

News... *from the New York*

*State Assembly
Task Force on
People with
Disabilities*



Michael J. Cusick, Chair ■ Sheldon Silver, Speaker

A Message from the Chair...

December 2010

Dear Friend,

First and foremost, please let me tell you how honored I am to have recently been appointed as the new Chair of the Assembly Task Force on People with Disabilities. As my local constituents have long been aware, advocating for people with disabilities is a top priority of mine.

I chair the Handicapped Parking Task Force on Staten Island, which works with community groups to address the parking concerns of people with disabilities. And because I truly believe that preventing discrimination begins by educating our children, I have long sponsored an elementary school poster contest, which was more recently incorporated into our annual Legislative Disabilities Awareness Day. So I truly appreciate the opportunity to expand this commitment statewide.

In the short time that I have been Chair of the Task Force, there has been unprecedented activity on many of the pieces of legislation that the Task Force supports. The Assembly passed an 18-bill package on the Assembly's Legislative Disabilities Awareness Day held on May 17, 2010. Since that time, 11 of those bills passed the Senate. Of the 11 measures that passed both houses of the Legislature, seven have been signed into law and four have been vetoed. Obviously we are thrilled that seven of these very important bills have been signed into law. Pages two and three have additional information on our entire Disabilities Awareness Day legislative package.

However, we are dismayed by the four vetoes and are therefore reviewing all of the messages which accompany the vetoes to determine our strategy for these important bills as we move toward a new legislative session – and a new gubernatorial administration. We would appreciate all of your continued support, comments and feedback as well, so please feel free to contact my Task Force office at 518-455-4592 with any thoughts, comments, questions or concerns.

Sincerely,

Michael J. Cusick, Chair
New York State Assembly
Task Force on People with Disabilities



**Michael
Cusick**
Chairperson

*NYS Assembly
Task Force on
People with
Disabilities*

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Legislative Disabilities Awareness Day

The New York State Assembly Task Force on People with Disabilities and the Committee on Mental Health, Mental Retardation and Developmental Disabilities hosted the annual Legislative Disabilities Awareness Day (LDAD) on May 17, 2010 in Albany. The event was sponsored by Speaker Sheldon Silver, Minority Leader Brian M. Kolb, Assembly Member Michael Cusick, Assembly Member Felix Ortiz and Assembly Member Tom McKeivitt. Susan Dooha, Executive Director of the Center for Independence of the Disabled in New York, was presented with the annual “Dr. Henry Viscardi, Jr. Advocacy Award,” which honors in the name of this legendary activist and supporter of disability rights.

As in prior years, over 50 organizations that serve the disability community displayed exhibits to provide information and demonstrate the services and opportunities that are available to people with disabilities. Also, two seminars on disability issues were held on the following topics:

- Successful Advocacy Techniques: How to Impact State Government
- Recent Developments on the Federal Community Choice Act and the Community First Choice Option and How They Will Impact New York State

2010 LDAD Legislation Agenda

As part of LDAD tradition, the Assembly passed a package of legislation aimed at making the lives of people with disabilities easier. This year’s legislative package included:

- **A.520 (Destito)** – This bill would aid localities in preparing for and responding to disasters by requiring counties to maintain a registry of people of all ages with disabilities who may require evacuation assistance and shelter during a disaster. Provisions are included in this bill that would provide people of all ages with disabilities the option to not be included in the registry. **(Vetoed, Memo 6739.)**
- **A.629 (Paulin)** – Current law already requires that between 7:00 am and 7:00 pm, people with disabilities receive full service at self service prices at gas stations that offer both prices when the individuals have a valid New York State disabled person’s license plate. This bill simply would ensure that people with disabilities who have a valid parking permit (otherwise known as a hang tag) for handicapped persons can benefit from this service as well. **(Signed Chapter 228.)**
- **A.2102 (Wright)** – This bill would require that the services of sign language interpreters be made available upon the request of a hearing-impaired individual at public hearings and meetings. This bill would also establish provisions for assistive listening systems to be required in rooms used for public hearings that accommodate over 100 people after January 1, 2012.
- **A.3651 (Lifton)** – This bill would waive the state’s sovereign immunity with regard to application of the Americans with Disabilities Act of 1990; the Age Discrimination in Employment Act of 1967; the Fair Labor Standards Act of 1938; and the Family and Medical Leave Act of 1993 as they apply to the protection of state employees.
- **A.3738-A (Koon)** – This bill would enable blind and visually impaired registered voters to request in advance that Braille or large-print absentee ballots for all elections to be sent to their homes, or ballots in these formats be made available at their polling places to be used in lieu of the voting machines on Election Day for an election under the Education Law.
- **A.4766-A (Weisenberg)** – This bill would require automated teller machines (ATMs) to use both audio and visual systems of relaying messages to its customers, therefore providing equal access for all individuals.
- **A.5707-A (Weinstein)** – This bill would expand the pool of available handicapped accessible polling places by mandating that buildings which obtain tax abatements or exemptions or other public benefits are to be made available for use as polling places. **(Signed Chapter 323.)**
- **A.7848 (Latimer)** – This bill would require that the access aisles of handicapped parking spaces be marked with signs and diagonal stripes to further deter people from parking in such spaces, which parking prevents people with disabilities from entering and exiting their vehicles. **(Signed Chapter 207.)**
- **A.7849 (Lavine)** – This bill would require that the access aisles of handicapped accessible parking places be at least eight feet wide to ensure that they are wide enough for people with disabilities to enter and exit their vehicles, particularly for those whose wheelchair ramps open on the side of the vehicle.
- **A.7850 (Paulin)** – This bill would require that polling places, whenever practicable, be designated directly on a public transportation route. **(Signed Chapter 432.)**
- **A.8699-A (Destito)** – This bill would add to the membership and organization of the Most Integrated Setting Coordinating Council (MISCC) and change the requirements for the appointment of the chairperson.

Disabilities Awareness Day, *continued*

- **A.9757 (Bing)** – This bill would ensure that housing protections offered to people with disabilities under Section 504 of the Federal Rehabilitation Act are enforceable on the state and local level as well. This incorporation of Section 504 requirements and expansion of enforcement responsibility in state and local law would assist individuals with disabilities in obtaining accessible housing by ensuring that accessible units are built and are occupied by those who need them. **(Vetoed, Memo 6761.)**
- **A.10676 (Paulin)** – This bill would clarify the scope of protections against discrimination on the basis of disability in services provided by public entities in New York State by making the State Human Rights Law consistent with Title II of the Americans with Disabilities Act (ADA). **(Vetoed, Memo 6720.)**
- **A.10689-A (Bing)** – This bill would prevent housing discrimination based upon the source of income of individuals and make discrimination by landlords based on a tenant’s source of income illegal under the New York State Human Rights Law. **(Vetoed, Memo 6766.)**
- **A.10771 (Cusick)** – This bill would add “disability” to areas of the Executive Law where it has been omitted, in order to provide protection to people with disabilities and to clarify that reasonable accommodation of a disability may include reasonable modification to the common use portions of a dwelling. **(Signed Chapter 196.)**
- **A.10841 (Cusick)** – This bill would require every high-rise building owner to establish and maintain an emergency evacuation plan for disabled occupants and visitors of the building as part of the New York State fire and building codes. Additionally, this bill would require the owners of such buildings to maintain and update the emergency evacuation plan for persons with disabilities as necessary and ensure that such plan is readily available to emergency personnel.
- **A.10853-B (Schroeder)** – This bill would honor the struggles and accomplishments of people with disabilities by commemorating the eighteenth of October as Disabilities History Day. **(Signed Chapter 199.)**
- **A.10946 (Cahill)** – This bill would require polling places to be accessible to voters with physical disabilities and establish basic accessibility guidelines to ensure consistency and encourage substantial compliance at polling sites. **(Signed Chapter 505.)**

Disabilities Awareness Day Poster Contest

Ten students from Assembly Member Cusick’s district received awards for their perceptive and creative entries into our annual elementary school poster contest.

First Place Winners

- Shane Wedlock
P.S. 30 – First Grade
- Nicky Miller
P.S. 8 – Second Grade
- Gabriella Molina
P.S. 58 – Third Grade
- Makenna Athanassiou
Notre Dame Academy – Fourth Grade
- Lauren Collins
St. Adalbert School – Fifth Grade

Second Place Winners

- Vincent Nappi
P.S. 30 – First Grade
- Vincent Scotto
P.S. 8 – Second Grade
- Peter Sitaras
P.S. 58 – Third Grade
- Hawa James
St. Adalbert School – Fourth Grade
- Hayden Gumb
St. Clare School – Fifth Grade

We would like to thank everyone who participated in the 2010 Legislative Disabilities Awareness Day for making it such a great success, and we look forward to seeing you at LDAD again next year.



Assembly Member Michael Cusick celebrates the accomplishments of poster contest winners Nicky Miller, Vincent Scotto, Lauren Collins, Vincent Nappi, Gabriella Molina, Hayden Gumb, Shane Wedlock and Makenna Athanassiou (from left to right).

Assembly Hosts Hearing on Accessibility of Taxis and For-Hire Vehicles in NYC

On July 14, 2010, the Task Force on People with Disabilities, in conjunction with the Committee on Cities, the Committee on Corporations, Authorities and Commissions and the Committee on Transportation, held a public hearing on the accessibility of the taxicab and for-hire-vehicle fleet in New York City for people with disabilities.

We held this hearing because New York City's taxicab and for-hire fleet are a critical part of the City's transportation system that is widely used by the general public. And while we recognize that the Taxi and Limousine Commission has sold taxicab medallions specifically for accessible taxis, instituted a pilot program for the dispatching of wheelchair accessible

taxis and adopted regulations requiring the for-hire-vehicle fleet to have accessible vehicles available when requested from customers, we still wanted to determine if these efforts are sufficient to address the needs of the disability community – especially in light of service cuts to the Access-A-Ride program.

As we expected, much information was gathered at this hearing that indicates that there is still much more that needs to be done in the effort to provide accessible transportation to people with disabilities. As we move toward the 2011 Legislative Session, we will use the information gathered at this event to help us develop our legislative priorities. We thank everyone who participated in this hearing.

Valuable Work Incentive Information

It is estimated that 70 percent of working-age people with disabilities in New York State are unemployed. That statistic is completely unacceptable – especially when many more people with disabilities would fully pursue employment if they were not afraid of losing the benefits that allow them to live in their own communities as independently as possible.

To that end, as some of you might already know, the New York Makes Work Pay (NY-MWP) Initiative has been created to dramatically improve the rate of unemployment for New Yorkers with disabilities. Thanks to the work of the state agencies, university partners and statewide organizations, a very informative website has been established to provide materials to people with disabilities, employers, service providers and policy makers – www.nymakesworkpay.org.

For people with disabilities in need of accurate benefits counseling, the Social Security Administration has contracted with local organizations to provide work incentive and planning services for Social Security SSDI and SSI beneficiaries. These organizations, known as Work Incentive Planning Assistance (WIPA) agencies, have professionals specially trained to assist people with disabilities who are returning to work or who would like to return to work. To understand your benefits and/or seek the help of a WIPA counselor, please visit <http://www.ilr.cornell.edu/edi/ny-makesworkpay/rny-benefits.cfm>.

And of course, if you have any other questions, you can also obtain a wealth of other information by visiting the NY-MWP website or calling the NY-MWP toll free hotline at 1-888-224-3272 (voice) or 1-877-671-6844 (TDD).

2010 LDAD Photos



Assembly Speaker Sheldon Silver addresses the crowd gathered at the Assembly Legislative Disabilities Awareness Day as Assembly Member Michael Cusick, Assembly Member Tom McKeivitt and Minority Leader Brian M. Kolb look on.

Assembly Member Cusick poses with Susan Dooha, winner of the Dr. Henry Viscardi, Jr Advocacy Award for her work on behalf of individuals with disabilities.

