



NEWS From Assemblymember John T. McDonald III

Summer 2018

2018 End of Session Highlights

The last day of the 2018 New York State Legislative session was held on June 20th. The Legislature accomplished much through the State Budget process and through the passage of bills seeking to improve the lives of New Yorkers. While every issue was not resolved, there was a good deal of work completed and as I often say, "each bill passed means something to someone, whether they realize it or not." I am happy to share legislation passed by the Assembly and Senate that will hopefully be signed into law while highlighting other bills that I deem equally important and will focus on passing in both houses during next year's session. Thank you for your valuable input on these and other bills this year during the session and as always, I look forward to hearing about the issues that are important to you.



John T. McDonald III



Assemblymember McDonald, Pastor David Traynham, and Assemblymember Patricia Fahy in the Assembly Chamber on the day Pastor Traynham visited to open the Legislative Session prayer.

Highlights of bills sponsored by Assemblymember McDonald that have passed both the Senate and the Assembly (awaiting signature by the Governor)

- **A9622 (McDonald)/S7536 (Breslin)** - Extends the ability of the county of Albany to impose and collect taxes on occupancy of hotel or motel rooms in Albany county.
 - This bill extends the current hotel/motel occupancy tax for Albany County which is a tax collected on those visiting the community of which the funds are used to promote tourism and economic development in our region.
- **A11210 (McDonald)/S9021A (Breslin)** - Exempts certain parcels of land from the provisions of law which generally restrict manufacturers, wholesalers and retailers from sharing an interest in a liquor license
 - This bill allows a development project in the City of Troy to proceed in an economically distressed area in the North Central Troy. This neighborhood has a per capita income of less than \$14,000, and 48% of its approximately 2,200 residents live below the poverty line. The business will create fifty new jobs, and generate new sales and property tax revenue for the city and the county. Also, developing the property will lead to yet another rehabilitation of a historic property, this time along the Hudson River Waterfront.

- **A10070A (McDonald)/S7957A (Marchione)** - Requires the Hudson River Black River Regulating District to undertake a comprehensive study regarding the beneficiaries of the district and real property tax apportionments.
 - I was pleased to partner with Senator Marchione to work on what has been an unfunded mandate to the five counties within the district to the tune of \$3,000,000 a year. This long, complicated story dates back to the early 1900s when the district was created. At no time was it the intent of the originators for local governments to bear the burden of the majority of costs. Sadly, due to mismanagement during the early 2000s which eventually led to a FERC decision that absolved the hydroelectric companies from fees they willingly paid, the counties and their respective taxpayers were left to fill in the gap. In the past several years Governor Cuomo has appointed members and leadership who have improved district operations. We feel at this time it is appropriate to review who in fact are the beneficiaries of the district and ensure that all entities are being treated fairly and equitably both in the region and downstream.
- **A2954B (McDonald)/S367B (Little)** - Authorizes educational institutions to agree to pay for all or a portion of the salaries and compensation payable to municipal school crossing guards.

Continued on next page

- This bill provides municipalities and school districts with the option to enter into contracts regarding their crossing guard services. This has been a long standing issue whereby school districts have wanted to partner with local governments for the costs of crossing guards in specific situations; however state law has precluded that from occurring.

■ **A8205B (McDonald)/S4120A (Akshar)** - Relates to regulatory fines for small businesses. This bill will allow small businesses (small businesses are defined as businesses that employ less than 100 employees) to remedy violations in lieu of fines for first time offenses and issues that do not impact public safety or health.

■ **A2799A (McDonald)/S1124A (Marchione)** - Provides for an increase in the rates of compensation for Gold Star parents.

- This is a long overdue increase to the Gold Star families' annuity that the state of New York pays to the surviving parents of our men and women who sacrificed their lives for our freedom.

■ **A10790A (McDonald)/S8791A (Breslin)** - Authorizes the city of Albany to alienate certain lands used as parkland and to dedicate certain other lands as parklands.

- This bill will allow the City of Albany to move ahead with a comprehensive sewage separation Beaver Creek project to meet the long term goals of reducing sewage contribution into the Hudson River and comply with the Albany Pool Communities Long Term Control Plan. The project will remedy the malodors caused by overflows in the South End of Albany that have plagued the community for generations.

■ **A2857D (McDonald)/S1043D (Funke)** - Relates to authorizing pharmacy interns to administer immunizations.

- This bill corrects an oversight in the law to allow trained sixth year pharmacy students to provide immunizations as part of their training under a pharmacist's supervision. Forty-seven states and the District of Columbia currently allow interns to administer immunizations.

■ **A8722B (McDonald)/S6903B (Breslin)** - Increases the population limit of certain cities for purposes of requiring training of assessors of such cities.

- This bill addresses the fact that the City of Albany Assessor was uniquely exempted in the law from annual training requirements. Continuing education is vitally important as laws and regulations are ever-changing. This change reflects the demands of the position today as it relates to the important role in assessing properties which has a profound impact on the tax base and tax payers.

■ **A9877 (McDonald)/S7694 (Marchione)** - Relates to residency requirements for certain peace officers in Albany county.

- This bill will expand the geographic eligibility for those who wish to serve as peace officers for SPCAs (societies for the prevention of cruelty to animals). This will lead to qualified staff who can work the Mohawk Hudson Humane Society to rescue animals from cruelty situations.



Assemblymember McDonald and Joe Torre at the Capitol

Noteworthy bills sponsored by Assemblymember McDonald

Only passed the Assembly, not the Senate:

A3327C McDonald (MS) – Increases the amount of money a retiree may earn in a position of public service to \$35,000.

Under current law, retirees may earn up to \$30,000 from public employment without diminution of retirement earnings. From 1996 through 2004, the earnings limit was raised each year. The last time it was increased was in 2007 when it was raised from \$27,500 to \$30,000. This legislation would increase the allowable amount by \$5,000 and provides a long overdue increase. As a result, it would extend a program which has provided significant cost savings to states and localities by giving them the ability to hire experienced employees at a significantly reduced cost without the added costs for benefits.

A2490A McDonald (MS) – Relates to the redemption of real property subject to a delinquent tax lien.

It is an unfortunate reality that not all homeowners take the same pride in ownership for their properties which has led to many abandoned and vacant properties and blight for our communities. This bill seeks to provide a clear path for these properties that have been left behind and aims to simplify the foreclosure process so that it can occur after one year of delinquency as opposed to two years, avoiding a prolonged process and moving toward the goal of putting the properties in the hands of responsible owners.

A2914 McDonald – Relates to requiring that information be made available to parents regarding window blind safety.

In recent years, there have been a number of tragic stories of young children being strangled to death after becoming entangled in the chords of window blinds. The federal Consumer Product Safety Commission (CPSC) has estimated that, since 1982, there have been at least 200 children that have died from strangulation associated with corded window coverings. Those most at risk are children between the ages of 1 and 3 who have some mobility but are still unable to fully control their motor functions. When window cords are accessible to small children, these seemingly harmless products may become strangulation hazards. This is especially important with older window coverings that may not meet the latest national standard for window cord safety. This legislation seeks to educate parents by requiring that information be made available to parents by pediatric primary care providers regarding window blind safety. Such information will include proper installation of blinds, examples of current national standards and the fatal

consequences from strangulation posed by window blinds.

A10392A McDonald – Relates to the dispensing of partially filled prescriptions.

To ensure New Yorkers aren't left with extra painkillers that could be misused or could fall into the wrong hands, I passed legislation enabling patients to partially fill controlled substance prescriptions. Under current law, patients who do not completely fill this type of medication initially are not allowed to fill the remainder of the prescription later on. This measure would allow 30 days to fill the remainder of the prescription. It gives patients the final say when it comes to their treatment and may help stop prescription drug abuse before it happens.

A10604 McDonald – Relates to Medicaid reimbursement for complex rehabilitation technology for patients with complex medical needs.

A small portion of the population depends on medically necessary, individually configured equipment, known as complex rehabilitation technology (CRT), to maintain their mobility, quality of life, and independence. CRT includes individually configured manual and power wheelchairs, adaptive seating and position items, and other equipment designed to meet a patient's unique needs. For individuals with significant physical or functional impairments, having the appropriate equipment can mean the difference between constant pain and immobility and an active, fulfilling life. The existing process to qualify for and configure CRT for Medicaid beneficiaries, which this bill codifies, ensures that appropriately diagnosed patients are able to access CRT, and that CRT suppliers meet stringent requirements to protect quality and access to service and repairs.

Additional information regarding the 2018/19 New York State Budget

Combating the opioid crisis, substance use disorders

To combat the opioid epidemic and create a road to recovery, the state budget makes investments in prevention, treatment and recovery services, including establishing a stewardship fund. The fund will be supported by a fee paid by manufacturers and distributors registered to sell and/or distribute opioids in the state. Across the country, the misuse of prescription drugs has skyrocketed. Often beginning as an essential part in the recovery process after a medical injury or procedure, dependence on prescription drugs can lead to a substance use disorder, in response to this, we dedicated funding to continue our efforts to tackle the opioid crisis.

The \$100 million Opioid Stewardship Fund seeks to help curb the epidemic by creating a partnership with the pharmaceutical industry to expand prevention, treatment and recovery programs for individuals with substance use disorder.

The state budget also allocates nearly \$250 million in funding to address the heroin and opioid crisis, including an increase of \$26 million to support the state Office of Alcoholism and Substance Abuse Services (OASAS) in improving educational and awareness campaigns, prevention, treatment and recovery programs and residential service opportunities. The funding supports a variety of treatment and prevention programs, including family support navigators, peer supports, recovery clubhouses and community coalitions.

A portion of this funding has been allocated to Albany



Assemblymember McDonald, Mayor Kathy Sheehan, and Department of Environmental Conservation officials commemorating Arbor Day with a tree planting in West Capitol Park

County and will be used to support the successful Sheriff's Heroin Addiction Recovery Program (SHARP) jail treatment program that was implemented by Albany County Sheriff Craig Apple.

Helping New Yorkers achieve economic security

The state budget establishes the New York State Secure Choice Savings Program to help private-sector employees plan for their future. The program allows for a voluntary-enrollment payroll deduction IRA for employees of private employers that do not already offer retirement savings plans.

Shining the light on shady political ads

To increase the transparency of political advertisements and protect the integrity of New York's elections, the budget expands the definition of political communications to include paid internet and digital advertisements and requires that all independent expenditures include a "paid for by" statement followed by the name of the independent expenditure political committee paying for the communication. The legislation also requires the state Board of Elections to keep a publicly available database of all digital ads purchased by independent expenditure committees.

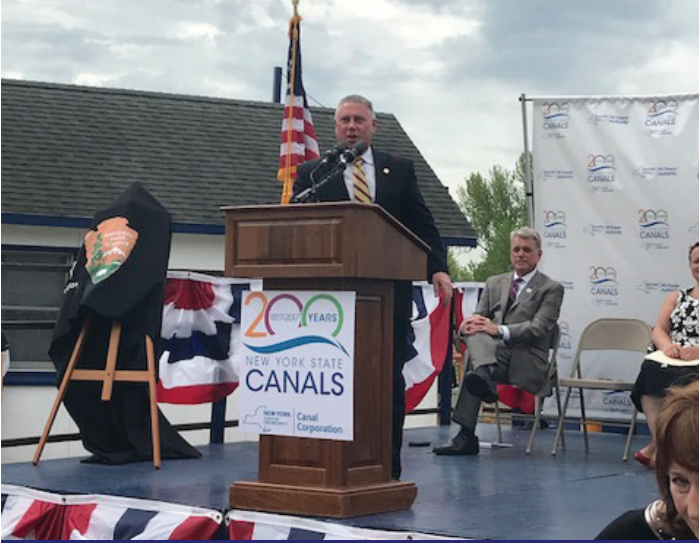
As more and more New Yorkers get news and information online and are connected to social media, we need to make sure our political disclosure laws keep pace, if special interests want to influence our elections, they need to take responsibility and be held accountable for the information – or misinformation – they are spreading. The health and future of our democracy depends on it.

Honoring our veterans

New York State's proud veterans have diverse skills and invaluable experiences, but they may need to rely on support and services to find gainful employment after their military careers conclude and they seek to begin a new chapter. To support our veterans, the final state budget provides a total of \$1.96 million in community initiatives. These programs provide essential services to help lift up veterans and their families in their transition back to civilian life as well as support current active-duty personnel and their families.

The state budget also extends the Hire a Veteran Tax Credit for two years. Eligible employers can receive a credit of up to \$5,000 for each veteran hired, but that amount rises to \$15,000 for each veteran with a disability that is hired.

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Assemblymember McDonald at the 2018 Waterford Canal opening



Assemblymember McDonald and New York State Parks Commissioner Rose Harvey at the Peebles Island State Park Solar announcement (photo: John Carl D'Annibale, Albany Times Union, Used by permission)

During the legislative recess, I have more time to engage with the community that I represent and welcome opportunities to learn more about the issues that are important to you and the issues that residents are focused on. I am always interested in meeting with new groups and hearing what our community members thoughts are. As always, if you are holding an event and would like to invite me to attend or if your group would be interested in a legislative update, please contact my office at 518-455-4474. Have a safe and happy summer!



Assemblymember McDonald speaking at the grand opening of the Legal Aid Society Center for Legal Services.

New York State Assembly • Albany, New York 12248

A graphic for "NEWS From Assemblymember John T. McDonald III". It features a photograph of Assemblymember McDonald speaking at a podium on the left. On the right, there is a dark blue header with "NEWS From" in white, a gold silhouette of New York State, and the name "Assemblymember John T. McDonald III" in white text on a gold background.

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