

Assemblymember

John T. McDonald III, RPh

Supporting Capital Region Families

2022 Post NYS Legislative Session Newsletter

This year was probably the busiest budget and legislative session in my experience to date. Out of the 67 bills that I sponsored this year, 22 bills passed both houses of the NYS Legislature and 87 bills that I cosponsored have passed both houses. I continue to focus on providing exceptional constituent services and helping people navigate government agencies and get the answers that they need. As we see prices increase due to inflation, I remain committed to working on solutions that will provide relief for our families and focusing on the issues that are important to you. As always, feel free to reach out to me with any concerns you may have or assistance that you may need. I believe in public service in the truest sense and that means I am

elected to work for you, an honor that I never take for granted.

Thank you for your valuable input on legislation that I sponsor and other bills that came up during the legislative year. As always, I look forward to hearing about the topics that you care about.

Sincerely,

Assemblymember John T. McDonald III, RPh

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Highlights of Legislative Accomplishments

Prescription Transparency and Access to Treatment

A.3040B McDonald/S.4870B Breslin

Allows pharmacists to administer long-acting injectable (LAI) medications for mental health disorder treatment.

Long-acting injectable medications improve treatment adherence, and access to these



Assemblymember McDonald with Assemblymember Patricia Fahy and the new President of Albany College of Pharmacy and Health Sciences, Dr. Toyin Tofade.

medications will be improved through this bill while providing a solution to stigma and transportation concerns.

A.5411D McDonald/S.4620C Breslin

Enacts the "Patient Rx Information and Choice Expansion Act."

The bill requires that real-time, patient-specific, prescription drug out-of-pocket cost details be provided at the point of prescribing which will enable all patients to have a better understanding of what the out-of-pocket costs will be for their medications and greater transparency overall.

Environmental Protection

A.9993A McDonald/S.9310 Breslin

Authorizes the City of Troy to lease sub-surface park land property referred to as Riverfront Park for district geothermal wells and distribution lines.

The City of Troy is undertaking a project to create the first municipal-run geothermal campus district in the state and will create a sustainable geothermal heating and cooling system for downtown businesses and residences. This initiative will further New York State's clean energy goals and Climate Leadership and Community Protection Act.

A.8300 McDonald/S.9330 Gaughran

Allows a municipality to offset costs for municipal recycling projects by applying for additional funding without limiting the availability of state funding.

As municipalities seek to update their recycling programs and take on capital projects to improve and streamline recycling efforts that work toward addressing climate change, they are encountering the obstacle of having any state grant funding reduced if they choose to pursue outside funding to mitigate their costs. This change to the definition of “cost” in the environmental conservation law would allow municipalities to not only be proactive in seeking additional streams of funding to support these sustainable projects but also allow additional resources to be committed to fighting climate change on the local level.



despite active enforcement efforts. In studying this problem, it was discovered that as many as 44% of eviction petitions filed in Albany City Court involve units that have not been inspected and registered according to Albany’s rental registration program.

The proposed amendment will extend a commonsense protection to the City of Albany, which has opted to establish local rental dwelling registration laws. It will foster responsible property management, empower the City to protect their residents, and conserve judicial resources by settling the question of whether rental registry compliance is enforceable in eviction proceedings.

A.3241 McDonald/S.6721 Ryan

Relates to special proceedings for judgment directing deposit of rents and the use thereof to remedying conditions dangerous to life, health or safety.

Addressing nuisance real property issues is frequently a difficult task. In some cases, property owners and landlords are completely unresponsive to criminal and/or civil enforcement proceedings. Effective remediation may only be achieved by having a receiver appointed who has full legal authority to address the nuisance and unsafe conditions.

Far too often tenants are in a position where they voice complaints about the condition of their rental to their landlord with no remedy or response. This bill aims to be another tool in the toolbox for municipalities and tenants to ensure a safe and well-maintained living environment. Receivership seeks to address these difficult-to-resolve situations that plague our communities and neighborhoods. By providing this process as an option, the goal is to prevent tenants from being evicted and having their lives disrupted.

A.5337A McDonald/S.9470 Cooney

Authorizes special proceedings to convey title to abandoned commercial and industrial property to a city, town, or village.

Municipalities across New York have been struggling to deal with abandoned properties for decades. Furthermore, these properties are generally worth less than outstanding liabilities and maintenance requirements, and as a result, the local government and its taxpayers assume



Increasing Quality, Affordable Housing and Removing Blight

A.10113 McDonald/S.9036 Breslin

Requires a petition in a summary proceeding to recover possession of real property in Albany to allege proof of compliance with local laws requiring rental residential property registration and licensure.

The City of Albany maintains a rental dwelling registration program requiring that residential rental housing pass periodic health and safety inspections for code compliance. Compliance with this program is critical to ensuring rental housing is safe as they provide local code enforcement with what is often its only opportunity to proactively inspect rental housing. However, noncompliance with local rental registration programs is rampant



the responsibility of maintaining and remediating nuisance conditions.

In addition to these negative impacts on the local municipalities, abandoned properties frequently languish in a legal limbo of non-ownership that prevents the property from being redeveloped, placing further strain on limited local government resources, while blighting the community and depressing the values of surrounding properties. This legislation will facilitate the process of clearing titles to abandoned property, which will foster economic development by creating an Article 19-B of the Real Property Actions and Proceedings Law to establish a mechanism by which titles may be conveyed to cities, towns or villages for abandoned commercial and industrial property in egregious cases of neglect.

Good Government

A.10144B McDonald/S.978C Gaughran

Relates to the creation of vacancies in a public office upon entering a guilty plea in federal court to a felony or crime or state offense involving a violation of an oath of office.

The NY Public Officers law provides that a vacancy in public office occurs when a public official is convicted of a felony offense. In state court, a criminal defendant who has pled guilty is considered to be convicted upon entering their plea and would therefore immediately vacate office upon making such an admission. However, in federal court, a defendant's plea is not simultaneously accepted. Federal criminal procedures provide that a defendant is not considered to be convicted until their plea is accepted by the court at a subsequent sentencing hearing. This presents a scenario where confusion in the law could exist as to whether a public official is allowed to remain in office until sentencing, even after pleading guilty to a federal felony offense.

It is clear that the intent of the legislature was to remove from office any public official found to have committed a felony. A public official who has admitted to a felony in federal court should not be treated any differently than a public official that admits to a felony in state court or an official found guilty after trial. This bill will ensure parity between the federal and state criminal procedure process while at the same time creating certainty that unethical public officials are removed from office as soon as possible.

Other notable two-house bills

NYS Comptroller Review of State Contracts

I cosponsored and voted for the bill passed in the NYS Legislature by both houses to restore the Office of the State Comptroller's review of

certain state contracts which had previously been removed. I have supported this effort for years and I do believe those who accept public funds, especially contracts involving significant amounts, need to be under public review. Comptroller Tom DiNapoli is in the best position to have the oversight authority.

Right to Repair

I cosponsored my colleague Assemblymember Patricia Fahy's bill that passed both the Senate and the Assembly, and if it is signed into law, would be the "first-in-the-nation" Right to Repair law. This legislation protects the rights of consumers and presents more options when it comes to repairing the digital electronics that are an integral part of our daily lives.



Homeowner tax rebate credit (HTRC)

Included in this year's state budget was a one-year property tax rebate credit for households that are eligible for STAR and Enhanced STAR and have incomes below \$250,000. The Department of Tax and Finance has already started mailing checks for this program and most should be received in June.

Learn more about the program here:

<https://www.tax.ny.gov/pit/property/homeowner-tax-rebate-credit.htm>



Historic Business Preservation Registry

Last year I was asked by New York State Parks and Historic Sites to nominate two businesses in my district for the Historic Business Preservation Registry. I was proud to nominate B. Lodge & Co and DeFazio's Pizzeria. Both businesses have since been added to the Registry, and I had the pleasure of presenting the certificates to the respective owners in May. Congratulations to both businesses on this recognition of your decades of excellent service to our communities.

Funding available through the 2022-23 NYS Budget

The 2022-23 NYS Budget included various funding streams that will be administered through state agencies. Please sign up for my weekly newsletter to remain up to date when the applications are released. You can sign up on my Assembly website here nyassembly.gov/mem/John-T-McDonald-III/enews.

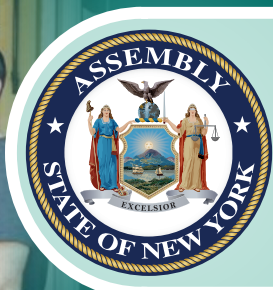


Need a speaker? I am always interested in speaking to groups and hearing what people have to say in the district. We have found great success with virtual meetings. This has provided me the opportunity to keep in touch with constituents while keeping safety concerns in mind. If your organization is interested in having me as a guest or would like a legislative update, please contact my office at 518-455-4474. Thank you and I look forward to seeing you in the district!

New York State Assembly, Albany, New York 12248

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News from Assemblymember
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