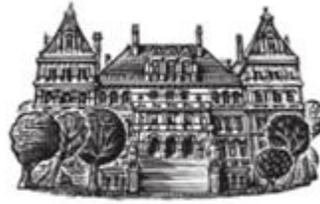


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New York State Senate | 28th District



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## Message from Liz...

This November, New Yorkers will be asked whether they support a constitutional amendment to establish a redistricting commission, which would be responsible for drawing new legislative district lines after the 2020 census. The process of drawing legislative district lines has been abused for partisan purposes in New York State for as long as anyone now living can remember. In recent decades, the Assembly Democratic majority and Senate Republican majority have each used the current system, which is controlled by the majority leaders of both houses, to custom-draw district lines to empower themselves. A few examples are:

- Drawing districts for partisan benefit by changing the maps solely on the basis of what makes them more or less competitive, without respect for natural boundaries, demographics, or common interests among communities;
- “Cracking” apart minority communities into different districts in an attempt to dilute minority voting power, or “packing” together disparate minority communities into one district to reduce the number of districts with significant minority voting communities;
- Deliberately targeting merging multiple incumbents’ districts together to cause chaos and spark bruising primaries, or conversely, maintaining district lines that otherwise don’t make sense just to help an incumbent stay in office; and
- Systematically creating larger-than-average districts in some parts of the state and smaller-than-average districts in others, to dilute some regions’ voting power (in the Senate, the New York City and Long Island districts have too many people while the upstate districts have too few).

The proposed constitutional amendment purports to fix this by establishing a commission to draw the lines. Some (perhaps too much!) description and detail on the proposed commission’s composition and functions will follow below, but the bottom line is that despite my support for a range of redistricting reform proposals, **I felt compelled to vote against this amendment when it came before the Senate for approval because I believe that it is fatally flawed, and would not create a truly independent mechanism for drawing legislative districts.**

Whether the voters will agree with me may well depend on how the proposal is described on the ballot.

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Last year, when voters were called upon to decide whether they wanted to approve a constitutional amendment allowing up to seven new casinos in New York State, the proposal was written as follows:

*The proposed amendment to section 9 of article 1 of the Constitution would allow the Legislature to authorize up to seven casinos in New York State for the legislated purposes of promoting job growth, increasing aid to schools, and permitting local governments to lower property taxes through revenues generated. Shall the amendment be approved?*

I and many other opponents of the measure felt this language was extremely misleading, as it talked more about the alleged benefits – job growth, school aid, lower property taxes – than it did about casinos and gambling. The language seemed more like an advertisement for the proposal than a neutrally-worded description.

Because of last year's experience, a coalition of good government groups wrote to the State Board of Elections to urge that they stick to descriptive language for the redistricting commission proposal. In their letter (available at <http://goo.gl/Z7xe3t>), the coalition proposed the following:

*The proposed amendment to Article 3 of the Constitution would allow New York State's legislative leaders to appoint a bipartisan commission to establish new state legislative and congressional district lines every ten years pursuant to stated criteria with final approval by the Legislature. Shall the amendment be approved?*

This strikes me as a reasonably neutral description of the proposal, and it accurately reports what I consider the biggest weakness of the constitutional amendment. Under the terms of the amendment, the legislature still has the ability to reject lines proposed by the commission, and if they reject them twice, legislative leaders will be able approve their own set of lines, just as they do now.

Recently, the Board of Elections announced its own language for the constitutional amendment ballot proposal on redistricting. This language is much longer, and in my view it takes some steps that seem to have the intent and the effect of muddying the waters on the proposal's biggest weaknesses: the commission's lack of true independence and the legislature's ultimate ability to redraw the lines.

The Board's language is as follows:

*The proposed amendment to sections 4 and 5 and addition of new section 5-b to Article 3 of the State Constitution revises the redistricting procedure for state legislative and congressional districts. The proposed amendment establishes an independent redistricting commission every 10 years beginning in 2020, with two members appointed by each of the four legislative leaders and two members selected by the eight legislative appointees; prohibits legislators and other elected officials from serving as commissioners; establishes principles to be used in creating districts; requires the commission to hold public hearings on proposed redistricting plans; subjects the*

*commission's redistricting plan to legislative enactment; provides that the legislature may only amend the redistricting plan according to the established principles if the commission's plan is rejected twice by the legislature; provides for expedited court review of a challenged redistricting plan; and provides for funding and bipartisan staff to work for the commission. Shall the proposed amendment be approved?*

**Two comments:**

First, **it is inaccurate to call this commission “independent,”** dominated as it is by appointees from the very elected officials who are most interested in and affected by its work product. Moreover, the plans the commission would produce are subject to legislative approval! On both these points, the commission fails any fair test of true independence.

Second, this language includes dramatically more text and details than are necessary, which may cause voters to glaze over and skip reading it. But – crucially – the language **does not** include the bizarre and inconsistent voting rules that would govern how the legislature would adopt the lines. Under these rules, it requires far fewer votes in the legislature to pass a redistricting plan if the Senate and Assembly are governed by different parties, but many more votes if the two houses are governed by leaders from the same political party. **In my opinion these rules are calibrated to specifically provide Senate Republicans with maximum leverage to protect themselves in the redistricting process, whether they are in the majority or the minority by 2020.**

While these are hardly my only problems with the proposed redistricting commission, they are most serious ones. and voters deserve to know what they are voting on. Amending the state constitution is a complex process, and if we enshrine this flawed commission in our highest law, it will be even less likely that New York will ever see the adoption of a truly independent and nonpartisan redistricting system.

## COMMUNITY SPOTLIGHT

### **Upcoming Event: Everything You Want To Know About Rental Housing in NYC:**

Next month, on Thursday, September 18th, my office will host a forum on rental housing in New York City. Expert speakers will talk about tenants' rights, important issues in housing policy, and the upcoming expiration and renewal of New York's rent regulation laws. The program will run from **6:30 p.m. – 8:30 p.m.**, and will be hosted at **Lighthouse Guild International**, 111 East 59th Street between Park and Lexington Avenues.

### **Free Senior Citizen Rent Increase Exemption (SCRIE) Enrollment Help:**

A recent change in the SCRIE (Senior Citizen Rent Increase Exemption) program will help many additional seniors living in rent-stabilized buildings to remain in their homes, by having their rent frozen. The City Council and State Legislature have increased the income qualification threshold from \$29,000 to \$50,000, so many seniors whose incomes were previously too high are now eligible!

The Metropolitan Council on Jewish Poverty is holding its first ever "SCRIE Enroll-A-Thons," and two of these will be in our Senate District. **From 11 AM to 1 PM**, you can get help from experts enrolling in the SCRIE program on these dates at the following locations:

- Tuesday, August 12 @ Met Council's Harry & Jeanette Weinberg Senior Residence at 171 Lexington Ave
- Monday August 18 @ Met Council's Linda & Jerome Spitzer Residence at 351 E. 61st St.

To RSVP or for more information, contact Rena Resnick from the Met Council at [resnick@metcouncil.org](mailto:resnick@metcouncil.org) or by phone at [212-453-9623](tel:212-453-9623).

### **Free Legal Video Resources for Consumer Debt Suits:**

Fordham Law School's Feerick Center for Social Justice and the New Media Advocacy Project in conjunction with MFY Legal Services, Inc. and Pro Bono Net recently launched a series of new and innovative animated videos about navigating consumer debt cases available at [www.clarovideo.org](http://www.clarovideo.org).

New York City courts face a debt collection crisis. In 2008, at the height of the recession, filings for consumer debt lawsuits peaked at over 300,000. That's almost a third of a million cases in just one city! The volume has reduced as the economy has recovered but figures still remain staggering – almost 100,000 cases were filed last year.

The majority of the consumers who are sued are minorities or senior citizens and many are poor. Most cannot afford to hire a lawyer: in 2011, less than two percent of consumer debt defendants obtained legal counsel. This means that they almost invariably enter the legal system woefully uninformed. The result of this information gap is a system plagued with due process problems. The biggest problem by far is default judgments, which means that the plaintiff wins automatically because the defendant does not come to court to defend their case. In 2008, the default rate reached a mind-boggling 90% in the Bronx; now the

default rate across all boroughs dropped to approximately 50.6% – still unacceptably high. Much of this is the result of fraudulent service on the part of the plaintiffs, who notify the court of the lawsuit, but do not notify the defendant – banking on a default judgment.

Many people only find out they have been sued when wages are automatically taken out of their already-small paychecks, often pushing them closer to the edge of extreme poverty. The animated, modular videos not only offer legal empowerment to citizens, but also create a two-way flow of information between lawyers and the public.

**Find Jobs in Afterschool and Youth Programs:**

Are you planning a career in afterschool or youth programs? Maybe you're currently looking for a summer or part time job? Afterschool Pathfinder ([www.afterschoolpathfinder.org](http://www.afterschoolpathfinder.org)) is a free website operated by the New York State Afterschool Network (NYSAN) that connects job seekers with employment opportunities in afterschool, expanded learning time, and youth programs in New York City.

Whether you are planning a career in afterschool or out-of-school time programs, or just looking for temporary work, Pathfinder is a great resource to connect with employers and find job opportunities. To begin searching for jobs in the afterschool, expanded learning time, and youth programs field, visit [afterschoolpathfinder.org](http://afterschoolpathfinder.org).

**Free Summer and School Meals for Kids:**

The Summer Meals Program is a completely free program run at hundreds of sites in all five boroughs, operating every weekday from June 27th through August 29th. The provides a nutritious breakfast and lunch to every child and teen age 18 and under - no paperwork or registration required - kids simply show up and receive a healthy meal. Locations are spread throughout city in community centers, libraries, parks, pools, and many public schools. For more call 311, text "NYCMeals" to 877-877, or visit the site locator at [www.schoolfoodnyc.org](http://www.schoolfoodnyc.org) to find the breakfast or lunch sites in your community.

Starting in the fall, the Department of Education's Office of School Food offers healthy meals every school day. Breakfast is at no charge to all students and lunch is free to eligible students and costs \$1.75 for everyone else. To determine if you qualify for free meals before the start of school on September 4, 2014, complete a School Meals Application online this summer at <https://www.applyforlunch.com/Home/PickDistrict>. By applying online, you will avoid the hassle of submitting a paper form in September. Please keep in mind that families are responsible for the full price of lunch while the lunch application is being processed.

Applications submitted online are processed within 24 hours of receipt and you will receive immediate confirmation that your application was submitted. All information provided on your application will be kept confidential. Federal regulations do not allow the Department of Education to share your information with any other agency. If you have any questions, please contact the Office of School Food at [\(877\) 363-6325](tel:8773636325).

**August is National Immunization Awareness Month:**

To celebrate the importance of immunizations for a healthy start and throughout our lives, and to make sure young children, school-age children, young adults and adults are

protected with all the vaccines they need, each August the Center for Disease Control (CDC) recognizes National Immunization Awareness Month. Immunizations give parents the safe, proven power to protect their children from 14 serious and sometimes deadly diseases before they turn 2 years old. Today's childhood vaccines protect against serious and potentially life-threatening diseases, including polio, measles, whooping cough and chickenpox. When children are not vaccinated, they are at increased risk and can spread diseases to others in their family and community – including babies who are too young to be fully vaccinated, and people whose immune systems have been weakened due to cancer and other health conditions.

School-age children also need vaccines. For example, children who are 4 to 6 years old are due for boosters of four vaccines: DTaP (diphtheria, tetanus and pertussis), chickenpox, MMR (measles, mumps and rubella) and polio. Older children, like preteens and teens, need Tdap (tetanus, diphtheria and pertussis), MenACWY (meningococcal conjugate vaccine) and HPV (human papillomavirus) vaccines when they are 11 to 12. In addition, yearly flu vaccines are recommended for all children 6 months and older. Even healthy young adults need protection against vaccine-preventable diseases like flu, whooping cough, tetanus and HPV.

You never outgrow the need for immunizations. Adults need to be protected against diseases like flu, whooping cough, tetanus, shingles, and pneumococcal disease. Each year thousands of adults in the United States suffer serious health problems, are hospitalized, or even die from diseases that could have been prevented by vaccination. The specific vaccines that are needed are determined by factors such as age, lifestyle, risk conditions, locations of travel, and previous vaccines. Parents, young adults and adults should talk to their health care providers about which vaccines are right for them.

For more information, visit the CDC website: <http://www.cdc.gov/vaccines>

### **Metrocard Bus and Van Schedule:**

The MTA offers MetroCard-related services throughout New York City through mobile buses and vans. Buses provide a full range of services, including applying for or refilling a Reduced-Fare MetroCard, buying or refilling a regular MetroCard, or getting answers to a MetroCard-related question. Vans sell Unlimited Ride MetroCards and Pay-Per-Ride MetroCards, and they refill MetroCards and Reduced-Fare MetroCards.

Buses and vans will be in my district on the following dates and locations:

- August 12, 9 am -10:30 am, 92 Street & Lexington Avenue – Bus
- August 12, 11:00 am - 12:30 pm., 86 Street & Lexington Avenue – Bus
- August 12, 1:30 - 2:30 pm, 68 Street & Lexington Avenue – Bus
- August 20, 9 - 10:30 am, 79 Street & 3 Avenue – Bus
- August 20, 11 am - 1 pm, 79 Street & York Avenue – Bus
- August 20, 1:30 - 2:30 pm, 72 Street & York Avenue – Bus
- August 21, 8:30 - 10:30 am, 47 Street & 2 Avenue – Van
- August 21, 1:30 - 3:30 pm, 28 Street & 2 Avenue – Van
- August 26, 9am - 10:30 am, 92 Street & Lexington Avenue – Bus
- August 26, 11:00 am - 12:30 pm., 86 Street & Lexington Avenue – Bus

- August 26 1:30 - 2:30 pm, 68 Street & Lexington Avenue – Bus
- September 3, 9 - 10:30 am, 79 Street & 3 Avenue – Bus
- September 3, 11 am - 1 pm, 79 Street & York Avenue – Bus
- September 3, 1:30 - 2:30 pm, 72 Street & York Avenue – Bus
- September 5, 9 - 10 am, 57 Street and 1 Avenue – Van
- September 5, 10:30 - 11:30 am, 57 Street and 3 Avenue – Van
- September 5, 12:30 - 2:30 pm, 68 Street and 1 Avenue – Van

The full mobile Metrocard schedule is available at <http://mta.info/metrocard/mms.htm>.  
Please note that metrocard buses and vans do not take credit cards.

## **POLICY SPOTLIGHT**

### **Senior Services Planning**

One issue our state seems to be avoiding is the increasing need for services and support for our growing senior population. At this point, there is no real blueprint for how to service the current population, nor the growing demographic of boomers and the young old, at either the city, state or federal level. As of 2013, there were approximately 998,000 seniors living in New York City with its projected growth by 35% to 1.3 million in 2030. Given these numbers, state policy makers need to be planning now to meet the needs of this growing population.

Currently there are approximately 7,000 elderly people statewide on waiting lists for case management, meals on wheels and other services because state funding for these services hasn't been increased in over a decade. Additionally, the NYC Department for the Aging suffered \$55 million in cuts over the past seven years. As of 2011, there were over 2,000 seniors sleeping in the shelter system, and this number has only grown since then.

Longevity has affected every aspect of our society. Not only are people living longer, they are staying healthier longer. As they reach what was once the retirement age of 65, more and more New Yorkers want to remain in the workforce. The dilemma here is that our employers have by and large turned 'their backs on this cohort. "How," these robust and healthy boomers ask, "can we be prepared to take care of ourselves in our old age if we can't keep employed?" So many of New York State's aging boomers face significant barriers to employment, including age discrimination. New York needs to develop an employment policy aimed at addressing the needs of older New Yorkers. These "young-old" face very different problems from seniors who are facing more serious health and mobility issues.

For this latter population, a primary issue is maintaining a safe living environment. The majority of older New Yorkers have expressed the desire to age in their own homes; but without adequate support services, that will not be an option for many. These issues are not only senior issues, but rather community issues that need to be addressed if New York City is to become a truly age-friendly city. Keeping seniors in the community is about more than just providing services in their homes – it also involves providing safe and accessible streets and transportation along with adequate community-based services such as senior centers that will enable them to remain full participants in their neighborhoods. Additionally, and of equal importance, we live in a country and state that have no adequate long-term care system in place. More and more of our elderly citizens end up on Medicaid once they deplete their personal savings.

There are no easy solutions to these issues, but we need to recognize that we are already falling behind in meeting the needs of seniors, and that these problems will only get worse as the baby boomer generation continues to age. The legislature passes many "senior" bills to address specific issues, and some of them are very significant, such as the recent income eligibility increase for the Senior Citizen Rent Increase Exemption (SCRIE) program. But what we have not done is comprehensive planning to identify and address the broader

needs of this growing population. As a state, we need to recognize that this will require new resources, but more than that, it will require comprehensive planning to identify and address the needs of an increasingly diverse senior population, and the effects they will have on society as a whole.