

DISTRICT 92 NEWSLETTER: ALBANY EDITION

Assemblymember
MaryJane Shimsky

303 South Broadway, Suite 229 • Tarrytown, New York 10591 • 914-631-1605 • shimskym@nyassembly.gov



2023 LEGISLATIVE HIGHLIGHTS

THE ENVIRONMENT

New York State's all-electric buildings plan

Quick Facts



Starting in 2026, most **new** buildings in New York will be built with electric heat systems and appliances



Existing buildings will **not** be impacted, **even when they are being repaired or renovated**



Individual new construction can get a waiver if the local utility cannot provide reliable service

Transitioning to All-Electric Buildings

Residential and commercial buildings account for 32% of greenhouse gas emissions in New York. In a first for any U.S. state, our new all-electric buildings law will phase out natural gas hook-ups and other fossil fuels in most new construction from 2026 to 2029. (A.0920A)

"Build Public Renewables Act"

We made another significant stride towards meeting our emission reduction targets, by including the "New York State Build Public Renewables Act" as part of the 2023-24 State Budget. This requires that the New York Power Authority (NYPA) own and build renewable generation, storage, and transmission lines, and provide renewable energy to all State-owned and municipal properties by 2035. (Enacted through state budget)

Saving the Hudson River

When Holtec announced its plan to discharge 1.3 million gallons of radioactive water from the Indian Point nuclear power plant into the Hudson River, our community rose in opposition — and the Legislature sprang into action. I was proud to support the "Save the Hudson" legislation, and thank everyone who joined the call to protect this invaluable resource for generations to come. (A.7208)



In session at the New York State Assembly Chambers

CONSUMER AND WORKFORCE PROTECTIONS

Eliminating Excessive Overdraft Fees

The burdens on working New Yorkers are difficult enough, without undue penalties being applied to their credit debt. That is why we have enacted a new law authorizing the elimination of excessive fees for debit and credit card overdrafts to bring them in line with existing protections for paper check overdrafts. (A.5519)

Keeping Medical Debt off Credit Histories

Medical debt afflicts 100 million Americans — 41% of the population — with a disproportionate impact on Black and Hispanic Americans. The credit reporting agencies voluntarily agreed not to report

medical debt below \$500, but that still leaves out far too many vulnerable New Yorkers. The Legislature has passed a prohibition against credit reporting of medical debt, because patients must be able to obtain the health care they need without fear of facing financial ruin. (A.6275A)*

Temporary Foreclosure Moratorium

The U.S. Supreme Court decision *Tyler v. Hennepin*, issued in May, has created certain areas of incompatibility with New York's existing tax foreclosure statute. To protect our residents while complex issues of policy and law are being addressed, the Legislature passed a bill instituting a moratorium on most in rem foreclosures until June 30, 2024. (A.7763)*

Cracking Down on Telemarketers

The Do Not Call Registry has been an effective tool in curbing the number of unwanted calls to households from entities soliciting their information or business. However, some operations make a calculus that they will come out ahead financially if they continue to break the law and pay the fines. This year, we have increased the fine per violation by almost double — to \$20,000 — to promote stronger compliance with the law. (A.4456)

Ending Non-Compete Agreements

Non-compete agreements unfairly restrict the ability of workers to pursue new employment. They also deter employers from providing competitive wages and benefits, as their workforce has limited ability to seek employment elsewhere. The federal government has expressed an interest in banning such agreements through regulation by the Federal Trade Commission. Our bill would codify such a ban into New York State law. (A.1278B)*

OUR RIGHTS, SAFETY, AND CRIMINAL JUSTICE

Protecting Abortion Rights

In the wake of the U.S. Supreme Court's *Dobbs* decision, we took new steps to ensure access to abortion and reproductive health care in New York State. Legislation enacted this year includes protections from out-of-state litigation for telehealth health care providers (A.1709B), and a requirement that medication abortion be accessible to SUNY and CUNY students. (A.1395C)

Supporting Sexual Assault Victims

Every 68 seconds, a person in America is sexually assaulted; every nine minutes, that victim is a child. The "Rape Is Rape" bill removes the penetration requirement from the State's rape statutes and expands the definition of rape to include other forms of sexual contact. Not calling these crimes what they are has had both legal and emotional consequences. I'll always work to ensure that New York is a place where victims are heard and supported, and perpetrators are held accountable under the law. (A.3340)*

Daniel's Law

Named for Daniel Prude, who died after an encounter with Rochester police, Daniel's Law seeks to empower communities to respond to mental health and addiction crises safely and compassionately. It is a comprehensive piece of legislation outlining how those in crisis can be better served by a public health response that maximizes consent-based care and minimizes the use of force against an individual. (A.2210)



Advocating for legislation to protect reproductive health service providers in New York State

Safe Haven for Transgender Youth and Families

While states across the country roll back access to gender-affirming care, New York has taken a stand for transgender youth, their parents, and their health care providers. New legislation ensures that children cannot be separated from a parent or guardian who helps them to obtain gender-affirming care. The private health information of those who receive gender-affirming care in New York will be secure, and physicians who provide that care will be protected from out-of-state legal actions. (A.6046B)

Expanding Eligibility for Victims Compensation

This bill reconciles the requirements for New York State's victims compensation fund with its federal counterpart, by eliminating onerous reporting mandates and expanding eligibility. The fund exists to help crime victims and survivors pay for costs associated with their ordeal, such as hospital bills, burial expenses, temporary housing, or new door locks. (A.2105A)*

Maintaining Crime Statistics on College Campuses

To help solve issues related to bias-related and hate crimes on college campuses, we first have to identify them. New York's colleges are now required to make information related to campus crime accessible on their websites, and inform incoming students about procedures in effect for dealing with these crimes. (A.3694A)

Clearing the Record on Wrongful Convictions

New York ranks third in the nation in numbers of wrongful convictions. In countless cases, innocent people have made plea agreements to avoid the risks of a trial. This legislation will bring New York in line with five other states and the District of Columbia to allow people wrongfully or improperly convicted to clear their names, including in cases where the person pled guilty, and to clear old convictions for crimes that have subsequently been decriminalized. (A.2878A)*

A "Clean Slate" for Those Who Earn It

People who have repaid their debt to society and stayed out of trouble for years afterwards deserve a chance to build a new life and become contributing members of our society. The "Clean Slate Act" allows for criminal records to be sealed once extensive criteria during and after probation have been met – with eligibility exclusions for those who committed more serious crimes, and well-considered exceptions for certain employment situations. (A.1029C)



Rallying for the Clean Slate Act

EQUALITY, FAIRNESS, AND TRANSPARENCY

The Equality Amendment

The New York State Constitution protects our residents against discrimination on the basis of race, color, religion, or creed. The Equality Amendment proposes to add ethnicity, national origin, age, disability, sex (including sexual orientation, gender identity, and gender expression), as well as pregnancy, pregnancy outcomes, and reproductive health care decisions. Now that the Equality Amendment has passed in the Legislature for a second time, it will appear before the voters as a ballot proposal on the 2024 General Election ballot. (A.1283)



With disabilities advocate Brendan Klein of the Westchester Institute for Human Development

Disability Ombudsman Program

This year, we established an independent developmental disability ombudsman program to assist individuals with developmental disabilities and ensure their access to services and preservation of their rights. I will be supporting increased funding for this much-needed program in the 2024 session. (A.1577)

Commission on Reparation Remedies

Prior to the American Revolution, there were more enslaved Africans in New York City than in any other city in the 13 colonies except Charleston, South Carolina – 20% of our population at that time – but a sufficient inquiry has never been made into the continuing effects of this legacy on present day society. This bill would establish a commission to examine the institution of slavery, de jure and

de facto racial and economic discrimination against people of African descent, and the impact of these forces on living African Americans. (A.7691)*

New York AAPI Commission

Asian American and Pacific Islanders (AAPI) are the fastest growing racial/ethnic group in the country. But, due to language barriers and certain harmful stereotypes, many AAPI residents have not been able to take full advantage of various State and local programs. New legislation will create an AAPI Commission to connect these growing communities to resources and provide public education to all New Yorkers on AAPI issues and culture. (A.3301A)

Improving Transparency, Accountability, and Accessibility

As part of a package of new legislation to improve transparency, accountability, and accessibility in State government, the Legislature has passed the following bills:

- Requirement for LLCs to disclose the names and addresses of all authorized individuals when entering a lease with New York State (A.1628)*
- Closure of a loophole to include the reporting of cryptocurrency assets on annual financial disclosures with State ethics commissions (A.2873A)
- Closure of a loophole to waive State agencies' ability to claim copyright protection on records in many cases (A.4453)*
- Requirement for State agencies to post annual reports, studies, and other public documents in digital format (A.4591A)*

Passing Home Rule Legislation

Much of the legislative calendar deals with matters more directly concerning our County and municipal governments. These bills often get into the minutiae of government, but they are needed to help our local bodies function properly – which benefits us all.

Examples include four successful efforts by Westchester's State legislative delegation to pass laws:

- Authorizing Westchester County to set pistol license fees that are commensurate with the cost of providing the service, including background investigations (A.5092)
- Authorizing Westchester County to install red light cameras to protect pedestrians and the motoring public along the Bronx River Parkway and other County thoroughfares (A.7206B)
- Authorizing Westchester County to continue its sales tax extension through November 30, 2025, lightening the burden on property taxpayers (A.6246A)
- Allowing for guardians ad litem in Westchester County to be considered employees for the purpose of representation and indemnification in civil actions (A.5263)

The Assembly also enacts Home Rule legislation for individual municipalities. Three local authorizations that I sponsored were



Westchester County officials traveled to Albany to discuss legislative priorities with the State delegation

passed by the Legislature, for the Town of Mount Pleasant (A.6693, A.7453) and the Village of Dobbs Ferry (A.6492). My office is already hard at work with many of our local governments to prepare more such legislation for 2024.

LETTING OUR MUNICIPALITIES LEAD ON HOUSING DEVELOPMENT

While most of our legislative achievements reflect those items that we succeed in getting passed, sometimes they also include items we needed to defer. In this year's budget negotiations, our Westchester delegation uniformly opposed the Governor's Housing Compact and Transit-Oriented Development proposals, which would have over-riden local zoning laws, bypassed environmental reviews, and increased housing density without investing in the infrastructure needed to go with it. For our communities, with their small and, in some cases, historic downtowns, a one-size-fits-all approach will not work. I am pleased to see that the Governor has since implemented, and our communities are making use of, an incentive-based approach for creating new housing.

*Awaiting action by the Governor

2023 BUDGET HIGHLIGHTS

After an additional month of negotiations and debate, New York State enacted a budget in early May for the 2023-24 fiscal year. It is often said that a budget is not just a list of numbers, but a statement of values. While not everything the Legislature asked of the Governor made it into the final budget, the final spending and investment plan should improve the lives of all New Yorkers.

These are some highlights from the Fiscal Year 2023-34 Budget:

EDUCATION New York has fully funded school Foundation Aid for the first time since adopting the formula in 2007, a \$2.6 billion increase that brings total Foundation Aid funding to \$24 billion; the free school meal program was increased by \$135 million, to feed up to 300,000 more students; an increase of \$115 million was allocated to Schools for the Blind and Deaf; and universal pre-kindergarten was expanded by \$150 million. In addition, the Child Tax Credit was extended to families with children under 4 years old.

An increase of \$281 million in operating aid enabled our SUNY and CUNY systems to keep tuitions flat this year, with an additional \$3 billion in much-needed capital funding included for the two systems. As a CUNY graduate, I was determined to see that our public universities — which make the difference in so many lives and in our communities — can continue to provide affordable, quality educational opportunities to our residents.



Calling for funding increases to the SUNY and CUNY systems

HEALTH The State has made a significant new commitment to health programs, facilities, and care providers. These are led by increases of nearly \$395 million for Medicaid hospital reimbursements, \$890 million to create 3,500 new mental health residential units, \$216 million for nursing home and assisted living programs, and \$324 million for a 4% Cost-of-Living Adjustment (COLA) for human services providers. In addition to establishing the Daniel's Law Task Force, the budget provides \$34 million for youth mental health programs, including \$10 million to fund suicide prevention programs for high-risk youth.

HOUSING To help keep New Yorkers housed and to promote home ownership, \$1.1 billion was allocated to rental assistance programs, including \$391 million for the Emergency Rental Assistance Program (ERAP) and \$25 million for a new first-time homeowner program to help qualifying families cover down payments and closing costs. The budget also provides \$50 million for eviction prevention legal services, and \$60 million in RESTORE-NY funding to help municipalities revitalize both commercial and residential properties.

CLIMATE PROTECTION In addition to the landmark environmental legislation passed this year, the State has set aside \$400 million for those who opt to retrofit their homes with electric appliances to reduce their carbon footprint. The budget provides \$500 million for clean-water infrastructure, \$400 million for the Environmental Protection Fund, \$200 million to expand the Energy Affordability Program, and \$200 million to support NYSERDA's EmPower Plus program for energy-efficiency upgrades.



Rallying for environmental legislation on the Capitol's "Million Dollar Staircase"

TRANSPORTATION The budget provides an increase of \$100 million for local roads and bridges. \$60 million goes to the Consolidated Local Street and Highway Improvement Program (CHIPS) and \$40 million to State Route NY, which reimburses municipalities for capital projects on state touring routes. It is funding for which I had strongly advocated, and which Assembly Speaker Heastie included in the Assembly's One-House Budget Bill. It brought the State's total allocation for local road and bridge assistance to \$1.3 billion.



On a tour of the Croton Harmon Yard, Metro-North's largest facility

A reallocation of casino licensing fees will provide \$1.15 billion in new funding to the troubled MTA — preventing an increase in the payroll mobility tax on our suburbs. The MTA will receive \$165

million in new revenues from New York City paratransit, \$70 million for frequency and security enhancements, and \$65 million to minimize a proposed fare hike, as well as a one-time subsidy of \$300 million. An additional \$15 million was allocated to a zero-fare bus pilot program for one free bus line in each borough.

CRIMINAL JUSTICE An increase to \$170 million in total discovery funding will help ensure more accurate outcomes in legal cases, as will \$40 million for New York State Aid to Defense and \$20 million for immigrant legal and other services. More than \$110 million has been allocated to anti-gun violence initiatives, \$30 million to combat bias crime and harassment, and \$6.5 million to rape crisis centers.

MINIMUM WAGE To offset inflation, the State increased the minimum wage to \$17/hour in New York City and Westchester, Nassau, and Suffolk counties by 2026, and to \$16/hour in the rest of the state. Future increases will be indexed to the rate of inflation, with any pause lasting no more than two consecutive years. As mentioned above, human services providers will receive a Cost-of-Living Adjustment (COLA) of 4% out of consideration of the higher levels of demand their jobs entail. While these rate increases are less than the Legislature had sought, they will bring some financial relief to our essential workers.

LOCAL NONPROFITS The Westchester delegation worked together to restore funding in the budget for several local not-for-profit organizations and programs. These allocations include \$525,000 to Afya Foundation, \$30,000 to Choice Matters, \$150,000 to El Centro Hispano, \$350,000 to LUCA, and \$180,000 to Legal Services of the Hudson Valley.

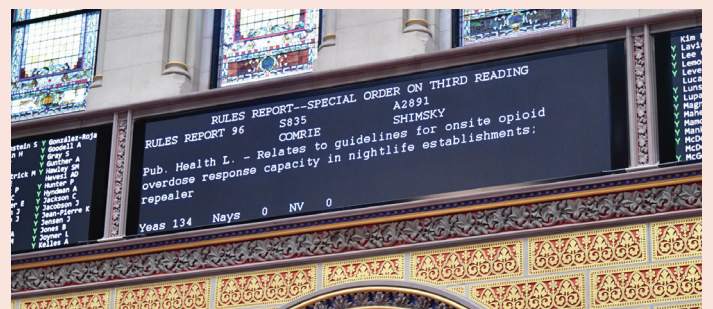
My office is currently allocating funding to local governments and not-for-profit organizations, as discussed in more detail in my Community edition newsletter.

To learn more about the Fiscal Year 2023-24 Budget, visit governor.ny.gov/programs/fy-2023-new-york-state-budget.

MY PRIME-SPONSORED LEGISLATION

Improving Opioid Overdose Response

We must provide life-saving help wherever an overdose happens, and especially where we know drugs are consumed at higher rates. My first bill to pass in the Assembly was a Health Code amendment to improve overdose response in bars, clubs, and other nightlife establishments. Not only will Narcan be on hand at these sites, but individuals who work there will be trained to ensure its effective use. (A.2891)



My first bill in the Assembly — to save lives by improving opioid overdose response

Aligning Boat Safety with U.S. Coast Guard Requirements

By mandating emergency whistles, fire extinguishers, and engine cut-off switches on certain vessels, we can bring State requirements in line with those of the U.S. Coast Guard, and make the use of our waters safer for all. (A.5948)

Protecting Atlantic Herring

An extension of the Department of Environmental Conservation's authority to manage Atlantic herring, in compliance with federal conservation and management policy. (A.7474)

Making the STAR Tax Credit Easier to Use

The STAR tax credit is a lifeline for many of our residents, but many need help navigating a system that has become increasingly complex. This legislation would create a School Tax Relief (STAR) bill of rights and establish the office of a STAR ombudsman. The Governor vetoed the bill, but we hope to work with our colleagues in State government to make sure its objectives are achieved by other means. If you have questions or problems obtaining your STAR benefits, please call my office and visit tax.ny.gov/star. (A.5255)

Dear Friends,

In this, my first year as your Assemblymember, I have had the privilege of serving the more than approximately 140,000 people who call the communities of the 92nd Assembly District home. And I am proud to send you my 2023 newsletter reporting on this year's Albany session.

In this year's budget, New York State made historic investments in education. With a \$2.6 billion increase, we fully funded the school Foundation Aid formula for the first time since it was enacted in 2007. We also increased funding to our CUNY and SUNY systems by \$281 million to keep tuitions flat, and added \$625 million in funding for daycare and preschool for our youngest New Yorkers. In response to concerns about the alarming rise in food insecurity in our communities, we added \$134 million in funding for school breakfasts and lunches. I expect that the task of updating our education funding formulas, and making them more equitable, will be part of the agenda for the 2024 legislative year.

We also made major investments in our roads and transit systems, insured the viability of the MTA as it recovers from the economic dislocation caused by COVID, and are increasing our investments to reduce greenhouse gases and prepare for the necessary goal of a carbon-free future.

The Legislature also passed legislation protecting the environment, including the "Build Public Renewables Act," laws jumpstarting the transition to all-electric buildings, and a law protecting our Hudson River communities from radioactive releases from Indian Point. We sought to protect consumers from predatory business practices, help crime victims, clear records of the wrongfully convicted, and improve transparency in government. You can read about these laws and more in this newsletter.

It's been my pleasure to be your Assemblymember this year, and I am excited to share with you some of the highlights of our work in this newsletter. If you would like to receive weekly and emergency updates, please visit nyassembly.gov/mem/MaryJane-Shimsky/enews/ to sign up for my list.

If my office can be of assistance to you, please write to shimskym@nyassembly.gov or call 914-631-1605.

Wishing you a happy and safe holiday season!

MaryJane Shimsky
Assemblymember 92nd District



At the opening of the Science Barge — the sustainable floating urban farm in Yonkers



With Women United of Westchester, at the Police Athletic League of Yonkers



Meeting with representatives from NYSNA, our nurses' union, at my Albany office



Speaking with the Capitol media is part of the job of informing people about the work we do in the Legislature



At the Governor's breakfast for newly elected members of the Legislature last February



Planning for the year ahead at the Legislative Women's Caucus Retreat



Introducing Irvington High School senior intern Zachary Schwartz on the Assembly floor

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MY PRIME-SPONSORED LEGISLATION CONTINUES

Williams Syndrome Awareness Month

May was officially declared Williams Syndrome Awareness Month in New York State, with the passage of a resolution that I sponsored in the Assembly. Too few people know about this genetic disorder, which impacts learning ability and cardiovascular health, among other functions; we need to change that. It is by building awareness — which this declaration helps to do — that we can increase support for researching Williams Syndrome and improve the lives of those living with it. (K.0532)

To view all the legislation for which I am the prime sponsor or co-sponsor, please visit nyassembly.gov/mem/MaryJaneShimsky/sponsor/.



Working with my colleagues to make sure abortion rights are protected in New York State



Honoring Stephanie Marquesano, Ardsley resident and founder of the harris project, at the Assembly's Women's History Month celebration

LET'S STAY IN TOUCH!

Please sign up for the District 92 email list to receive the "news you can use" in our area. To subscribe, scan the QR code here or visit



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