

Liz Krueger:
Standing Up and Speaking Out
New York State Senate, 26th District

COMMUNITY BULLETIN – April 2010

Table of Contents

- **MESSAGE FROM LIZ**
- **COMMUNITY SPOTLIGHT**
 - Senior Roundtable Series:
You and Your Money, *Financial Issues for Older Adults*
 - Find Health Insurance for Individuals and Small Businesses
 - Help With Prescription Drug Costs
 - Assistance with Medicare Savings Program Applications
 - Free Tax Preparation Sites
 - Heat Season Rules
- **SPOTLIGHT ON POLICY**
 - Oversight of State Police

Message from Liz . . .

This year's budget fiasco has once again highlighted what we have seen time and again for the last 25 years: the budget process is broken. The fact that the Legislature has failed to pass an on-time budget for 24 of the past 25 years goes to show that the current system is not working and it hasn't worked regardless of which party was in control of the Senate or the Governor's office.

That said, one of the good things which has emerged out of this year's process is that we have finally engaged in one of the most serious discussions of how to reform the budget process. Lieutenant Governor Richard Ravitch and Comptroller Tom DiNapoli are among those who are offering serious proposals for changing the State budget process.

As I mentioned in my last bulletin, I have been working on Legislation which will provide for a comprehensive reform of our State budget process. This Legislation, which I announced on April 7, is based on testimony presented before the Select Committee on Budget and Tax Reform, on which I serve as Chairperson.

The budget reform package has three main purposes:

1. Create a more stable budgeting process;
2. Ensure that revenues and expenditures are balanced over both the short- and long-term; and
3. Create a regular structure to evaluate whether expenditures and tax breaks are serving their stated public policy goals.

The specific problems which have plagued the budget process this Legislature serves to fix are:

- **Biennial Budgeting (S.7160):**

Current Problem: The budget is set annually, which often results in short-sighted planning because the process is weighed-down by the emphasis of current deficits.

Proposed Solution: Biennial budgeting would require the Governor to submit to the Legislature an Executive Budget outlining a financial program for the ensuing two years (i.e. the budget would be set every other year). This would encourage long-term planning because the budget would have to take into account a two year span instead of just one.

- **GAAP Budgeting (S.7284):**

Current Problem: The State balances the budget on a “Cash Basis,” which blurs the State’s actual fiscal reality because it only looks at what money the State has “in pocket” at a given time, while ignoring the money it owes (which is often a large sum).

Proposed Solution: GAAP budgeting would require the Executive Budget and Enacted Budget to be balanced in accordance with the Generally Accepted Accounting Principles (GAAP), which are applied to governments by the Governmental Accounting Standards Board(GASB). GAAP budgeting would prevent the fiscal manipulations allowed under the current process by requiring both revenues *and* expenses to be recognized when the liability is incurred.

- **June 1 Fiscal Year (S.5221-B):**

Current Problem: The fiscal year currently ends on April 1, which is before the State knows how much revenue it will generate from personal income taxes collected on April 15. Therefore, the State balances the budget based on assumptions, rather than on hard numbers.

Proposed Solution: Shifting the State’s fiscal year cycle to one which runs from June 1 to May 30 ensures important personal income tax data due April 15 is incorporated into budget negotiations. Additionally, Executive and Legislative fiscal leaders would be

required by May 1 to revise the revenue consensus they are supposed to reach by March 1 under the Budget Reform Act of 2007.

- **Legislative Budget Office (S.4526):**

Current Problem: There is not a non-partisan body to provide unbiased estimates to the Legislature of the long-term cost impacts of proposed Legislation.

Proposed Solution: The creation of a Legislative Budget Office (modeled after the U.S. Congressional Budget Office) would provide Senate and Assemblymembers with revenue estimates, analyses of the Executive Budget and cost estimates for pending Legislation.

- **Performance Management/Budgeting (S.7259):**

Current Problem: There is no system which measures the success and performance of agencies receiving State aid. Therefore, there is no way of holding these agencies accountable for poor performances, while they are still receiving money from the State.

Proposed Solution: Create a 15-member Empire State Performance Commission, tasked with designing performance management, and performance budgeting blueprints and the Legislation for their implementation, which will strongly tie program funding to program performance.

- **Tax Expenditure Cost/Benefit Analysis (S.7347):**

Current Problem: There are currently a plethora of tax breaks which have “been on the books” for decades without being reviewed to see if they should still be in place.

Proposed Solution: Would require the Governor to include in the Annual Tax Expenditure Report a cost/benefit analysis of all of New York’s 380-plus tax breaks to ensure the State is receiving an adequate return on its investment when it foregoes tax revenues. The Governor must also provide an analysis on whether each tax expenditure has successfully served the public good as initially intended.

- **Tax Expenditure Sunsets:**

Current Problem: As mentioned above there are a large number of tax breaks still on the books, partially because these breaks were never given an expiration date nor are not forced to provide evidence that they are adequately serving a public purpose.

Proposed Solution: A sunset schedule for all tax expenditures, excluding those with pre-existing sunsets. The sunsets would force Legislators to assess the need for and value of New York’s plethora of tax expenditures which have increasingly become benefits for a select few who can claim them indefinitely. This bill will be introduced later in the year.

I am extremely pleased that Democratic Conference Majority Leader John Sampson has signed on as a supporter of this legislative package. With the backing of the Democratic Conference Majority Leader there is a substantially better chance that this Legislation will pass this year.

At some point in the near future we will pass a budget, but I know that we have more work to do to make sure that in the future, both the process and the result are better for the State of New York. I believe this package of reforms can give us the blueprint for better budgets.

See the Budget Reform Press Conference:

<http://www.youtube.com/user/NYSenate#p/u/7/YR2JQIHOEpl>

Listen to Liz discussing the budget in
“Beyond the Pale” Radio Interview:

<http://beyondthepale.org/episode/2010/04/04>

Community Spotlight

Senator Liz Krueger’s Senior Roundtable Series

Presents:

You and Your Money:

Financial Issues for Older Adults

A PROGRAM for BOOMERS & SENIORS

Part II: “Benefits & Entitlements”

Thursday, April 15, 2010

8:00AM-10:00AM

Lenox Hill Neighborhood House, 331 East 70th Street

**Presenters: Joint Public Affairs Committee for Older Adults (JPAC)
The Medicare Rights Center**

Whether you are planning for your retirement or already receiving senior benefits and entitlement, this will be an important conversation. For those of you who are not yet retired, you will learn what kind of government income and benefits you can look forward to receiving. And, for those of you who are already retired, you will be able to find out if you are receiving everything to which you are entitled.

Part III: "Managing Your Finances in the Second-Half of Life"

Thursday, May 6, 2010

8:00AM-10:00AM

Lenox Hill Neighborhood House, 331 East 70th Street

Presenter: NYS Office of the Comptroller

We often find life situations have changed when we reach our retirement years. Perhaps you have experienced the loss of a spouse, loss of a job, or physical challenges which prevent you from earning the income you have long been used to. What do you need to know? Where do you turn for help?

Continental Breakfast will be Served
PLEASE RSVP - SPACE IS LIMITED

To RSVP or for further information, please contact Melanie Dulfo, at
Melanie_dulfo@yahoo.com or at (212) 490-9535.

Safer Streets Workshops for the East Side:

Transportation Alternatives is conducting a survey regarding safety issues on New York City streets. The goal is of the survey is to collect data which will help identify changes to streets and traffic flow needed to reduce pedestrian and cyclist injuries, such as extended sidewalks at intersections, increased pedestrian crossing times and protected lanes for buses and bicycles. You can take the survey online at <http://www.surveymonkey.com/s/8C2XG2R>.

Find Health Insurance for Individuals and Small Businesses:

NYC Health Insurance Link offers an easy way to find health insurance resources for uninsured individuals and families, as well as sole proprietors and small businesses with between 5 and 20 employees. The site offers a way for you to compare different insurance options chosen based on your specific needs. For more information, visit Health Insurance Link at <https://a069-webapps7.nyc.gov/healthinslink/home.aspx>.

Help With Prescription Drug Costs:

The Together Rx Access Card is a pharmaceutical industry sponsored drug discount program that provides discounts of between 25 and 40 percent on brand-name prescription products. The program has recently increased its income eligibility limits to \$45,000 for single persons and \$60,000 for couples, with higher limits for larger families. For more

information or to apply for the card, call (800) 966-0407 or visit www.TogetherRxAccess.com.

The pharmaceutical industry also sponsors the Partnership for Prescription Assistance, which can identify patient assistance programs you and your family may be eligible for based on the medicines you take, your income, etc. Depending on circumstances, these programs will provide discounted or no-cost prescriptions. For more information, visit www.pparx.org or call (888) 4PPA-Now.

Assistance with Medicare Savings Program Applications:

If you are a senior and your income is below \$1,239/month and you are a single resident of a household (\$1,660 for a couple) you may be eligible for a Medicare Savings Program. These programs, administered by New York Medicaid offices, offer senior citizens with limited income and assets an affordable option for paying their Medicare Part A and B premiums, deductibles, and co-pays. Our office can assist you in filling out the application and answer any questions you may have about Medicare Savings Programs. Please feel free to call Zach Gamza in my office at (212) 490-9535 to arrange an appointment.

Free Tax Preparation Sites:

A number of organizations offer free assistance with tax preparation. I encourage you to take advantage of these services, which can save you money and ensure you avoid getting caught in "Refund Anticipation Loan" scams which many for-profit tax preparers engage in. Here are some sites in the 26th Senatorial District where you can get free assistance with your taxes:

- **58th Street Library**, 127 East 58th Street
Directions: 4,5 and 6 trains to Lexington Avenue-59th Street
Telephone: (212) 759-7358
Dates: February 2, 2010 - April 15, 2010
Site Hours: Tuesday: 1PM - 5PM; Saturday: 10:30AM - 2:30PM
Income Limits: No income restrictions; sponsored by AARP
Assistance available: This site prepares current-year tax returns and does electronic filing of returns only.
- **Baruch College**, 151 East 25th Street (between Lexington and Third), Library Building, 1st Floor
Directions: 6 train to 28th Street
Dates: February 4, 2010 - April 15, 2010; Closed on February 12
Site Hours: Tuesday - Thursday: 12PM - 8PM; Friday: 12PM - 7PM; Saturday: 10AM - 4PM

Languages: Spanish available on Saturdays

Income Limits: To qualify, clients must earn less than \$75,000 regardless of filing status.

- **Hunter College**, 695 Park Avenue (corner of Lexington Avenue)

Directions: 6 train to 68th Street

Telephone: (212) 772-4219

Dates: February 8, 2010 - April 14, 2010

Site Hours: Monday, Tuesday, Thursday: 6PM-9PM; Saturday: 11AM-2PM

Languages: Monday: Arabic, Bengali, Chinese, Hindi, Russian, Serbian, Tagalog; Tuesday: Chinese, Korean, Spanish, Tagalog; Thursday: Bengali, Chinese-Cantonese, Korean, Lithuanian, Russian, Tagalog; Saturday: Chinese-Cantonese, German, Korean, Tagalog

Income Limits: To qualify, clients with children must earn less than \$50,000 and clients without children must earn less than \$18,000.

- **Lenox Hill Neighborhood House**, 331 East 70th Street

Directions: 6 train to 68th Street

Telephone: (212) 744-5022 x1374

Dates: February 5, 2010 - April 15, 2010

Site Hours: Friday: 12:30PM - 3:30PM

Income Limits: No income restrictions; sponsored by AARP

Assistance available: This site prepares current-year tax returns and does electronic filing of returns only.

- **Stein Senior Center**, 340 East 24th Street

Directions: 6 train to 23rd Street

Telephone: (212) 585-6292

Dates: February 4, 2010 - April 15, 2010

Site Hours: Thursday: 9:30AM – 3PM

Income Limits: No income restrictions; sponsored by AARP.

Assistance available: This site prepares current-year tax returns and does electronic filing of returns only.

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 1 and May 31, 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.

Policy Spotlight

State Police Oversight

Recent stories regarding the possible misuse of State Police are not a new phenomenon – questions about the potential for abuse of the relationship between the State Police and the Governor were also raised during the Pataki and Spitzer administrations. To crack down on the dangerous misuse of the State Police force, I have joined with Assemblymember Hakeem Jeffries (D-Brooklyn) to unveil sweeping reforms (S.7104/A.TBD) to the process by which the Superintendent of the State Police is nominated, confirmed, and carries out the responsibilities of the office. The Legislation will require greater accountability, independence, and transparency in the operation of the State Police.

Recent scandals have exposed how political influence resulted in the unfortunate and dangerous abuse of the State Police force. Such meddling between politics and policing, undermines public confidence and disturbs the ability of the State Police to carry out its duties as the State's preeminent law enforcement unit.

These reforms will mandate the highest standard of accountability by the person serving as Superintendent, and ensure the integrity of the agency and its officers is not compromised by political interference. The plan:

- Limits the Superintendent to a single 7-year term, modeled after the Federal Bureau of Investigation, to prevent the Superintendent from

answering to the current-Governor solely, so to be able to instead focusing on the responsibilities of the Office to the public.

- Mandates a full record annually of all intra- and inter-governmental activities between the State Police and any governmental entity to ensure the agency has not acted in response to or for the sake of political motives, including information detailing any special requests from the Executive and the Legislature beyond traditional services provided by the State Police. The report requires certification and anything proven false subjects the Superintendent and/or Administrator of the State Police Executive Service Unit to sanctions and/or penalties.
- Requires, for the first time ever, the Superintendent to appear before biennial public hearings on the personnel and administrative needs and plans of the State Police, as well as annual State Budget hearings.
- Provides for the removal of a Superintendent only by the Legislature, following a majority vote in both houses.

Too often, Superintendents have confused their responsibility to the public with their desire to please a Governor. Unlike an agency or authority, who follows the direction of an Executive, the State Police must maintain a level of independence from the political needs of whoever occupies the Governor's Mansion, as well as accountability to the people of this State.

The reputation of those who commit themselves to the State Police should not suffer because of poor decisions made by Superintendents. This Legislation will help de-politicize the State Police and restore desperately needed accountability to the institution.

District Office: 211 East 43rd Street, Suite 401, New York NY 10017 (212) 490-9535 Fax: (212) 490-2151
Albany Office: Room 609, Legislative Office Bldg., Albany NY 12247 (518) 455-2297 Fax: (518) 426-6874
Email: liz@lizkrueger.com; On the Web at <http://www.lizkrueger.com>

If you are experiencing difficulty with the unsubscribe links below, you can simply send an e-mail with "unsubscribe" in the title line to liz@lizkrueger.com. Thank you.