



# Assemblymember PATRICIA A. FAHY

Budget Update – 109<sup>th</sup> Assembly District



SPRING 2019

Dear Neighbors,

*I'm proud to continue to represent each of you in Albany, Bethlehem, Guilderland, and New Scotland in the New York State Assembly. I hope you find this edition of my annual budget newsletter informative. Included is plenty of information on what was – and wasn't – included in this year's state budget. Every state budget requires a series of major trade-offs, and this year was no exception; however, I am pleased the hard work of the Assembly has resulted in a future-focused budget that will result in a slight decrease in income taxes for middle class families, protect our environment, and invest in our Capital Region economy.*

Patricia A. Fahy  
Member of Assembly  
109th District



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<http://nyassembly.gov/mem/?ad=109&sh=enews>

or email me at

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## Budget Overview

This year's budget process began with a challenging start: including a \$2.3 billion revenue shortfall. Legislators, however, were able to craft a budget that keeps spending growth capped at 2% for a total of \$175 billion and managed to make major investments in our state. The enacted budget cuts middle class income taxes from 6% to 5.5%, invests \$1 billion in new education spending, criminal justice reform, a plastic bag ban, and allocates seriously needed funds for combatting climate change. Upstate was a big winner in this year's budget too, with \$26 million allocated for Upstate transit infrastructure spending, a newly permanent property tax cap at 2%, and \$500 million to upgrade our steadily deteriorating water-sewer infrastructure.

## Municipal Priorities & Economic Development

**Property Tax Cap Made Permanent.** The 2% property tax cap has afforded Upstate New Yorkers predictability in their tax bills since its enactment several years ago. Assemblymember Fahy supported efforts to make the tax cap permanent to help individuals on fixed incomes and others afford to stay in their homes. This measure will ensure that more than \$25 billion in taxpayer savings realized through the cap continues to grow into the future.

**Capital City Funding.** Albany residents rely on dependable city services. For the third straight year, the Assembly included capital city aid for the City of Albany in the budget resulting in a final allocation of \$12 million this year. Once again, this is new funding that is not borrowed against future payments in lieu of taxes (PILOT) to the city through public land law payments. This is a tremendous achievement and Assemblymember John McDonald and I are grateful for the advocacy and leadership of Speaker Carl Heastie, along with the strong support of Governor Cuomo and Senator Neil Breslin.

**Internet Sales Tax Parity.** Currently, the state's outdated tax collection system does not require out-of-state internet-based competitors to collect sales taxes – giving them an unfair competitive advantage over small, local businesses, who bear an outsized sales tax burden, which funds vital county health services and programs for seniors and youth. Provisions in the newly enacted budget will require internet retailers to pay sales tax as brick-and-mortar retailers do to support vital local services.

**Historic Preservation Tax Credits.** The expanded Historic Preservation Tax Credit will encompass many more Upstate cities under this budget than in years past, greatly broadening its transformative economic impact. Under the new rules,

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Assemblymember Fahy joins local Albany officials and others for a ribbon cutting at Girls Inc. of the Capital Region's new Spectrum Learning Lab. Girls Inc. received \$75,000 through Spectrum's NYS Broadband Access and Learning Grant initiative. The grant is being used to launch and support this new Spectrum Learning Lab which will be accessed by local, underserved girls during after-school hours, senior citizens during the day, and underserved families on weekends for planned broadband education training.

# Budget Overview *continued*

owners of historic properties in any municipality with greater than 15% poverty will be eligible for the tax credit, instead of just census tracts with 15% or greater poverty. This tax credit is a powerful economic development tool that ensures our past has a place in our future, and Assemblymember Fahy is proud to see the credit made more widely available.

**Foreclosure Prevention Services.** Residential foreclosures continue to affect residents, especially working and middle class New Yorkers, statewide. The state budget allocated \$20 million to continue the provision of much-needed foreclosure counseling and legal services to help stabilize neighborhoods and keep people in their homes.

**Upstate Transit Funding.** Expanded access to public transit is a critical component of the Capital Region's long-term economic growth. Accordingly, this budget allocates \$26 million to Upstate transit systems like CDTA. These are new permanent funds that will enable CDTA to better serve the Capital Region.

## Education Funding

**K-12 Funding.** Making sure each child receives a well-rounded education is the key to our community's future success. Accordingly, the enacted state budget increases education by \$1 billion to a record total of \$27.9 billion. High-poverty school districts will receive 70% of new funding. Foundation aid funding again increased by another \$618 million. Assemblymember Fahy will continue to advocate for an increase in foundation aid in future education budgets. Disappointingly, the budget did not include language to fully fund Pre-K transportation – one of the biggest barriers to accessing Pre-K education. I sponsor key legislation to require state funding for Pre-K transportation and will continue to push this measure into the next legislative session.

**Afterschool Programs.** Afterschool programs have proven to have enumerable benefits for students and families, such as less homework stress, reduced risk for engaging in risky behaviors, and improving student's academic and social skills. I am a strong advocate for afterschool programs and helped secure more than \$5 million for Advantage Afterschool program.

**Adult Literacy Education.** Provides literacy services to adults who struggle to read or do not speak English as a first language. These services are critical to boosting employability skills and the budget increased funding for Adult Literacy Programs by \$1.5 million.

## Health & Human Services

**New York Health Exchange Codified.** Key provisions of the Affordable Care Act have been codified into state law, such as the health insurance exchange or marketplace. Health insurance exchanges require all insurance plans to be advertised in the same 'market', driving down costs for consumers and allowing them to choose from the highest quality, and most affordable options. Codifying these provisions ensures that regardless of what happens at the Federal level, New Yorkers' health coverage will remain unaffected and unaltered.

**Refugee and New Americans Assistance.** New York remains poised to welcome new immigrants, refugees, and asylum seekers with open arms. Legal assistance for new immigrants is crucial as they navigate the resettlement process and seek to integrate into our communities, which is why this year's budget allocates \$10 million for the Liberty Defense Project – a private and public partnership that provides such legal aid. Greater integration of our immigrant community into our mainstream society benefits local economies.



Speaking at a rally for increased state investment in child care, Assemblymember Fahy implores her colleagues in the state legislature and Governor Cuomo to heed the requests of parents and education activists to provide more opportunities and greater access for working families. The state's increased investment of \$26 million is welcomed but not enough to truly tackle this serious need.

## Environment

**Plastic Bag Ban.** New York disposes of more than 23 billion single use plastic bags each year which damage our waterways and ecosystems, or remain in landfills without decomposing. The enacted budget will ban single-use plastic bags and permit a fee to be levied on paper bags. Counties will be able to opt-in to levy a five-cent fee on paper bags in their respective jurisdictions. Assemblymember Fahy is encouraged by the progress on this issue; however, favors a simpler statewide five-cent fee on paper bags.

**Clean Water Funding.** Every New York family should be able to depend on a reliable source of clean water. States have shouldered an ever greater portion of the cost of clean water over the last 30 years as the federal government has reduced funding to fix our increasingly outdated infrastructure. This year's budget allocates an additional \$500 million on top of \$2.5 billion allocated last year.

**Food Waste.** Thousands of tons of food waste – often of perfectly edible food – are disposed into New York's landfills each year. A provision in the enacted budget would require restaurants, stadiums, colleges, and other institutions to donate excess food products to facilities where they will be sorted for donation and recycling.



Assemblymember Fahy meets with students from the Albany High School Book Club and introduces them on the floor of the Assembly Chamber! Encouraging reading and the use of our area's extensive library system has been a priority of the Assemblymember since first elected to the state Assembly.

## Electoral Reform

**Early Voting.** The enacted budget builds on the Assembly's voting reform package passed this January. The budget will mandate three hours of paid time off for all New Yorkers on Election Day, enact online voter registration, and expand Upstate voting hours to begin at 6 a.m. in Primary elections. The budget allocates \$10 million to enact early voting reforms.

**Public Campaign Financing.** In an effort to minimize the influence of big money in politics, the enacted budget allocates \$100 million for public campaign financing. The new program will amplify the power of small donors by matching their political donations 6-to-1 for participating candidates. The final budget bill delegates the responsibility to promulgate rules for the public campaign financing system to a new commission, a move I did not fully support, as it abdicates legislative responsibility and authority.

## Criminal Justice & Public Safety

**Bail and Discovery Reform.** New York continued its commitment to modernize its criminal justice system by enacting reforms to the State's bail and discovery systems. Under the enacted budget, cash bail will be eliminated for all misdemeanors and non-violent felonies. This will ensure that most New Yorkers accused of a non-violent crime are not detained prior to trial unless they present a clear danger to the community.

**Limousine Regulation.** After last October's horrific Schoharie limousine crash, it became clear that New York needed expanded oversight over bad actors in the industry. Language in this year's budget will make it a class E felony to knowingly operate a limo without Department of Transportation (DOT) authorization when that operation causes the death of another person. Additionally, State Police and DOT will have new authority to remove and retrieve license plates from vehicles operating out of compliance.

## Higher Education Budget

**SUNY Higher Education Increases.** The enacted budget provides another strong investment in the SUNY system and our community colleges throughout the state. The income eligibility threshold for the SUNY Excelsior Scholarship increased to \$125,000 for middle class families, and allocates \$12.1 million for community colleges to raise the state's investment another \$100 per student at community colleges.

**Educational Opportunity Program.** Reaffirming New York's commitment to a quality higher education for all, the budget includes a \$6 million increase in Educational Opportunity Centers (EOCs) for total funding of \$61 million. The Assembly fought hard to restore \$23.8 million in funding for a total of \$67.7 million to Educational Opportunity Programs (EOPs) in the final budget, which provide disadvantaged New Yorkers with the tools and resources necessary to succeed in college.



Assemblymember Fahy speaks to a crowd of constituents at her annual Open House held in our legislative office. Each year, Fahy invites constituents to come and learn about what was accomplished in last year's session and to give a preview of what's coming in the current year's legislative session. It's a great opportunity for friends and neighbors to mingle and network within our community.



Assemblymember Fahy unveils a package of bills aimed at improving New York State's network of multi-use trails and providing a blueprint for the future to encourage economic development and job growth. With the Empire State Trail slated for an on-time completion in 2020, and record tourism growth projected to continue, New York is uniquely poised to profit off this type of development.

## More to Do in the Budget and Beyond

The budget is an expansive piece of legislation, which is always a product of negotiation and compromise. Many of these items were addressed in the Assembly "one house budget," but were left out of the final budget. Some important proposals were not addressed in this year's budget, but I am hopeful will be dealt with by the close of the year's legislative session or next year.

**Direct Care Cost of Living Adjustment.** Direct service professionals (DSPs) and direct care workers in the CDPAP program form the backbone of our human services workforce and provide for our most vulnerable citizens. Human services workers save our economy thousands of dollars in preventative costs, and the value of their work should be reflected in their wages. Employee retention and workforce shortages are chronic issues that are best addressed with a 2.9% cost-of-living-adjustment, rather than the 2% increase in wages for next year that was included in the budget. This is a serious employment retention issue that needs to be addressed.

**Pre-K Transportation and Childcare.** While the state increased funding for child care over last year's final budget by \$26 million for a total of \$832 million, New York must do more in its commitment to helping working and middle class families access quality child care. Moreover, legislation I carry that was included in the Assembly's 'one-house' budget to allow school districts that provide transportation for pre-k students to receive state reimbursement did not make the final budget. Transportation

remains the biggest barrier facing families seeking to enroll their kids in accredited pre-k programs, and an obstacle for the state as it seeks to implement universal pre-kindergarten.

**Expanded Bottle Bill.** Legislation to expand New York's 'Bottle Bill' and make beverages in glass containers and most non-carbonated drinks eligible for a 5-cent redemption at recycling centers was not included in the final budget. Over 60% of the curbside litter found throughout the United States is made up of beverage container waste. Studies have shown that New York's original Bottle Bill, passed in 1992, has helped curb litter in New York State by over 70%.

**NYSCA Funding.** The New York State Council on the Arts is responsible for the encouragement and development of New York's cultural and art programs throughout the state. They provide grants to a number of organizations and nonprofits to accomplish this mission, and it is one of my top economic development priorities each year during budget negotiations. This year, NYSCA received \$5 million in funding and I will continue to work hard to increase the total amount in next year's final budget.

**TAP Gap.** The Tuition Assistance Program (TAP) provides needed tuition assistance for working and low-income families that qualify; however, a gap persists between the number of applicants who qualify and the awards available under TAP. The total cost of closing the 'TAP Gap' is estimated at \$65 million and is a priority of the Assembly Majority, so that all New Yorkers may realize the opportunity and promise of a college education.

## Feature: Springtime & Summertime Recreation!

Springtime is in full bloom and summer is just around the corner! The Capital Region has a lot to offer in the way of recreation, New York State history, and culture to keep you, your family, and friends busy. Below, please find a helpful list of nearby activities and locations to visit this season:

### Parks & Recreation

Lawson Lake County Park  
Thacher Park  
Albany County Rail Trail  
Ann Lee Pond Nature Preserve  
Albany Pine Bush Preserve  
Normanskill Preserve  
Tivoli Lake Preserve  
Six Mile Waterworks Park

### Historic Sites

Schuyler Mansion S.H.S.  
Cherry Hill S.H.S.  
Ten Broeck Mansion  
Shaker Heritage Society  
USS Slater  
Fort Crailo  
Saratoga National Historic Battlefield  
Bennington Battlefield

### Summer Camps/Programs for Kids

City Summer Programs  
Visit City of Albany Dept. of Recreation's website  
Capital District YMCA  
Albany Jewish Community Center  
Drama Kids Int'l Albany – Theater  
Afrim's Sports – Soccer  
Check your local town's website for summer camp opportunities!



## More to Do *continued*

**SUNY Capital Budget.** Capital funding is monies that institutions and organizations may use to upgrade current physical facilities or construction of new facilities. The State University of New York receives a certain amount of capital funding each year; however, these funds are still under negotiation and will be completed shortly during the current session. This includes funding for the University at Albany's new College of Applied Sciences and Engineering building in the Pine Hills neighborhood. Securing funds for this project and SUNY more broadly remains a top priority for me.

**Marijuana Legalization.** New York is poised to become the second state, following Vermont, to legalize marijuana via the state legislature – and the first state to commercialize it via the state legislature. Due to these circumstances, it was appropriate that marijuana legalization was tabled until after the budget so the most robust plan possible is put forth. The best path forward is one that fully decriminalizes marijuana and rights several of the historic wrongs levied as a result of previous discriminatory drug laws. I remain concerned we have not adequately addressed the problem areas of impaired driving nor have the technological tools to measure it, as well as the easier access to drugs for youth and the impact on the workplace. Work will continue on this complex issue.

**Prevailing Wage.** A policy that would've extended the state prevailing wage on construction projects that receive primarily state and public funding did not make the final budget; however, discussions are ongoing. While I recognize the need for compromise to grow economic development within the Capital Region – those in the construction trades need a living wage and extending the state prevailing wage would help keep the industry competitive and able to attract new workers.

**Landbanks.** Landbanks around the state like the Albany County Landbank have redeveloped and repurposed thousands of vacant homes and 'zombie properties,' allowing many first-time homebuyers to become property owners at a reasonable price. Most landbanks received funding consistent with last year's levels and I'd like to see an increase in their allocations, especially Upstate.

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Assemblymember  
**Patricia A.  
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**Budget Update**  
Spring 2019

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