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# MESSAGE FROM THE CHAIRMAN

## Assemblyman Karim Camara

The New York State Black, Puerto Rican, Hispanic and Asian Legislative Caucus is comprised of 48 Senators and Assembly members from districts across the state. Although our composition is diverse, our goal is wholeheartedly singular: a legislative agenda that benefits all residents of New York State, including the poor and most vulnerable populations. In articulating the needs of the State, we the Caucus are releasing this document- “The People’s Priorities”- bold proposals designed to improve equity and policy initiatives to alleviate some of the states most pervasive problems.

New York State has had a weakened economy for several years and as the recovery has been slower than expected the State has managed to make some gains. Wall Street has rebounded and the housing market is slowly returning to its pre-recession normalcy. However, the recovery has not reached many of our most vulnerable. The Caucus believes that until more is done to stabilize our most vulnerable sectors, the economy will never fully recover. Seniors, children, low wagers, indigent and immigrant populations are the next wave of individuals for whom economic recovery efforts must be targeted and focused.

The proposals contained in this document are not new and void of partisan rhetoric. Countless individuals and groups have advocated for them. They have been fully researched and vetted for efficiency and effectiveness. We know that through their implementation some of the persistent challenges to residents will be alleviated. For example, the Caucus has and will continue to support Universal prekindergarten, believing it is the State’s duty to begin giving developing skills early so that our children can compete globally. Research consistently supports this position. While it was initially proposed by a Republican Governor, the current Democratic Governor mentioned it as a priority in his 2013 State of the State address. With the recent election mandate of a new mayoral administration in NYC the calls have been renewed. This is a non-partisan idea whose time has come, our children deserve better and we can give it to them.

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**The New York State  
Black, Puerto Rican, Hispanic and Asian Legislative Caucus  
2014 Legislative Priorities**

# **TOP PRIORITIES**

## **REFORM STOP AND FRISK**

Stop and Frisk has been one of the top priorities of the Caucus for at least the past decade and we seek to end all abusive and discriminatory practices of profiling and illegal stops. The massive spike in street interrogations has done little to remove firearms from the streets, the ostensible reason behind the stop and frisk regime. Instead, the wholesale violation of civil rights has sown mistrust between police officers and the communities they are supposed to protect. The Stop and Frisk program demonstrates not only a disregard for the Fourth Amendment, (which protects against unreasonable searches and seizures) but it also fosters unfair treatment and illegal searches in Black and Latino communities citywide. The existence of Stop and Frisk creates a bias, and as Judge Shira A. Scheindlin said, "the city adopted a policy of indirect racial profiling by targeting racially defined groups for stops based on local crime suspect data." The Caucus will continue to fight for equitable legislation that allows for all citizens to be treated equally and not discriminated against based on their race and ethnicity.

In 2012 and 2013, the Caucus traveled to D.C. to lobby the Department of Justice to investigate NYC's Stop and Frisk practices. While in D.C. the Caucus also briefed the Congressional Black Caucus and members of the New York Congressional Delegation on the status and implications of this controversial program.

## **ACADEMIC ACHIEVEMENT/BILINGUAL EDUCATION PROGRAMS**

Support ESL as a major workforce development strategy for immigrants, recognized as the most important thing they can do to succeed economically in State of New York.

Over the past few years, details have come to the attention of lawmakers with regard to tens of millions in education funding that is not making its way to schools or classrooms. One such problem is in the way New York State funds additional education services for students not participating in a regular high school setting. New York City, Yonkers, Buffalo, Syracuse and Rochester receive Special Services Aid. While the level of aid has increased over the past several years, there has been no public accounting on how the funds allocation has been spent to assist minority students.

A recent report by the University at Albany/SUNY documents a significant breach in local compliance with state requirements for bilingual education programs. Its findings show that Latino students who are English Language Learners are being shortchanged. Moreover, the number of local schools that currently fail to provide bilingual education programs to Latino students is likely to be greater than what the study suggests. This is so, simply because the proportion of schools that do not provide information needed to assess compliance is significant; in fact, this proportion is double the percentage of schools that are not in compliance with state requirements.

Another significant finding of the report concerns teacher certification. The lack of certified bilingual teachers and the number of inappropriately certified teachers in New York is of epidemic proportions. Incentives for recruitment of bilingual teachers seem to be insufficient and existing certification qualifications appear to be an obstacle for increasing the number of certified teachers. The report suggests that changes in state policy including encouraging state and city colleges and

universities with teacher education programs to provide certification programs at the undergraduate and graduate levels to prepare bilingual and ESL teachers is necessary.

## **FULL DAY KINDERGARTEN**

We support mandatory full-day kindergarten for all children in New York. High-quality pre-kindergarten has a lasting and substantial effect on a student's learning. It ensures that children are ready for kindergarten and ready of a successful academic path. The positive effects of quality pre-K are maximized when programs are full-day, have certified teachers, offer wrap around services and have a continuous improvement system. New York State should invest in expanding the full-day program to all four-year-olds, starting with those in high need school districts. Quality pre-K is a proven strategy that has been extensively tested through decades of research and implementations. Students who don't have access to a quality early start often enter kindergarten without the necessary skills and facing a large school readiness gap. By investing in quality early education we can overcome the achievement gap and ensure that all children have the opportunity to be properly equipped for success when the first enter elementary school. Children who attend high-quality pre-K are more likely to be successful in school, more likely to attend college and more likely to get a higher paying job.

### **Increase flexibility for districts utilizing Universal Pre-Kindergarten funding to better meet community needs.**

The investment in full-day pre-K is a significant next step in expanding access to high-quality early education, from birth through school age. The Governor's plan has a strong emphasis on quality, with a commitment to qualified teachers, effective teaching and a quality learning environment.

Although the governor's initiative presents a down payment toward full day universal pre-kindergarten through a targeted approach, FPWA calls for its expansion statewide to fully obtain the benefits of full-day early education that have been expressed by parents, educators, and localities. The bottom line is that full-day universal prekindergarten is more educationally effective in preparing children to succeed in school and be reading on grade level by third grade.

We believe that in order to establish a solid foundation upon which to grow the Governor's frame work, the model should include the following elements:

- The full day initiative should be part of the permanent funding of state's pre-kindergarten aid award to grantees.
- \$2 million of the \$25 million should be earmarked as resources to ensure the model reflects the cost of meeting quality benchmarks such as professional development and technical assistance.
- Currently the state requires that under the universal prekindergarten program at least 10% of the funding is invested in community based programs. The same requirement should be extended to the full-day programs funded under the Governor's grant program. Currently \$200 million of \$385 million in universal pre-kindergarten funds are invested in community based programs.
- Extend protections of unused funds in the Governor's initiative to the current appropriation for universal prekindergarten funds by ensuring that funds not awarded or unused are available for use in subsequent years. This will protect the program from further erosion of the \$385 million invested in the current UPK program.

**NEIGHBORHOOD INITIATIVES (formerly Member Items)**

We support re-establishing discretionary funds to provide critical economic development support to nonprofits that have invested in capital projects and workforce development programs in our communities. Legislative Member Items to not-for-profit organizations are low-cost avenues to extend the resources of the state fairly across districts to meet needs that would otherwise go unmet in these difficult economic times. These funds provide important assistance to sustain programs for seniors, youth, and social services for vulnerable and underserved residents and struggling families. Flexible discretionary funds also provide critical economic development support; for example nonprofits have invested in capital projects and workforce development programs which bring economic activity to the community. The Legislative grant process can be reformed to address concerns regarding fraud and lack of transparency.

**DREAM Act and DREAM Fund**

The Development Relief and Education for Alien Minors (DREAM) Act (Bill A02597/S2378) is legislation that would allow undocumented students the opportunity to apply for state college educational assistance programs to help pay for higher education. It also creates the DREAM Fund commission.

Programs Include:

- Tuition Assistance Program (TAP)
- Higher Education Opportunity Program (HEOP)
- Educational Opportunity Program (EOP)
- Collegiate Science and Technology Entry Program (C-STEP)
- Opportunity Programs available at Community Colleges

This legislation will allow undocumented young adults who entered into the country before the age of 18, have lived in New York State for a minimum of 2 years, are under-the age of 35, and have demonstrated a commitment to education and good moral character to have access to financial aid opportunities within the state and be eligible for the program and other funding. This bill, sponsored by Assemblyman Francisco Moya and Senator Jose Peralta, was reintroduced in the 2013-2014 session.

**The DREAM Fund Commission** enables eligible undocumented students who are applying to 2 and 4 year colleges and universities to apply for various scholarships in the DREAM Fund. New York has proposed the DREAM FUND legislation which makes family tuition accounts available to account owners who provide a valid taxpayer identification number. The money for this fund will come from private sources and will provide scholarships to students who met the qualifications. The primary benefit offers undocumented students access to higher education while increasing the value New York’s work force. With this DREAM legislation, we welcome immigrants to New York with open arms, informing them that we are here for them and wish to see them prosper in the city of New York.

**MINORITY/WOMEN-OWNED BUSINESS ENTERPRISES (MWBE)**

Established in 2011, Governor Andrew Cuomo’s M/WBE Task Force has made strides in determining ways to increase M/WBE participation on public contracts and to promote the awarding of public contracts to minority and women-owned companies. The Caucus seeks to further its



commitment to develop and support best practices to diversity in the area of procurement. Members of the Caucus applaud the strategic focus to eliminate barriers to growth for small and M/WBE contractors by establishing a statewide Surety Bond Assistance Program. This revolving fund will assist firms in becoming bond-ready and getting bonds to participate in state projects. We urge members of the M/WBE community to utilize this state-assisted resource to grow their businesses.

Further, we support increasing M/WBE participation in the procurement of state financed and state economic development projects. We propose such initiatives as the creation of a “Mentor Protégé Program,” easing bonding restrictions on M/WBEs, and helping M/WBE contractors identify government contracting opportunities. The caucus is committed to using every resource available to make contract distribution more equitable.

### **Support for M/WBE initiatives through not for profits**

The Caucus also supports the development of not-for-profit organizations that provide education and advocacy for socially or economically disadvantaged businesses in the construction industry, empowering them to grow and create good paying jobs. These education platforms provide a classroom curriculum along with strategic consulting services to help create opportunities for these business owners. The curriculum focuses on turning-around the business reasons why emerging contractors have traditionally not qualified for surety and bank credit; focusing on financial presentation and infrastructure development. By incubating strong, well managed minority owned construction firms, these not-for-profit initiatives will help prepare these businesses to enter the lucrative public contracting arena, thus empowering them to bring good paying jobs back to their communities and reignite the workforce for many who are unemployed and disenfranchised.

### **RAISE THE AGE**

The Caucus seeks to raise the age of criminal responsibility to 18 years of age. Currently, New York State is one of only 2 states in the country (North Carolina is the other) that defines age 15 as the cut-off for juvenile jurisdiction. This means that all children 16 and 17 years old are prosecuted as adults in the criminal justice system regardless of the alleged offense. They are also housed with adults in adult jails and prisons. Research shows that youth are not safe in adult jails and prisons and are at a greater risk of sexual assault and physical violence. In light of this, we support legislation to amend the criminal procedure law, the executive law, the family court act and the penal law, in relation to raising the age of criminal responsibility; and to repeal certain provisions of the criminal procedure law, relating to all children under the age of 18 years old.

### **MARIJUANA DECRIMINALIZATION**

Decrease consequences for small amounts of marijuana penalties misdemeanor to violation. Standardization of marijuana penalties remains a top priority for the Caucus, as this is an inherent issue of fairness and fiscal responsibility. Current law, passed in 1977, stipulates that private possession of up to 25 grams of marijuana is considered a violation –a non-criminal offense, punishable by a summons and fine. However, once any amount of marijuana is in public sight, it becomes a criminal offense - a misdemeanor. The distinction becomes dubious when law enforcement officers require individuals to empty their pockets, in which all contents become visible. In 2012, there were nearly 50,000 arrests for small amounts of marijuana. Most of those arrested are young people who are then saddled with permanent criminal records that follow them for the rest of their lives. And as Governor Cuomo has noted, the racial disparities in these arrests is plainly evident: approximately 85% of those arrested are Black and Latino, mostly youth, even though the data shows that young whites are the predominant users of marijuana. These practices

waste our criminal justice resources, including police time, for unnecessary criminal proceedings, costing taxpayers at least \$75 million every year. Law enforcement throughout New York, including District Attorneys in NYC and in Nassau and Albany counties, have called for reform; so too has NYPD Commissioner Ray Kelly, who says the current law is creating confusion for his officers. By making marijuana in public view a violation, we can fix the law and standardize the penalties, bringing greater fairness to the law, saving taxpayer dollars and preventing unwarranted criminalization and arrests.

### **CAMPAIGN FOR FISCAL EQUITY (CFE)**

The Caucus seeks to increase graduation rates statewide and in order to do this New York has to provide necessary resources for The Contracts for Excellence and the largest aid increases under the settlement of the CFE. New York State's Commissioner of Education, Dr. John King, has repeatedly warned that our schools face the prospect of "educational insolvency" whereby they will not be able to provide the quality of education students need to be prepared for college and in some cases will be unable to fulfill the requirements for graduation.

According to the New York State Board of Regents<sup>1</sup> the budget actions of the state in recent years have hurt our schools by leaving them:

- With state school funding below 2008-09 levels
- A \$2.2 billion Gap Elimination Adjustment that has to be paid back by the state to schools
- Foundation Aid that is \$5.5 billion behind what was committed in the CFE settlement

At the current rate and with current state law the CFE commitment will not be fulfilled until at least the 2027-28 school year and that does not even account for inflation that will occur between now and then.<sup>2</sup> That means that from 1993 when Robert Jackson first filed the CFE lawsuit it will take 35 years to fulfill the commitment. A student, who was entering ninth grade when CFE began, could easily be the parent of a ninth grader by the time New York State gets around to fulfilling CFE. For generations of students a dream deferred continues to be a dream denied.

This shortfall in funding has occurred because New York State has enacted a ceiling on the growth in state school aid based on the growth in personal income that does not allow funding for school improvement. In fact under the current school finance system, schools began receiving small annual increases in 2012, but not enough to prevent more and more classroom cuts. Unless the Legislature adds more school aid, another round of classroom cuts is inevitable.

### **FARM WORKERS FAIR LABOR PRACTICE ACT (A01792/S01743-A)**

Fair Labor Practices Act would grant labor rights to farm workers. We support the act to amend the labor law and grant collective bargaining rights to farm laborers. This will allow farm workers one day of rest each week and include farm laborers within the provisions pertaining to overtime compensation and unemployment insurance.

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<sup>1</sup> New York State Board of Regents, 2013-14 Regents State Aid Conceptual Proposal, November 8, 2012

<sup>2</sup> Alliance for Quality Education.

# **ADDITIONAL PRIORITIES**

## **EDUCATION**

### **Restore the State's investment in early childhood education programs in order to stabilize the subsidized child care system in New York State.**

Invest in subsidized child care to bring funding back to 2010-11 levels. The Executive budget maintains flat funding for child care subsidies. This neither reflects need for care nor increases in the cost of doing business. Since 2010-2011 spending on childcare in New York has declined by \$92 million. Child care subsidies need to be preserved for children's educational and social development and to support parents' ability to maintain their jobs. Hundreds of low-income families across the state have lost critically needed subsidies that serve as a linchpin in parents' ability to secure and maintain jobs. To compensate for budget cuts, districts throughout the state have limited income eligibility and have raised parent fees.

One cost-saving option that would help stabilize the subsidized child care system is to provide a temporary waiver from welfare work requirements for single parents of infants and toddlers (A.1979). This would free up childcare and administrative funding to allow the state to stabilize the funding levels for the subsidized child care system until the economy fully recovers. This will enable low-income parents to keep the jobs that they have, and allow parents of young children who are receiving welfare the option to provide child care for their own infants and children in their homes. Parents receiving public assistance who are working outside of the home or participate in an education or training program will be also be provided child care.

### **Cap child care co-payments at 10% of gross family income and eliminate co-pays for families living under the federal poverty level**

We support legislation A.1978 which caps the co-payment at 10% of gross family income and eliminates co-payments for households with incomes below the federal poverty line. The legislation also addresses county-by-county disparities in child care co-pays and creates a statewide co-payment system that is affordable and equitable. According to Empire Justice Center, a household of three in Albany County receiving subsidized care with an income of \$36,620 is responsible for a co-payment of \$53 per week per child. A parent in Onondaga County with the same income and family size is responsible for \$105 per week.

From 2010-2012 New York City raised parent fees from 10% to 17% making access to care for households with extremely limited incomes very difficult. Given the high cost of living in New York City, the increase of parent fees deepens the burden of low-income parents as they are already forced to make difficult choices between the most basic expenses such as food, rent, utilities, medicine, and clothing for growing children.

### **Higher Education (Secondary) /High School Equivalency (HSE) Funding**

Ensure no disruption in service and that State Education Law 317, which provides that New Yorkers cannot be charged a fee for exams to determine HSE is not overturned. Currently, New York State pays the testing fee for all GED test-takers with an allotted budget of \$2.71 million. With the cost of the test's fees expected to double to \$120, New York would either need to double its test expenditure, or halve the number of people able to take the test each year. Without an increase in the

budget, New York could stand to lose a large percentage of successful GED test-takers each year. The overall goal is to preserve access to a high school equivalency testing for 50,000 New Yorkers. Given that the average yearly income of those without a high school diploma sits at only \$24,520, any substantial cost increase for the test-taker will severely reduce the amount of people able to take the exam. Additionally, without significant preparation on the part of New York and Pearson LLC, the company conducting the GED test, the GED's planned transition to a purely computerized test would sharply limit access to the exam, especially in the short term. Presently there are 268 traditional test locations in New York, while only a fraction of these are prepared for computerized testing. There is no transition plan in place for over 150,000 New Yorkers who haven't fully completed all sections of the current GED. Because the GED Testing Service will be heavily revising the test's standards, New Yorkers who have only passed sections of the GED, or who are now preparing for the current GED standards, will need to restart and restudy for their exams by 2014. New York should take the following steps to guarantee test access through any potential transition period and minimize any negative repercussions on test-takers during these times:

- Minimize fee increases for test-takers: It is essential that cost does not become a barrier for those looking to improve their opportunities in the workforce through the GED. While a major increase in testing fees would be a heavy burden to carry for low-income test-takers, New York can seek alternative plans to increase its exam budget.
- Modernize testing resources: The transition to computerized testing will inevitably strain state testing resources. Currently, there is no plan to invest in computer infrastructure if it is the case that the test will be administered in a computer format. Currently, many GED testing sites do not hold computerized exams and instead students take written exams. Thus, the state will lose testing sites that are not equipped to hold computerized GED exams and there will be a reduced number of locations where students can be tested. New York should work with Pearson to sufficiently ensure that there is no significant loss of accessibility to the GED by 2014 by training test administrators and updating computer resources.
- Encourage completion of the current GED: The many New Yorkers who have incomplete GEDs and the many New Yorkers preparing for the current edition of the GED should be encouraged to complete the exam by 2014; otherwise their time invested will be wasted when new exam standards are introduced.

### **Urban Youth Initiative**

The Urban Youth Initiative at CUNY was instituted by the University based upon an innovative model at Medgar Evers College to address education, retention, graduation and under-representation challenges following a CUNY Task Force report issued eight years ago. During the ensuing period, there has been an impressive record compiled through UYI of mentoring, outreach, placement, and related activities aimed at maximizing student success. During the same period, however, only the City of New York, through the New York City Council, has provided funding (\$2.5 million for fiscal year 2013-14). The State of New York should initiate an "Urban Male Initiative" modeled after UYI at CUNY, and allocate \$5 million: \$2.5 million to match the City's contribution to CUNY and \$2.5 million to ensure the development of a similar program at SUNY.

### **SUNY & CUNY (Enrollment, Graduation rates)**

Open admission requirements to consider a range of factors including race, household income, and neighborhood and school. Also, guarantee admission to senior high school students who finish in the top of third of their high school class.

## **College Now**

Given the extraordinary work to be done to uplift retention and graduation rates in the public high schools, and the extensive collaboration programs between CUNY and the NYC public schools which have yielded encouraging results, a college readiness working group should be established to examine how best to replicate successful models. CUNY's College Now Program currently serves over 20,000 students annually in over 450 public high schools. Studies have indicated that students participating in College Now have higher retention and graduation rates, rates of progress, and grade point averages than their non-College Now counterparts. College Now is available free of charge for public high school students. This program, along with others like CUNY's foundation supported At Home in College program, should either be considered for expansion or earlier intervention.

## **Single Stop Initiative**

Since 2009 The City University of New York has partnered with Single Stop USA to support a Single Stop office at each CUNY community college campus. The goal of the project is to increase retention at the University's community colleges by connecting low-income, degree seeking students with government benefits and services they and their families are entitled to but not receiving. The expectation is that with added resources, students' academic plans won't be derailed in the event they or their families are faced with a financial setback. Between 2009 and 2012, CUNY students accessed benefits including tax refunds, legal services, food stamps, financial counseling valued at \$66 million. Single Stop should be expanded to CUNY's senior college student population, where many low-income students attend. The current funding for Single Stop comes from support from the Robin Hood Foundation and CUNY community colleges. In order to pilot similar programs at the senior colleges—where the profile of economically disadvantaged students is similar to that of community colleges—the State should appropriate \$1 million.

## **Support funding for the Summer Youth Employment Program (SYEP) so 100,000 jobs can be provided to New York City youth this summer.**

For the summer of 2013, \$45.6 million in city, state and federal funds supported 35,957 jobs in the Summer Youth Employment Program. While we are pleased that \$25 million was allocated for the program for SFY 2013-14; we are concerned that with the increase in the minimum wage, fewer jobs will be available to youth. The summer of 2013 saw 135,388 New York City youth apply for a summer job with only 6,833 SYEP Sites active.

SYEP provides youth between the ages of 14 and 21 with summer employment and educational experiences that build on their individual strengths and incorporate youth development principles. Employment opportunities such as those offered by SYEP are critical for youth. Of the nearly 900,000 young adults 16 to 24 years of age in New York City, almost 25% live below the federal poverty line, compared to 19% of all New Yorkers regardless of age. It's clear the youth have been disproportionately impacted by the Great Recession. Since 2003 employment remained weak for young adults, even during the period of economic growth during the middle of the decade. The recent recession saw unemployment among 16-24 year olds worsen from a rate of 15% in 2006 to 21.5 percent in 2009, this represents a jobless rate far higher than that experienced by other age groups. There are 173,000 disconnected youth throughout New York City who are neither in school nor working.<sup>3</sup> It is for these reasons that we urge the state to provide a funding increase so that 100,000 SYEP jobs may be provided to the youth of New York City.

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<sup>3</sup> Treschan, Lazar, et al, *Missed Opportunity: How New York City Can Do a Better Job of Reconnecting Youth on Public Assistance to Education and Jobs*, The Community Service Society Reports, June 2011, page 5. Available at: [http://b3cdn.net/nycss/f763229f781980fb6a\\_5fm6y1dps.pdf](http://b3cdn.net/nycss/f763229f781980fb6a_5fm6y1dps.pdf).

**Support funding for the Advantage After School Program (AASP).**

The final 2012-13 budget funded Advantage at \$17.8 million which was a nearly \$5 million reduction from the 2011-12 session. This reduction eliminated access to programs for 4,000 children and 400 jobs throughout New York. AASP provides quality youth development opportunities to school-age children and youth for three hours directly after school. These programs offer a broad range of educational, recreational and culturally age-appropriate activities that integrate school day experiences. More than 1,000,000 children across New York State do not have access to an after-school program but would participate if given the opportunity to do so. We ask the legislature to increase funding above 2010-11 levels of \$28 million to begin to meet the demand for the program.

**Support increased funding for Special Delinquency and Prevention Programs (SDPP), Runaway and Homeless Youth Act (RHYA) and Youth Development and Delinquency Prevention (YDDP).**

The Executive Budget proposal funds YDDP/SDPP at \$14.1 million but does not include the amount added by the Legislature totaling \$1.3 million. Additionally, the Governor is proposing language to streamline the administration of the YDDP/SDPP programs with the intent of affording counties and the City of New York greater flexibility in using funds appropriated for these programs. The final 2012-13 state budget reflected a total of \$15.4 million for SDPP/YDDP. This is an increase of \$1.3 million from the 2011-2012 total of \$14.1 million. However, these totals are significantly less than the \$28.2 million that had been allocated to YDDP/SDPP in 2010-11.

The Executive Budget funds RHYA at \$2.3 million, which does not include the amount added by the Legislature for 2012-13. RHYA was funded at \$2.5 million in the final 2012-13 state budget which is a significant drop from the \$4.7 million that had been allocated in the 2010-11 state budget. Given the critical demand for shelter beds for RHY, we urge the Legislature to increase funding for RHYA to the 2007-08 level totaling \$6.3 million. YDDP supports Out-of School Time (OST) programs. SDPP funds critical services such as alternatives to institutional care, dropout prevention, crisis intervention, family mediation and counseling. Additionally, RHYA funding includes services such as street outreach and referral services, drop-in centers, crisis shelters, and transitional independent living programs.

The reduction of funding for these programs has resulted in the elimination of critical after school program slots and transitional/independent living shelter beds for runaway/homeless youth. Additionally, NYC youth lose access to SDPP services, which supports youth programs through the New York State Office of Children and Family Services (OCFS). We urge the legislature to restore YDDP/SDPP and RHYA funding to \$34.5 million.

**Support the Extended Learning Time (ELT) proposal for \$20 million and the Community Schools Proposal for \$15 million.**

The Governor has proposed the ELT and Community Schools competitive grant programs for \$20 million and \$15 million respectively, which are designed to test ways of rethinking school structures. The ELT proposals would support high quality extended day or extended school year programs with academically enriched programming. Community partnerships need to be stressed within this ELT model. Community Schools support innovative programs designed to transform schools into community hubs that integrate social, health and other services as well as after school programming to support students and their families.

Extended Learning Time is a strategy that involves adding time to the school day and/ or days to the school year, adding enriching activities within the normal school day or having after-school and summer enrichment programs aligned with children’s needs and interest. The most effectively implemented Extended Learning Time program requires a well thought out day that provides challenging curriculum and enrichment opportunities for all students, but particularly for at-risk students who often have less exposure to the arts, music or sports. Extended Learning Time can take different forms; after-school programs, longer school days, longer school year and summer school. Extended learning time leads to increased student achievement, which in turn leads to high graduation rates and increased adult earnings.

### **Support Attendance Improvement Dropout Prevention (AIDP) Initiatives.**

AIDP provides students identified as having attendance and academic problems with a variety of services including counseling, attendance outreach, alternative learning strategies and case management. One of the major goals of the AIDP program is to engage schools in collaborative initiatives with community-based organizations to prevent students from dropping out of school. We urge that the Legislature continue supporting this important program.

### **Community School**

The Caucus advocates that the state should adopt the community schools approach for all 750 Focus and Priority schools where the academic achievement is unacceptably low. Community Schools bring in collateral resources that address issues associated with poverty that in turn impact education. Students and their families will be able to take advantage of a wide array of programs – health, dental and vision clinics, meal program, counseling, social services, tutors and enrichment programs. The resources brought into the schools are integrated and provide immediate access for students to the services they need. This allows the school to address the needs of the whole child.

### **Expanding College-Ready Community Schools**

Communities and students benefit when their schools are hubs for services that meet their needs. College-ready community schools align an engaging and challenging curriculum, social and health services, provide youth development and engage all stakeholders in a community. They offer comprehensive services in order to ensure that students’ physical, social and emotional needs are met providing a foundation for their readiness to learn. One of the primary causes of low student achievement is poverty. College-ready community schools cannot address all of the poverty-related opportunity gaps faced by New York’s children, but they offer a sensible approach to filling some of those gaps. Community Schools serve as “opportunity hubs” that allow community members to access the tools and resources needed to address specific needs. Important tools include English language or GED classes for parents and/or providing basic health care for children. College-ready community schools contribute to improved student academic performance, lower drop-out rates, higher attendance rates, fewer behavioral problems and greater parent engagement in schools.

## **HEALTH**

### **National Cord Blood Program**

Individuals of color (Black and Latino) who need bone marrow transplants have an especially hard time finding an unrelated bone marrow donor. First, because they make up a small number of the donations and second because there is a greater variation of HLA-types among their ancestry group. In light of this situation the donation of cord blood has proven to be beneficial in saving the lives of

many minority children and adults. Therefore, we support and aim to assist this program by requiring all doctors to inform expecting mothers of the donation or storage of cord blood. For the past several years this program has collected more than 53,000 donations and has performed more than 3,500 transplants curing leukemia (cancer) and sickle cell anemia in Black and Latino communities.

## **Hospital Closings**

The Caucus will continue to fight the controversial closure of hospitals in poor, low-income and communities of color like Brooklyn and throughout the State. There is an ongoing fight to secure funding in the state budget. Currently many hospitals in the most in-need communities very existences are in jeopardy and we need the Legislature and the State Health Department to assist them.

## **HOUSING**

### **Protect & restore Low Income Housing Tax Credit (LIHTC)**

We will continue to seek for 100% restoration of a dollar-for-dollar tax credit in the United States for affordable housing investments in New York State.

### **30% Rent Cap Bill (HIV/Aids) – (S3022/A7782)**

#### **Prevent Homelessness for Thousands of People Living with AIDS**

We stand with FPWA and VOCAL in strong support to prevent homelessness for New Yorkers permanently disabled by HIV/AIDS and their families. Legislation proposes to enact an affordable 30% rent cap affordable housing protection for clients of the HIV/AIDS Services Administration (HASA) who receive a rental subsidy. It would correct discrepancies and discrimination within NYC HIV/AIDS Service Administration's rental assistance program by aligning it with the long-term standard for affordable housing used by the federal Department of Housing and Urban Development (HUD).

Major benefits of this proposal:

- *Reduced Medicaid expenditures:* Research has repeatedly demonstrated that increased housing stability is strongly associated with sharp reductions in the medical costs of managing HIV disease. Moreover, stable housing for people with HIV/AIDS has been shown to reduce emergency room use by 35% and hospitalizations by 57%. Studies indicate that same-year Medicaid savings are achievable when vulnerable populations are stably housed. Indeed, housing assistance generates savings in avoidable crisis health services that more than offset the cost of housing interventions. People who have stable housing are also less likely to acquire HIV infection or to transmit HIV infection to others than people who are homeless or unstably housed, regardless of other determinants of risk. Each HIV infection prevented through more stable housing saves over \$355,000 in lifetime medical costs.<sup>4</sup>
- *Improved HIV health outcomes:* Stable and affordable housing is the foundation for effective HIV/AIDS treatment, care and prevention. Compared with stably housed people living with

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<sup>4</sup> Schackman BR, Gebo KA, Walensky RP, et al. The lifetime cost of current human immunodeficiency virus care in the United States. *Med Care* 2006 Nov;44(11):990-97.



HIV/AIDS, homeless and unstably housed people with HIV/AIDS are 2 to 4 times more likely to use an emergency room, to have a detectable viral load, and to engage in behaviors that can transmit HIV to others. Receipt of housing assistance is independently associated with entry into appropriate HIV care, access and adherence to antiretroviral therapy, improved HIV health outcomes and reduced HIV risk behaviors – after controlling for other factors that can impact HIV care and outcomes.

- *Lower expenditures on emergency housing:* Improved housing stability will generate savings in City and State spending on rent arrear payments and costly evictions that will more than offset the additional rental assistance costs of capping rent contributions at 30% of disability income. This is a far more efficient use of limited housing resources to keep people with HIV/AIDS in independent housing instead of expensive, substandard commercial SROs (i.e. welfare hotels).
- *Fairness:* HASA is the only low-income or disability housing assistance program in the state that does not cap the tenant's rent contribution at 30% of income, HUD's standard definition for affordable housing and the requirement for all federally funded programs. The rent share burden of tenants in other subsidized programs, such as supportive housing, NYC Housing Authority and Section 8, is calculated at 30% of their income.

### **Funding for National Housing Trust Fund**

The Caucus seeks to secure permanent funds in an effort to create and preserve the supply of rental housing for low-income families, including homeless families.

### **Community Development Financial Institution Program (CDFI)**

We also seek to maximize the CDFI program, which is aimed at increasing private investment in distressed communities and build the capacity of the federally designated CDFI's that serve economically disadvantaged communities under community development.

## **IMMIGRATION**

### **Welcome to NY Initiative for Immigrants**

We stand with the Taskforce on New Americans in support of New York City's iBridge program. This program allows for assistance with immigrant's placement in the New York State job force with a partnership between CAMBA & New York City Economic Development Corporation. We seek to expand this model throughout the state.

## **CRIMINAL JUSTICE**

### **Discovery Bill**

We support the act to amend the criminal procedure law, in relation to discovery requirements and procedures and to repeal certain provisions of such law. Automatic discovery is the disclosure to the defense by the prosecutor of relevant information automatically and early on in the prosecutorial process instead of after the jury is seated when there is little or no time to investigate or develop an effective defense strategy. Discovery helps innocent and over-charged defendants fairly prepare for trial, and will encourage guilty defendants to plead guilty without needless and costly delay.

### **Close to Home Program**

This juvenile justice reform initiative allows New York City youth who are found to have committed a delinquent act to receive services in or close to the communities where they live, rather than hundreds of miles upstate.

## **FAMILY WELFARE**

### **Restore funding for TANF-funded initiatives eliminated in the SFY 2011-2012 budget.**

We seek to restore funding for all of the TANF programs eliminated or cut in 2011-2012 state budget. The recession and slow economic recovery have caused many New Yorkers to lose their jobs, homes, and health insurance. The TANF programs are just the type of programs these families need; for example, job training and education, domestic violence services and homeless prevention. We urge you to support these programs through the restoration of TANF funding for these critical programs.

### **Restore TANF funding that has been completely eliminated for crucial workforce development programs.**

The Governor's 2013 Executive Budget eliminated a total of \$14.681 million in TANF funding for various initiatives that were provided for by the Legislature in FY 2012-13. In prior years, the state used surplus TANF funds to fund employment and training programs that help thousands of New Yorkers each year to prepare for and secure good jobs. While these programs had been cut in recent years, the State Legislature restored funding for some of the critical jobs programs in last year's final adopted budget, such as Career Pathways, Wage Subsidy and BRIDGE.

Career Pathways, Wage Subsidy and BRIDGE have all served a compelling number of its participants in securing credentials for employment qualifications, job training, and securing both short-term and long-term employment. These programs have been targeted to serve a specific number of clients and achieve a specific number of job placements, retentions, and training activities.

To that end, we urge the Legislature to restore to last year's budget level funding for the following vital job programs:

- **Career Pathways - \$750,000**  
Career Pathways links basic education to occupational training, and when combined with integrated support services, enables participants to advance over time to higher-wage jobs in targeted industry sectors.
- **Wage Subsidy - \$950,000**  
Wage Subsidy programs allow community-based organizations to place people in subsidized jobs for a period of three to six months.
- **BRIDGE - \$102,000**  
The Bridge Program, which operates in conjunction with the State University of New York's (SUNY) University Center for Academic and Workforce Development, provides 31 local social services districts with employment preparation services specifically designed to

provide Family Assistance (FA) and other TANF eligible families with the skills and supports necessary to obtain employment.

### **Minimum Wage**

While the increase in New York States minimum wage was not as strong as we would have hoped, we applaud the effort made by legislators. An increase in the minimum wage is one of the best ways to address the huge problem of income inequality which has been growing worse in recent years. New York has the worst income inequality of any state in the nation.

### **Indexing the Minimum Wage**

While we supported the adoption of an increase in a minimum wage, it is critically important to add a provision to index the minimum wage for future increases so that the minimum wage is not eroded by inflation. Workers should not have to wait for years to get a fair wage adjustment.

## **WELFARE REFORM**

### **COLA's (Cost of Living Human Service Adjustment)**

The Caucus is very concerned about the Executive Budget proposal to further defer the Cost of Living Adjustments (COLAs) which would go a long way to help workers at not-for-profit organizations make ends meet given the rising cost of living over the past few years. These workers have had to take on additional workloads because of the increased demand for services and layoffs of co-workers due to multiple years of city and state budget cuts. The Governor's budget states that COLAs should be linked to actual cost growth or performance outcomes. The state clearly can link COLAs to the Consumer Price Index which increased 3.2% from 2010 to 2011 and 2.1% from 2011 to 2012. Furthermore, COLAs should be focused on just that – cost of living increases.

Performance outcomes are already dealt with through the state's contracting or RFP process. The COLA is needed to support the workers and their families, many of whom are low-wage or middle-class workers doing essential work.

### **Fatherhood Initiative**

This initiative seeks to fund programs and support services designed to keep New York State's fathers in their children's lives and preclude unnecessary state intervention in family matters. The initiative was included in the Office of Temporary and Disability Assistance 2013 budget but did not make it past last year's final budget negotiations. The initiative seeks to knock down government obstacles that deter mothers and fathers from handling family matters privately.

Some main goals of the initiative are

- Stronger support services for fathers.
- Efforts to convince fathers from low-and middle-income households that they serve a necessary and vital role in their children's lives
- Providing information to fathers regarding programs that educate them on their rights, roles, and responsibilities.
- Removing government obstacles that force families to choose between staying together and receiving certain privileges and benefits.

## **KinGap**

Request \$1 – 3 Million in funding for Kinship Guardian Program outside of foster care block grant. The Governor's 2013-14 Executive Budget proposed a \$1.044 M increase to \$437.046 million for the Foster Care Block Grant over FY 2012-13 which includes the Subsidized Kinship Guardian Program (KinGap). The FY 2012-13 adopted budget provided funding for the KinGap program out of the Foster Care Block Grant on a one-year pilot basis. Adoption does not work for every family, and subsidized guardianship would allow children in long-term care who are unable to return to their parents to exit the system into secure living situations, with kinship caregivers. Research shows that kinship care is associated with improved permanency and social outcomes for foster children and that kinship guardianship is an important option for both older youth, who are at risk of aging out of the system, and communities of color, whose cultural norms already support care giving for children by extended family members. We encourage the Governor and Legislature to expand the pilot program and fund the Subsidized Kinship Guardianship Program (KinGap) outside of the foster care block grant.

The Governor's 2013-14 Executive Budget maintained funding for Kinship Care programs at the FY 2012-13 level (\$338,750). Last year, the adopted budget maintained the same funding level for the Kinship Caregiver Program (KinCare) at \$338,750 in general funds and an added \$51,000 in TANF. In general, this program has largely been flat funded since FY 2011-12 levels. This statewide network of programs is used to support kinship placements by promoting household stability and permanency through services for kinship caregivers and their kin. KinCare allows community-based organizations to deliver a wide range of services that address the multiple needs of caregivers and the children in their care including counseling, legal information, support groups, parenting skills, and education. FPWA calls on New York State to increase monies for the kinship caregiver program (KinCare) that has been repeatedly flat funded.

## **Support employment and vocational training programs for PLWH.**

The Caucus is pleased that the Executive Budget for FY 2013-14 maintained funding in the amount of \$1.161 million for the HIV Welfare-to-Work Program, a joint project that was created between the NYS Department of Health (DOH)'s AIDS Institute and the Office of Temporary and Disability Assistance (OTDA) in 1999 and the only employment program designed specifically for the HIV Positive population in New York State. And we support FPWA's recommendation that the Governor and Legislature continue to support and allocate adequate funding for programs and services that promote employment and vocational training opportunities for persons living with HIV.

The HIV Welfare-to-Work program provides vocational training and sustainable employment with health benefits to individuals who are living with HIV/AIDS. Organizations serving this population must offer intensive job placement services to help HIV Positive individuals enter or re-enter the workforce. They are also required to provide the necessary case management services to ensure that the continued health and supportive services needs of participants are not compromised once they go to work. Employment that participants obtain through this initiative must offer health benefits, and selected contractors must ensure that other health coverage is in place until employer health benefits become effective. Participants in this program are able to improve their overall well-being and are equipped with the vocational skills needed to obtain living wage employment.

### **Continue and Expand the New York Youth Works Program**

We support the continued expansion of the New York Youth Works Program launched on January 23, 2012 by Governor Cuomo. New York Youth Works is a statewide program created to combat high unemployment rates among inner-city youth in communities across New York. The program supports job training and employment for eligible youths from ages 16 to 24.

Last year as a part of this program, the state designated \$62 million to support job training programs, including \$8 million for youth job readiness training and stipends, \$25 million for youth summer jobs, and \$29 million for other job training and supportive services. In addition to this, \$25 million in tax credits were available to certified businesses who participate in the program and the hiring of youth.

During an economic recession, it becomes especially vital to sustain and expand programs that will reach a growing number of low-income, unemployed, and underemployed youth in diverse communities. Amongst the various groups in the labor market, youth are disproportionately at a higher risk for unemployment and underemployment, especially Black and Latino youths.

Currently, the program serves youth who are in reasonable proximity to at least one of the following areas: New York City, Mount Vernon, Town of Hempstead, Yonkers, Buffalo, City of Schenectady, Rochester, City of Albany, Syracuse, Utica, New Rochelle, and Town of Brookhaven. With additional funding and expansion, FPWA believes that New York Youth Works could serve a more substantial amount of youths in other areas, and coordinate programs and policies that meet their diverse needs.

## **PUBLIC SAFETY**

### **Gun Violence**

The Caucus will push for stronger laws on gun trafficking, background checks, and third person purchasing at the state and federal levels. Caucus members Assemblyman Karim Camara and Senator Ruth Hassell-Thompson have introduced a resolution naming the month of June as "Gun Violence Awareness Month" for New York. This resolution, was the first of its kind in New York and possibly the nation, and has galvanized all of New York and other states to work together toward demonstrating how pernicious gun violence is to communities of color and to strategize on how to eliminate it.

African Americans have the highest rate of firearm death among racial and ethnic groups in the United States. A 2011 U.S. Department of Justice study found that African Americans are six times more likely to be victims of violent crimes than the next closest ethnic group. Additionally, African American children and teens are almost five times more likely to be killed by firearms than their white peers and twice as likely as their Hispanic peers. Homicide is the leading cause of death among African American adolescents. This is an SOS for New York to come together and end the gun violence that clouds our horizon.

New Yorkers against Gun Violence is a strong partner in our fight against gun violence. They have identified a number of loopholes in state laws (New York and beyond) that allow individuals access to guns that are used in the commission of crime. 85% of guns traced to crime have been brought in from states with lax or no background check requirements. Further, many states do not limit the amount of guns purchased at one time by an individual, leading to trafficking in New York.

Further limiting the amount of guns New Yorkers can buy at one time, and pushing for stronger federal legislation are both methods to attack these problems. Although New York has tighter gun laws than the federal standard, we need to ensure that residents are safe from out-of-state guns used on our streets.

### **Domestic Violence**

The Caucus supports the following legislation:

A00579 - Greatly expands upon conditions which may be included in an order of protection issued for victims of domestic violence and makes other related alterations relative to the jurisdictions of supreme and family court in such situations; provides for payment of housing costs, compensation for incidental losses, possession of specified personal property, and prohibition of alienation of commonly held specified property.

A01725 - Authorizes the payment of housing subsidies in the amount of seventy percent of the rental cost of the dwelling unit or the median housing rental cost for the county, whichever is lower, to certain victims of domestic violence.

A03516 - Establishes the safe homes act authorizing law enforcement to remove firearms found on the premises where there has been a report of domestic violence.

## **ENVIRONMENTAL JUSTICE**

### **Creation of a permanent environmental justice advisory group**

Bill number A3569 would create a permanent environmental justice advisory group; provides that the function of the group is to ensure that no group of people, including a racial, ethnic, or socioeconomic group, bears a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies; empowers that advisory group to adopt a model environmental justice policy applicable to state agencies, and to monitor agencies on compliance with such policies; specifies responsibilities of state agencies; establishes an environmental justice interagency coordinating council.

### **Environmental Justice Act establish governmental procedures**

A3568 is an act to amend the environmental conservation law, in relation to establishing the "New York state environmental justice act." The purpose of the legislation is to develop and implement a procedure within the State's agencies, boards and commission to insure that all New York's communities are afforded fair treatment and meaningful involvement in environmental decision-making.

### **Increase funding for Environmental Protection Fund (EPF)**

The Environmental Protection Fund (EPF) delivers resources to communities to help them recover from Superstorm Sandy, create parks, support family farms, keep waterways clean, and much more. The Caucus applauds the governor's proposal to increase funding for the EPF by \$19 million.

### **DEC State Superfund Program (funding)**

The State Superfund Program's 2003 reauthorization for \$1.2 billion over ten years becomes fully appropriated during the current fiscal year, and there is no appropriation for it in the Executive's 2013-14 budget proposal. Unfortunately, there are nearly 900 highly-polluted sites on the state Superfund list and this number continues to grow. Superfund sites are some of the most contaminated and toxic in the state, and cleaning them up involves lengthy contract periods which can be hampered by uncertain funding. Spending authorization for the State Superfund Program needs to be renewed. This should be done either in the state budget or as part of a Brownfields reform package this legislative session.

### **Brownfield Tax Credits**

The Brownfield cleanup program was designed to encourage the restoration of contaminated former industrial and commercial sites with the intent of stimulating economic growth in low-income neighborhoods, all while making these communities healthier and safer. Unfortunately, an Environmental Advocates of NY analysis of state tax and finance data in 2012 found that although \$1 billion has been spent since 2006, only 114 sites have been cleaned up.

Now is the time for New York's leaders to reform Brownfield tax credits by delinking them from eligibility for the Brownfield cleanup program. Allowing a simplified process for certifying a cleanup without tax credits would result in more cleanups and allow the program to admit sites that are currently excluded, such as historical fill sites and sites contaminated by off-site sources.

The state should also cap tax credits associated with the redeveloped value of the property. This would allow the state to better predict and manage its fiscal exposure and develop criteria to guide the distribution of tax credits to better target underserved communities most in need of incentives to attract development.

## **WOMEN'S ISSUES**

### **Support Governor Andrew Cuomo's 10-Point Women's Equality Act**

#### **Sexual offense forensic evidence kit**

Establishes the computerized state sexual offense forensic evidence index and requires any sexual offense forensic evidence to be collected and forwarded to any forensic DNA laboratory for testing within the established time frame.

## **ELDERLY WELFARE**

### **Stop financial exploitation of elderly**

Bill will allow prosecutions for financial abuse of senior citizens by amending the Penal Law to add a new crime of financial exploitation of the elderly or disabled.

### **Support increase in funds for senior transportation services.**

In addition to meal delivery to homebound seniors, these vehicles transport the elderly to important services and activities including medical/doctor appointments, food shopping, banking, adult day services and senior centers. Operating expenses include costs for insurance, maintenance, and fuel. We request that the Legislature maintain funding for this important service.

**Support \$46.8 million for the Expanded In-Home Services for the Elderly Program (EISEP).**

The Governor's Budget proposal includes core funding in the amount of \$46 million for the EISEP program; however, it does not include the additional \$809,850 that was added for those areas impacted by population changes. An essential part of the EISEP program is case management. EISEP provides home care, non-medical in-home services, case management, non-institutional respite and ancillary services to seniors. EISEP assists seniors with Activities of Daily Living (ADLs) such as dressing, bathing, and personal care. It also helps the elderly with Instrumental Activities of Daily Living (IADLs) such as shopping and cooking so seniors may remain in their homes. EISEP funds may also be used for social adult day service programs (SADS). EISEP funds in New York City have been greatly reduced for home care resulting in long waiting lists for service. Seniors who are unable to access essential home care service will likely have more frequent hospitalizations and could end up in costly nursing homes. EISEP targets seniors who are above Medicaid eligibility levels, but unable to afford to pay for private services. We urge the Legislature to increase the proposed allocation for EISEP to the current level of \$46.8 million.

## **TAXES**

**Education Investment Tax Credit Act**

The Caucus supports the EITC Act and seeks to provide credits against income and corporate franchise tax for various education investments.

**Change to the \$350 family tax rebates**

We support family tax rebates as a means to reach more moderate residents by lowering families salary qualifications from \$40,000 – 300,000 to \$25,000 – 200,000.

**Increase Personal Income Tax (PIT) for \$500,000-2,000,000 tax bracket**

We seek to create a more graduated rate structure by increasing taxable income rate within \$300,000 to \$2,000,000 from 6.85 percent to 7.85 percent. Which is still a decrease from the old rate of 8.97 percent.

**Increase revenue sharing (Aid & Incentives for Municipalities)**

The Caucus aims to reduce the pressure that is placed on local property tax by increasing revenue sharing and the state share of cost of both education and Medicaid. This will greatly benefit Buffalo, Rochester, Syracuse, and others.

**Repeal or reform P.L. 86-272**

We support the closure of loopholes and tax break that allows corporations to pay less in state income tax than small businesses should be fixed.

**Remove tax subsidies for companies that outsource jobs**

NY State should not provide a tax subsidy for companies that outsource jobs or reduce employment in the state. Tax breaks should go to those who create and maintain good paying jobs in the state.

**Tax relief in property tax to longtime residents (Senator Montgomery)**

NY State should provide relief to long-time resident for whom their own property taxes on their primary residences represent an inordinate share of their income.