

AAUW-NYS Public Policy Counterpart Newsletter

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2013 Family Planning Advocates of New York State's Day of Action

at the Empire State Plaza, Legislative Office Building - The Well, Albany, New York. They will kick off the 2013 New York State Legislative Session with FPA's major advocacy event of the year.

Schedule at a Glance:

- ♦ Date: **Monday, January 14, 2013**
- ♦ 10:00 am - Registration
- ♦ 11:00 am - Welcome and Remarks
- ♦ 12:45 pm - 3:45 pm - Legislative Visits
- ♦ 1:15 pm - Workshop #1
- ♦ 2:15 pm - Workshop #2

Be one of hundreds of advocates from across the state who will come to Albany on January 14th to meet with elected officials on critical issues like family planning funding and reproductive health care access. If you'd like to attend this event you can RSVP online.

<http://www.ppaction.org/site/Calendar?view=Detail&id=101788>

Day of Records and Firsts as 113th Congress Opens

On Thursday, as the 113th Congress opened, the Senate and the House are starting to look a little bit more like the people they represent. The new Congress includes a record number of women (101 across both chambers, counting three nonvoting members), as well as various firsts for the numbers of Latinos and Asians as well as Iraq and Afghanistan war veterans. But it was the rise of the female legislator — 20 in the Senate and 81 in the House — that had the Capitol thrumming with excited potential on Thursday.

This Congress promises to be more diverse than its predecessors in several ways. On hand at the Capitol were Tammy Baldwin, Democrat of Wisconsin, the first openly gay senator; the first Hindu representative, Ms. Gabbard; and Mazie Hirono, Democrat of Hawaii, the first Buddhist senator. Representative Kyrsten Sinema, Democrat of Arizona, also became the first openly bisexual member to serve in Congress.

Although the number of black legislators remained at 43, Tim Scott, previously a Republican House member from South Carolina, became the first black senator from his state, as well as the first black Republican in the Senate since 1979.

After she was sworn in for her second term, Senator Claire McCaskill, the Missouri Democrat, said women were making progress in the Senate. "I don't think we should be satisfied until we have the same number of women in the Senate that represent the percentage of the population that are women, so we still have a long way to go," she said. <http://tinyurl.com/bawpaed>

Not Your Father's (Or Mother's) Congress

Despite what has been called a status quo election, life is far from static on Capitol Hill. The 113th Congress will bring with it generational and some historic changes, including the first all-female delegation for a state (New Hampshire), and the fewest number of military veterans in the Senate and House since World War II. And, as The New York Times notes, "The makeup of Congress has not been this volatile in 20 years, a result of shifting political tides and redistricting. The number of House seats that changed hands in 2010 and this year — 96 and 84, respectively — is the highest since the early 1990s, a period of turnover not seen in nearly half a century." <http://tinyurl.com/a6zwwuj>

Did you know?

The **SUNY system** is the largest comprehensive public education system in the country and it educates 35 percent of all college students in New York. It educates more than a quarter of students in the state seeking a bachelor's degree or higher and more than 65 percent of students seeking an associate's degree. <http://tinyurl.com/ayjsqci>

New York State Legislative News:

New York State Budget Balanced With Gimmicks, Study Says

New York state relies on gimmicks and nonrecurring revenue to pay for rising pension costs and the most-generous Medicaid benefits in the U.S., said a group led by former Federal Reserve Chairman Paul Volcker and former Lieutenant Governor Richard Ravitch. Annual pension contributions may increase 31 percent to \$10.6 billion by 2015 from about \$8.1 billion in 2013, and would probably need to rise by an additional \$14.8 billion if the state were to adopt a 5 percent assumed rate of return on invested assets, instead of the current 7.5 percent, the State Budget Crisis Task Force said in a report issued today. Ravitch and Volcker created the task force of former government officials in 2011 to examine U.S. state finances. The group released a main report in July on California, Illinois, New Jersey, New York, Texas and Virginia, and is preparing reports on individual states. To balance New York's budget, state officials have relied on about \$25 billion in nonrecurring, or "one-shot," revenue actions, over the past 10 years, according to today's report. The budget is \$132.6 billion for this fiscal year. <http://tinyurl.com/b3v3qnz>

Cuomo's 10 legislative priorities pose varying degrees of political difficulty

Gov. Andrew M. Cuomo wrote 10 priorities that would form the basis of whether he would “give or withhold my support.” Cuomo called it his “litmus test.” But Cuomo’s list includes a mix of items that legislators already passed into law, are likely to pass, were long ago proposed by others or are just too vague to judge, such as his insistence that lawmakers address “our changing climate.” One of Cuomo’s most-mentioned tests – raising the state’s minimum wage – is considered all but certain. And even though the issue may be front and center for Cuomo now, the governor – for most of the last legislative session – would not say whether he backed a proposal by Assembly Speaker Sheldon Silver, D-Manhattan, to raise the minimum wage to \$8.50, from \$7.25. The governor got on board with a minimum-wage increase in May – a month before the session’s end and five months after Silver proposed it.

Governor offers lawmakers a top 10 list to show political loyalty Test Status:

1. Property tax cap - Already done
2. Campaign finance “reform” - Vague and uncertain
3. Minimum-wage increase - All but certain
4. Easing of marijuana-possession laws – Likely
5. Initiatives to address “our changing climate” - Cuomo plan too vague to judge
6. Maintain education/Medicaid funding formulas – Done
7. Middle-class tax cut - Done last year
8. Teacher-evaluation program/SUNY improvements – Done
9. Codifying of access to abortion - Stalled for years
10. Casino expansion Part 1 - done, Part 2 likely

<http://tinyurl.com/ac77lfb>

Transforming the NYS public education system

In order to ensure that our state continues on the right track to improve our schools, last April the Governor established the New NY Education Reform Commission, a group of nationally recognized education, community, and business leaders to make recommendations for future reforms in education. Over the last seven months, the Commission held public hearings in each of the 10 regions of New York, received thousands of pages of testimony, and heard from more than 300 students, parents, educators and stakeholders. On Jan. 2, the Governor received a preliminary report from the commission. The Preliminary Education Action Plan, presented to the Governor and his cabinet by Commission Chair Richard Parsons, addresses every phase of a student’s education from the earliest days of pre-kindergarten through college and career. The Commission makes eight key recommendations:

1. Provide high quality full-day pre-kindergarten for our most at-risk students;
2. Create statewide models for “Community Schools” that use schools as a community hub to improve access to public, non-profit, and private services/resources, like health and social services, for students and their families;

3. Transform and extend the school day and year to expand quality learning time for students, especially in underserved communities;
4. Improve the teacher and principal pipeline to recruit and retain the most effective educators;
5. Build better bridges from high school to college and careers with early college high schools and career technical education;
6. Utilize all available classroom technologies to empower educators to meet the needs of a diverse student population and engage students as active participants in their own learning;
7. Pursue efficiencies such as district consolidation, high school regionalization and shared services to increase student access to educational opportunities; and
8. Increase transparency and accountability of district leadership by creating a performance management system.

The recommendations contained in the Commission's Preliminary Education Action Plan represent immediate opportunities to begin developing a world-class education system in the Empire State. While this is a solid start, the Commission recognizes that there is more work to be done. A Final Action Plan will be completed in Fall 2013, as the Commission continues to engage experts and the New York community to develop further recommendations to address the complex issues that impact and drive student success. <http://www.governor.ny.gov/puttingstudentsfirst>

How a Bill Becomes a Law in New York State (And How You Can Help)

http://63.118.56.3/sws/aboutsenate/how_idea_becomes_law.html

Push to up minimum wage

Gov. Cuomo plans to propose an increase in New York's \$7.25-an-hour minimum wage during his State of the State speech Wednesday to open the 2013 legislative session. That's according to Senate Independent Democratic Conference leader Jeff Klein of the Bronx, whose group met with Cuomo. Democrats favor \$8.50 an hour, with annual indexing for inflation. <http://tinyurl.com/aoc6vdj>

Sen. Jeffrey Klein's conference backs Cuomo on gun-control bill

A breakaway group of Senate Democrats vowed Friday to help Gov. Andrew Cuomo pass the "strongest assault-weapons ban in the country." Sen. Jeffrey Klein, D-Bronx, who leads the five-member Independent Democratic Conference, said after a 90-minute meeting with Cuomo at the Capitol that the group supports the governor's legislation "wholeheartedly" and that he hopes it will pass as soon as possible, preferably this month. Klein brokered a power-sharing deal with Republican leader Dean Skelos, R-Nassau County, in which the two will alternate the Senate presidency every two weeks. The coalition will control the chamber, shifting power away from Democrats who might have had the majority otherwise. Klein said Friday he has not yet discussed the proposed legislation with Skelos. It is unclear what specific gun-control measures Senate Republicans might support, but the conference has indicated it would support closing loopholes in gun laws and limiting high-capacity magazines. Skelos said a statement

Friday any gun-control legislation should include a strengthening of Kendra's Law, which lets courts order mentally ill people with histories of violence into outpatient treatment.
<http://tinyurl.com/a9c4uyh>

Fewer joint session days for 2013

State legislators will meet for fewer days in 2013 than they did in 2012, according to the official calendar that's just been released. Both the Assembly and Senate are scheduled to be in session on the same day 55 times, starting with the January 9 State of the State presentation and wrapping up on June 20, a Thursday. The state Senate is scheduled to be in session on two additional days — Tuesday, January 8 and Tuesday, May 14 — and the state Assembly is planning to be in session four additional days — Jan. 26 as well as the week of April 8. State senators are not scheduled to be in session from March 21 until April 15. The state's budget expires on March 31.

<http://blog.timesunion.com/capitol/archives/174519/fewer-joint-session-days-for-2013/>



New York State Legislative Session Calendar January — June 2013



The New York State Legislative Session Calendar establishes a schedule for the 2013 Legislative Session and provides dates important to the legislative process. The Session Calendar is intended to afford Members flexibility in conducting legislative business in Albany and planning activities within their home districts. The Session Calendar will foster orderly and timely consideration of legislation. Unforeseen events may require modification of the Session Calendar.

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January 9	2013 Legislative Session convenes with Governor's State-of-the-State Address	February 18	Presidents' Day
January 14	Start of sessions	April 1	Beginning of new Fiscal Year
January 21	Martin Luther King, Jr. Day	May 27	Memorial Day observed
January 22	Final Day for Submission of Executive Budget		

	Indicates session day		Indicates Assembly session day only		Indicates legislative activity and Senate session day only		Indicates legislative activity budget hearing/committee meetings
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New budget plan to be delivered less than two weeks after SOS

Gov. Andrew Cuomo is set to deliver his budget for the next fiscal year on Jan. 22, 13 days after the Jan. 9 State of the State address. The short gap between the two key presentations of January indicate that the budget is essentially put together now and may be teased in the State of the State address. Besides a structural deficit of at least a billion dollars, the budget will deal with some tough health care and education spending decisions. <http://tinyurl.com/ayd3dbx>

Environmental Issue: Hydrofracking Update

On November 29, the New York State Department of Environmental Conservation (DEC) extended its review period for the Supplemental Draft Environmental Impact Statement on hydraulic fracturing by ninety days, to allow for further review by the state Department of Health of the potential impacts on public health. This makes it likely that a final decision regarding hydrofracking in New York State will come down as soon as the end of February.

All comments to the DEC on the new rules must be made by **Friday, January 11, 2013**. If you have concerns you want to share with the DEC, you may find this website helpful to education yourself about the new regs and on how to post comments: <http://www.thirtydaysoffrackingregs.com/dec16reg.php>

Issue: Equal Pay

How to Attack the Gender Wage Gap? Speak Up

A **\$start \$mart** workshop at the College of Mount St. Vincent in the Bronx (sponsored by the new **Empire State Virtual Branch**) dealt with the many issues of the gender pay gap — and offered ways for women to negotiate about salary. Annie Houle, the national director of a group called the WAGE Project (<http://www.wageproject.org/>), which aims to close the gender pay gap. She explains that her dollar bills represent the amounts that women will make relative to men, on average, once they enter the work force. For years, legislators and women's advocates have been seeking solutions. In many ways, the wage gap is a complicated problem tied to culture, tradition and politics. But one part of it can be traced to a simple fact: many women just don't negotiate, or are penalized if they do. In fact, they are one-quarter as likely as men to do so, according to statistics from Carnegie Mellon University. So rather than wax academic about the issue, couldn't we simply teach women some negotiation skills? Ms. Houle, along with Evelyn Murphy, the WAGE Project president and a former Massachusetts lieutenant governor, aims to do just that. For almost seven years, Ms. Houle has been training facilitators around the country and introducing their program into schools. (WAGE stands for "women aim to get even.") Now, working in conjunction with the AAUW, they plan to have negotiation workshops — called Smart Start — in place by spring in more than 300 colleges and universities nationwide. Nearly 30 colleges have already signed up for three-year commitments. <http://tinyurl.com/bposfj9>

N.J.'s medical university settles bias lawsuit by women professors

After spending more than \$3 million in legal fees, the state's medical university decided to pay out \$4.65 million to settle a longstanding complaint that its women professors were unfairly paid thousands of dollars less than their male counterparts. Ten women sued — in a class action complaint on behalf of 200 more of their female colleagues — alleging that the University of Medicine and Dentistry of New Jersey engaged in up to four decades of wage discrimination. The settlement comes as disparities persist nationally despite state and federal statutes to guard against gender pay inequity. <http://tinyurl.com/b3ed58t>

Issue: Health Care

New Taxes to Take Effect to Fund Health Care Law

Under the 2010 health care law, new tax levies take effect in January, including an increase in the payroll tax on wages and a tax on investment income, including interest, dividends and capital gains. To help finance Medicare, employees and employers each now pay a hospital insurance tax equal to 1.45 percent on all wages. Starting in January, the health care law will require workers to pay an additional tax equal to 0.9 percent of any wages over \$200,000 for single taxpayers and \$250,000 for married couples filing jointly. The new taxes on wages and investment income are expected to raise \$318 billion over 10 years, or about half of all the new revenue collected under the health care law. The new Medicare payroll will be imposed on the combined earnings of a married couple. Workers may owe more than the amounts withheld by their employers and may have to make up the difference when they file tax returns in April 2014. If they expect to owe additional tax, the government says, they should make estimated tax payments, starting in April 2013, or ask their employers to increase the amount withheld from each paycheck. The changes are expected to raise more than \$40 billion of revenue over 10 years. <http://tinyurl.com/bsg794z>

New model for health insurance

For most working people, choosing a health plan is a little like prison food: You take what you get. Under the federal Affordable Health Care Act, government-run insurance exchanges will offer workers at small businesses a place to shop for health insurance. Recognizing the change, some private insurers are leaping into the game early by building exchanges, which are basically storefronts where people can select a plan. Schenectady-based MVP, for example, launched its own exchange late last month. The MVP exchange, called NuOptions, allows employers to give workers a set amount of money to shop for insurance online. Employees who want cheap plans with basic benefits pay less, and those who want a Cadillac plan pay more. And it essentially caps what the employer pays. Several other insurance carriers, brokers and insurance consultants are creating their own exchanges, including WellPoint Inc., Arthur J. Gallagher & Co. and Mercer. MVP is the first insurance carrier in New York State to create a brand-name, proprietary exchange. Most of the plans on its exchange are MVP products, although it also has options like dental, vision, disability and life policies

offered by different companies. MVP still plans to participate in the state-run exchange. MVP, which has 650,000 members, hopes to enroll 10,000 people into NuOptions in 2013, but believes it will get more attention in 2014.

<http://www.timesunion.com/local/article/New-model-for-health-insurance-4113751.php>

Is Concierge Medicine the Future of Health Care?

A growing number of physicians are opting out of the traditional insurance-driven model. They see their older peers at traditional practices struggling to keep afloat at a time when administrative costs are rising and insurance payments have basically stayed flat. Many of these rebel doctors charge high fees and target the wealthy—visiting them at their homes, accompanying them to specialist visits, and offering them what they market as physicals fit for a CEO. There are 4,400 concierge doctors in the U.S., 30 percent more than there were last year, according to the American Academy of Private Physicians, their professional association. In 2014 when the Affordable Care Act's individual mandate requires everyone to be insured, 30 million previously uninsured people to get coverage through an expansion of Medicaid. By 2020, the Association of American Medical Colleges estimates, there will be 45,000 fewer primary-care doctors than the U.S. needs. But when doctors go the concierge route, they often reduce their patient roster as much as 80 percent, creating more scarcity. In 2012 the average premium for an employer-provided insurance policy for a family of four climbed to a record high of \$20,728, according to Milliman, a health-care consultancy.

<http://tinyurl.com/bjz7rdk>

Issue: Medicaid

Number of Medicaid enrollees in New York increases

The number of New Yorkers enrolled in Medicaid, the government health-insurance program for poor and disabled people, has grown by nearly 157,000 since last December, reaching to more than 5.1 million New Yorkers. Enrollment growth in the \$52 billion program funded jointly by the state and federal governments is a consequence of the economy, experts said, as people who lose their jobs often also lose their employer-sponsored health insurance. There are about 1 million residents who are eligible and not enrolled, according to state estimates. In October, the most recent month for which data is available, there were 5.11 million enrollees, the state Department of Health said. That's up from 4.95 million in December 2011. Some critics of state spending say New York's Medicaid program — the most expensive in the country — is wasteful. More than a quarter of the state's 19.5 million residents are on the public-health plan. The national average last year was about 16 percent of a state's population on Medicaid, according to the Kaiser Family Foundation, a health-policy group based in Washington, D.C. Gov. Andrew Cuomo formed a Medicaid Redesign Team in January 2011 to find potential savings. The state will soon launch a federally funded incentives program providing cash to participants with chronic diseases to take care of themselves. Counties pay about 15 percent of the state's cost for Medicaid. Counties have argued that

the cost has burst their budgets. The state agreed last March that over the next three years it will take over counties' growth in Medicaid costs, a savings of \$1.2 billion. <http://tinyurl.com/a8de4oa>

Issue: Employment

For the First Time in Over Six Years, Adult Women's Unemployment Rate Above Men's, NWLC Analysis Shows

Adult women's unemployment rate rose to 7.3 percent in December from 7.0 percent in November. This increase put adult women's unemployment rate above adult men's (flat at 7.2 percent in December) for the first time since September 2006, according to new analysis by the National Women's Law Center. The increase for adult women overall was largely driven by new women job seekers who could not find work. The increase in unemployment was shared by many groups of women – rates rose in December for adult African-American women, single mothers, and slightly for adult white women. Hispanic women were the exception; their unemployment rate declined to 9.4 percent from 10.3 percent in November. <http://tinyurl.com/ab78s3g>

Young Female Workers Fight Stats on Poverty, Debt

The largest number of female workers at or below minimum wage in 2011 are under 25 years old, according to the Bureau of Labor Statistics. Many of these younger workers are also trying to support children while supporting themselves. Some are also trying to work their way through school. Low-wage jobs have constituted a majority of the job growth in the U.S. since the recession. Food services, retail industries and employment services, such as temp jobs in particular, have added 1.7 million jobs in the recovery and constitute 43 percent of total net growth, according the National Employment Law Project. Workers from two of these industries, retail and fast food, have been on the frontline of a push for better wages and employment. National headlines often focus on Wal-Mart, the Bentonville, Ark., mega discount retailer, but there have been plenty of other pockets of activity. Student loan burdens can also be worsened by time spent in low-wage fields, sometimes the only work available in an economy where the unemployment rate for people under 20 is 23.7 percent. Repaying student loans is likely to present a worse hardship for women than men, according to a 2012 American Association of University Women report, **Graduating to a Pay Gap**. The Bureau of Labor Statistics finds that women still earn less than men across the board even though they face the same financial demands. Because women earn less, student loan repayments make up a larger portion of their earnings. Twenty percent of women compared with 15 percent of men pay more than 15 percent of their take-home salaries for educational debt, according to the AAUW report. Women are also more likely than men to borrow money for school. Among 2007–08 college graduates, 68 percent of women borrowed money for college compared with 63 percent of men. <http://tinyurl.com/bjz46yo>

Issue: Elections & Voting Reform

State election boards smoothly handled difficult year

According to Jerry O. Eaton, the Republican commissioner of elections for Jefferson County and president of the Election Commissioners' Association of the State of New York:

The 2012 election year was one of the most lengthy and challenging in the history of the state of New York. The beginning of the year started with the redistricting of our state's congressional and state legislative seats. Counties conducted a minimum of three countywide elections with most running four or more over the course of the year. In addition to these challenges, county costs exploded due to extra paper ballots, additional absentee ballot mailings due to multiple military personnel ballots, election inspector pay and trucking of voting machines and other election supplies.

The general election provided a major milestone due to the fact that the paper ballot/optical scan voting systems were used for the first time in a presidential election. Boards of elections were dealt a serious crisis when Hurricane Sandy slammed into the greater New York City/Long Island region creating havoc on our citizens and the ability to run elections smoothly. Despite the intense damage to this area in terms of life and property, the boards in this region dutifully carried out their responsibilities despite the severe carnage that was wrought.

As we begin 2013, it's more imperative than ever that our association work with the state Legislature to enact comprehensive election law reforms. Many of our state's election laws are badly in need of revision or are simply irrelevant in today's paper ballot/optical scan world. Antiquated election laws are hampering many aspects of sound election management and have unnecessarily driven up election costs on taxpayers and the counties.

<http://www.watertowndailytimes.com/article/20121228/OPINION03/712289991>

Stewart-Cousins Backs Silver's Early Voting, Disclosure Bills

Senate Minority Leader Andrea Stewart-Cousins, D-Yonkers, introduced the legislation in her house, along with a separate Silver bill that would require more widespread disclosure of donors from politically active non-profit. Silver's bill, introduced last week, would allow voting up to two weeks before a general election and one week before a primary in New York. About 30 other states currently allow some form of early voting. <http://tinyurl.com/bfnfdhl>

Newly electeds say public campaign finance needed

Newly elected state legislators joined Sen. Neil Breslin and leaders of the Fair Elections for New York campaign to advocate for pending legislation that would allow for publicly financed elections. State Sen.-elect Terry Gipson; 46th Senate seat hopeful Cecilia Tkaczyk; and Assembly members-elect Patricia Fahy and John McDonald, called on their colleagues to pursue the passage of the Fair Elections campaign finance reform proposal despite Senate Republicans being against the idea of publicly financed elections. The Fair Elections campaign reform proposal is an effort to replace corporate-funded elections with publicly funded elections, the Democrats said, so that elections can be put back in

the hands of voters, not corporations with special interests. Republican Senate Majority Leader Dean Skelos, R-Rockville Centre, has said the proposals for the public financing of elections would cost the public an estimated \$200 million per election or \$100 million per year. However, a report released by the **Campaign Finance Institute** earlier this month said the cost would be more like \$25 to \$40 million per year. According to CFI, publicly financed elections would cost New York voters no more than \$2 per resident each year. According to www.FairElectionsNY.org, the campaign for Fair Elections for New York would establish a voluntary system to "empower" small donors by matching their contributions with public money, similar to the system New York City is using. This campaign also aims to lower the state's "sky-high" contribution limits.

<http://tinyurl.com/badrnq5>

New York State Laws Update:

Tougher domestic violence laws, ban on electric cigarettes to take effect Jan. 1

The new domestic-violence laws aim to provide greater protections to victims, advocates said. The Legislature agreed in June to increase penalties for repeat domestic abusers and to allow victims to change contact information on medical records to avoid their attackers. "Abusers are obsessed with their victims. They want to control them. If a victim is in hiding, we don't want to allow any opportunity for that abuser to find them," said Assemblywoman Amy Paulin, D-Scarsdale, Westchester County. Sen. Stephen Saland, R-Poughkeepsie, said in a statement that the measure will prevent a victim's health insurance information from being sent to the same address as an alleged abuser, "thus affording more protection for domestic-violence victims." The law also prohibits a person charged with murder or manslaughter of a family member from having the right to the victim's remains. In 2009, an accused murderer in Tonawanda, Erie County, for months had refused to hand over his wife's remains. <http://tinyurl.com/b5wval5>

NY Gov. Andrew Cuomo signs bill creating agency to oversee people with disabilities

Gov. Andrew Cuomo has signed legislation to create a new state agency he says will better protect about a million New Yorkers with disabilities and special needs under state-funded care. The law will establish a new special prosecutor and inspector general, with more than 400 staff, to oversee six state agencies and their contractors. It will establish a single point for reporting and screening abuse allegations for those in residential care and day programs. The agency will have a hotline, statewide incident database and a list of employees banned from working with the disabled because of abusive behavior. <http://tinyurl.com/cbfuftj>
