



December 2015

# Assemblyman Steve Englebright

149 Main Street • Setauket, NY 11733 • 631-751-3094 • engles@assembly.state.ny.us

## Dear Neighbors:

*The 2015 Legislative Session achieved many important goals across a broad spectrum of policy areas to improve the lives of New Yorkers including legislation to combat sexual assault on college campuses. For the 5<sup>th</sup> consecutive year we passed an on-time budget that meets the needs of all New Yorkers with additional funds for education, the environment, and public health.*

*Early in the Legislative Session the Assembly Speaker appointed me to Chair the Committee on Environmental Conservation. Additionally, I was tasked to conduct a Working Group to explore the role New York State can play in addressing climate change.*

*I continue to be an outspoken critic of New York's high stakes testing and flawed implementation of the Common Core Standards, making it a priority to ensure that the most important voices are being heard: parents, teachers, and students.*

*The 2015 Legislative Session saw passage of an array of new initiatives that will help many New Yorkers. I've highlighted some of the most important achievements in this newsletter. As always, please call or stop by my local office at 149 Main Street in Setauket to share your comments, concerns, or problems with state or local issues. My office also offers complimentary notary public service, senior citizen cards, and a selection of informative brochures.*

Sincerely,

Steve Englebright

In October, the new Speaker of the State Assembly, Carl Heastie, visited the district to learn about our area and meet community leaders. During the visit, Speaker Heastie visited Patriots Rock, the Site of the 1777 Battle of Setauket. Speaker Heastie is holding copies of two letters sent by General George Washington to his Setauket-based Culper Spy Ring.



## Need a Notary?

Assemblyman Englebright's Office Provides Free Notary Service

Weekdays 9:00 a.m. to 5:00 p.m.  
149 Main Street, East Setauket, NY 11733  
631-751-3094

Special traveling Notary Service provided for homebound residents in 4th Assembly District. Call 751-3094 or email [engles@assembly.state.ny.us](mailto:engles@assembly.state.ny.us) to set up an appointment.

# Legislative Update

*The following Englebright measures passed the Legislature this year:*

## Protecting residential quality of life from unregulated mulching facilities

*Englebright • A.7883/S.5714;  
Awaiting Governor's Signature*

When odors, noise, and dust from large-scale mulching operations sicken people in surrounding neighborhoods and impact their ability to enjoy their homes, regulations overseeing these activities need to be stepped up. This measure responds to these serious public health complaints by requiring that mulching facilities in Suffolk and Nassau Counties be regulated by the NYS DEC so that adequate controls exist to control fire risk, suppress dust, and minimize odors. Recycling of organic materials is an important part of sustainable efforts to manage solid waste on Long Island and this legislation will ensure that these activities take place without harming the quality of life of nearby neighborhoods and our environment.

## New horseshoe crab measure looks to ecologically-based management

*Englebright Chapter 225 of 2015*

Most Long Islanders are familiar with horseshoe crabs which arrive on our shores to spawn in early summer. What most people don't know is that these unusual creatures are a keystone species in the marine ecosystem as their eggs are a critical food source for migrating shorebirds, including the threatened Red knot.

Current state law allows for the harvest of horseshoe crabs for use as bait in the taking of whelk and American eel. However, the Atlantic States Marine Fisheries Commission's stock assessments report that the NY region continues to see a decrease in horseshoe crab numbers. Assemblyman Englebright's new measure recognizes the importance of horseshoe crabs and requires DEC to consider certain conservation practices and ecologically-based consideration of harvest limits and quotas to include factors such as the horseshoe crab's ecological relationship with shore birds.

## Reauthorized law supports parks, museums, and tourism jobs without local taxpayer dollars

*Englebright Chapter 348 of 2015*

Tourism is Suffolk County's largest industry and, like many destination regions, Suffolk County assesses a lodging fee on the mostly out-of-town guests of hotels and motels. Assemblyman Englebright sponsored the original enabling law in 1992 and, since that time, the proceeds have been used to promote tourism and support museums, parks, and historical societies as well as valuable cultural and arts programming. A portion of these revenues support the Suffolk County Vanderbilt Museum and the Walt Whitman Birthplace, two of Suffolk's most celebrated international tourist destinations.



### Setauket Harbor Day

This year the Setauket Harbor Task Force came into being, spurred on by citizen concern about water quality and a desire to improve it. In a short period of time, members of the Setauket Harbor Task Force have become effective advocates creating awareness and getting things done. The Town has begun a water quality study of the harbor at their urging. Their first Setauket Harbor Day last September brought residents together and we all look forward to what they will do next year! Photo from Harbor Day, pictured from left to right: George Hoffman, Assemblyman Englebright, Laurie Vetere, Shawn Nuzzo, and Peter Legakis.

## New Laws from the 2015 Legislative Session

### Making college a safer place to learn

*Chapter 76 of 2015*

When our sons and daughters go to college they deserve safety and security as they pursue their higher education, develop independence, and improve communication and decision-making skills. That's why Assemblyman Englebright supported the new law which enacts a set of clear, fair, and effective policies to combat sexual assault on college campuses.

All colleges are now required to:

- Adopt a "No Means No" standard for consent to sexual activity in the school's code of conduct;
- Provide amnesty to anyone who reports an incident even if they've violated the college's drug and alcohol policy; and
- As part of a newly required "Student's Bill of Rights" victims must be given the right to report an assault to local and state police.

### Helping family caregivers help loved ones

*Chapter 391 of 2015*

Nearly 2.6 million New Yorkers are family caregivers providing unpaid assistance for a family member, friend or neighbor. If our society had to pay family caregivers for their tremendous labor of love the cost would bankrupt our economy. The least we can do is to help caregivers be better prepared to care for their loved ones upon discharge from the hospital. This new law recognizes the value family caregivers provide by requiring that hospitals give patients the opportunity to designate a family caregiver in the medical record if they so choose, and ensures that the hospital will keep that caregiver in the loop and offer to provide instructions to the designated caregiver in certain aftercare tasks prior to a patient's discharge to his or her home. This legislation was a top priority for AARP.

*...continue*

## Public libraries receive permanent exemption from the MTA Mobility tax

Starting in January, our local libraries will no longer be subjected to the MTA Mobility Tax, putting them on equal footing with other local, public educational institutions. In 2009, Assemblyman Englebright voted “No” for the MTA Mobility Tax because it unfairly and disproportionately affected Suffolk County taxpayers. This library exemption is part of his efforts to roll back this tax on institutions which receive no benefit from access to mass transit.

## Municipalities now allowed to increase cap on alternative veterans’ exemption and Cold War veterans’ exemption

### *Chapter 381 of 2015*

This legislation would provide the local option for a municipality such as a town or village, at their discretion, to increase the currently authorized cap, which is based on assessed property value. Therefore, in municipalities where assessed values are comparatively higher

than other areas of the State, such as Long Island, municipalities would be allowed to increase the maximum exemption allowed in an effort to help veterans maintain home ownership. The municipality would have to adopt a local law, ordinance or resolution to raise the maximum real property tax exemption allowable under the alternative exemption for veterans and the Cold War veterans’ exemption.

## NYS Physician Profile website restored in state budget

Our office received many calls and emails regarding the proposed elimination of the NYS Physician Profile website. This free site allows users to search for licensed doctors that fit their needs as well as learn more about their current doctor including education, hospital affiliations, insurance accepted, publications, and malpractice claims. Patient advocacy groups claim that the state’s physician profile website is more reliable than other sites because doctors are required by state law to provide information for the NYS Physician Profile site. For more information go to <http://www.nydoctorprofile.com>.

### **Speaker Heastie Meets Local School Leaders**

During Speaker Heastie’s visit to our Assembly District in October, Assemblyman Englebright introduced him to many of our School Superintendents who shared their concerns on school funding, Common Core, the Opt-Out Movement, and the APPR Teacher Evaluations. Pictured from left to right, Assemblyman Englebright; Speaker Carl Heastie; Dr. Joe Rella, Superintendent of Comsewogue School District; Dr. Roberta Gerold, Superintendent of Middle Country School District and immediate past president of the Suffolk County School Superintendents Association; Dr. Ken Bossert, Superintendent of Port Jefferson Schools; and Valerie Cartright, Brookhaven Town Councilwoman.



## Women’s Equality Act

These new laws mark significant progress in efforts to end discrimination and inequity based on gender in New York state.

### **Achieving Pay Equity**

#### *Chapter 362 of 2015*

This bill strengthens State law to prohibit employers from paying women less than men for performing the same work for reasons other than bona fide factors such as education, training, or experience. Further, the bill increases the amount of damages available to an employee if an employer willfully violates the law.

### **Protecting All Workplace Victims of Sexual Harassment**

#### *Chapter 363 of 2015*

This bill protects all employees from sexual harassment in the workplace regardless of the size of the business by expanding the definition of “employer” to cover all employers so that an employee of any business can file a workplace sexual harassment complaint.

### **Removing Costly Barriers to Remediating Discrimination**

#### *Chapter 364 of 2015*

This bill allows successful plaintiffs to recover attorneys’ fees in employment or credit discrimination cases based on sex. Under existing State law, plaintiffs cannot recover attorney fees at trial for employment discrimination cases, making it costly to bring a case.

### **Ending Family Status Discrimination**

#### *Chapter 365 of 2015*

This bill prohibits employment discrimination based on family status. Currently, State law only prohibits discrimination based on familial status in the areas of housing and credit; however, employees often suffer from stereotypes relative to their status as parents or guardians of children under the age of eighteen. This new law prohibits employment agencies, licensing agencies, or labor organizations from discriminating against workers based on their familial status.

### **Protecting Victims by Strengthening Orders of Protection Laws**

#### *Chapter 367 of 2015*

This bill creates a pilot program to allow domestic violence victims to seek temporary orders of protection through electronic means rather than having to appear in person.

### **Strengthening Human Trafficking Laws**

#### *Chapter 368 of 2015*

This bill strengthens existing law to combat human trafficking by eliminating the requirement that coercion be proven in a sex trafficking prosecution when the victims are minors. In addition, it increases penalties for the crime and creates an affirmative defense in prostitution prosecutions if the defendant was a trafficking victim.

### **Protecting Women from Pregnancy Discrimination**

#### *Chapter 369 of 2015*

This bill requires employers to provide reasonable accommodations for pregnant employees. Some pregnancies can result in medical conditions requiring certain accommodations within the workplace and current protections for pregnant women are confusing and have been misinterpreted. This new law clarifies that employers must perform a reasonable accommodation analysis for pregnant employees.

## Microbead-Free Waters Act

A.5896/S.3932

Priority Bill for 2016

Every year, 19 tons of plastic microbeads are washed down bathroom sinks, pass through wastewater treatment plants, and end up discharged into New York's waters. Once there, these tiny plastic beads produced for use as abrasives in cosmetics and personal care products act as sponges for toxic pollutants. Mistaken for food by aquatic organisms, microbeads serve as a pathway for pollutants to enter the food chain and contaminate the fish we eat.

The Microbead-Free Waters Act would prohibit the sale of cosmetic or personal care products containing microbeads in New York to protect aquatic ecosystems and the fisheries they support. This bill passed the Assembly but has stalled in the Senate. Five counties in NY State have passed local versions of this law including Suffolk County.

## Englebright Fights Plan to Continue Long Island Sound Dredge Dumping

In response to the Army Corp of Engineers Plan to continue dumping toxic dredge spoils in the Long Island Sound over the next 30 years, Assemblyman Englebright wrote a letter in opposition to the continued dumping of dredge spoils and urged rejection of this plan. Most of the members of the Long Island Assembly Delegation signed onto this letter. Read this letter at: [http://assembly.state.ny.us/member\\_files/004/20150916/index.pdf](http://assembly.state.ny.us/member_files/004/20150916/index.pdf)

Federal, State, and local governments have spent billions of taxpayer dollars to clean up LI Sound and significant progress has been made. This year we've seen dolphins, beluga whales, and humpback whales in the Sound attracted by an abundance of bait fish.

Continued dredge dumping will make the task of cleaning up the Sound much more difficult and costly. The Army Corp needs to go back to the drawing board and come up with a plan that values the ecological services provided by the LI Sound's natural systems so that they can adequately factor in the vast environmental impacts of open water dredge disposal to their cost-benefit analysis.



### Coming Together for The LI Sound

At this year's Long Island Sound Study Citizens Summit in Bridgeport, CT, Assemblyman Englebright spoke about the importance of coordinating bi-state efforts in protecting our nationally significant estuary. Recreational and commercial activities in and around the LI Sound generate about \$9.4 billion annually in the regional economy and are fundamentally dependent on the quality of its waters, living resources, and habitats.



## Legislative Update

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**Steve Englebright**

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### Historic Davis House Gets Funding for Restoration



The Davis Town Meeting House (Circa 1750) in Coram served as the site of the Town of Brookhaven's annual meeting and polling place from 1790 to 1884. Assemblyman Englebright has secured \$125,000 in Capital funding for interior restoration which will be administered by the Brookhaven Town Department of Parks in cooperation with local historic preservationists. Coram residents who run the non-profit Davis Town Meeting House Society have been actively advancing the completion of this historic gem. (Pictured from left to right: Chris Reilly, Maryanne Douglas; President Davis Society, Assemblyman Englebright, and Bob Kessler of the Yaphank Historical Society.)

