



Assemblymember PATRICIA A. FAHY

Legislative Update – 109th Assembly District



Summer 2019

What We Accomplished

The New York State Assembly had one of its most productive years in recent history during the 2019 legislative session. This legislation included: an ambitious climate plan, addiction treatment, raising the smoking age to 21, new protections for tenants and renters, regulations on prescription drug prices to protect seniors and those with disabilities, as well as long overdue workplace rules to address sexual harassment. In addition, the Assembly’s legislative agenda protects small businesses from fines for first-time regulatory offenses and makes the 2% property tax cap permanent. Below are highlights of some noteworthy bills passed in both houses and some that did not!



Floor Debate. Speaking on the floor of the Assembly chamber towards the end of the legislation session, where the legislature worked to pass key legislation such as new renter and tenant protections, a host of environmental protection bills, and initiatives to lower the costs of prescription drugs – to name just a few.

Public Health

Combating Prescription Drug Price Increases. Pharmacy benefit managers (PBMs) have recently been scrutinized with respect to the high and rising costs of prescription drug prices throughout the country. In June, the Senate Committee on Health and Senate Committee on Investigations and Government Operations released a report on the price-gauging and ‘spread pricing’ practices of PBMs, which raise prescription costs for consumers. As a result of the report, the Assembly and the Senate passed legislation to regulate PBMs and control/reduce prescription drug prices for New Yorkers.

Easing Access to Addiction Treatment. The Assembly passed a bill this year that would prohibit prior authorization requirements for opioid addiction treatment drugs. The bill would ensure that opioid users seeking treatment can obtain potentially lifesaving drugs regardless of their insurance policy. This legislation would put more addicts on the path to recovery and remove yet another barrier faced by those struggling with addiction.

Smoking Age to 21 Statewide. Smoking has long been recognized as one of the leading causes of premature death and cancer among humans. While smoking rates among youth have been on the decline in New York for years, the average age of a new smoker in New York is just 13 years old, and troubling statistics have pointed to the rapidly rising prevalence of vaping among New York teens. This year, the legislature passed a bill raising the legal age to buy nicotine products to 21 years old. This legislation recognizes that one of the primary means for underage smokers to obtain nicotine-containing products is through legal-aged peers and it will go a long way towards preventing youth from trying nicotine in the first place.

Religious Vaccine Exemption. An outbreak of measles in certain parts of the state caused a major public health concern earlier this year. The science has been clear that the benefits of vaccines outweigh existing risks, and that children who cannot be vaccinated due to medical conditions like leukemia are particularly at risk when others don’t receive vaccines. The practice of exempting children whose families hold religious beliefs that oppose vaccination has unfortunately put the health of such immunocompromised individuals at risk. As a result, the state legislature passed legislation that prohibits children from attending schools unless they are vaccinated.


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LGBT Pride Parade. Marching in the Capital Region Pride Parade and Festival in Washington Park, June 2019, with Assemblymember John McDonald, Lt. Governor Kathy Hochul, Albany Mayor Kathy Sheehan, Troy Mayor Patrick Madden, and Troy City Councilmember David Bissember. The Capital Region has a long and proud history of supporting our LGBT community which I am proud to carry on.



My Brother's Keeper. Assembly Speaker Carl Heastie and I met with Albany High School students and mentors from Albany in the 'My Brother's Keeper' program initiated under President Obama as part of a legislative and educational visit to the New York Capitol building and Assembly Chamber. Programs like 'My Brother's Keeper' are key to advancing economic opportunities for all New Yorkers.

What We Accomplished *continued*

Environment

Climate Leadership & Community Protection Act. This year New York passed the most aggressive and ambitious climate legislation in the country! The Climate Leadership and Community Protection Act establishes ambitious energy efficiency standards by requiring the state's grid be carbon-neutral by 2050, creates thousands of new green jobs in the clean energy sector, and empowers communities and local governments to deal with new climate realities. Climate change is the crisis of our time and I'm proud that New York is leading the nation in climate action.

Energy Efficiency Standards. Both houses passed my legislation to add missing energy efficiency standards for small appliances and other significant energy users. The bill requires annual reporting on New York State's progress in setting energy efficiency performance standards for appliances and resulting savings in energy usage and utility bills for consumers.

Banned Toxic Toys. New York became the first state in the nation to ban the manufacture, distribution, and sale of toys meant for toddlers and young children that contain chemicals which have been proven to be toxic, persistent, and/or bioaccumulative in relation to human health.

Transportation and Infrastructure

\$65 Million Restoration to Extreme Winter Recovery Fund. The state legislature was able to restore \$65 million in funds that were cut from the state's Extreme Winter Recovery Program and CHIPs fund for road and bridge repair. The funding provides Upstate cities, towns, and villages with important financial assistance during extreme weather in the winter months. Once more, such funding only becomes more important as we begin to see the effects of climate change through more frequent severe weather systems.

Electric Bikes & Scooters. As a co-prime sponsor of this legislation, I was pleased to see a compromise bill passed in June by the Assembly and Senate to fully legalize e-bikes and e-scooters, while allowing localities to retain full control over how to best regulate them. These



Climate Change Rally. On the Million Dollar staircase, speaking at a rally and press conference with climate change activists urging passage of the Climate Leadership and Community Protection Act (CLCPA) to set ambitious but much-needed energy efficiency and climate goals in New York State. I was proud to work with my colleagues also on the Assembly Environmental Conservation Committee to ensure that New York passed the nation's most ambitious climate plan; which the Governor has recently signed into law.

new transportation options are exciting in a number of ways – they will help drive Upstate adventure tourism, as well as work to reduce the number of cars on our roads.

Education

Historic Education Funding. This year the legislature raised total education spending by 3.8%, resulting in over \$1 billion in new school aid and a total of \$27.9 billion in funding. Foundation aid funding, in particular, was increased to \$618 million, granting essential resources to our most struggling schools. In addition, I helped secure a \$5 million increase for the Advantage Afterschool program, which is so essential to working parents.

\$20 Million Restoration to Library Construction Fund. I worked with my colleagues in the legislature to realize a \$20 million restoration in the state's library capital construction fund. Public libraries play an important role in our communities – providing free access to academic resources and the internet, bridging opportunity gaps, and shaping public space. It is important our libraries have the resources they need to continue to maintain and upgrade their facilities in order to ensure they are safe and welcoming spaces for everyone to learn.

Statewide Master Trails Plan. I sponsored legislation that passed both houses of the legislature that requires the state to develop a statewide 'master' trails plan. This long-term and multi-use plan will help leverage state and local funds to better connect trail systems and improve regional planning. Marketing of these trails for walking, biking, and hiking is key to Upstate tourism and small business development – the Erie Canalway Trail has generated \$253 million in sales since its completion and with the Empire State Trail slated for a 2020 finish – this is a tourism opportunity the state should capitalize on.

Economic Development

Small Businesses Fine Reform. I was proud to support my colleague Assemblymember John McDonald's legislation which waives state fees and penalties for small businesses that commit one-time and first-time violations, many of which are often made in error or due to lack of experience navigating the state regulatory system. This bill, passed by both the Assembly and the Senate, is smart legislation that will encourage small business growth across the state.

Women's Agenda

Strong Workplace Harassment Protections. New protections for employees in the private and public sector will ensure that there are stronger safeguards and expanded legal recourse for those who have been sexually harassed at their workplace. Saliiently, these protections include the prohibition of non-disclosure agreements and mandatory arbitration clauses. No employees in New York should have to endure sexual harassment.

Elimination of Statute of Limitations for Rape. The Senate and Assembly passed vital legislation to remove the statute of limitations, previously set at five years, for second-degree and third-degree rape. Survivors should not have to adhere to any arbitrary window of time in order to receive the justice they deserve.

Electoral Reform

Party Enrollment Dates. New York has long been known for having some of the most restrictive deadlines in the country for switching party enrollment before a primary election. I was proud to support a bill passed by the legislature this year that will revise the deadline to change one's party enrollment for the June primary to February 14, from the previous deadline in October. This was in addition to a significant expansion of voter rights included in this year's budget.



Exit 3: The Capital Region celebrated the addition and planned construction of the Northway Airport Connector and 'Exit 3', as well as other facility improvements coming to Albany International Airport, which will help cement the Capital Region's place as a transportation hub in the region for residents and visitors alike.

Worker's Agenda

Tenant and Renter Protections. A historic set of statewide protective housing measures for tenants was signed into law by the Governor as previous rent control laws expired in June. These protections included expanded legal recourse for tenants, and the option for municipalities with a vacancy rate of more than 5% to establish rent control within that city or village.

Farmworkers Rights. When the National Labor Relations Act was passed in the 1930s, farmworkers were largely exempted and left with few workplace protections. While some of the reasoning for this was because of agriculture's unique cost structures, the rules have a disproportionately negative impact on minority farm workers. The Farmworker's Rights bill passed by the New York legislature recognizes the unique constraints of agriculture as a business while allowing workers to organize labor unions, and affording them other benefits long enjoyed by most other classes of workers.

Retiree Salary Cap Increase. The Capital Region has a rich tradition of public service, with many of our neighbors and friends making lifelong careers out of service to the state. Some pensioners opt to remain in state service after they become eligible for retirement; however, their salary has historically been capped at \$30,000 to limit the total take-home pay of any particular state worker. Reflecting changes in inflation and an increased cost of living, the Assembly and Senate passed Assemblymember John McDonald's legislation to raise that cap to \$35,000 in order to retain the services of some of our area's most experienced public servants.

Protecting Seniors

Utility Consumer Advocate. Energy costs can be expensive in Upstate New York, especially in the winter. However, residential customers have historically lacked significant input in making choices that affect their pocket books. The legislature passed a bill this year that would create a Utility Consumer Advocate, who would be an independent representative of residential ratepayers before meetings of the Public Service Commission, which regulates energy costs in New York State.

More to Do / Unfinished Business

Limousine Regulations. The horrific limo crash in Schoharie last October highlighted the need for change and broader oversight of the limo industry. Unfortunately, negotiations on these new rules did not produce enough protections this year. Work will continue to get unsafe vehicles and drivers off the road.

Pre-K Transportation. The ability to get to and from Pre-K programs remains one of the largest obstacles for families looking to enroll their children in these developmentally critical programs. I have sponsored legislation to increase Pre-K state transportation funding, and will continue to forcefully advocate on this issue because of the important impact of a pre-school education.

Tick-Borne Illnesses. Climate change is increasingly impacting all areas of our lives and the recent explosion of new diagnosis of tick-borne illnesses is no exception. Ecological changes have created ideal conditions for tick population growth in Upstate New York. Disappointingly, the legislature did not allocate additional resources for this growing problem in this year's legislative session. This will be a priority of mine in the upcoming legislative year.

UAlbany School of Engineering and Applied Sciences – SUNY/CUNY Capital Funding. SUNY Albany has long been one of the region's most significant economic engines. I plan to continue to champion allocating state funds for the planned UAlbany School of Engineering and Applied Sciences in the former Albany High School building. I will continue to push for these funds in upcoming sessions.

Blocking Robocalls. Most residents of the Capital Region with a cell phone have had a similar experience: an unknown number calling their phone with a recording or a scam waiting on the other line. I have long cosponsored legislation to increase fines for companies placing unsolicited calls and will continue to urge the state Assembly to follow the Senate's lead and pass the Robocall Prevention Act.

Bottle Bill. Plastic beverage container pollution accounts for over 60% of all roadside and curbside litter found in the United States. By the year 2050, the weight of plastic waste in our oceans will be greater than the total amount of fish. That's why I supported an expansion of the state's 'bottle bill', which provides for a 5 cent recycling refund for certain beverage containers, to include even more plastic and mostly glass beverage containers to combat this alarming trend. I will continue to advocate on behalf of this legislation in next year's legislative session.



A.I. Roundtable. As the Chair of the Assembly Commission on Science & Technology and a member of the Assembly Environmental Conservation Committee, I hosted a roundtable of experts and professionals who work directly with or study artificial intelligence (A.I.) systems to further discuss and study how New York State can effectively utilize A.I. in predicting and combating climate change in the future.

Retracing Alexander Hamilton's Steps in Albany!

You wouldn't know it but Alexander Hamilton spent much of his life and time here in Albany, and was even married here to Elizabeth Schuyler, an Albany native! From Tuesday, August 13th to Sunday, August 25th 'Hamilton' will play at Proctors Theatre in Schenectady, so why not get to know a little more about Alexander Hamilton's history within the Capital Region and Albany itself? Check out any of the locations below to start your journey!

- **Schuyler Mansion**

Home of Elizabeth Schuyler, Hamilton's wife – he spent quite a bit of time here; Lived there for 2 years after his wedding.

- **Albany Institute of History and Art**

"The Schuyler Sisters and Their Circle" exhibit is on display from July 20 – December 29.

- **50 State Street: Former Home of Judge John Tayler**

Tayler hosted a dinner party where Hamilton called Burr, "...a dangerous man and ought not to be trusted", the Albany Register published this quote and it led to the duel between the two men.

- **First Reformed Church of Albany**

Held a memorial service for Hamilton following his death and called for an end to dueling in the United States.

- **Fort Orange Club**

Hamilton stayed here frequently when visiting Albany.

- **Ten Broeck Mansion**

Dirk Ten Broeck was a clerk for Alexander Hamilton, and Hamilton would visit him here regularly.

- **Albany Rural Cemetery**

Final resting and burial place for Margarita Schuyler and Philip Schuyler.



Historic Criminal Justice Reform

Marijuana Decriminalization. The legislature passed historic legislation this year to fully decriminalize the possession of less than two ounces of marijuana, and close the 'public use' loophole. Unlike other states that have passed marijuana reform in the past, New York will automatically expunge the records of those convicted of low-level marijuana offenses, a significant and meaningful reform for thousands negatively impacted by prior marijuana convictions. Marijuana criminalization has failed, and this new legislation begins to correct a host of historic wrongs and damage caused by the unsuccessful war on drugs. Work on this issue will continue next year. Before additional legislation is adopted, however, it is imperative we address issues including: impaired driving, potency levels, and safeguards for youth.

Human Rights

Adoptee Rights. Adoptees in New York have faced difficult hurdles in accessing critical information about their health and identity. Adoptees that have been placed into closed adoptions have had to navigate a complicated system that often left them with little more information about their biological families than when they started. The state Assembly and Senate passed overdue legislation this year to finally allow adoptees to access their full birth certificate and identify biological relatives.

Green Light. The safety of our roadways is something that matters to every motorist, especially when it comes to knowing that any driver involved in an accident has insurance coverage. Undocumented individuals living in New York have been unable to obtain adequate insurance because the state has not granted these immigrants driver's licenses since 2002. Granting permits to drive that do not carry the full benefits of REAL-ID compliant identification will serve to make our roadways for every driver.

Youth Suicide Council. We passed the first legislation of its kind in the state's history to establish a statewide task force to study the causes of and remedies to LGBTQ youth's disproportionate risk of suicide and other mental health disorders.

New York State Assembly • Albany, New York 12248



Assemblymember
Patricia A.
FAHY

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Assemblymember Patricia A. Fahy

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Albany Office Staff:

Laura Rabinow – Chief of Staff • Jake Egloff – Legislative Director

Elissa Kane – Scheduler/Legislative Aide • Alex Flood – Communications Director

Room 452, Legislative Office Building

Albany, New York 12248 • 518-455-4178 • Email: fahyp@nyassembly.gov

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