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News from STATE SENATOR  
**Liz Krueger**



**COMMUNITY  
BULLETIN**

**November 2009**

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New York State Senate - 26th District

**Message from Liz . . .**

I have recently written to Democratic Conference Leader John Sampson urging him to bring marriage equality legislation to the floor for a vote the next time the legislature is in session. I strongly support marriage equality as a basic civil rights issue. I know that there are a significant number of Senators who do not support the bill, but believe it is our duty as a legislative body to have a meaningful debate on marriage equality and give every Senator an opportunity to publicly vote his or her conscience on this critical issue.

Under current New York law, lesbian and gay couples are denied the basic protections provided to heterosexual couples. In such areas as property ownership, inheritance, health care, hospital visitation, taxation, insurance coverage, child custody, pension benefits and testimonial privileges, married couples have a host of important rights and protections. Denying gays and lesbians access to those benefits – as well as the many responsibilities which come with civil marriage – is a violation of the basic principle of equal protection.

Those who argue against marriage equality usually base their arguments either on 1) religious grounds or 2) on their belief that marriage should be reserved for relationships centered around procreation and child rearing. The first argument fails to recognize both the separation of church and state and the fact that many denominations do in fact already recognize same sex marriages. The second argument is just plain silly.

Legalizing same-sex marriage **would not and could not force any religious officials to do anything** – religious institutions already choose who can or cannot get married within their denominations for both same and opposite sex marriages and they would continue to do so. It would not require any change of religious teachings or actions. The only institution which would be required to recognize same-sex marriages would be the State.

Similarly, family- and procreation-based arguments fail to recognize how many same-sex couples are in fact raising children, as well as how many opposite-sex married couples are not. Marriage equality would benefit same-sex couples, but it would also provide huge benefits to their children, who would gain many protections by having their parents' relationship legally recognized.

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Denying couples marriage recognition by the State serves to discriminate not only against the individuals wishing to enter into those marriages, but also harms all of us who remain living in a society where we KNOW that we are allowing family, friends and neighbors to be discriminated against by their government.

New York has a reputation for being at the forefront in the fight to eliminate the vestiges of discrimination, but we have not kept up with many of our neighboring states when it comes to ensuring basic equality for lesbian and gay New Yorkers. In the last year, Connecticut, Iowa, New Hampshire, Vermont, and Maine (which unfortunately recently voted to reverse recognition of same sex marriages) have joined Massachusetts by acting to legalize same-sex marriage. Joining these states will serve to demonstrate the ability of our institution to act on critical issues at a time when many doubt that we have that capacity.

I do not know that this legislation will pass, although I am optimistic. But whether we have the votes to pass marriage equality legislation or not, it will be a credit to the Senate and a vindication of the rules changes we made this summer, if leadership brings the bill up for a vote. It will demonstrate that we are becoming more democratic as an institution, and that we are willing and able to discuss and vote on issues critical to our State without requiring that the outcome be predetermined. A vote on marriage equality would thus also be a significant step toward fulfillment of efforts to reform the institution of the Senate.

The Governor has called us back for a special session on November 9<sup>th</sup> and 10<sup>th</sup>, and I believe this is the perfect opportunity for us to act on marriage equality legislation. Doing so will be a basic step toward creating equality for all before the law and in demonstrating our ability as a legislative body to take action on critical issues impacting so many New Yorkers.

## **COMMUNITY SPOTLIGHT**

### **Managing Your Finances in Hard Times: Survival Strategies**

**Sponsored by Senator Liz Krueger**

**Tuesday, December 1, 2009**

**5:30 – 8:00 P.M.\***

**Central Synagogue**

**652 Lexington Ave @ 55<sup>th</sup> St**

**New York, NY 10022**

**No RSVP Necessary**

**For more information contact Alice Fisher at  
[alicefisher.nyc@gmail.com](mailto:alicefisher.nyc@gmail.com) or phone 212-490-9535**

**\*Information Tables open @ 5:30 PM, Program begins @ 6:00 PM**

### **Free Mental Health Screening for Veterans Available on Veterans' Day:**

On November 11<sup>th</sup> from 8AM to 7PM, Weill Cornell Medical College is offering free mental health screenings to active duty and veteran military service members and their families and loved ones. Screenings will involve a brief, confidential interview with expert clinicians who specializes in

treating those suffering from post-traumatic stress disorder (PTSD), anxiety, depression and stress. Weill Cornell also offers cutting-edge Virtual Reality therapy specifically for veterans of the Iraq War. Screenings will take place at Weill Cornell Medical College, located at 1305 York Avenue (at 70<sup>th</sup> Street), in the 2<sup>nd</sup> Floor Myra Mahon Patient Center. For an appointment or for more information, call (212) 821-0783.

### **Mammogram Van Coming to the Upper East Side:**

On Friday, November 20<sup>th</sup> the Scan Van Mobile Mammogram Program will have a van at All Souls Church at 1157 Lexington Avenue (at 80<sup>th</sup> Street), beginning at 12 Noon. This program provides mammograms for women 40 and older who have not had a mammogram in the past year. Medicaid, Medicare and other insurance plans are accepted, and the service is free for uninsured women 50 and older. An appointment is necessary. Please call (800) 564-6868 to make an appointment.

### **Kill the Drill Campaign to Stop Drilling in New York City Watershed:**

I am part of the "Kill the Drill Campaign" which is advocating for a ban on natural gas drilling in the New York City Watershed. The New York State Department of Environmental Conservation (DEC) has released its Supplemental Generic Environmental Impact Statement (SGEIS) for the hydraulic fracturing method or "hydrofracking" method of natural gas drilling in the Marcellus Shale in New York State, which failed to explicitly ban this drilling in the New York City Watershed. The watershed provides unfiltered water to the entire city. Hydrofracking accidents have occurred in nine states throughout the country, and a similar accident in the watershed could result in contamination of our water supply. On Tuesday, November 10<sup>th</sup>, I will be submitting testimony at the DEC Public Hearing on Hydrofracking in the Marcellus Shale, taking place at Stuyvesant High School, High School Auditorium, 345 Chambers Street. I urge you to join me in making your feelings known. Doors will open at 6PM for individual questions and speaker sign up. The public comment session will start at 7PM. You can also join me in sending a letter to the Governor requesting that the comment period for the SGEIS be extended. A copy of the letter is available online at <http://www.lizkrueger.com/KilltheDrillFormLetter.pdf>

### **Love Your (NYC) Block Grants Available:**

The Citizens Committee for New York City is offering \$500 grants to volunteer-led neighborhood groups for block improvements such as cleaning up a vacant lot, replacing worn-out litter baskets, removing graffiti and replacing worn-out street signs. Grant awardees will also receive expedited support for multiple city agencies including the Departments of Transportation, Sanitation and Parks. Applications are available for download at [www.citizensnyc.org](http://www.citizensnyc.org) or by calling (212) 822-9558.

### **Heat Season Rules:**

The City Housing Maintenance Code and Multiple Dwelling Law requires building owners to provide heat and hot water to all tenants. Building owners are required to provide hot water 365 days per year at a constant minimum temperature of 120 degrees Fahrenheit. Between October 1st and May 31st, a period designated as "Heat Season," building owners are also required to provide tenants with heat under the following conditions:

- Between the hours of 6AM and 10PM, if the outside temperature falls below 55 degrees, the inside temperature is required to be at least 68 degrees Fahrenheit.
- Between the hours of 10PM and 6AM, if the temperature outside falls below 40 degrees, the inside temperature is required to be at least 55 degrees Fahrenheit.

Tenants who are cold in their apartments should first attempt to notify the building owner, managing agent or superintendent. If heat is not restored, the tenant should call the City's Citizen Service Center at 311. For the hearing impaired, the TTY number is (212) 504-4115. The Center is open 24-hours a day, seven-days a week.

# SPOTLIGHT ON POLICY

## Instant Runoff Elections

The abysmal turnout for the New York City runoff election highlights the need for election reform. I carry legislation (S.3584), also sponsored by Assemblymember Kavanagh, which would enable, but not require, localities to establish an instant runoff election system.

Runoffs are extremely costly and only a tiny fraction of voters participate. In September we had a runoff for Comptroller and Public Advocate in which only 7% of the registered Democrat voters went to the polls but for which the City spent over 15 million dollars. And in both cases, the winners of the initial primary were the winners of the runoff. And in fact, the City would have had to spend 15 million even if there was only one runoff seat, instead of two. By passing my legislation New York will be able to use an instant runoff system in which, if someone doesn't garner a majority of the vote, the second choice votes will be selected at the same time on the same day. This will let everyone know the outcome of the "instant runoff" that day, saving taxpayers millions of dollars and ensuring that candidates with the maximum turnout of primary voters are elected.

Instant runoff voting gives voters the option to rank candidates according to the order of their choice. The first choice marked on each ballot shall be counted initially by election officials. If one candidate receives a majority of the first choice votes cast, excluding blank and void ballots, that candidate shall be declared elected. If no candidate obtains a majority of first choice votes, then the candidate receiving the fewest first-choice votes is eliminated. Each vote cast for the eliminated candidate shall be transferred to the candidate who was the voter's next choice on the ballot. If at this time one candidate had a majority of the vote they would be declared the winner; if not, then the process would repeat, with the lowest vote-getter again being eliminated until one candidate had the necessary percentage for victory.

There are several potential benefits to the instant runoff voting method. First, voters are free to mark their ballot for the candidate they truly prefer without fear that their choice will help elect their least preferred candidate. Second, it ensures that the elected candidate has true majority support. In addition, the instant runoff voting method should promote higher voter turnout, and encourage positive campaigning, because candidates will seek second-choice and third-choice votes from voters and will therefore be less likely to attack other candidates and alienate voters who support other candidates as their first choice. In situations in which runoffs are already required, it will eliminate the need for a second runoff election, with its increased costs and lower voter turnout.

Passing this bill is common sense. Localities should have a choice as to whether or not they want to save millions of wasted dollars which are needed for far more important purposes. Furthermore, it is a pilot program so if it is successful – which I expect it to be – then we can continue the option. But if it isn't, then it will sunset at the end of 2012. Since the State and City are moving to paper ballots with optical scanners as the new voting machine technology, it will not be complicated to change to this multiple choice voting system.

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