



NYSAAAA Member UPDATE #2002-08

~ March 6, 2002 ~

State

Legislature Releases Redistricting Proposal

On February 14, the Assembly Democrats and Senate Republicans unveiled a plan to redraw legislative district lines to bring the district boundaries in line with 2000 census data. The US Constitution requires that congressional and state legislative district boundaries be redrawn every ten years, reflecting population shifts detected by the Federal census. This process, referred to as “redistricting”, is undertaken by the state Legislature, followed by Public Hearings, before final approval by the Legislature and Governor Pataki. In addition, three counties of New York City (Bronx, Kings and New York) require that the U.S. Justice Department’s Civil Rights Division or the U.S. District Court for the District of Columbia review and approve the plan for compliance with the federal Voting Rights Act.

Minority parties in both houses as well as government reform groups charge that the reapportionment plan stacks districts so that one major party or the other has a lock on most of the 211 seats in the state Legislature. For example, Republicans redrew Sen. Guy Velella’s district in the northern Bronx to include more white neighborhoods in Westchester County, in an effort to salvage his chances in a part of the state that has become more and more Hispanic and black.

Under the plan released by the Legislative Task Force on Demographic Research and Reapportionment:

- New York City would gain four Assembly Seats at the expense of the rest of the state.
- The Senate would expand to 62 members, adding a new seat in southern Brooklyn.

Shifts in Seats

By **expanding the Senate to 62 seats**, the majority party avoided losing Senate seats outside the city, which would have been inevitable given the shift in population toward the city and its suburbs as reflected in the 2000 census. The census found:

- New York State had gained 5% in total population
- New York City grew by 9% and its suburbs by 4%
- Upstate grew only 1%.

Assembly Democrats used that trend to justify **shifting four seats to the city**, taking one from western New York, one from the Finger Lakes region, one from the Adirondacks and one from eastern Long Island.

Rural, suburban and New York City

The state Constitution requires 150 Assembly districts and contains a formula for the determination of the number of Senate districts. All districts must contain essentially the same number of people to preserve the principle of one person, one vote. Many critics charge that the Legislative Task Force used the “5% above or below the ideal population size” loophole to structure redistricting to the greater advantage of the incumbent party. In general, the Assembly kept the population in city districts at the lower end of the range and made sure that upstate districts ended up at the upper end, the aim being to place as many seats in the city as possible, while the Republicans did the opposite. Their traditional rural and suburban strongholds upstate are mostly on the low end of the population scale, while the city’s Democratic districts are at maximum capacity.

Congressional Reapportionment

Congressional reapportionment is still ongoing. The 435 seats in Congress must be allocated to reflect a state’s proportion of the national population. Unfortunately, the Census Bureau reports that New York’s population grew 7.7% less than the rest of the nation. As a result, the state will lose two seats in Congress.

Proposed District Maps

We have attached maps detailing both current and proposed state legislative districts. For more information, please visit the website of the New York State Legislative Task Force on Demographic Research and Reapportionment at www.latfor.state.ny.us.

New York State to Receive Additional Federal Medicaid Dollars

On February 27, Governor Pataki announced that the U.S. Department of Health and Human Services had approved several amendments to New York’s state Medicaid plan that will allow for the generation of up to \$508 million in new Medicare funds. These supplemental funds will support the State's newly enacted Health Care Workforce Recruitment and Retention Act and provide financial support to public hospitals in New York City and other local governments across the State.

The \$508 million in new Federal payments includes a net local benefit of \$96 million, \$162 million to support health workforce recruitment and retention initiatives and the remaining balance to support other critical health priorities. The approvals by the Federal government are administrative actions that do not require Congressional action.

For more information, visit: www.state.ny.us , go to right column on home page and select "Governor's Press Releases," then go to February 27, 2002 press release "State Secures \$508 million in additional Medicaid Funds."

Governor Appoints Judith A. Calogero as Housing Commissioner

Governor George E. Pataki announced on February 28 the appointment of Judith A. Calogero as Commissioner of the New York State Division of Housing and Community Renewal (DHCR). DHCR serves as the State's lead housing agency responsible for managing, regulating, and assisting in the development of affordable housing for low- and moderate income people.

Calogero, who will replace former Commissioner Joseph Lynch, is a housing professional with more than 22 years of experience. She has served as Deputy Commissioner of DHCR's Office of Community Development since her appointment by the Governor in 1995. She will become only the third woman to serve as Commissioner over DHCR's 60 year history.

Commissioner Calogero said, "I am deeply honored and humbled by the Governor's appointment to this important post. Under Governor Pataki's leadership, since 1995 nearly \$6 billion has been invested in affordable housing in the State of New York, providing more than 125,000 housing opportunities for low- and moderate-income families, seniors and the disabled. I look forward to working with the Governor to build upon this tremendous record of success."

For more information, visit: www.state.ny.us and select "Governor's Press Releases," then go to February 28, 2002 press release "Governor Appoints Judith A. Calogero as Housing Commissioner."

NYSAC Releases "State of the Counties" Budget Survey

Last month, in conjunction with its Legislative Conference, the New York State Association of Counties released a survey of 2002 County budgets. This survey, designed and compiled by NYSAC, was sent to the chief fiscal officer in each county. The following are some of the highlights:

- 86% of counties reported that their financial condition has worsened over the past year, with 16% indicating that their financial condition has significantly deteriorated.
- 84% of counties had to appropriate available reserve funds to balance or reduce real property tax increases in their 2002 budgets. On average, counties used 38% of their available reserves in 2002.
- On average, counties budgeted a 12% growth in the Medicaid local share, driven by several components including the new costs associated with the Family Health Plus program and sharp increases in prescription drug and nursing home costs. 62% of counties report that actual 2001 local Medicaid costs exceeded budget estimates.
- Every county reported that over the past 12 months, Medicaid caseloads have increased by an average of 7% and that in 2002 counties are budgeting an average 10% caseload increase.
- Statewide, 33 counties, including the City of New York, have securitized all or a portion of their proceeds from the National Tobacco master Settlement Agreement. These bond proceeds

have been committed to the defeasance of existing debt or the financing of new capital projects. This represents approximately 40% of the MSA revenue available to New York State.

- Counties are uncertain about the availability of federal and state aid due to chronically late state budgets. For example, 51% of counties have budgeted state operation and maintenance aid from the Consolidated Highway Improvement Program, which was eliminated in last year’s “baseline budget” and not included in SFY 2002-2003 executive budget proposal.
- Given the fiscal circumstances faced by counties, 79% of counties have indicated that they are pessimistic about their county’s financial health over the next five years, with 60% indicating that they are unable to undertake additional responsibilities or cost shifts from the state or federal government.

For more information, please visit: www.nysac.org/nysac/lac/nysacreports.html

Assembly Ways and Means Releases Economic Report

The Assembly has released it’s own economic forecast for New York State. Here is a chart from the report comparing the Assembly’s economic growth predictions against other previously published reports.

Table 7

NEW YORK STATE FORECAST COMPARISONS (Percentage Growth Rates)			
	Preliminary	Forecast	Forecast
	2001	2002	2003
Employment			
Ways and Means	(0.1)	(0.7)	1.8
Division of the Budget	0.1	(1.2)	0.9
DRI-WEFA	0.7	(0.6)	1.0
Economy.com	0.7	(1.1)	1.5
Wages			
Ways and Means	3.9	0.7	5.6
Division of the Budget	3.6	(1.5)	4.4
DRI-WEFA	7.6	4.3	4.5
Economy.com	5.3	1.2	5.0

Source: NYS Assembly Ways and Means Committee staff; DRI-WEFA, February 2002; Division of the Budget, Executive Budget 2002-03, January 2002; Economy.com, Regional Financial Review and unpublished data, February 2002.

The entire report can be viewed at: <http://assembly.state.ny.us/comm/WAM/2002EcRep/>

Federal Funding for Prescription Drugs: Impact on EPIC

On Friday, March 1, 2001 the Centers for Medicare and Medicaid Services (CMS) issued for public comment a proposed regulation that will establish a program to help people who are covered by Medicare buy their prescription drugs at lower costs. This proposed program includes:

- A new Medicaid “model waiver” program, Pharmacy Plus, which will help states use their Medicaid programs to provide prescription drug coverage,
- The Medicare Low-Income Drug Assistance proposal, that will help to quickly phase in comprehensive drug coverage for Medicare beneficiaries up to 150% of poverty level, and
- A proposed Medicare Rx Drug Card that will give seniors access to drug discounts from manufacturers using the best features of private drug benefits.

In advance of this announcement, Governor Pataki published in his 30-day amendments release, an amendment to the Health Care Reform Act (S.6261, Article VII bill) which would:

- Allow less than the specified amounts to be transferred from the Tobacco Pool to the EPIC Premium Account, in the event that federal funds are made available for the same purpose.
- Allow funds to be returned to the Tobacco Pool from the EPIC Premium Account in the event that funds in that account are in excess of the amount needed to fund the EPIC program.

Elsewhere in this amendment to the HealthCare Reform Act, the Governor directs “for the purposes of funding the state share of services and expenses related to the Family Health Plus program” funding should be deposited from the Tobacco Control and Insurance Initiatives Pool.

To view the text of the amendments, visit: www.state.ny.us. Go to Department of the Budget, then view 30 day amendments.

NYSAAAA Upcoming Events

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| Friday, March 15 th | Caregiver Assistance Videoconference (various locations) |
| Tuesday, April 9 th | Association Meeting and Forum with NYSOFA Management Team
Location: Cayuga County Soil & Conservation Building, Auburn, NY |
| June 4-5, 2002 | 7 th Annual “Aging Concerns Unite Us” Conference at the
Location: Holiday Inn in Syracuse (Exit 37 of the NYS Thruway) |
| Leadership Institute | Will be scheduled for the Fall of 2002. Board of Directors is currently
Selecting the location and dates for this event. |