

Dear Friend,

It has been an honor to serve as your representative for the New York State Assembly during another legislative session. Together, we have weathered through the unrelenting storm of the COVID-19 pandemic, fought to obtain legislative victories and delivered a historic budget that met the needs of New Yorkers during this difficult time.

Since the 2021 legislative session began, I've worked hard to pass bills that will protect our environment, fund local projects and repeal executive orders that were unnecessary for the state's recovery. I wanted to take this opportunity to provide you with more information on some of these legislative highlights.

Sincerely,

Marianne Buttenschon



AGRICULTURE:

This last year has been especially hard on our agricultural community, which is why I was committed to fighting for our hardworking farmers as we rebuild and recover. I sponsored and co-sponsored several bills aimed at helping farmers and the agricultural industry, including measures that will:

- allow the Boards of Cooperative Educational Services (BOCES) to establish and encourage young farmer apprenticeship programs **(Ch. 298 of 2020)**;
- allow custom operators performing agricultural practices on behalf of a farm operator or owner to pursue right-to-farm protections **(A.1889-A)**; and
- include animal and plant fiber, such as sheep's wool and hemp, in the state's promotion of New York farm products included in the Grown and Certified Program **(A.5380-B)**.

I also fought to secure a state budget that provides \$35.78 million to ensure our hardworking farmers receive the funding they need to continue fueling our state's economy. This includes:

- \$1.46 million for the Cornell University Diagnostic Lab
- \$1 million for the New York Farm Viability Institute

- \$1 million for Agribusiness Child Care
- \$600,000 for Harvest NY
- \$500,000 for Farmland for the New Generation
- \$400,000 for Cornell Equitable Farm Futures Initiative
- \$336,000 for Cornell Farm Family Assistance (FarmNet)
- \$300,000 for Northern NY Agricultural Development

Connecting our residents in need with healthy food and providing farmers with a new market for their goods was a crucial lifeline for both parties at the height of the COVID-19 pandemic. That's why I fought to include \$50 million in the state budget for the Nourish NY Program to continue tackling food insecurity and supporting Mohawk Valley families and farmers.

Additionally, I pushed for measures to help farmers find beneficial ways to reuse waste tires and incentivize insurance corporations to invest in rural business growth funds and establish a fund dedicated to the well-being of New York agriculture and rural jobs **(A.1231, A.2552)**.

ECONOMIC DEVELOPMENT:

MEET-NY

After a difficult year for small businesses and farmers, I helped pass legislation to create the

Marketing and Expanding Export Trade – New York Act **(A.1177)** to help small- and medium-sized businesses recover. The MEET-NY program will provide assistance to export trade development projects that encourage and assist businesses, industrial firms or industry groups to engage in export trade regionally and globally and will aid businesses in coordinating with other state economic development programs.

Antimicrobial Surfaces

Research has shown that using antimicrobial materials such as copper and silver for touch surfaces could significantly reduce the spread of disease-causing organisms and reduce the transmission of viruses and infections. I sponsored legislation that will commission research into these materials to help ensure that they are a feasible and cost-effective method for protecting New Yorkers and combating future public health crises, such as COVID-19 **(A.998-A)**. Not only will this study enable lawmakers to obtain important information regarding the use of solid antimicrobial materials in construction, it aims to help boost the Mohawk Valley economy by investing in locally made materials.

Young Adults Training Program

Truck drivers have long played an instrumental role in keeping our economy running. However, the industry is struggling with a severe driver shortage that is making it increasingly difficult to meet growing demands and hurting many small, local businesses, which is why I co-sponsored legislation that will establish a young adult training program for qualified 18- to 20-year-olds to obtain a class A commercial driver's license (CDL) **(A.6295-A)**.

HEALTH CARE:

To help address longstanding understaffing in our health care industry and protect the health and safety of our most vulnerable, I passed legislation that would require health care facilities to establish clinical staffing committees made up of registered nurses, licensed practical nurses, ancillary staff members providing direct patient care and hospital administrators that would be responsible for developing and overseeing a clinical staffing plan, which would be made available on the Department of Health (DOH) website **(A.108-B)**.

I also helped pass legislation that would direct the DOH commissioner to establish minimum nurse staffing levels for nursing homes to promote higher standards of care for residents **(A.7119)**. Furthermore, I helped pass legislation to:

- allow patients in nursing homes to designate caregivers to ensure they stay connected with loved ones **(Ch.89 of 2021)**;
- create a task force to study the state of long-term care services **(A.3922)**;
- require adult care facilities to include performance standards for infection control in their quality assurance plans **(A.5846)**; and
- require health care facilities to provide residents and their families with information on complaints, citations, inspections, enforcement actions and penalties taken against the facility **(A.5848)**.

EDUCATION:

Retention of Federal Funds

As a former educator, I know firsthand that education isn't a one-size-fits-all discipline and that we must do all that we can to meet the specific needs of our students, especially those with intellectual or developmental disabilities. That's why I co-sponsored legislation that will authorize the retention of federal funds for special education programs for preschool children **(A.7755-A)**.

New York State Teachers' Retirement Legislation

An unfair statute in the New York State Teachers' Retirement System (NYSTRS) has prevented retirees who joined the system after the age of 60 and their beneficiaries from getting the benefits they deserve. I sponsored a bill that will remove this statute and bring New York into compliance with the federal Older Workers Benefit Protection Act, ensuring that certain retirees of the NYSTRS who joined the system after age 60 are still eligible for a death benefit not to be reduced below 10% of the benefit at the time they joined **(A.7182)**.

Teacher Appreciation Day

Hardworking, enthusiastic teachers are critical to helping children foster creativity and curiosity and develop a lifelong love of learning. They do much more than teach – they serve as role models and mentors for their students. It was my honor to introduce a resolution proclaiming May 5 as Teacher Appreciation Day in New York State **(K234)**.

Budget

This year's state budget committed to fully funding Foundation Aid over the next three years, with school districts receiving at least 60% of their Foundation Aid funding for the 2021-22 school year, which will be critical in helping our schools lower class sizes, manage COVID-related safety issues, offer mental health resources and provide enrichment programs for students. I also helped increase funding for pre-K programs that propel our kids toward a bright future.

Further, I fought to include an increase of \$105 million for Universal Prekindergarten statewide, for a total of \$924 million, which will be allocated to low- and medium-wealth school districts with a low number of state-funded prekindergarten slots.

Additionally, the final budget:

- requires mental health training for teachers to help ensure they have the tools and skills necessary to help students cope with the isolation and learning difficulties they experienced during the COVID-19 crisis;
- makes transportation costs related to delivering food, educational materials and internet connectivity as well as district transportation standby costs incurred during the COVID-19 pandemic through May 7, 2020, reimbursable;
- restores funding to many critical programs for educators;
- provides \$15 million for a new digital inclusion program to address the statewide digital equity gap;
- increases funding by \$2 million for 4201 schools, which serve blind and deaf students, as well as

restores funding for numerous other student programs;

- adds \$250,000 for dyslexia screenings; and
- includes a \$500,000 increase for Independent Living Centers.

VETERANS:

The brave men and women who serve our country and the families of these heroes deserve our utmost respect and support, which is why I sponsored legislation to:

- classify spouses or dependents of active-duty service members stationed out-of-state following an assignment in New York as in-state residents so they can qualify for in-state SUNY tuition rates **(A.6249)**;
- provide a waiver from SUNY application fees for veterans **(A.1015)**;
- eliminate additional application fees and annual fees for special license plates issued to veterans of the U.S. Armed Forces **(A.1230)**;
- provide a help/crisis line to assist veterans **(A.5832)**;
- establish a Giving Internships for Disabled Veterans Not Fully Employed Program (G.I.V.E. Back NY) as well as award 10% of available internships in the Assembly Youth Participation Program and the Senate Student Program to eligible honorably discharged veterans with service-connected disabilities **(A.6445)**; and
- change the beginning date of the Vietnam War from February 28, 1961, to November 1, 1955, to coincide with the date used by the federal government **(A.7388-B)**. This change would ensure that veterans that served in the Vietnam War before 1961 are recognized as such and have access to critical veterans' services.

PUBLIC SAFETY:

Bianca Michelle Devins Legislation

I crafted legislation in honor of Utica resident Bianca Michelle Devins to establish criminal and civil penalties for unlawfully disseminating a personal image after the horrific act of violence that shocked our Mohawk Valley communities **(A.1121)**. This legislation would establish the crimes of unlawful dissemination of a personal image in the first, second and third degree, and create a right of private action against such offenses to ensure individuals who share and promote images meant to humiliate, harass or degrade are held accountable for this heinous behavior.

Victims of harassment on social media and their families need to know that there are steps they can take to pursue justice beyond suspending a social media account. I want to thank the Devins family for their support and patience as we worked to create this legislation in Bianca Devins' honor.

Opioid Settlement Fund

The opioid epidemic has had a strong hold on families and communities across the Mohawk Valley and state. I helped pass legislation to create the Opioid Settlement Fund, which will ensure that funding obtained from settlements involving opioid

manufacturers, distributors and other entities involved in perpetuating the opioid crisis is used to combat substance use disorders and co-occurring disorders and mitigate other effects of the opioid epidemic **(A6395-B)**. Money received from these settlements will be distributed among prevention programs for those struggling with substance use disorders.

RAISING AWARENESS FOR INDIVIDUALS WITH DISABILITIES:

Every New Yorker deserves to be treated with equality and respect. After an incredibly difficult year, it's more important than ever that we look out for our most vulnerable residents. In honor of Legislative Disabilities Awareness Day, I joined my fellow colleagues to pass a legislative package that helps more individuals with disabilities access vital resources and live as independently as possible, including legislation that:

- ensures access for services will not diminish for those with an intellectual or developmental disability **(A.1153-A)**
- establishes the Office of the Independent Intellectual and Developmental Disability Ombudsman Program to ensure individuals with intellectual or developmental disabilities receive adequate coverage from managed care organizations that meet their specific needs **(A.1153-A)**
- restores the rights of state employees to sue New York State for damages due to violations of the Americans with Disabilities Act of 1990, the Age Discrimination in Employment Act of 1967, the Fair Labor Standards Act of 1938 and the Family and Medical Leave Act of 1993 **(A.7121)**
- re-establishes the Office of the Advocate for People with Disabilities **(A.3130)**
- extends statutory authority for Office for People With Developmental Disabilities (OPWDD) care demonstration programs to ensure community-based services continue to be offered to those with a developmental disability **(A.5364)**
- establishes a small-business tax credit for businesses with less than 100 employees that employ a person with disabilities for at least six months and who works a minimum of 35 hours per week **(A.3960)**. The credit amount ranges from \$5,000 and \$25,000 and the maximum benefit for a business is capped at \$5 million
- requires local social services districts, after considering certain factors, to give controlling weight to a recipient/applicant's regular physician's opinion when determining potential work limitations or exemptions due to a disability **(A.3149)**
- creates a tax credit for new or retrofitted principal residences that are universally designed to be accessible and adaptable housing **(A.3409)**
- ensures the Legislature has the ability to appoint members to the Developmental Disabilities Advisory Council **(A.7358-A)**

OPPOSED LEGISLATION:

While this year brought forth essential legislation, it also brought legislation that I could not support.

Assemblywoman Marianne Buttenschon

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After hearing from my constituents, I voted no on the following measures:

Eviction Moratorium Extension

Our landlords are small-business owners who support their communities by buying supplies from local vendors and employing local contractors. With relief funds for tenants and landlords on the horizon, the extension of the moratorium is unnecessary and does not represent the best course of action for our Mohawk Valley communities. For these reasons, I voted against bills to extend the moratorium for another four months **(A.7127/A.7175)**.

Legalization of Marijuana

While I support the use of medical marijuana, I opposed legalizing recreational marijuana. The limited number of drug recognition experts (DREs) in New York would make it difficult to properly evaluate drivers under suspicion of driving under the influence, and training additional DRE officers would be a costly burden on law enforcement agencies. Additionally, legalizing marijuana could exacerbate substance use at a time when our community already has an overwhelming need for drug rehabilitation and assistance **(A.1248)**.

Millionaires' and Ultra-Millionaires' Tax

The Millionaire's Tax bill would increase the top state income tax rate to 11.82% for taxpayers whose taxable income is over \$100 million and create new tax brackets and increase the state personal income tax rates for incomes over \$1 million per taxable year **(A.5442)**. While I've fought to ensure that our state's deficit does not fall on the backs of our working- and middle-class families, taxing the state's wealthy seems to be a quick fix rather than a long-term solution to help stimulate our economy.

Closure of Correctional Facilities

I opposed a section in the 2021-22 budget that authorized the governor to close correctional facilities that he determines necessary for the cost-effective and efficient operation of the correctional system, without legislative approval, as well as cut 200 beds used for inpatient mental health treatment services through the Office of Mental Health. At a time when we should be focusing on our community's mental health and restructuring, allowing the governor the authority to drastically alter the lives of patients, staff, their families and the families of incarcerated individuals is unconscionable.

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Look inside
to see how
**Assemblywoman
Buttenschon**
is supporting
Mohawk Valley
families



"To meet the unprecedented challenges of the past year, I passed a state budget that makes historic investments in our communities as well as legislation to help us build back stronger."

Marianne Buttenschon