



Capital Update

A Special Message From

Assemblyman

Robin Schimminger

140th Assembly District



You may want to know...

A brief overview of some new state laws that may affect you, your family, friends and neighbors.

2016 Legislative Session

Dear Friend,

This year, as every year, we in the State Legislature considered thousands of bills on a broad range of issues, and, of those, hundreds of proposals receive enough support to be enacted into law. In this report, I wanted to narrow the focus and tell you of a few changes that you may not be aware of, but nonetheless might find it useful to know about.

All of the measures included here have been passed by both houses of the Legislature, and have been, or can be reasonably expected to be, signed into law by the governor. Please be aware that some of these provisions may not become fully effective immediately.

I hope this information is helpful to you, and, as always, I welcome your thoughts on these or any other issues.

Sincerely,

Inside...

Ethics Reform

Health Update

Consumer Corner

Education

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ETHICS REFORM

The United States Supreme Court's 2010 Citizens United decision unleashed a torrent of new money into electoral politics. By permitting entities to receive and spend unlimited amounts of funds on elections, the Court bestowed unlimited power on society's most powerful individuals and entities, and diminished the power of ordinary citizens in the electoral process. New comprehensive legislation we passed at the state level **prevents candidates, their family, or former staffers from forming independent spending groups, and requires independent spenders to report the identity of anyone exerting control over the group.** It will also **strengthen the definition of "coordination" between independent expenditures and candidates and defines specific scenarios as expressly prohibited coordination.**

The legislation also lowers the financial threshold for reporting by organizations that lobby on their own behalf from \$50,000 to \$15,000 and requires those lobbyists to disclose their source of funding to the Joint Commission on Public Ethics; lowers the size of a donor's contribution that triggers disclosure to the Joint Commission on Public Ethics from \$5,000 to \$2,500; and increases fines for lobbyists entering into contingency agreements, which are currently prohibited, from \$1,000 to up to \$10,000

or the amount of the contingency fee, if greater.

For the first time, political consultants providing services to sitting elected officials or candidates for elected office will be required to register with the state and disclose their other clients. Also, it will require 501(c)(4) organizations, which are entities that can engage in unlimited lobbying, to disclose financial support and in-kind donations from 501(c)(3) organizations, which are organizations that are not permitted to engage in political activity. This reform **prevents organizations from corrupting the political process and utilizing funds that are not intended for political purposes.**

The reform package also includes a joint resolution I co-sponsored for pension forfeiture that has passed in both chambers. For this proposed constitutional amendment to be enacted, it must pass in both chambers again next legislative session. At that point, it will be placed on the ballot as a public referendum for voters to amend the New York State Constitution. If it is approved, **any public officer convicted of corruption would be prohibited from collecting a pension earned during public service.** Public officers who violate their duty should not continue to be paid by the people of New York.

HEALTH UPDATE

Lead poisoning is extremely harmful to young children and may cause permanent brain damage. Surprisingly, schools in New York are not currently required to test their drinking water for lead, or notify parents or government officials of results. Legislation passed this session makes New York the first state in the nation to put a requirement in statute that **mandates periodic testing of drinking water in public schools and reporting results to parents and local and state entities, and provides guidance for remediation to ensure availability of clean and safe drinking water in every school.** The State will fund a portion of the testing and remediation costs and will reimburse these costs on an expedited schedule in emergency situations.

Breast cancer is the most commonly diagnosed cancer



and the second leading cause of cancer deaths among women in New York State. Screening for breast cancer, which includes mammography, can **increase the detection of the disease at an early stage, when treatment is most effective.** However, structural barriers, such as lack of convenient office hours, have a significant impact on a woman's ability to be screened.

This session, we passed new legislation to **improve access and coverage for breast cancer screening.**

Heroin and opioid addiction is a national epidemic that continues to plague families in communities in Western New York and across New York State; heroin overdose is the leading cause of accidental death in the state. This session, we passed a package of bills that

Continued on next page

HEALTH UPDATE (continued)

attack the root of the problem and ensure greater care for those who are addicted.

The legislation: **limits the over-prescription of opioids; removes barriers to access for inpatient treatment and medication; requires prescribers to complete three hours of education on addiction, pain management, and palliative care every three years;**

and requires pharmacists to provide consumers with information about the risk of addiction from prescribed opioids. The legislation also ends prior authorization to allow for immediate access to treatment. It also mandates insurance coverage for overdose reversal medication and extends supports for individuals transitioning from treatment to recovery.

CONSUMER CORNER

Abandoned properties pose a significant threat to economic health and safety of local communities, driving down property values and serving as potential hotbeds for criminal activity. This session, we passed new provisions that will **address the blight of vacant and abandoned houses, also known as “zombie homes,” by requiring mortgage holders to maintain and secure these properties while in the foreclosure process.**

In addition to the State working to increase the number of cybersecurity experts, New York is actively equipping industries to protect themselves against computer-based threats. The Department of Financial Services is already working closely with federal regulators and industry experts to develop cybersecurity regulations for the financial and banking industries, and this summer, the Department of State and the national Better Business Bureau will **provide free cybersecurity training to small businesses and individuals throughout the state.**

Legislation passed this session overhauls the Alcoholic

Beverage Control Law, **allowing alcohol to be served legally at 10 a.m. rather than at noon on Sundays,** streamlining licensing and including provisions in regard to craft beverages to increase sales of these New York products, such as by allowing producers to sell wine in refillable growlers.

The new state budget **lowers personal income tax rates for middle income New Yorkers.** With the income tax cuts of 2012, rates were lowered from 6.85 percent to 6.45 percent for taxpayers in the \$40,000-\$150,000 income bracket, and to 6.65 percent in the \$150,000-\$300,000 income bracket. Under the new reforms, the rate will drop even further beginning in 2018 and will continue to drop all the way to 5.5 percent when the cuts are fully phased in - benefitting 6 million filers who will save an average of \$698. **The new lower tax rates will save middle class New Yorkers nearly \$6.6 billion in the first four years, with annual savings reaching \$4.2 billion by 2025.**

EDUCATION

New York ranks number one in the country on funding education, and we are committed to supporting schools, teachers, and students throughout the state. The prospects for continued strength of our future depend on the abilities of our next generation. The 2016-17 state budget provides \$24.8 billion in School Aid, **the highest amount in history and a 6.5 percent increase over last year.** The funding will support almost 700 school districts and 2.8 million students in Pre-K through 12th grades.

The Gap Elimination Adjustment, a fiscal gimmick, was first enacted in 2010 to temporarily reduce school aid spending to help close the state's budget deficit. As a result, school districts were forced to cut programs, services, and personnel. The 2016 -17 budget **completely eliminates the remaining \$434 million Gap Elimina-**

tion Adjustment, providing additional support to every school district in New York State.

Studies show that high quality early education programs have positive long-term benefits, and the earlier in life children can participate in these programs, the better our education system can operate to ensure opportunity for all. This year's state budget provides \$24 million in funding to **support quality Pre-Kindergarten programs for our youngest New Yorkers.** Of the \$24 million, \$22 million will create between 2,000 and 2,500 additional Pre-Kindergarten slots for three-year-old children in high-need areas and \$2 million will enable the QUALITYstarsNY program to expand its reach and serve more than 500 early childhood sites across New York State.

AND ALSO...

While a market exists for renewable and clean energy, the ability to finance research and production requires assistance in order for New York State to meet its energy goals. This spring, New York State authorized the 10-year, \$5 billion Clean Energy fund – the largest public commitment to growing the clean energy economy in the history of the state. The fund **supports the deployment of clean energy technologies like solar, wind, storage, fuel cells, and energy efficiency**. The Fund includes a \$1 billion commitment to solar, over \$2 billion for energy efficiency and other energy saving

solutions, funding for the nation's largest green bank, and over \$700 million in energy R&D over the next decade. Over the lifetime of the projects, these investments will lead to an estimated \$39 billion in energy bill savings for New Yorkers. The Clean Energy Fund will leverage \$29 billion in private investment.

Victims of domestic violence need and deserve comprehensive support and protection. In 2013, the New York State Office for the Prevention of Domestic Violence funded a successful pilot program for domestic violence program providers to coordinate with local

Continued below

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AND ALSO... (continued)

police agencies, district attorney offices, probation departments, and human service agencies to **identify domestic violence cases at highest risk for serious injury or death through evidence-based tools that are nationally recognized**. The state budget provides the Office \$200,000 to fund two more pilot programs; awards will be announced this summer.

The ever-present threat of terrorism and new-age style of mass violence requires the State Police to maintain

quality and effective resources. New York State has dedicated \$4 million to the New York State Police to procure additional counter-terrorism training, new rifles, body armor, and ballistic helmets to **ensure they are properly equipped to respond to emerging terrorism threats across the state**. Additionally, the State has established a \$6 million grant program to **help local law enforcement agencies** meet their needs.