



Assemblymember Linda B. Rosenthal

Legislative Agenda for 2019 • 67th Assembly District • January 2019

Greetings,

I hope you and your family and friends enjoyed a wonderful holiday season. I always look forward to this time – the beginning of a new year and a new legislative session that brings with it so much promise. Each new year offers fresh opportunities for change and improvement. Together, we face many challenges. We face existential and actual threats to our democracy and the institutions upon which it is built, and vulnerable populations here in New York and across the country are in greater need of protection than even before. To be sure, we have our work cut out for us.

For years, the New York State Assembly has stood with New York’s hardworking families and passed a raft of progressive reforms that will help lift all people. Despite our efforts, we have not had a partner in the New York State Senate, so we were stymied in our efforts to bring about the much-needed changes detailed in this newsletter.

Now, with a new majority in the State Senate in Albany, we are better positioned than perhaps ever to actually seize the many opportunities to produce real results for New Yorkers on a variety of important issues. This newsletter will describe some of the top priorities for the upcoming legislative session. If you have other suggestions, please feel free to reach out to me as always!

Yours in solidarity,

Linda B. Rosenthal
Member of Assembly

Congestion Pricing

Once a world-class public transportation system, years of disinvestment and poor planning have plunged it into a severe state of disarray. We must take immediate and decisive action to infuse the system with funding to make the needed infrastructure repairs and upgrades to keep it running.

The subways and buses, if they’re running at all, are always late. And when they’re running, stations are in a state of utter disrepair, and subway cars and buses are often filthy, crowded and not air conditioned.

A well-functioning transit system that New Yorkers can depend on to get to where they’re going when they need to be there is not just a convenience. The New York City subway system keeps one of the largest economies in the world functioning. It is imperative that we take dramatic (and long overdue) action to save the New York City Metropolitan Transportation Authority (MTA) and create a dedicated revenue stream to ensure a crisis like this never befalls the system again.

The problems at the MTA did not develop overnight. Decades of neglect by City and State authorities have finally reached a tipping point, and our leaders do not have the luxury of kicking this can down the road any longer. To give you a sense of the scale of problem, at its November Board meeting the MTA projected a budget deficit of \$1.6 billion by 2022. Even with a fare increase, the MTA says it will still have to contend with a gaping budget deficit.

The situation is untenable.

We must create a dedicated, long-term and protected revenue stream to finance the upgrades to the transit system that will help keep it running. That’s not even to mention the upgrades – like working elevators and escalators – that are needed to ensure that the entire system is accessible to New Yorkers of all abilities, including those who are mobility challenged, elderly, pregnant or disabled.

We must implement a comprehensive congestion pricing plan. Creating a congestion zone in Manhattan and equalizing tolls across all Manhattan crossings will not only help to generate some of the revenue needed for mass transit, it will also help discourage driving in already congested neighborhoods, encourage mass transit use, cycling and walking as alternative means of transportation and help make the entire city more environmentally friendly.

Of course, the devil of any plan of this magnitude lies in the details, and I will be working closely with my colleagues to strike a thoughtful balance of all interests – urban, suburban, occasional, delivery, and for-hire vehicle drivers, to name a few – but make no mistake about it, congestion pricing is no longer optional, and the time to act is now.



Assemblymember Linda B. Rosenthal with Manhattan Borough President Gale Brewer, Amsterdam Houses Resident Association President Margarita Curet, officers of the NYPD’s 20th Precinct and residents at Amsterdam House’s Annual Thanksgiving Celebration and Turkey Giveaway. Hundreds of families received Thanksgiving turkeys to help celebrate the holiday.



Assemblymember Linda B. Rosenthal joined with advocates from Drug Policy Alliance, VOCAL-NY, COMPA, Friends of Recovery-NY and Harm Reduction Coalition, survivors and formerly incarcerated individuals in advance of the Assembly hearing she co-chaired on the need to provide individuals in state and local correctional facilities with access to medication assisted treatment (MAT). MAT is the gold standard of care for people struggling with opioid use disorder, and combines a regimen of maintenance medication, such as methadone, buprenorphine or vivitrol, with counseling and other supportive services to help manage addiction.

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Legalizing Adult-Use Marijuana

Though New York has relaxed enforcement of marijuana-related crimes, application of these laws continues to track strongly along racial lines. Despite similar usage rates among all races, more black people were arrested on marijuana possession charges last year in Manhattan alone than white people arrested for marijuana possession in all five boroughs combined. A recent New York Times report revealed that over the past three years in New York City, black people were arrested 15 times more frequently than white people on low-level marijuana charges.

Legalizing adult use of marijuana, and regulating and taxing it, will help us end the years of racially motivated bias in the enforcement of our drug laws, which has led to generations of young black people having criminal records that prevent them from fully participating in their lives and their communities. In addition, marijuana legalization has the potential to generate millions and even billions of dollars in revenue. It is important that we help incubate small business development in the communities that suffered the most during the war on drugs, and not allow big corporations to monopolize this new industry. As the Chair of the Assembly Committee on Alcoholism and Drug Abuse, I co-chaired a New York City hearing on this issue. At the hearing, I heard from medical professionals and addiction experts who are confident that legalization will have minimal impact on addiction rates statewide. These experts also testified that so long as we are careful in our implementation, decriminalizing adult use of marijuana will not contribute to higher rates of marijuana use among youth. After these hearings, my colleagues and I will carefully deliberate on the findings and create a plan that reflects the experiences of other states and benefits all communities in New York.

Green New Deal

Climate change poses an existential and very real threat to our future. We know what we must do to address it, and now, we must take the necessary steps to protect our earth for generations to come. We must pass the Climate and Community Protection Act, which will help us transition off dirty and dangerous fuels to clean, safe and renewable energy sources, ensure that we are carbon-free by 2050, and take action to green our infrastructure and to protect our water and wildlife. In addition to safeguarding our environment, taking steps to address climate change will help usher in a green new deal that helps drive the economy.

Protecting Undocumented New Yorkers

New York has always been a sanctuary for people from all walks of life, including undocumented individuals. With the federal government's hostility toward them, New York must do all that we can to protect immigrants and their families. I have been a cosponsor of the Dream Act for years, and while the Assembly has always passed it, now is the time for action in both houses, enabling immigrants to become eligible for tuition assistance programs. New York must also become an official sanctuary state, and we must pass legislation to eliminate immigration status barriers to eligibility for a State driver's license.

Voting Reform

The midterm elections this past November didn't just tip the balance of power in the United States House of Representatives and the New York State Senate, they also exposed serious flaws in New York's voting system. The state of our voting laws has left many disenfranchised, and the system is in desperate need of reform. Here in New York and across the country, where many elections are decided by only a handful of votes, it is vital that every single vote is counted, and that every single person who wants and is legally entitled to cast a ballot, including those formerly incarcerated for felonies, can do so conveniently and securely.

This year we must modernize our elections and create a 21st century system designed for today's voter. Below, are some of the most important bills that I sponsor and cosponsor. Year after year, the Assembly has passed these bills, and now with strong progressive partners in the State Senate, many of them may become law. Prioritizing passage of these bills first will help to ensure that our next elections run more smoothly and that no one is disenfranchised.

Automatic Voter Registration

I support legislation that will allow eligible citizens to be registered to vote at designated government agencies, like the New York State Department of Motor Vehicles. I am also the cosponsor of legislation that would allow the pre-registration of sixteen and seventeen year olds, and of legislation to allow the automatic transfer of voter registration status among all counties within the State of New York.

Same Day Voter Registration

I support legislation to allow voters to register and vote on the same day. We should not erect unnecessary barriers to voting, and every person who is eligible to vote should be able to on Election Day.

Early Voting

I am a cosponsor of legislation that would create an early voting period in New York. Though 38 states currently have some form of early voting, New York is not one of them. Early voting will ensure that voting is convenient for those who are unable to

leave work early or go in late on Election Day. It will also help decrease the likelihood that voters wait on line for hours to cast their ballot. An early voting period would help ease the burden at the polls on Election Day, and make the entire process smoother for all involved.

No Excuse Absentee Voting

Current law allows voting by absentee ballot if one expects to be out of town on Election Day or unable to get to the polls because of illness or incapacity. I am a cosponsor of legislation that would allow New Yorkers to vote by absentee ballot regardless of the reason. Voters do not expect to be unavailable to vote until Election Day, at which point it would be too late, under current law, to vote by absentee ballot. New Yorkers lead busy lives and unforeseen challenges should not prevent any eligible voter from casting their ballot.

Online Voter Registration

We can bank online, pay our taxes, buy groceries and conduct all manner of business online, but in New York, we cannot register to vote online. I am the cosponsor of legislation that would create and implement an online database and transmittal system that would enable all who are eligible to register to vote online.

Primary Day Consolidation

Holding primary elections on multiple dates costs the state millions of dollars, confuses voters and overall, contributes to low voter turnout on both days. I will support legislation that will consolidate the primaries for federal and state races.

Ballot and Website Redesign

In addition to cosponsoring legislation that requires the ballot to be redesigned so that it is more readable and user-friendly to people of all abilities, I am the prime sponsor of legislation that would require the New York State Board of Elections (BOE) to post a sample ballot online so voters, including those with visual impairments, have the opportunity to view their ballot before they vote. And, after attempting to navigate the BOE website to find important voting and election information, I have called on the BOE to modernize its website so voters can use it to easily access voting and candidate information.

Child Victims Act

I am the prime sponsor of the Child Victims Act (CVA), which has existed in one form or another for 13 years. Though the CVA has passed the Assembly four times in its long history, it has never even been allowed to come to the floor of the State Senate for a vote. Given the change in the composition of the State Senate, I am hopeful that this will be the year that we finally pass the CVA.

The CVA would provide justice to the now-adult survivors of childhood sexual assault by reforming the statute of limitations. New York's statute of limitations on childhood sexual assault ranks among the worst in the country, and it stands in the way of justice for the vast majority of victims. The CVA would extend the statute of limitations in both criminal and civil cases, and would, importantly, open a one-year window within which previously time-barred cases could be brought.

Many studies have shown that because of the shame, stigma, and anger so many experience, it takes the victims of childhood sexual

assault well into adulthood to internalize and come forward with their abuse. By that time, however, they are time-barred by New York's law from seeking any legal redress. New York demands from victims something they are simply incapable of giving, and then denies them access to justice when they are unable to comply. The window is the heart and soul of the legislation, and would provide so many adults who were wounded as children with the chance they never had to seek justice. The window has also been the source of the greatest opposition to this legislation.

Intense lobbying against the bill by organizations that would prefer to hide their well-known, well-documented and decades-long abuse of children has stymied the bill in the State Senate for years. Now, with a change in leadership in the State Senate, survivors have reason to be hopeful. This is the year – we must seize this opportunity to provide justice to the survivors of childhood sexual assault.

Criminal Justice Reform

In theory, cash bail should be used to ensure that a defendant appears for his or her trial. In practice, cash bail often results in low-income individuals languishing in jail because they cannot afford to pay it, while wealthier individuals do not face that issue. Last session, the Assembly passed legislation that would eliminate cash bail for traffic infractions, violations, misdemeanors and non-violent felony offenses to ensure that individuals who are not yet convicted of a crime are not forced to remain incarcerated because they cannot afford to pay their bail.

In addition, the Assembly passed legislation to end solitary confinement for vulnerable populations – such as people aged 21 or younger, people aged 55 or older, people with mental, physical or intellectual disabilities, pregnant or immediately postpartum (within the first eight weeks) people, or those in a prison newborn program. Solitary confinement is an inhumane and cruel practice that civilized societies have a responsibility to end.

Education Funding

We must fulfill the promise of the Campaign for Fiscal Equity, the case in which the New York State of Appeals agreed with a group of parents that New York was failing in its mission to provide the opportunity for a sound basic education to New York's public school students. The Court ordered New York to properly finance public school education in New York. More than a decade after the decision, New York's public school students are owed nearly \$4 billion in foundation aid. We must seize this opportunity to fully fund the CFE and ensure that students in every school have access to a sound basic education.

GENDA

Transgender rights are human rights. New York has the opportunity to enshrine some of the strongest protections for transgender people into law by passing GENDA, the Gender Expression and Non-Discrimination Act, this year. Though the State expanded protections for New York's trans population via executive action, GENDA would ensure the human rights of transgender individuals by adding gender identity and expression to the list of protected classes enumerated in the State's human rights laws. Doing so would make it illegal to discriminate against someone in employment, housing, public accommodations, to name a few. It would also ensure that crimes against trans people qualify for enhanced penalties if it is determined that the crime is motivated by bias.

GENDA has existed in one form or another since 2003. Though the Assembly has voted to pass GENDA eight times since 2007, it has never been allowed to come to the floor of the State Senate for a vote. This year, we hope to see GENDA become law, and with its passage, we will start to erase the long lingering stain of hate.



Assemblymember Linda B. Rosenthal joined New York City Comptroller Scott Stringer at a press conference to call for stronger rent regulations to protect New York families and our precious affordable housing stock. Stringer conducted an audit which showed that New York City had lost nearly half a million units of low-rent housing, meaning that it is that much more

difficult for families and individuals living at the margins to find a safe and affordable place to live. This year – 2019 – must be the year of the tenant, and I will fight to pass my bills to repeal vacancy deregulation and reform the rent control system, along with other bills, to protect tenants and affordable housing across the State.



Assemblymember Linda B. Rosenthal snagged a number of great books once again this year at the annual Goddard Riverside Community Center Book Fair. From L-R, Susan Matloff-Nieves, Deputy Executive Director of Lincoln Square Neighborhood Center, Dr. Roderick L. Jones, Executive Director of Goddard Riverside Community Center, Assemblymember Linda B. Rosenthal and Roberta Semer, Chair of Manhattan Community Board 7.

Firearm Safety

There have been nearly as many mass shootings in the United States in 2018 as there have been days. New York may have passed the strongest-in-the-nation gun laws with the 2013 passage of the SAFE Act, but more can and should be done to protect every New Yorker against the dangers of unrestricted and virtually unregulated access to firearms.

Last session, the Assembly passed "red flag" legislation that would give the courts the power to issue extreme risk protection orders for people exhibiting common behavioral warning signs that often precede deadly shootings. Family and friends often witness significant emotional changes before a loved one carries out a suicidal or homicidal act, but currently have no legal recourse to prevent them from accessing dangerous and deadly firearms. "Red flag" legislation would enable a family or household member, law enforcement officer or district attorney to petition a court to suspend an individual's access to firearms if s/he exhibit signs that they pose a danger to themselves or others. The court can grant the petition if it believes there is sufficient evidence of threats, serious bodily harm, attempts at suicide or homicide, or other dangerous behavior to oneself or others. We have the tools to help prevent the next mass shooting and we have a responsibility to act. Now, we have the opportunity to do just that and ensure that New York continues to be one of the safest states in the country.

Campaign Finance Reform

We must get money out of politics to ensure that elected officials represent the interests of the people who elected them and not the deep pocketed interest groups and donors who bankrolled their campaigns. I support public funding of elections with small donor matches, which will help ensure that average New Yorkers have greater control over the outcome of their local elections. I also support legislation to close the LLC (limited liability companies) loophole, which allows donors to obscure their identity by hiding behind the complicated corporate LLC structure. I am a cosponsor of legislation that passed the Assembly last year that would limit contributions from LLCs to the same \$5,000 aggregate limit that exists for corporations. The bill would also require that contributions from LLCs be attributed to each member of the LLC in a proportion relative to their ownership interest.

Being your Assemblymember has always been my full-time job, and it is a responsibility I take very seriously. When I am not in Albany, I am back home in the district, working with you to help you stand up to your landlords and navigate byzantine government bureaucracies to get the benefits you need and to which you are entitled. Because this is a 24/7 job, I have supported past efforts to limit legislators' outside income to ensure that state-level elected officials can more effectively serve the people of their districts.



On World AIDS Day, Assemblymember Linda B. Rosenthal congratulates Donald Powell, Senior Director of Policy and Development at Exponents, Inc., who was honored for his work in HIV prevention, advocacy and research. This World AIDS Day commemorated the lives lost to the AIDS epidemic and celebrated the remarkable progress we have made in reducing new HIV infections. Despite our progress,

we can and must do so much more to stop the spread of this virus and end AIDS.

Reproductive Health Act

New York State may have legalized abortion in 1970, three years before the United States Supreme Court's landmark decision in Roe v. Wade, but current state law does not comply with federal law. Even though the Assembly has voted to pass the Reproductive Health Act (RHA) numerous times, the State Senate has until now refused to allow the bill to come up for a vote. As a result of this inaction, our current state law is weaker than and inconsistent with federal precedent on the issue.

For instance, Roe and the decisions that followed it have made clear that the right to choose exists after viability if a woman's life or health is at risk. Despite this, New York's current law makes abortion a criminal act unless it is performed before the 24th week of pregnancy or is necessary to preserve a woman's life, with no exceptions for situations where abortion is necessary to preserve a woman's health or in which the fetus is determined to be not viable.

The RHA would fix that. Because abortion is a medical procedure, the RHA would move abortion into the public health law and repeal the sections of New York law dating back to the 1960s that still criminalize the procedure.

It is vital that we update New York's laws given the new ideological makeup of the Supreme Court, which is seemingly hell-bent on eliminating a woman's constitutionally protected right to choose.

New York Health Act

I have been a proud cosponsor of the New York Health Act (NYHA) for years. Healthcare is a fundamental human right, and New York must be a visionary leader in providing universal, public health care to its residents. Under the NYHA, every New York resident would be eligible to enroll in a state-sponsored healthcare plan, regardless of age, income, pre-existing condition or employment status. The plan would cover comprehensive outpatient and inpatient medical care, primary and preventive care, prescription drugs, laboratory tests, and rehabilitative, dental, vision and hearing care. There would be no network restrictions, deductibles or copayments required.

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News

from
Assemblymember
**Linda B.
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Assemblymember Linda B. Rosenthal with the nurses and staff of Project Renewal's Scan-Van, a mobile unit that provides free mammography screening to individuals regardless of insurance status. Early detection is the key to beating the odds, so be sure to schedule a scan with your provider.

From L-R: Gina Cintron, a constituent, Assemblymember Rosenthal, Loisey Paulino, and Anita Yu.