** increases the amount of time for certain applicants of public assistance and SSI to fulfill their utility repayment agreements from one year to two years. (Chapter 318).
 - **Entertainment Ticket Sales:** prohibits agents of operators from selling sports and entertainment tickets to secondary ticket resellers and extends ticket scalping provisions until 5/15/2010. (Chapter 68).

Applying for Food Stamps

The Food Stamp Program gives valuable extra help for purchasing food to New Yorkers, including working families, the elderly, and the disabled. If your income falls within the following limits, you should visit any local food stamp office to see if you are eligible for this important benefit. There is no resource limit, and if it's difficult for you to get to an office, you may be able to have an eligibility interview over the phone.

Household Size	Gross Monthly Income	Net Monthly Income	Max. Monthly Allotment
1	\$1,174	\$903	\$200
2	\$1,579	\$1,215	\$367
3	\$1,984	\$1,526	\$526
4	\$2,389	\$1,838	\$668
5	\$2,794	\$2,150	\$793
6	\$3,200	\$2,461	\$952
7	\$3,605	\$2,773	\$1,052
8	\$4,010	\$3,085	\$1,202
Each additional member	\$406	\$312	\$150

You can apply for Food Stamps at any food stamp office. Be sure to take the following documentation for all household members: (1) proof of identity, (2) proof of residency, (3) proof of income, and (4) resources and utility bills. Food stamp offices are open Monday-Friday 8:30 a.m.–5 p.m.

Food stamp offices in or near my district:

Ft. Greene (F20)—11215, 11226

275 Bergen Street, 1st Floor
718-694-8196

Coney Island Office (F22)—11218, 11219, 11230

2865 W. 8th Street, 1st Floor, Brooklyn, NY
718-265-5621

SSI Center

253 Schermerhorn Street, 1st Floor
718-722-4009

Downtown Brooklyn office, so-called “Boro Hall”*

45 Hoyt Street, 6th Floor
718-237-4818

**Mon.–Fri. 8:30 a.m.–6:00 p.m.; Saturdays 9:00 a.m.–5:00 p.m.*

For more information, call HRA’s Infoline at 1-877-472-8411 or 311 or go to www.NYC.gov/ACCESSNYC.

Brennan Joins Lawsuit to Stop Mayor’s School Closures

Increasing parental input and ensuring a fair and transparent process in the closure of community schools was at the heart of last year’s school governance reforms. That’s why I’ve joined the UFT, NAACP, the Alliance for Quality Education, other city and state elected officials, parents, and members of the community in a lawsuit charging that city school officials ignored key provisions of the school governance law in its decision to close 19 New York City public schools.

The suit asks the court to overturn the vote by the Panel for Education Policy that “unlawfully rubber-stamped” the closings after more than 350 community members testified from 6:00 in the evening until nearly 3:00 in the morning at a public hearing that took place on January 26th. Thousands of community members turned out to the hearing and despite only one person testifying in support of the school closures, the PEP voted to phase out 19 New York City public schools.

The suit charges that the department violated state law by failing to do the required analysis of how school closings would affect the more than 13,000 students who would potentially be displaced, particularly special needs students; by failing to analyze the effects of the closings on other already overcrowded public schools nearby; by failing to give communities and interested groups appropriate notice of local public hearings; and by failing to answer questions at public hearings.

Great Appliance Swap Out—Get a Rebate for Buying an Energy Star Rated Appliance

The New York State Great Appliance Swap Out has been extended. You can get a rebate for purchasing Energy Star-rated refrigerators, clothes washers, freezers, and dishwashers until the money runs out. Because funds are limited, you should check the “Remaining Funds Countdown” at www.nyapplianceswapout.com before making your purchase. If money is available, the rebate applications will be accepted if postmarked until April 30.

This program is funded by the American Recovery and Reinvestment Act and will help consumers afford new appliances that will reduce your energy use for years to come.



I met with students from the Brooklyn School for Collaborative Studies and Amy Sumner who came to Albany to thank me and Assemblywoman Joan Millman (r) for saving four school-based health clinics. Sumner, parent coordinator of PS 146, won an award.



I enjoy talking to members of the senior center.