



NEW YORK
ALLIANCE FOR
INCLUSION & INNOVATION



A COMPLETE GUIDE TO
ADVOCACY
IN NEW YORK STATE

2022



A COMPLETE GUIDE TO **ADVOCACY** IN NEW YORK STATE

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A COMPLETE GUIDE TO ADVOCACY

IN NEW YORK STATE

Advocacy is important because it draws attention to the causes most important to us.

EFFECTIVE ADVOCACY IS KEY TO INFLUENCE POLICYMAKERS AND LAWMAKERS ON SIGNIFICANT ISSUES.

The power of New York's intellectual and developmental disabilities advocacy is grassroots and we use this type of collective action as it's inclusive, it's participatory, it's genuine and it ensures that all voices are heard.

The New York Alliance for Inclusion and Innovation is proud to be a strong partner in our statewide disabilities advocacy and is pleased to share a comprehensive resource for disabilities advocates to successfully engage in advocacy in New York State.

The Guide to Advocacy provides helpful information on New York State government structures, contacts in the Executive and Legislative branches of government, key terminology, legislative and State Budget processes and procedures, how to communicate with legislators and other information.

The guide is intended to be a resource for people new to the advocacy world and a reference for those who have been successfully advocating for years.

We hope you find this tool to be helpful to you as you advocate on behalf of New York's disabilities sector.



KEY OFFICIALS

Honorable Kathy Hochul

Governor – State of New York
Executive Chamber – NYS Capitol Building
Albany, New York
www.governor.ny.gov

Honorable Brian Benjamin

Lieutenant Governor – State of New York
Executive Chamber – NYS Capitol Building
Albany, New York
www.governor.ny.gov/lt-governor-brian-benjamin

Honorable Letitia James

Attorney General – State of New York
New York State Capitol Building
Albany, New York 12224
www.ag.ny.gov

Honorable Thomas DiNapoli

Comptroller – State of New York
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Lester W. Young, Jr.

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Kerri Neifeld

Acting Commissioner
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NEW YORK STATE LEGISLATURE LEADERSHIP & DISABILITIES' COMMITTEES

NEW YORK STATE LEGISLATURE

Honorable Carl Heastie
Speaker
New York State Assembly
Legislative Office Building
Albany, New York 12248

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518-455-4100

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New York State Senate
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Albany, New York 12247

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SENATE COMMITTEE ON DISABILITIES

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NEW YORK STATE'S BUDGET PROCESS

The Executive branch of New York's government is responsible for developing and preparing a comprehensive, balanced budget proposal, which the State Legislature modifies and enacts into law.

The New York State Division of Budget (DOB) is the entity responsible for implementation and oversight of the State Budget and monitoring the State's Financial Plan.

STATE BUDGET TIMELINES



APR 1
TO
MAR 31

The State's fiscal year begins April 1 and ends on March 31.

Early to Mid-Fall of Each Year

The Governor is required by the State Constitution to seek and coordinate requests from agencies of State government. Each fall (September or October), the Director of DOB issues the annual Call Letter to state agencies outlining the parameters of state budget submissions. The Call Letter begins the State Budget process. State agency budget submissions are used to develop the proposed Executive Budget that's drafted by DOB in mid-late fall until the release of the Executive Budget proposal that is released in January of the following year.

Mid to Late January Executive Budget Proposal

The release of the Executive Budget proposal is mid-January. The Governor formally submits the proposal to the State Legislature. Following Gubernatorial Election years, the Governor has one extra week to submit the Executive Budget proposal.

NEW YORK STATE'S BUDGET PROCESS

Late January to Late February NYS Legislative Hearing on State Budget & 30 Day Amendments

Following the release of the Executive Budget proposal the joint fiscal committees in the NYS Assembly and NYS Senate host a series of public hearing on the Governor's Budget. The joint fiscal committees are Assembly Ways and Means and Senate Finance.

30-day after the release of the Executive Budget proposal, the Governor has the opportunity to submit amendments to the proposal, oftentimes the amendments are technical and include minor corrections though Governors have used the amendment process to include major budget proposals.



Graphic Credit: NYS Division of Budget, [Citizen's Guide: The Budget Process](#)

NEW YORK'S BUDGET BILLS APPROPRIATION AND ARTICLE VII LEGISLATION

Appropriations Legislation Consist of 6 Bills:

- State Operations
- Legislature and Judiciary
- Debt Service
- Aid to Localities
- Capital Projects
- Deficiency Appropriation

Article VII Bills Include 5 Bills:

- Public Protection and General Government
- Education, Labor & Family Assistance
- Health & Mental Hygiene
- Transportation & Economic Development
- Revenue

NEW YORK STATE LEGISLATURE

The New York State Legislature is the lawmaking body of New York. It is a bicameral legislature meaning it consists of two houses, the New York State Senate and the New York State Assembly.

The New York State Legislature is seated at the New York State Capitol in Albany. Both houses meet from January – June of each year.



CLICK HERE TO
DOWNLOAD THE 2021
NYS LEGISLATIVE
SESSION CALENDAR

STATE SENATE



Members: 63

Length of Term: 2 Years

State Senate Leader:

Majority Leader of the Senate
& President Pro Tem

Resources & Information

[State Senate Leadership](#)

[Full State Senate Member Listing](#)

[How the State Senate Works](#)

[How Do I Find My State Senator](#)

STATE ASSEMBLY



Members: 150

Length of Term: 2 Years

State Assembly Leader:

Speaker of the Assembly

Resources & Information

[State Assembly Leadership](#)

[Full Assemblymember Listing](#)

[State Assembly Budget Resources](#)

[How Do I Find My State Assemblymember\(s\)](#)

KEY NEW YORK STATE EXECUTIVE & STATE LEGISLATIVE DOCUMENTS

[Rules of the Senate](#)

[Rules of the Assembly](#)

[New York State Constitution](#)

[New York's Consolidated and Unconsolidated Laws](#)

[New York's Mental Hygiene Law](#)



TIPS FOR SUCCESSFUL MEETINGS

WITH STATE LEGISLATORS



TIPS FOR SUCCESSFUL MEETINGS

WITH STATE LEGISLATORS

KNOW YOUR LEGISLATOR AND DO RESEARCH BEFORE YOUR MEETING.

Get to know the legislator's district, check out their biography and identify the legislative committees they serve on. This information can be found on their individual pages on the Assembly and Senate websites. Social media is widely used by legislators so review their social media platforms.

PREPARE FOR YOUR MEETING.

Develop a set of talking points that you'll use at your meeting. Your talking points should include your objectives for the meeting. Identify a person to take the lead at the meeting. Schedule a prep session in advance of the meeting to 1) review the talking points and 2) identify who will speak on specific points and 3) the order in which each person will speak. Rehearsing is a good idea.

Prepare local information, data and/or statistics that are helpful to the purpose of the meeting, whether it's a piece of legislation or related to the State Budget. Personal stories are always useful and encouraged. If a personal story can contain local information, data and/or statistics, it will tie the purpose of your meeting together.

ARRIVE 5 MINUTES EARLY.

It's important to be mindful of your time and your legislator's time. Legislators are on a tight schedule with numerous meetings each day. If you're late for a meeting, it takes away time you will spend with your legislator, therefore, show up to the legislator's office 5 minutes early.

AT THE MEETING.

Identify yourself and your position. When you introduce yourself, include your name, your agency and if you are a constituent. Offer the purpose of the meeting and state your position. Make sure you're concise, to the point and present your issue/position in a straightforward manner. Personal stories are always helpful and best received when presented briefly. Be polite and friendly but refrain from making demands or being disagreeable. Thank your legislator and his/her staff for taking time to meet with you.

AFTER THE MEETING/FOLLOW-UP.

Send a formal thank you letter, note or email to the legislator. The message you send should include the key messages you shared during the meeting and a reminder to the legislator of your ask in your email.



LEGISLATIVE BILL TRACKING

AND BILL APPROVAL PROCESS



LEGISLATIVE BILL TRACKING

AND BILL APPROVAL PROCESS

HOW TO SEARCH FOR, AND RESEARCH BILLS

- One way to search for a bill is through the [Assembly's website](#).
- Bills are organized by fiscal year and the house (Senate or Assembly) in which the bill originated.
- If a bill originated in the Assembly it begins with an "A" and in the Senate an "S".
- After the letter, a bill is assigned a numeric identifier which is typically for digits (i.e. A1234 for Assembly bill or S1234 for Senate Bill).
- Each bill is assigned a primary sponsor which is very helpful when looking up bills related to a certain topic or committee. For example, Assemblyman Thomas Abinanti is the Chair of the Assembly Committee for People with Disabilities, and as chair of that committee, he will sponsor many of the bills that are related to individuals with disabilities and the legislation that impacts people's supports, services and lives.
- If you want to see all of the bills introduced by the Assembly Committee for People with Disabilities, you can search that way as well.
- You may also search for bills via text which is another good way to search for a particular subject matter.

LEARN HOW A BILL
BECOMES A LAW ON THE
STATE SENATE WEBSITE
[CLICK HERE](#)



Inside the NYS Capitol Photo Credit: [Jim Logan @ 2006](#), CC BY-SA 2.5, via Wikimedia Commons

GLOSSARY OF BUDGET & LEGISLATIVE TERMINOLOGY

Amendment: A bill can be amended as many times as necessary at any time during New York’s legislative process. When a bill is amended a letter is added to the end of the bill number. The “A” print of a bill is the first amended version of a bill; the second amendment is referred to as the “B” print of the bill.

Article VII Bills: Pieces of legislation, introduced as part of the Budget, intended to amend existing state laws governing programs and revenues. Article VII refers to the section of the State Constitution governing the State Budget.

Administrative Budget Action: Proposals or actions included in the Budget that do not require amended State statute in the form of Article VII language. These proposals are negotiated with the Legislature as part of the Budget.

Generally Accepted Accounting Principles (GAAP): Generally accepted accounting principles (GAAP) refer to a common set of accounting principles, standards, and procedures issued by the Financial Accounting Standards Board (FASB). Public companies in the U.S. must follow GAAP when their accountants compile their financial statements. GAAP for governments are uniform minimum standards and guidelines for financial accounting and reporting as promulgated by authoritative national standard-setting bodies, primarily the National Council on Governmental Accounting (NCGA); its successor, the Governmental Accounting Standards Board (GASB); and the American Institute of Certified Public Accountants (AICPA). New York presents its State financial plan and Executive Budget on both a cash basis and in accordance with GAAP.

Fiscal Year: A fiscal year is a one-year period that companies and governments use for financial reporting and budgeting. A fiscal year is most commonly used for accounting purposes to prepare financial statements. New York State’s fiscal year runs from April 1 through March 31. The Federal fiscal year runs from October 1 through September 30. The fiscal year for all New York counties and towns and for most cities is the calendar year. New York City and the City University of New York, and independent school districts in the State operate on July 1 through June 30 fiscal years. For most villages, the fiscal year runs from June 1 through May 31. Other cities and villages in New York State have varying fiscal years.

The Federal Fiscal Year runs from October 1 through September 30.

Appropriation: A sum of money set apart for a specific purpose. In New York, an appropriation is the statutory authorization against which expenditures may be made during a specific State fiscal year, and from which disbursements may be made, for the purposes designated, up to the stated amount of the appropriation. Under the State Constitution, an appropriation may be made for no longer than a two-year period.

Reappropriation: A reappropriation is a legislative enactment that continues all or part of the undisbursed balance of an appropriation that would otherwise lapse (see lapsed appropriation). Reappropriations are commonly used in the case of federally funded programs and capital projects, where the funding amount is intended to support activities that may span several fiscal years.

For example, funds for capital projects are customarily recommended and appropriated in amounts sufficient to cover the total estimated cost of each phase of a specific project (such as land acquisition, design, construction and equipping). As contracts within each phase are established, portions of the capital construction appropriation are allocated. However, disbursements are made only to meet the actual costs incurred as each phase of the project progresses. In ensuing years, the balances not disbursed are reappropriated to cover the costs of subsequent construction phases in the project.

Executive Budget: The structure and process of New York's system of budgeting based in the New York State Constitution. The Governor has primary authority and responsibility for budget formulation, presentation and execution and it required each year to submit a balanced budget to the State Legislature.

Pursuant to the Constitution, the Governor's Executive Budget must incorporate the appropriation requests of the Judiciary and the Legislature as they are received from these bodies, although they are not part of the executive branch of State government. While the Governor may not alter their requests, the Governor may comment on them and recommend changes.

The Constitution requires submission of the Budget on or before the third Tuesday after the first Monday in January, except in years following gubernatorial elections when it must be submitted by February 1.

Financial Plan: A financial plan is a comprehensive outline of a government's financial resources and spending requirements.

General Fund: The General Fund is the primary fund used by New York State's government. The fund is used to record all resource inflows and outflows not earmarked for a particular program or activity. The General Fund is the major operating fund of the State. State income for financial plan purposes consists of moneys deposited to the credit of the General Fund during the fiscal year from current revenues (taxes, fees, and miscellaneous receipts including certain repayments of State advances) and transfers.

Special Revenue Funds: These funds account for State receipts from specific revenue sources and are legally restricted to disbursement for specified purposes. This governmental fund type is divided into two classifications in New York State:

- Special Revenue Funds – Federal: For example, the Health and Human Services Fund where Federal Medicaid reimbursements are received and disbursed.
- Special Revenue Funds – Other: For example, the Conservation Fund, which finances a number of State environmental programs.

Legislative Action on Executive Budget: The Legislature and its fiscal committees – Senate Finance and Assembly Ways and Means – analyze the budget, by holding public hearings to gain public input on major programs and seeking further information from the staffs of the Division of the Budget and other State agencies. Except for the budgets of the Legislature and the Judiciary, the Legislature may not alter an appropriation bill except to eliminate or reduce the amount of an item recommended therein. The Legislature can add items different than those in the original bill submitted by the Governor.

Cost of Living Adjustment (COLA): A cost of living adjustment is an annual increase in funding that is intended to cover the cost of inflation and other natural economic events. A statutory COLA increase is included in the OPWDD budget but has been withheld for most of the past decade leaving providers to absorb the cost of inflationary trends.

FMAP: The Federal Medical Assistance Percentage (FMAP) is the percentage at which the Federal government matches State Medicaid dollars. This percentage varies State to State and takes into account the average per capita income for each State relative to the national average. In New York, the traditional Medicaid Federal matching percentage is 50% (all Medicaid services, not just OPWDD's share) with varying percentages for individual programs within the State's Medicaid program.

Enhanced FMAP: States are eligible to receive an enhancement on their traditional FMAP rate from time to time which results in additional Federal dollars coming to States that can be used to reduce State obligations or allows State's to do more with their existing programs because the amount of State support needed to maintain those programs has decreased. The American Rescue Plan has afforded State's a 10% enhanced FMAP rate on Home and Community Based Services for Fiscal Year 2022 which has resulted in an additional \$740 million (estimated) in available spending.

State Share of Funds: This refers to the amount of State dollars that are required to fund services. Based on the FMAP percentage earned by the State, the State funds about 30% of all OPWDD Medicaid services with the Federal government paying for the remaining 70% based on the FMAP percentage for these services.

Gross Funds: This refers to the total amount of State and Federal funding required to fund services. The gross dollar amount is what is received by providers for reimbursement with the State typically funding 30% of the gross total and Federal funds making up the remaining 70%.

Effective Date: This is the date by which a bill or initiative included in the budget, will go into effect. Typically, bills and budget initiatives are implemented on a quarterly basis so it is most common to see 4/1, 7/1, 10/1, and 1/1 effective dates on legislation.

Budget Table: This refers to the forum for which budget issues and programs are negotiated in the context of the budget by legislative staff, agency staff, and the Division of the Budget. The Mental Hygiene Table is where most OPWDD, OMH, and OASAS budget issues are discussed with some issues also covered at the Health table which tends to focus primarily on DOH Medicaid services.

Table Target: Once revenue estimates are agreed to, any surplus of State revenues is divvied up among the various Tables in the form of Table Targets. This is essentially the amount of money that is given to the legislature in order to invest in certain programs or priorities in the context of the budget.

Budget Bills: Each year the Article VII language included in the Executive and Enacted Budgets needs to be included in specific budget bills each year for the purpose of organizing the legislation into similar topics, themes, and subject areas. However, because of the time sensitive nature of passing the budget on time and the schedule of the Legislative Bill Drafting Commission sometimes a budget bill will be

“closed” and a piece of legislation that would typically belong in one budget bill is placed into another for the purpose of closing and printing a specific bill. For example, if a piece of Article VII language negotiated at the Health Table is not finalized but all of the other parts of the Health and Mental Hygiene Budget Bill are finalized, that particular piece of open Article VII language may be moved to the Transportation, Economic Development and Environmental Conservation (TED) Budget Bill if it is still open. Once the piece of Article VII language negotiated at the Health Table is finalized, a new part of the TED bill will be created and the health-related Article VII language may be included in that Budget Bill at the Enacted Budget.

The respective Budget Bills include:

- Health and Mental Hygiene (HMH)
- Public Protection and General Government (PPGG)
- Education, Labor and Family Assistance (ELFA)
- Transportation, Economic Development and Environmental Conservation (TED)
- Revenue

However, some years additional Budget Bills such as a Deficiency Bill, Legislature and Judiciary Bill, or Debt Service Appropriation Bill may be included.

Calendar: When a bill has been officially approved by all necessary committees, it is placed on the either the Assembly calendar or the Senate calendar. A bill must ‘age’ for three consecutive legislative session days before it can be voted on by the house. A bill will automatically advance from its first to second reading calendar and placed on the third reading calendar, where it may or may not be taken up in the chamber. If it is decided that a bill should move to the floor for a vote, it’s placed on the ‘Debate List’ in the Assembly and/or the ‘Active List’ in the Senate. A bill can bypass the three-day reading rule with a Message of Necessity issued by the Governor.

Notwithstanding Language: The text of each bill is the statutory in nature and legally binding. For this reason, often times notwithstanding language will be included at the beginning of the bill to essentially free the new language of any conflicting statute that has existed before. The typical phrase used in notwithstanding language is “notwithstanding any inconsistent provision of law”. In Layman’s terms, this means that the law shall apply as set forth in the following text unless there is another conflicting law that has existed previously.

Delivered to Governor: After passing both houses of the State Legislature, bills will be delivered to the Governor. During the legislative session, the Governor has 10 days to sign or veto bills once they've been transmitted. This time period does not include Sundays but does include legal holidays. If the Governor does not act on the bill within the 10-day period, the bill automatically becomes law. When a bill is delivered to the Governor after the Legislature has formally adjourned the Governor has 30 days (including Sundays and including legal holidays) to sign a bill or it will be automatically vetoed upon expiration of the time period. No veto message from the Governor is required if this happens.

Enacting Clause Stricken: When the main sponsor of a bill removes their support for the bill and the title has been deleted the bill is considered dead unless another legislator decides to sponsor the bill, at which point it will need to be reintroduced and assigned a new bill number.

Legislative Term/Session: A legislative term is the two-year period during which a bill can remain active. Each term starts the January of an odd-numbered year, after the legislative election, and consists of two legislative sessions (running from roughly January through June). Bills introduced in the first session that are not signed into law will retain their bill number and be automatically introduced in the second session. After this two-year period, a new legislative term begins and all bills not enacted into law will have to be reintroduced and obtain new bill numbers before they can be considered by the legislature. This is typically done by bill sponsors as a matter of course.

Message of Necessity: Constitutionally designated process by which, the legislature can bypass the three-day bill aging process of a bill and call for an immediate vote on the legislation. A message of necessity must lay out why an immediate vote is required and must be approved by a majority of members in the house where it is being requested. Messages of Necessity are granted by the Governor.

Program Bill/Departmental Bill: Legislation introduced by a legislator on behalf of the Governor, the Attorney General, the Comptroller or by state departments and agencies.

Ranking Member: (aka 'ranker') Highest ranking minority party member of a committee.

State of the State: Held on the "first Wednesday after the first Monday in January". Kicks off the official start to session. Governor lays out his/her agenda for the year.



NEW YORK
**ALLIANCE FOR
INCLUSION & INNOVATION**

The New York Alliance for Inclusion and Innovation (NY Alliance) is a statewide association representing 150 not-for-profit provider agencies who provide support services to people with disabilities. The NY Alliance envisions a society where people with disabilities are contributing citizens with equal rights and the ability to live full, productive and meaningful lives.

NYALLIANCE.ORG