

Week of February 29 in Review
Legislature Returns from Break as April 1 Budget Deadline Appears in Sight

The Legislature returned from its weeklong midwinter break with the April 1 deadline for a state budget on the horizon, ushering in a month that will be filled with frenzied activity and lots of twists and turns as the Governor and Legislature attempt to pass New York's seventh on time budget. Meanwhile, the Governor held a public cabinet meeting in Albany this week, which we recap below along with other pertinent developments.

2017-18 STATE BUDGET UPDATE AS GOVERNOR CALLS EXTENSION OF MILLIONAIRES TAX "SEMINAL" BUDGET ISSUE

With the joint legislative budget hearings in the rear-view mirror, the budget process moved onto the next phase – a three-way agreement on expected revenue for the coming fiscal year. While the Assembly revenue forecast projects there is an additional \$1.029 billion in revenue above the Governor's estimates for upcoming fiscal year and additional \$355 million the current fiscal year, the Senate's revenue forecast projects \$354 million in additional revenue above the Governor's estimates for 2017-18 and \$158 million more from the current fiscal year. The Economic and Revenue Consensus Forecasting Conference was held this week with the Governor's Budget Division and Legislature, concluding there is an additional \$200 million in revenue above the original estimates. As part of the consensus forecasting conference, all recognized the risks that lie ahead for the State, including impact of federal tax policy, recovery of Wall Street bonuses and potential interest rate increases.

Next stop on the road to a state budget: the Senate and Assembly will release their one house budget proposals (rumors about the specific date of such release are between March 8th -10th). The releases will be followed by the establishment of joint budget conference committees to hammer out the differences and come to agreement on funding allocations.

In a brief question and answer period with the Capitol press corps, the Governor said he views the extension of the millionaires tax as the seminal budget issue, which is facing resistance from Senate Republicans. The Governor maintained that an expiration of the tax on individuals making more than \$1 million a year or couples making more than \$2 million would create a \$3.5 billion hole in the budget. On the other hand, the Assembly Majority released a plan to extend and expand the millionaires tax, setting up what are likely to be spirited and tough discussions as negotiations get under way.

GOVERNOR'S CABINET MEETING

The Governor held a rare public cabinet meeting in Albany this week during which three pertinent announcements were made:

- **Raising the Age of Consent to Marry:** Governor is joining the push to pass legislation that will raise the age of consent for marriage in New York to eighteen years of age. Under the Governor's proposal, individuals under the age of seventeen could not marry even with parental consent, while individuals between the ages of seventeen and eighteen would require written parental permission and judicial review. As part of the judicial review, the judge would assure that neither party seeking to be married has a history of domestic violence, orders of protection or is a registered sex offender. Currently, an individual as young as fourteen can marry in New York with more than 3,800 minors married between 2000 and 2010, according to statistics the Governor's office cited.
- **\$268 Million Investment in Plan to Provide Broadband Access to All New Yorkers by the End of 2018:** As part of his multi-year plan to ensure all residents have access to high-speed broadband by the end of next year, the Governor announced Round II will award \$268 million, leveraging \$56 million in private investment, to support 54 projects that will bring access to nearly 90,000 homes in communities across the State. The list of Phase II award recipients can be found at: <https://nysbroadband.ny.gov/new-ny-broadband-program/phase-2-awards>
- **Special Election for Vacant Senate & Assembly Seats:** The Governor will be issuing a proclamation calling for a special election to be held on Tuesday, May 23, 2017, to fill the Senate seat formerly held by Bill Perkins, who was elected to the New York City Council, and Assembly seat formerly held by Joseph Saladino, who was appointed Mayor of Oyster Bay last month by the Oyster Bay Town Board.

RAISE THE AGE CONTINUES TO RECEIVE ATTENTION

The push to raise the age of criminal responsibility continues to receive a lot of attention in Albany and back in the districts of legislators, a plan which the Governor included in his Executive budget proposal for 2017-18 (as we previously reported).

NASW-NYS Executive Director, Ron Bunce, participated in the RTA Campaign Provider Advocacy Day on March 1st and next week (March 7th), NASW-NYC Executive Director and Joseph Barker, Program Director, will join hundreds of advocates from across the state at the capitol to call for passage of a comprehensive Raise the Age initiative.

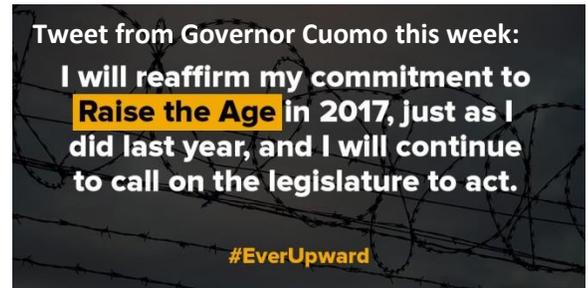
In addition, members of the Senate Independent Democratic Conference held a round table discussion on the issue, which included New York's former chief judge Jonathan Lippman who has long pushed for comprehensive juvenile justice reform. Among the discussions at the roundtable: Adolescent Diversion Programs, special parts of adult criminal courts (not Family Court), which have been established on a demonstration basis in a handful of areas around the State.

Advocates and stakeholders continue to push for a plan and funding to be adopted as part of the 2017-18 state budget. Governor Cuomo and CNN political contributor Van Jones co-authored a column for *USA Today* on Friday, March 3, 2017, making the case for raising the age as part of comprehensive juvenile justice reform, stating in part:

“Some problems have no clear or proven solution. This one does. Recognize the distinction between youths and adults, and ensure that 16- and 17-year-olds who commit less serious crimes receive necessary intervention and treatment. Today, we can do more than reflect, we can take action to once and for all reform New York's juvenile criminal law and conform to a logical, humane, cost-efficient standard. The other 48 states can't all be wrong.”

UPDATE ON LEGISLATION

- **Conversion Therapy - A.3977 (Glick)/S.263 (Hoylman)** – The bill to prohibit mental health professionals from engaging in efforts to change a minor's sexual orientation advanced from the Assembly Higher Education Committee to the Assembly Codes Committee, which will consider the bill next week. If it follows the trajectory it has in the past few years, it will be reported from the Assembly Codes Committee to the Assembly floor. The New York Society for Clinical Social Workers, NASW-NYS and NYC, in partnership with New York State Psychiatric Association and the New York State Psychological Association are leading efforts to advance this bill.
- **Racial Equity - A.5851 (Sepulveda)** – NASW-NYC and NYS have been working throughout the fall to advance the notion of a Legislative Committee on Racial Equity. We are happy to announce its introduction this week into the Assembly. The bill seeks to establish a legislative committee on racial equity in the Assembly, which would be tasked with preparing a racial equity impact statement on all legislation reported favorably to the Assembly as a mechanism for assuring legislative proposals do not have unintended or disproportionate adverse consequences on minority groups. The committee would consist of the Assembly Majority Leader, Assembly Minority Leader, and ten members appointed by the Speaker, while also providing an opportunity for input from the public and outlines resources the committee would use to prepare racial equity impact statements. The bill has been referred to the Assembly Governmental Operations Committee. Discussions with the Senate regarding a “same as” companion bill in the upper house have begun. Stay tuned for details on this initiative, as the Chapters will be mobilizing members in the coming weeks of session.
- **Recovery Advocates call for Tax on Prescription Opioids:** Addiction recovery advocates from Friends of Recovery New York were in Albany this week advocating for a proposal to tax prescription opioids, which would place a one-cent-per milligram tax on every active opioid ingredients in medications prescribed in New York State. The group likened the proposed tax to the one placed on tobacco products which are used in part to help fund smoking cessation and other health care programs. (Links to articles enclosed)



OTHER AGENCY NEWS

- **Office of Alcoholism and Substance Abuse Services (OASAS) Announces:** OASAS announced \$250,000 in funding to assist 500 peer advocates with the costs associated with becoming a certified peer advocate as well as renewing the certification. The funding will be distributed via an application process that will be overseen by the OASAS-approved Certified Peer Advocate Certification Boards. (Link to press release enclosed)
- **Department of Financial Services (DFS):** DFS announced a \$1 million fine against Oxford Health Plans (NY) Inc. and Oxford Health Insurance, Inc. for improperly paying an unlicensed producer, failing to respond to consumer complaints within the timeframes required by law and failing to send initial adverse determination notices. (Link to press release enclosed)

Press Clips

Raise the Age News Clips

“Van Jones, Andrew Cuomo: Reform needed for justice system that's failing most vulnerable,” *USA Today*, March 2, 2017
<http://www.usatoday.com/story/opinion/policing/spotlight/2017/03/02/reform-needed-justice-system-s-failing-most-vulnerable-column/98603014/>

“OUR VIEW: Juvenile justice reform carries hidden costs,” *Lockport Union-Sun & Journal*, March 2, 2017
http://www.lockportjournal.com/opinion/our-view-juvenile-justice-reform-carries-hidden-costs/article_3ee28775-bcf8-57a1-a382-063531012822.html

“Editorial: Jail is not for kids: raise the age for crime responsibility,” *New York Daily News*, March 1, 2017
<http://www.nydailynews.com/opinion/jail-not-kids-raise-age-crime-responsibility-article-1.2986355>

Pharmacy-Related News

“Friends of Recovery NY: impose opioid fee on pharmaceutical companies,” *WKBW (ABC News, Buffalo)*, March 1, 2017,
<http://www.wkbw.com/news/friends-of-recovery-ny-impose-opioid-fee-on-pharmaceutical-companies>

“Addiction recovery advocates propose tax on prescription painkillers,” *Times Union*, February 28, 2017
<http://blog.timesunion.com/capitol/archives/272618/addiction-recovery-advocates-propose-tax-on-prescription-painkillers/>

Agency Press Releases/News

“Press Release: OASAS Announces \$250,000 in Funding to Support New York Certified Recovery Peer Advocates,” *OASAS*, March 2, 2017
<https://oasas.ny.gov/pio/press/CertifiedPeerAdvocates030117.cfm>

“Press Release: DFS Fines Oxford Health \$1 Million for New York Insurance Law Violations,” *DFS*, March 1, 2017
<http://www.dfs.ny.gov/about/press/pr1703011.htm>