

Rebecca Seawright



Dear Friends and Neighbors,

Late last night into the early hours of this morning, April 1, 2019, an agreement on the New York State 2019-2020 Budget was reached. An unanticipated budget deficit posed significant challenges, however the \$175.5 billion state budget builds on the historic progress being made in the Assembly this year, providing much needed support to the State of New York's families and communities.

Getting the Subways Back on Track and Easing Congestion

We can all agree that unreliable transit hurts people who are missing their appointments, classes, and are late to work, causing lost wages, consistent stress and inconvenience. With the passage of the budget, a Traffic Mobility Review Board was established under the auspices of the Triborough Bridge and Tunnel Authority to make recommendations on the appropriate credits and exemptions that may need to be implemented with the start of a congestion pricing program. This includes and is not limited to exemptions for Manhattan residents, the elderly and the disabled. To allow ample time for public input – including public hearings – the program will not go into effect before Dec. 31, 2020. We will need to organize in order to ensure that our voices are heard during this review process. This program is estimated to raise \$15 billion, dedicated solely to the MTA capital budget.

Extending the Millionaires Tax, Raising Funds for MTA Repairs

The 2019-20 state budget extends the millionaires tax by five years to continue funding important programs that New Yorkers rely on and ensure everyone is paying their fair share. It also implements a progressive and supplemental mansion tax starting on properties valued at more than \$2 million at an additional 0.25 percent and ending at a top rate of 2.9 percent for properties in excess of \$25 million. The mansion tax is projected to raise \$243 million. Additionally, the budget creates a supplemental Real Estate Transfer Tax of 0.25 percent for residences above \$3 million and commercial properties over \$2 million to raise \$122 million. Together they will raise \$365 million in financing for the Metropolitan Transportation Authority (MTA) capital lockbox. The budget also allocates \$232 million from internet sales tax revenues to the MTA.

Protecting Our Environment

- Banning state-wide use of single-use plastic bags given out by grocery stores and other retailers.
- Authorizing counties and cities to impose a 5-cent fee on paper carryout bags, with 40 percent of the fee going back to the municipalities to help distribute reusable bags and 60 percent going toward the Environmental Protection Fund.
- Exempting low-income New Yorkers who qualify for Supplemental Nutrition Assistance Program (SNAP) or Special Supplemental Nutrition Program for Women, Infants and Children (WIC) services from a paper bag surcharge.

Funding Early Voting

To help ensure every New Yorker has an opportunity to participate in our democracy, the Assembly passed legislation establishing early voting during a nine-day period before any general, primary, run-off primary or special election to make voting more accessible (Ch. 6 of 2019).

- Funding local governments in \$10 million for additional polling hours.
- Making primary voting hours consistent across the state, requiring all counties to have polling sites open from 6 a.m. to 9 p.m. This measure addresses a discrepancy that saw most upstate counties provide six fewer hours to vote on primary day than downstate.
- Ensuring that workers receive three hours of paid time off on Election Day.

Modernizing Our Voting System

- Enacting an electronic voter registration system through which voters can register and have their application submitted to the appropriate local board of elections online.
- Authorizing the use of electronic poll books to administer elections and providing \$14.7 million in capital funding for counties to purchase e-poll books and on-demand ballot printers to support the implementation of early voting.

Making Progress Toward Public Financing

- Establishing a commission that will examine, evaluate and make recommendations regarding a public campaign financing system in New York. The commission's findings are to be reported by Dec. 1, 2019, and will be binding unless modified by law within 20 days. The budget also prohibits lobbyists, political action committees, labor unions and independent expenditure committees from making loans to candidates for political office.

Investing in Affordable Housing

Investing in protecting and expanding affordable housing statewide for homeowners and tenants alike and helps ensure every New Yorker has a safe, affordable place to call home.

- Increasing HCR's Office of Rent Administration by \$8 million – which helps enforce rent regulations and protect tenants from landlord harassment – as well as \$5.5 million for its Tenant Protection Unit.

Funding Public Schools

- Providing a total of \$27.8 billion in public education funding, an increase of \$1 billion – or 3.7 percent – over last year.
- Increasing Foundation Aid to \$618 million for a total of \$18.4 billion.
- Rejecting the executive's proposal to require certain districts to distribute a percentage of their Foundation Aid increase to specific schools and instead requires those districts to report to the commissioner of education on how they are prioritizing underfunded high-need schools.

Ensuring Access to Higher Education Opportunity

- Continuing the Excelsior Scholarship, established in 2017 to make CUNY and SUNY schools tuition-free for eligible New Yorkers.
- Increasing the income eligibility threshold to \$125,000. Students who attend a private college in New York and have a family income of less than \$125,000 this year would also be eligible for a scholarship award of \$6,000.

Restoring Cuts to Essential Public Health Resources and Improving Health Outcomes

- Restoring \$550 million in Medicaid cuts from the executive proposal, including \$137.8 million to the Indigent Care Pool, \$222 million to the 2 percent rate increase for hospitals and the 1.5 percent rate increase for nursing homes, as well as \$190.2 million to the 0.8 percent Medicaid claim cuts across the board.
- Providing a \$16 million increase for enhanced safety net providers, for a total of \$66 million.
- Establishing a loan program to help financially distressed safety net hospitals.
- Providing \$3.82 million to restore funding for school-based health centers.
- Codifying the Affordable Care Act- With the federal government actively working to repeal the Affordable Care Act, the 2019-20 state budget codifies the ACA into state law.
- Strengthening women's reproductive health and rights by requiring insurance

coverage for medically necessary fertility preservation and large group insurance policies to provide coverage for in-vitro fertilization.

- Creating a study of staffing ratios at hospitals and nursing homes to help ensure patient safety and improve health care outcomes.
- Providing a 2 percent salary increase for direct support professionals and clinical staff employed by the Office of Mental Health (OMH), the Office of Alcoholism and Substance Abuse Services (OASAS) and the Office for People with Developmental Disabilities (OPWDD). Direct support professionals would receive a 2 percent increase on Jan. 1, 2020, and direct support professionals and clinical staff would receive another 2 percent increase on April 1, 2020, for a total of \$80 million.

Increasing Fairness in Our Criminal Justice System

- Eliminating cash bail for misdemeanors, excluding sex offense misdemeanors, and non-violent felonies, allowing individuals to be released on their own recognizance or under non-monetary conditions. Electronic monitoring will not be available for most misdemeanors, but can be ordered as a condition of release, following a hearing, for felonies, domestic violence misdemeanors, sex offense misdemeanors or a misdemeanor where the defendant had a violent felony conviction within the past five years.

Reforming the Discovery Process

- Revamping New York's discovery procedures to assure the expeditious, fair and equitable exchange of information and documents in criminal cases.
- Removing the requirement for the prosecution or defense to make a demand for discovery, instead providing automatic, routine and scheduled disclosure.
- Retaining strong oversight and involvement by the court throughout the pre-trial discovery process, allowing the judge to condition, deny or limit discovery, or grant a protective order barring disclosure when appropriate.

Ensuring the Right to a Speedy Trial

- Redefining "speedy trial"- New Yorkers are supposed to have the right to a speedy trial, but that's simply not the case. Under current law, the prosecution must generally be "ready for trial" within six months for a felony charge and 90 days for a misdemeanor charge. However, prosecutors can declare themselves "ready" and then simply ask for an adjournment at the next court date. During the time between this declaration and subsequent adjournment, the speedy trial clock does not run, meaning defendants often wait much longer than the statute allows.
- Allowing the court to inquire as to whether the prosecution is, in fact, ready for trial when the prosecution claims readiness, thereby stopping the speedy trial "clock." The legislation also requires that the prosecution's statement of readiness be accompanied by a good faith certification by the prosecution that it has complied with its discovery requirements.

Advocating for Fairness and Equality

- Extending protections of New York's rape shield law to victims of sex trafficking. The law prohibits evidence of a victim's sexual conduct from being admissible in a prosecution for an offense and an attempt to commit an offense.
- Protecting immigrants from automatic deportation by lowering the maximum sentence for those charged with Class A misdemeanors from 365 to 364 days. The one-day sentence reduction avoids triggering deportation proceedings, which happen with a sentence of one year or longer.

I thank every constituent who contacted my office to express their priorities during this process, and I look forward to continue working with my colleagues to address the remaining challenges of this legislative session.

Sincerely,

Rebecca



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