

13699-82 Articles from Women New York Bi-monthly News from the women's BI F13

Part 2 of 3

Division of the State of New York volume 1, Number 6

WOMEN NEW YORK



BI-MONTHLY NEWS FROM THE WOMEN'S DIVISION OF THE STATE OF NEW YORK

Volume 1, Number 6

November/December 1976



Governor Hugh L. Carey signing into law Executive Order No. 40. With him, left to right, are the Hon. Mary Burke Nicholas, Director, Women's Division, and Werner Kramarsky, Commissioner, Human Rights.

On September 15, 1976, Governor Hugh L. Carey signed Executive Order No. 40—a new and strong State directive on the furtherance of human rights. In this Affirmative Action Executive Order, Governor Carey has issued an unmistakable message that equal opportunity in employment practices for women, minorities and the disabled is a top priority of this administration and that nothing less than aggressive action with positive results will be acceptable. The Governor stated: "Each State agency or department shall develop a written affirmative action program, including the development of specific goals and timetables for the prompt achievement of full and equal employment opportunity for minorities, women and the disabled."

(please turn to page 6 for continuation)



LOOK TO THE FUTURE

In 1977, women from all over New York State will meet together to discuss their mutual concerns and to prepare recommendations for the National Women's Conference to be held in 1977. These occasions will provide a superb opportunity to focus public attention on the agenda regarding women.

I would expect that women will cooperate with the new administration in Washington as part of a massive effort to complete the unfinished agenda of half our population.

I hope that more women will make themselves available for public service, through both the appointive and electoral processes. It is important to all of us that women occupy policy-making positions in the public sector where their voices can be heard to the advantage of all.

Mary Burke Nicholas

WOMEN NEW YORK

Women New York is the bi-monthly newsletter of the **Women's Division, Executive Chamber, State of New York**, Director, Mary Burke Nicholas; Deputy Director, Angela Cabrera. This issue is Volume 1 No. 6. Produced by the Women's Division; Associate Director for Public Information and Editor Jewell Jackson McCabe; Associate Editors: Ida F.S. Schmertz, Associate Director for Special Projects; Melinda Atkins Bass, Special Assistant for Legislation; Linda Loving, Special Assistant for Organized Women's Groups; Robert Friel, Confidential Assistant; Christine Rosianski, Assistant Editor; with special thanks to Olga Feliciano, Secretary to the Deputy Director.

ELECTION ELECTION ELECTION

More women ran for political office in 1976 than ever before, and more women won, but we still have a long way to go in electing women. "The progress of women in electoral politics is steady, but slow," according to Betsey Wright, Director of the National Women's Education Fund, which monitored nationwide electoral results of women candidates.

All 16 women members of the U.S. House of Representatives who sought reelection were returned for another term and they will be joined by two newly elected Democrats: Barbara Mikulski of Baltimore, and Mary Rose Oaker of Cleveland. That gives us a total of 18 Congresswomen, or one fewer than in the last session of Congress (three incumbents did not seek reelection).

No woman will be serving in the U.S. Senate, which has not had a woman member since the retirement of Margaret Chase Smith in 1972.

STATE OFFICIALS

Dixy Lee Ray, Governor-elect of the State of Washington, joins Governor Ella Grasso of Connecticut, to give the nation two women governors, both of whom are Democrats.

Oregon elected its first woman state official when the voters chose State Representative Norma Paulus, a Republican, to be Secretary of State. Paulus' election brings the total number of women Secretaries of State (both elected and appointed) to 12.

Juanita McDaniel, Democrat, was elected to serve as President of the Public Service Commission in Alabama, and Paula Hawkins, Republican, was reelected to membership on Florida's Public Service Commission.

Incumbent State Treasurers Nancy Hall, Democrat of Arkansas, and Joan Finney, Democrat of Kansas, were reelected to their posts.

Georgia Ruth Rice, Democrat, was elected Superintendent of Public Instruction in Montana.

STATE LEGISLATORS

According to data collected by Women's Election Central, the total

RESULTS RESULTS RESULTS

number of women state legislators will be 685, or 9.1% of all state legislators. The number of women state senators increased from 91 to 102, while women serving in state houses of representatives and assemblies increased from 527 to 583.

New York can claim only two Congresswomen, Shirley Chisholm and Elizabeth Holtzman. Unfortunately we rank near the bottom of the list when it comes to electing women to represent us in the state legislature. New York voters sent ten women to Albany (one fewer than last session), comprising 4.3% of our legislators. The three state senators and five assembly-women who won reelection were profiled in the April/May issue of *Women New York*. Rosemary McGee, Democrat of Suffolk, who was elected to the Assembly for the first time will be introduced to our readers in a forthcoming issue.

VICTORIES FOR ERA

The election results brought good news to supporters of the Equal Rights Amendment. The Massachusetts electorate voted overwhelmingly in favor of a constitutional referendum adding an Equal Rights Amendment to the state constitution, a measure which had been supported by two successive sessions of the Massachusetts legislature. Colorado voters defeated by a three-to-two margin an effort to rescind that State's ERA.

The large victories in these two divergent states, each of which was carried by a different Presidential candidate, indicate broad, bipartisan support for the Equal Rights Amendment. They are also a tribute to the solid, grass-roots organizational effort and hard work of the ERA supporters who helped to get out the vote.

On election day, voters in seven states which have yet to ratify the Federal ERA defeated 15 anti ERA state legislators. This hopeful sign leads ERA supporters to claim increased confidence in obtaining ratification by the required four additional states. It is worth noting that nine out of 16 non-ratified states are in the South, where President-elect Carter, an outspoken advocate of equal rights for women, had a clean sweep.

What We Do

Women in New York State, are you aware that you have an advocate inside State Government? The Women's Division in the Executive Chamber works with appointed officials and civil servants in State agencies to ensure that the interests, needs and rights of women are met whenever and wherever possible; we consult with legislators and their staffs both in Albany and Washington as a voice on behalf of women. These activities derive from our mandate to promote equal opportunity and status for women, as set forth in Governor Carey's Executive Order No. 8, issued on April 11, 1975. This Executive Order gives the Women's Division cabinet status — a decision-making voice in State Government. (Please write us if you would like to receive a copy.)

Preview:

The YWCA has been in existence for 106 years. The New York City YWCA, known for its dedicated efforts on behalf of women recently held their third annual "Salute to Women in Business." The upcoming issue of WNY will focus on this important event.

WOMEN'S RIGHTS AND THE 1976

The 1976 legislative session was marked by continuing progress in the area of women's rights. While some of the concepts embodied in the legislation which became law this year are not new and were promoted in previous legislative sessions, significant legislation was introduced for the first time in 1976 to address concerns of women that the public is only beginning to recognize.

For example, the Legislature demonstrated its responsibility by refusing to approve resolutions to rescind the ratification by New York of the Federal Equal Rights Amendment (ERA), and to petition Congress to resubmit the Equal Rights Amendment to all the state legislatures.

In the following areas, bills were passed by the Assembly and the Senate and signed into law by Governor Carey:

Maternity Care Insurance Coverage (L. 1976, c. 843, S. 10536 Donovan, A. 11829 Izard)—The Insurance Law was amended to require that accident and health insurance policies delivered or issued for delivery in New York provide coverage for maternity care to the same extent that coverage is provided for illness or disease up to a period of four days of hospital confinement. This legislation, part of the Governor's legislative program, is the fulfillment of a pledge made in the Governor's State of the Health message to end "past patterns of discriminatory treatment for pregnancy."

Household Workers (L. 1976, c. 397, S. 3385 Beatty, A. 4297b Posner)—This bill amends the labor law and extends the right of collective bargaining to household workers paid by service agencies.

Legislation covering all household workers was unsuccessful in the Senate in the 1975 session and appeared to be headed for the same difficulties this year. While household workers, paid directly by their employers, will not be covered by this bill, the passage of this compromise legislation finally acknowledges the principle that household workers as a group are entitled to the same protections as other employees. It can be a base from which to work for extension of collective bargaining rights for all household workers.

Enforcement of Support Orders (L. 1976, c. 425, S. 8257 Bellamy, A. 10289 Blumenthal)—This bill amends the Family Court Act to include man-

datory payroll deduction orders for a State, municipal or county employee ordered to make payments for the support of dependent children or spouse when he or she is in arrears. Previously passed legislation covered only privately employed persons.

Discrimination by Employment Agencies (L. 1976, c. 814, S. 6192 Burstein, A. 12177 Lipschutz)—This legislation amends the general business law to prohibit employment agencies from discrimination on the basis of sex or from establishing sex classifications for applicants or positions.

Voter Registration—Marital Status (L. 1976, c. 196, S. 3942 Winikow, A. 5089 Amatucci)—The election law was amended so that the requirement of a statement providing marital status information on central file registration records is no longer necessary.

Battered Spouses—For the first time, the Governor's Supplemental Budget appropriated funds to establish two New York City-based programs to provide neighborhood shelters for spouses subject to physical abuse.

LAW REVISION COMMISSION RECOMMENDATIONS

Furthermore, the Law Revision Commission's Study on Equal Protection recommended 29 bills to revise or repeal 106 sections of New York statutes. Twenty-four of these bills were passed by both the Assembly and Senate and signed into law by the Governor. Moreover, other substantive areas were reserved by the Commission for further study or referred to other State agencies with particular expertise.

For example, the package of bills recommended by the Law Revision Commission did not deal with such areas as support statutes, actuarial formulas, retirement provisions and pension and workmen's compensation statutes. Typically, the legislation that became law extended benefits formerly pertaining to wives or widows to husbands or widowers and in some instances only changed language to substitute sex-neutral words. S7502-A9492 made a substantive change in the law of domicile. It provided that domicile of a married person be established for all purposes without regard to sex. Formerly, in New York a woman could establish her own domicile and not have to follow that of her husband, only for pur-

76 LEGISLATIVE SESSION

Key:

L = Session Laws

S = Senate

A = Assembly

C = Chapter

poses of voting and office-holding.

Bills not passed by the Legislature include those to equalize the minimum legal age for marriage; to amend the Family Court Act to provide that treatment of children based on age does not vary with respect to the sex of the child; and to extend the practice of cosmetology and barbering to customers of either or both sexes. The last area not dealt with by the Legislature was the final recommendation of the Law Revision Commission. It proposed three alternative bills to eliminate sex-based distinctions in the eligibility requirements for death benefits to surviving spouses under the Workmen's Compensation Law. The first alternative would have extended death benefits to both sexes on the same basis as is now applicable to widows alone. The second proposal would have required both widows and widowers to prove dependency on the earnings of their spouses to qualify for death benefits. The third alternative would have enacted a presumption of dependency for all surviving spouses regardless of sex.

Parental Consent for Abortion—The Legislature passed and sent to the Governor a bill to amend the Public Health Law to provide that "No abortifacient act shall be committed upon or with respect to a person under 18 years of age without first obtaining the consent of a parent or legal guardian of such person . . ."

On June 22, 1976, Governor Carey vetoed S7031 and in so doing stated:

"... The measure is illusory. It will not accomplish its stated purpose. On the contrary, it is an attempt to substitute symbolism for a substantial and legally sound treatment of a serious issue. For example, young girls from broken homes or with absent or non-functioning parents could not as a practical matter obtain the consent required by this bill, and alternative counseling services are not even provided. Regretably, a higher proportion of early teenage pregnancies are among those who lack a secure home. It is with respect to these children that the bill's defects are most glaring, since it would impose upon them a cruel and intolerable burden."

On July 1, 1976, the United States Supreme Court ruled that the parental consent statutes before the Court were unconstitutional. Mr. Justice Blackmun, in writing for the Court in *Planned Parenthood of Missouri v. Danforth*, 49 L. Ed. 2d, 788, 808 (1976), stated:

"The State does not have the constitutional authority to give a third party an absolute, and possibly arbitrary, veto over the decision of the physician and his patient to terminate the patient's pregnancy regardless of the reason for withholding the consent.

"Constitutional rights do not mature and come into being magically only when one attains the State defined age of majority. Minors, as well as adults, are protected by the Constitution and possess constitutional rights."

Disappointments of the 1976 Session:

Divorce Reform (S. 9076—A Gordon, A. 11555—A Blumenthal)—A major disappointment of the 1976 session was the failure of the Senate to act favorably upon a bill (A11555-A), extending divorce reform to include reform of the marital property law. The Senate also failed in the 1975 session, to consider this legislation which was passed by an overwhelming vote in the Assembly in both sessions. Today New York is one of only 11 states that gives no recognition to the fact that marriage is an economic partnership. The current law now gives the court no discretion to divide assets in an equitable manner. The strength of A11555-A is that it provides a set of criteria and requires the court to identify the factors considered in dividing assets. In addition, it states that this requirement cannot be waived by either party.

Furthermore, two of the factors listed in this legislation will be of great benefit to the majority of women. First is the present and future capacity of the person having need to be self-supporting and the period of time and training necessary to enable that person to become same. The other is the recognition for the first time of the "contributions and services of the party seeking an allowance as a spouse, parent, wage-earner and homemaker, and to the career or career potential of the other party."

For many women today, economic dependence is a major problem. Child support payments are often inadequate even when the supporting spouse has adequate income. Lack of voluntary compliance is compounded by costly and time-consuming enforcement procedures. The current system of no-fault divorce without sufficient economic protections for the dependent spouse can have disastrous consequences. The law now penalizes women who have led traditional lives. This legislation is a major step toward economic equality by recognizing the reality of non-monetary

(please turn to page 8 for continuation)

(continued from page 1)

"This plan shall be submitted to the Division of Human Rights by every State agency or department no later than December 1, 1976. The Division of Human Rights shall review and evaluate these plans on an agency-by-agency basis and, where necessary, assist the agencies in improving and implementing their programs."

A committee was established within the Executive Department known as the Governor's Executive Committee for Affirmative Action. It consists of the President of the Civil Service Commission (Victor Bahou), who will serve as Chairperson; the Commissioner of Human Rights (Wynn Kramarsky), the Appointments Officer to the Governor (Judith Hope), the Secretary of State (Mario Cuomo), the Director of the Budget (Peter Goldmark), the Director of the Women's Division (Mary Burke Nicholas), the Industrial Commissioner (Philip Ross), the Director of the Office of Employee Relations (Donald Wollett), and the Special Assistant to the Governor for Urban Affairs (Bernard Jackson). The committee designated a Vice-chairperson, Mary Burke Nicholas, who shall serve at the pleasure of the committee and who shall perform the duties of Chairperson in the Chairperson's absence and at such other times as the Chairperson may direct.

This committee will advise the Governor and assist the Commissioner of Human Rights in the formulation and coordination of plans, policies and programs relating to affirmative action in all State departments and agencies and in assuring effective implementation of policies, plans and programs by agencies. The committee will submit to the Governor each year a written report of the committee's activities and recommendations.

However, the affirmative action performance of any governmental unit ultimately reflects the attitudes and degree of commitment of the person(s) at the top.

It is alarmingly true that organized discrimination is an extension of personal prejudice. This is evidenced in government where review by agency will expose to

a great extent the attitudes of the commissioner, director, supervisor or the individual "in charge".

A step in the direction of fairness has been taken by Governor Carey in the form of this Affirmative Action Executive Order. In this past year, a little publicized fact is that "the person at the top", Governor Hugh L. Carey, has been the most aggressive affirmative action agent in New York State government. The Governor recognized that to accomplish the awesome task of achieving equity in the appointment process he needed to have in place a mechanism to promulgate his attitude. The selection of a qualified person who would be sensitive to the problems of discrimination was essential. Accordingly, for the first time in the history of this State, Governor Carey appointed a woman, Judith Hope, to the position of Appointments Officer.

Aside from the Governor's cabinet which he, of course, appoints, there are approximately 2,500 *term appointment positions* to vital New York State Boards and Commissions which are Governor-appointed.

These Boards and Commissions range from non-compensated positions on hospital boards of visitors, college and State University boards of trustees, and trustees for State historic sites, to such highly paid positions as on the Public Service Commission, the New York State Board of Parole, the State Liquor Authority and the Corrections Commission.

When Governor Carey took office in January of 1975, women comprised only 11% of these appointments, according to a report of the Center for the American Woman and Politics of Rutgers University. New York State, to which all other states look for leadership, was rated *at the bottom of all states*, with the states of Arizona, Hawaii, Iowa, and Washington at the top, each with 23% of their appointments female. Minorities were well below 11% in New York State.

In the first year of the Carey administration, the almost overwhelming problems of fiscal crisis demanded and consumed the full attention of the new administration, and the task of affirmative action was not fully addressed.

Since January of last year, however, Governor Carey has achieved dramatic results in his appointment of women and minorities. Since January 1976, of 384 individuals approved for appointment, women have comprised 32.5% of the Governor's choices, and Blacks 13% of the total. If the Governor continues to appoint women and minorities at this rate or *improves* on this rate as he intends to do, and if the administration stays in office long enough to fill all vacancies as they occur, he will have *tripled* the number of women and minorities in these important positions by the time he leaves office. THINK OF IT. THIS ADMINISTRATION HAS INCREASED BY THREE TIMES THE NUMBER OF WOMEN AND MINORITIES IN NEW YORK STATE POLICY-MAKING POSITIONS. In addition, the Governor's office is now actively recruiting Hispanics, Asian-Americans and other ethnic minorities, and the handicapped for appointment.

Aside from the historic form of discrimination in appointments, which is simple exclusion, there is another form of discrimination which is more subtle. It is stereotyping. It consists of the simple prejudice that certain fields are appropriate to women and minorities, others are not. The fields where women and minorities have been traditionally excluded are, for example, banking and finance, scientific and technological fields, economics, and most regulatory agencies.

What kind of appointments? Here are some examples:

- Anne Mead, Commissioner to the Public Service Commission.
- Dorothea Klajbor, Commissioner to the State Liquor Authority.
- Wilhemina (Billy) Holliday, member of the New York State Board of Parole.
- Dasil Velez, a 28-year old Puerto Rican to the Parole Board.
- Edward Hammock, Chairperson of the Parole Board.
- Eileen Durning Dickinson, President of the Higher Education Services Corporation.

- Irma Santaella, Chairperson to the Human Rights Appeals Board.
- Rosemary Pooler, Chairperson of the Consumer Protection Board.
- Dorothy Wadsworth, Commissioner on the Corrections Commission.

In addition, Governor Carey has recently appointed women to over 100 positions too numerous to itemize. The following lists a few of the important positions.

- Public Employees Relations Board
- Energy Research and Development Authority
- New York State Banking Board
- Project Finance Agency
- Municipal Assistance Corporation
- Crime Control Planning Board
- State Commission on Judicial Conduct
- Agricultural Resources Commission
- N.Y.S. Commission on Sports & Winter Olympics

Minority appointments include:

- Banking Board
- Economic Development Board
- Job Development Authority
- Higher Education Services Corp.
- Palisades Interstate Park Commission
- Urban Development Corp.
- Mental Hygiene Council
- Juvenile Justice Advisory Group
- Crime Control Planning Board
- State Historical Records Advisory Council
- Community Affairs Advisory Council
- State Athletic Commission.

The success of Executive Order No. 40 will ultimately depend heavily on the attitudes and determination of the individual Commissioners being reflected and disseminated throughout various agencies. In Executive Order No. 40, the Governor has taken an unmistakable position in regard to Affirmative Action. But he has done more, he is setting a standard by his own example. If every unit of government imitates this standard, which he himself is committed to improve, the results would be immediate and remarkable.

(continued from page 5)

contributions made by women to the benefit of the family. The Women's Division believes that this legislation is the most urgent legislative need of the 1977 session for women in New York.

Displaced Homemakers (S. 9270 Bellamy, Burstein, Winikow, A. 11701 Lipschutz)—In the 1976 session, legislation was introduced in New York for the first time regarding the situation of displaced homemakers. Similar legislation is in place in California and has also been introduced in Congress. This legislation would provide a program of services for people who have worked in the home and have been supported by others but are no longer receiving such support due to separation, divorce or death.

Such services would include job training programs, job counseling, health and education counseling services, and assistance in finding employment to enable the displaced homemaker to become economically independent.

Displaced homemakers are often without any

source of income and are often ineligible for social security because they are too young or are divorced from the wage-earner. They may also be ineligible for welfare assistance if they are not physically disabled and their children are past a certain age. Lastly, they may be ineligible for unemployment compensation because they have been engaged in unpaid labor in the home.

Women comprise most of this group. They are largely an invisible segment of our population and have, up until now, been silent and unorganized.

Maternity Disability (S. 728 Gordon, A. 2325 Posner)—Again, this year, this legislation failed to receive serious consideration. This bill would have repealed the specific provision in the Workmen's Compensation Law that makes female employees ineligible for disability if medically disabled during pregnancy or childbirth.

For further information on legislation or for copies of bills, please contact our office.

WOMEN NEW YORK is published to increase the awareness of the residents of New York State—on the status of women, women's rights, and what the Women's Division is doing to ensure those rights. The Women's Division hopes that **WOMEN NEW YORK** will aid and stimulate those who can affect changes that will improve the status of women in New York State. We need your comments and suggestions.

WHY WE ARE

Send the names and addresses of friends, colleagues or organizations who should receive the newsletter to: Women's Division, State of New York, 1350 Avenue of the Americas, New York, N.Y. 10019.

WOMEN NEW YORK

Women's Division
Executive Chamber / State of New York
1350 Avenue of the Americas
New York, New York 10019

Bulk Rate
U.S. Postage
PAID
New York, N.Y.
Permit No. 9922

LOOK TO THE FUTURE

Ratification of the ERA is a clear priority for women and, indeed, for all in 1977 and 78.

In 1977, women from all over New York State will meet together to discuss their mutual concerns and to prepare recommendations for the National Women's Conference to be held in Washington in ¹⁹⁷⁷1978. These occasions will provide a superb opportunity to focus public attention on the agenda regarding women.

I would expect that women will cooperate with the new administration in Washington as part of a massive effort to complete the unfinished agenda of half our population.

I hope that more women will make themselves available for public service, through both the appointive and electoral processes. It is important to all of us that women occupy policy-making positions in the public sector where their voices can be heard to the advantage of all.

MBW

1
Corrections
made on
original

WOMEN'S RIGHTS AND THE
1976 LEGISLATIVE SESSION

msn
③
Corrections
on original

The 1976 legislative session was marked by continuing progress in the area of women's rights. While some of the concepts embodied in the legislation which became law this year are not new and were promoted in previous legislative sessions; significant legislation was introduced for the first time in 1976 to address concerns of women that the public is only beginning to recognize.

For example, the Legislature demonstrated its responsibility by refusing to approve resolutions to rescind the ratification by New York of the Federal Equal Rights Amendment (ERA), and to petition Congress to resubmit the Equal Rights Amendment to all the state legislatures.

In the following areas, bills were passed by the Assembly and the Senate and signed into law by Governor Carey:

Maternity Care Insurance Coverage -

The Insurance Law was amended to require

that accident and health insurance policies in New York provide coverage for maternity care equal to coverage provided for illness or disease up to a period of four days of hospital confinement. This legislation, part of the Governor's legislative program, is the fulfillment of a pledge made in the Governor's State of the Health message to end "past patterns of discriminatory treatment for pregnancy."

Household Workers - This bill amends the labor law and extends the right of collective bargaining to household workers paid by service agencies.

Legislation covering all household workers was unsuccessful in the Senate in the 1975 session and appeared to be headed for the same difficulties this year. While household workers, paid directly by their employers, will not be covered by this bill, the passage of this compromise legislation finally

acknowledges the principle that household workers as a group are entitled to the same protections as other employees. It can be a base from which to work for extension of collective bargaining rights for all household workers.

Enforcement of Support Orders -

This bill amends the Family Court Act to include mandatory payroll deduction orders for a State, municipal or county employee ordered to make payments to the support of dependent children or spouse when he or she is in arrears. Previously passed legislation covered only privately employed persons.

Discrimination by Employment

Agencies - This legislation amends the general business law to prohibit employment agencies from discrimination on the basis of sex or from establishing sex classifications for applicants or positions.

Voter Registration--Marital Status -

The election law was amended so that the requirement of a statement providing marital status information on central file registration records is no longer necessary.

Battered Spouses - For the first time, the Governor's Supplemental Budget appropriated funds to establish two New York City-based programs to provide neighborhood shelters for spouses subject to physical abuse.

Furthermore, the Law Revision Commission's Study on Equal Protection recommended 29 bills to revise or repeal 106 sections of New York statutes. Twenty-four of these bills were passed by both the Assembly and Senate and signed into law by the Governor. Moreover, other substantive areas were reserved by the Commission for further study or referred to other State agencies with particular expertise.

For example, the package of bills

recommended by the Law Revision Commission did not deal with such areas as support statutes, actuarial formulas, retirement provisions and pension and workmen's compensation statutes. Typically, the legislation that became law extended benefits formerly pertaining to wives or widows to husband or widowers and in some instances only changed language to substitute sex-neutral words.

S7502-A9492 made a substantive change in the law of domicile. It provided that domicile of a married person be established for all purposes without regard to sex. Formerly, in New York a woman could establish her own domicile and not have to follow that of her husband, only for purposes of voting and office-holding. Bills not passed by the Legislature include those to equalize the minimum legal age for marriage; to amend the Family Court Act to provide that treatment of children based on age does not

vary with respect to the sex of the child; and to extend the practice of cosmetology and barbering to customers of either or both sexes. The last area not dealt with by the Legislature was the final recommendation of the Law Revision Commission. It proposed three alternative bills to eliminate sex-based distinctions in the eligibility requirements for death benefits to surviving spouses under the Workmen's Compensation Law. The first alternative would have extended death benefits to both sexes on the same basis as is now applicable to widows alone. The second proposal would have required both widows and widowers to prove dependency on the earnings of their spouses to qualify for death benefits. The third alternative would have enacted a presumption of dependency for all surviving spouses regardless of sex.

Parental Consent for Abortion -

The Legislature passed and sent to the

Governor a bill to amend the Public Health Law to provide that "No abortifacient act shall be committed upon or with respect to a person under 18 years of age without first obtaining the consent of a parent or legal guardian of such person. . ."

On June 22, 1976, Governor Carey vetoed S7031 and in so doing stated:

". . .The measure is illusory. It will not accomplish its stated purpose. On the contrary, it is an attempt to substitute symbolism for a substantial and legally sound treatment of a serious issue. For example, young girls from broken homes or with absent or non-functioning parents could not as a practical matter obtain the consent required by this bill, and alternative counseling services are not even provided. Regretably, a higher proportion of early teenage pregnancies are among those who lack a secure home. It is with

respect to these children that the bill's defects are most glaring, since it would impose upon them a cruel and intolerable burden."

On July 1, 1976, the United States Supreme Court ruled that the parental consent statutes before the Court were unconstitutional. Mr. Justice Blackmun, in writing for the Court in *Planned Parenthood of Missouri v. Danforth*, U.S. ____ (1976), stated:

"The State does not have the constitutional authority to give a third party an absolute, and possible arbitrary, veto over the decision of the physician and his patient to terminate the patient's pregnancy."

"Constitutional rights do not mature and come into being magically only when one attains the State defined age of majority. Minors, as well as adults, are protected by the Constitution and possess constitutional rights."

Disappointments of the 1976

Session:

Divorce Reform - A major disappointment of the 1976 session was the failure of the Senate to act favorably upon a bill (All555-A), extending divorce reform to include reform of the marital property law. The Senate also failed in the 1975 session, to consider this legislation which was passed by an overwhelming vote in the Assembly in both sessions. Today New York is one of only 11 states that gives no recognition to the fact that marriage is an economic partnership. The current law now gives the court no discretion to divide assets in an equitable manner. The strength of All555-A is that it provides a set of criteria and requires the court to identify the factors considered in dividing assets. In addition, it states that this requirement cannot be waived by either party.

Furthermore, two of the factors listed in this legislation will be of great benefit to the majority of women. First is the capacity of the person having need to be self-supporting and the period of time and training necessary to enable that person to become same. The other is the recognition for the first time of the "contributions and services of the party seeking an allowance as a spouse, parent, wage-earner and homemaker, and to the career or career potential of the other party."

For many women today, economic dependence is a major problem. Child support payments are often inadequate even when the supporting spouse has adequate income. Lack of voluntary compliance is compounded by costly and time-consuming requirements. The current system of no-fault divorce without sufficient economic protections for the dependent spouse can have

disastrous consequences. The law now penalizes women who have led traditional lives. This legislation is a major step toward economic equality by recognizing the reality of non-monetary contributions made by women to the benefit of the family. The Women's Division believes that this legislation is the most urgent legislative need of the 1977 session for women in New York.

Displaced Homemakers - In the 1976 session, legislation was first introduced in New York regarding the situation of displaced homemakers. Similar legislation is in place in California and has also been introduced in Congress. This legislation would provide a program of services for people who have worked in the home and have been supported by others but are no longer receiving such support due to separation, divorce or death.

Such services would include job training programs, job counseling,

health and education counseling services, and assistance in finding employment to enable the displaced homemaker to become economically independent.

Displaced homemakers are often without any source of income and are often ineligible for social security because they are too young or are divorced from the wage-earner. They may also be ineligible for welfare assistance if they are not physically disabled and their children are past a certain age. Lastly, they may be ineligible for unemployment compensation because they have been engaged in unpaid labor in the home.

Women comprise most of this group. They are largely an invisible segment of our population and have, up until now, been silent and unorganized.

Maternity Disability - Again, this year, this legislation failed to receive serious consideration. This bill would have repealed the specific provision

in the Workmen's Compensation Law
that makes female employees ineligible
for disability if medically disabled
during pregnancy or childbirth.

For further information on
legislation or for copies of bills,
please contact our office.

ELECTION RESULTS

More women ran for political office in 1976 than ever before, and more women won, but we still have a long long way to go in electing women. "The progress of women in electoral politics is steady, but slow," according to Betsey Wright, Director of the National Women's Education Fund, which monitored nationwide electoral results of women candidates.

All 16 women members of the U.S. House of Representatives who sought reelection were returned for another term and they will be joined by two newly elected Democrats: Barbara Mikulski of Baltimore, and Mary Rose Oakar of Cleveland. That gives us a total of 18 Congresswomen, or one fewer than in the last session of Congress (three incumbents did not seek reelection).

No woman will be serving in the U.S. Senate, which has not

2

Corrections on original

had a woman member since the retirement of Margaret Chase Smith in 1972.

STATE OFFICIALS

Dixy Lee Ray, Governor-elect of Washington, joins Governor Ella Grasso of Connecticut, to give the nation two women governors, both of whom are Democrats.

Oregon elected its first woman state official when the voters chose State Representative Norma Paulus, a Republican, to be Secretary of State. Paulus' election brings the total number of women Secretaries of State (both elected and appointed) to 12.

Juanita McDaniel, Democrat, was elected to serve as President of the Public Service Commission in Alabama, and Paula Hawkins, Republican, was reelected to membership on Florida's Public Service Commission.

Incumbent State Treasurers Nancy Hall, Democrat of Arkansas, and Joan Finney, Democrat of Kansas, were reelected to their posts.

Georgia Ruth Rice, Democrat,

was elected Superintendent of
Public Instruction in Montana.

STATE LEGISLATORS

According to data collected
by Women's Election Central, the
total number of women state
legislators will be 685, or 9.1%
of all state legislators. The
number of women state senators
increased from 91 to 102, while
women serving in state houses of
representatives and assemblies
increased from 527 to 583.

New York can ^{only} proudly claim
two Congresswomen, Shirley
Chisholm and Elizabeth Holtzman,
~~but~~ unfortunately we rank near
the bottom of the list when it
comes to electing women to
represent us in the state
legislature. New York voters
sent ten women to Albany (one
fewer than last session), comprising
4.3% of our legislators. The three
state senators and five assembly-
women who won reelection were
profiled in the April/May issue

of Women New York. Rosemary McGee, Democrat of Suffolk, who was elected to the Assembly for the first time will be introduced to our readers in a forthcoming issue.

VICTORIES FOR ERA

The election results brought good news to supporters of the Equal Rights Amendment. The Massachusetts electorate voted overwhelmingly in favor of a constitutional referendum adding an Equal Rights Amendment to the state constitution, a measure which had been supported by two successive sessions of the Massachusetts legislature. Colorado voters defeated by a three to two margin an effort to rescind that State's ERA.

The large victories in these two divergent states, each of which was carried by a different Presidential candidate, indicate broad, bipartisan support for the Equal Rights Amendment. They are also a tribute to the solid, grass-roots organizational effort and hard work of the ERA supporters who helped to get out the vote.

On election day, voters in seven

states which have yet to ratify the Federal ERA defeated 15 anti-ERA state legislators. This hopeful sign leads ERA supporters to claim increased confidence in obtaining ratification by the required four additional states. It is worth noting that nine out of 16 non-ratified states are in the South, where President-elect Carter, an outspoken advocate of equal rights for women, had a clean sweep.

*In the future Women New York will have a regular update on the status of ERA.

LOOK TO THE FUTURE

Ratification of the ERA is a clear priority for women and, indeed, for all in 1977 and 78.

In 1977, women from all over New York State will meet together to discuss their mutual concerns and to prepare recommendations for the National Women's Conference to be held in Washington in 1978. These occasions will provide a superb opportunity to focus public attention on the agenda regarding women.

I would expect that women will cooperate with the new administration in Washington as part of a massive effort to complete the unfinished agenda of half our population.

I hope that more women will make themselves available for public service, through both the appointive and electoral processes. It is important to all of us that women occupy policy-making positions in the public sector where their voices can be heard to the advantage of all.

ELECTION RESULTS

More women ran for political office in 1976 than ever before, and more women won, but we still have a long long way to go in electing women. "The progress of women in electoral politics is steady, but slow," according to Betsey Wright, Director of the National Women's Education Fund, which monitored nationwide electoral results of women candidates.

All 16 women members of the U.S. House of Representatives who sought reelection were returned for another term and they will be joined by two newly elected Democrats: Barbara Mikulski of Baltimore, and Mary Rose Oakar of Cleveland. That gives us a total of 18 Congresswomen, or one fewer than in the last session of Congress (three incumbents did not seek reelection).

No woman will be serving in the U.S. Senate, which has not

had a woman member since the retirement of Margaret Chase Smith in 1972.

STATE OFFICIALS

Dixy Lee Ray, Governor-elect of Washington, joins Governor Ella Grasso of Connecticut, to give the nation two women governors, both of whom are Democrats.

Oregon elected its first woman state official when the voters chose State Representative Norma Paulus, a Republican, to be Secretary of State. Paulus' election brings the total number of women Secretaries of State (both elected and appointed) to 12.

Juanita McDaniel, Democrat, was elected to serve as President of the Public Service Commission in Alabama, and Paula Hawkins, Republican, was reelected to membership on Florida's Public Service Commission.

Incumbent State Treasurers Nancy Hall, Democrat of Arkansas, and Joan Finney, Democrat of Kansas, were reelected to their posts.

Georgia Ruth Rice, Democrat,

was elected Superintendent of Public Instruction in Montana.

STATE LEGISLATORS

According to data collected by Women's Election Central, the total number of women state legislators will be 685, or 9.1% of all state legislators. The number of women state senators increased from 91 to 102, while women serving in state houses of representatives and assemblies increased from 527 to 583.

New York can proudly claim two Congresswomen, Shirley Chisholm and Elizabeth Holtzman, but unfortunately we rank near the bottom of the list when it comes to electing women to represent us in the state legislature. New York voters sent ten women to Albany (one fewer than last session), comprising 4.3% of our legislators. The three state senators and five assemblywomen who won reelection were profiled in the April/May issue

of Women New York. Rosemary McGee, Democrat of Suffolk, who was elected to the Assembly for the first time will be introduced to our readers in a forthcoming issue.

VICTORIES FOR ERA*

The election results brought good news to supporters of the Equal Rights Amendment. The Massachusetts electorate voted overwhelmingly in favor of a constitutional referendum adding an Equal Rights Amendment to the state constitution, a measure which had been supported by two successive sessions of the Massachusetts legislature. Colorado voters defeated by a three to two margin an effort to rescind that State's ERA.

The large victories in these two divergent states, each of which was carried by a different Presidential candidate, indicate broad, bipartisan support for the Equal Rights Amendment. They are also a tribute to the solid, grass-roots organizational effort and hard work of the ERA supporters who helped to get out the vote.

On election day, voters in seven

states which have yet to ratify the Federal ERA defeated 15 anti ERA state legislators. This hopeful sign leads ERA supporters to claim increased confidence in obtaining ratification by the required four additional states. It is worth noting that nine out of 16 non-ratified states are in the South, where President-elect Carter, an outspoken advocate of equal rights for women, had a clean sweep.

*In the future Women New York will have a regular update on the status of ERA.

WOMEN'S RIGHTS AND THE
1976 LEGISLATIVE SESSION

The 1976 legislative session was marked by continuing progress in the area of women's rights. While some of the concepts embodied in the legislation which became law this year are not new and were promoted in previous legislative sessions; significant legislation was introduced for the first time in 1976 to address concerns of women that the public is only beginning to recognize.

For example, the Legislature demonstrated its responsibility by refusing to approve resolutions to rescind the ratification by New York of the Federal Equal Rights Amendment (ERA), and to petition Congress to resubmit the Equal Rights Amendment to all the state legislatures.

In the following areas, bills were passed by the Assembly and the Senate and signed into law by Governor Carey:

Maternity Care Insurance Coverage -

The Insurance Law was amended to require

that accident and health insurance policies in New York provide coverage for maternity care equal to coverage provided for illness or disease up to a period of four days of hospital confinement. This legislation, part of the Governor's legislative program, is the fulfillment of a pledge made in the Governor's State of the Health message to end "past patterns of discriminatory treatment for pregnancy."

Household Workers - This bill amends the labor law and extends the right of collective bargaining to household workers paid by service agencies.

Legislation covering all household workers was unsuccessful in the Senate in the 1975 session and appeared to be headed for the same difficulties this year. While household workers, paid directly by their employers, will not be covered by this bill, the passage of this compromise legislation finally

acknowledges the principle that household workers as a group are entitled to the same protections as other employees. It can be a base from which to work for extension of collective bargaining rights for all household workers.

Enforcement of Support Orders -

This bill amends the Family Court Act to include mandatory payroll deduction orders for a State, municipal or county employee ordered to make payments to the support of dependent children or spouse when he or she is in arrears. Previously passed legislation covered only privately employed persons.

Discrimination by Employment

Agencies - This legislation amends the general business law to prohibit employment agencies from discrimination on the basis of sex or from establishing sex classifications for applicants or positions.

Voter Registration--Marital Status -

The election law was amended so that the requirement of a statement providing marital status information on central file registration records is no longer necessary.

Battered Spouses - For the first time, the Governor's Supplemental Budget appropriated funds to establish two New York City-based programs to provide neighborhood shelters for spouses subject to physical abuse.

Furthermore, the Law Revision Commission's Study on Equal Protection recommended 29 bills to revise or repeal 106 sections of New York statutes. Twenty-four of these bills were passed by both the Assembly and Senate and signed into law by the Governor. Moreover, other substantive areas were reserved by the Commission for further study or referred to other State agencies with particular expertise.

For example, the package of bills

recommended by the Law Revision Commission did not deal with such areas as support statutes, actuarial formulas, retirement provisions and pension and workmen's compensation statutes. Typically, the legislation that became law extended benefits formerly pertaining to wives or widows to husband or widowers and in some instances only changed language to substitute sex-neutral words. S7502-A9492 made a substantive change in the law of domicile. It provided that domicile of a married person be established for all purposes without regard to sex. Formerly, in New York a woman could establish her own domicile and not have to follow that of her husband, only for purposes of voting and office-holding. Bills not passed by the Legislature include those to equalize the minimum legal age for marriage; to amend the Family Court Act to provide that treatment of children based on age does not

vary with respect to the sex of the child; and to extend the practice of cosmetology and barbering to customers of either or both sexes. The last area not dealt with by the Legislature was the final recommendation of the Law Revision Commission. It proposed three alternative bills to eliminate sex-based distinctions in the eligibility requirements for death benefits to surviving spouses under the Workmen's Compensation Law. The first alternative would have extended death benefits to both sexes on the same basis as is now applicable to widows alone. The second proposal would have required both widows and widowers to prove dependency on the earnings of their spouses to qualify for death benefits. The third alternative would have enacted a presumption of dependency for all surviving spouses regardless of sex.

Parental Consent for Abortion -

The Legislature passed and sent to the

Governor a bill to amend the Public Health Law to provide that "No abortional act shall be committed upon or with respect to a person under 18 years of age without first obtaining the consent of a parent or legal guardian of such person. . ."

On June 22, 1976, Governor Carey vetoed S7031 and in so doing stated:

". . .The measure is illusory. It will not accomplish its stated purpose. On the contrary, it is an attempt to substitute symbolism for a substantial and legally sound treatment of a serious issue. For example, young girls from broken homes or with absent or non-functioning parents could not as a practical matter obtain the consent required by this bill, and alternative counseling services are not even provided. Regretably, a higher proportion of early teenage pregnancies are among those who lack a secure home. It is with

respect to these children that the bill's defects are most glaring, since it would impose upon them a cruel and intolerable burden."

On July 1, 1976, the United States Supreme Court ruled that the parental consent statutes before the Court were unconstitutional. Mr. Justice Blackmun, in writing for the Court in *Planned Parenthood of Missouri v. Danforth*, U.S. ____ (1976), stated:

"The State does not have the constitutional authority to give a third party an absolute, and possible arbitrary, veto over the decision of the physician and his patient to terminate the patient's pregnancy."

"Constitutional rights do not mature and come into being magically only when one attains the State defined age of majority. Minors, as well as adults, are protected by the Constitution and possess constitutional rights."

Disappointments of the 1976
Session:

Divorce Reform - A major disappointment of the 1976 session was the failure of the Senate to act favorably upon a bill (All555-A), extending divorce reform to include reform of the marital property law. The Senate also failed in the 1975 session, to consider this legislation which was passed by an overwhelming vote in the Assembly in both sessions. Today New York is one of only 11 states that gives no recognition to the fact that marriage is an economic partnership. The current law now gives the court no discretion to divide assets in an equitable manner. The strength of All555-A is that it provides a set of criteria and requires the court to identify the factors considered in dividing assets. In addition, it states that this requirement cannot be waived by either party.

Furthermore, two of the factors listed in this legislation will be of great benefit to the majority of women. First is the capacity of the person having need to be self-supporting and the period of time and training necessary to enable that person to become same. The other is the recognition for the first time of the "contributions and services of the party seeking an allowance as a spouse, parent, wage-earner and homemaker, and to the career or career potential of the other party."

For many women today, economic dependence is a major problem. Child support payments are often inadequate even when the supporting spouse has adequate income. Lack of voluntary compliance is compounded by costly and time-consuming requirements. The current system of no-fault divorce without sufficient economic protections for the dependent spouse can have

disastrous consequences. The law now penalizes women who have led traditional lives. This legislation is a major step toward economic equality by recognizing the reality of non-monetary contributions made by women to the benefit of the family. The Women's Division believes that this legislation is the most urgent legislative need of the 1977 session for women in New York.

Displaced Homemakers - In the 1976 session, legislation was first introduced in New York regarding the situation of displaced homemakers. Similar legislation is in place in California and has also been introduced in Congress. This legislation would provide a program of services for people who have worked in the home and have been supported by others but are no longer receiving such support due to separation, divorce or death.

Such services would include job training programs, job counseling,

health and education counseling services, and assistance in finding employment to enable the displaced homemaker to become economically independent.

Displaced homemakers are often without any source of income and are often ineligible for social security because they are too young or are divorced from the wage-earner. They may also be ineligible for welfare assistance if they are not physically disabled and their children are past a certain age. Lastly, they may be ineligible for unemployment compensation because they have been engaged in unpaid labor in the home.

Women comprise most of this group. They are largely an invisible segment of our population and have, up until now, been silent and unorganized.

Maternity Disability - Again, this year, this legislation failed to receive serious consideration. This bill would have repealed the specific provision

in the Workmen's Compensation Law
that makes female employees ineligible
for disability if medically disabled
during pregnancy or childbirth.

For further information on
legislation or for copies of bills,
please contact our office.

Page 1 copy
(I'm not sure yet which
type I'll use)

Linda
The Review Box
is missing
Off no

EB INK
Women in N.Y.
Helios Regular and Stymie 14/17 x 20
wR!8intr

We prefer
✓ this

On September 15, 1976, Governor Hugh L. Carey signed Executive Order No. 40—a new and strong State directive on the furtherance of human rights. In this Affirmative Action Executive Order, Governor Carey has issued an unmistakable message that equal opportunity in employment practices for women, minorities and the disabled is a top priority of this administration and that nothing less than aggressive action with positive results will be acceptable. The Governor stated: "Each State agency or department shall develop a written affirmative action program, including the development of specific goals and timetables for the prompt achievement of full and equal employment opportunity for minorities, women and the disabled."

On September 15, 1976, Governor Hugh L. Carey signed Executive Order No. 40—a new and strong State directive on the furtherance of human rights. In this Affirmative Action Executive Order, Governor Carey has issued an unmistakable message that equal opportunity in employment practices for women, minorities and the disabled is a top priority of this administration and that nothing less than aggressive action with positive results will be acceptable. The Governor stated: "Each State agency or department shall develop a written affirmative action program including the development of specific goals and timetables for the prompt achievement of full and equal employment opportunity for minorities, women and the disabled."

RED INK
Women in NY
10/12 x 20
WH4rites

please turn to page 6 for continuation

continued from page 1

These go with cover story
begin quote?
✓
This plan shall be submitted to the Division of Human Rights by every State agency or department no later than December 1, 1976. The Division of Human Rights shall review and evaluate these plans on an agency-by-agency basis and, where necessary, assist the agencies in improving and implementing their programs."

A committee was established within the Executive Department known as the Governor's Executive Committee for Affirmative Action. It consists of the President of the Civil Service Commission (Victor Bahou), who will serve as Chairperson; the Commissioner of Human Rights (Wynn Kramarsky), the Appointments Officer to the Governor (Judith Hope), the Secretary of State (Mario Cuomo), the Director of the Budget (Peter Goldmark), the Director of the Women's Division (Mary Burke Nicholas), the Industrial Commissioner (Philip Ross), the Director of the Office of Employee Relations (Donald Wollett), and the Special Assistant to the Governor for Urban Affairs (Bernard Jackson). The committee designated a Vice-chairperson, Mary Burke Nicholas, who shall serve at the pleasure of the committee and who shall perform the duties of Chairperson in the Chairperson's absence and at such other times as the Chairperson may direct.

This committee will advise the Governor and assist the Commissioner of Human Rights in the formulation and coordination of plans, policies and programs relating to affirmative action in all State departments and agencies and in assuring effective implementation of policies, plans and programs by agencies. The committee will submit to the Governor each year a written report of the committee's activities and recommendations.

However, the affirmative action performance of any governmental unit ultimately reflects the attitudes and degree of commitment of the person(s) at the top.

It is alarmingly true that organized discrimination is an extension of personal prejudice. This is evidenced in government where review of agency by agency will expose to a great extent the attitudes of the commissioner, director, supervisor or the individual "in charge".

A step in the direction of fairness has been taken by Governor Carey in the form of this Affirmative Action Executive Order. In this past year, a little publicized fact is that "the person at the top", Governor Hugh L. Carey, has been the most aggressive affirmative action agent in New York State government. The Governor recognized that to accomplish the awesome task of achieving equity in the appointment process he needed to have in place a mechanism to promulgate his attitude. The selection of a qualified person who would be sensitive to the problems of discrimination was essential. Accordingly, for the first time in the history of this State, Governor Carey appointed a woman, Judith Hope, to the position of Appointments Officer.

Aside from the Governor's cabinet which he, of course, appoints, there are approximately 2,500 *term appointment positions* to vital New York State Boards and Commissions which are Governor-appointed.

These Boards and Commissions range from non-compensated positions on hospital boards of visitors, college and State University boards of trustees, and trustees for State Historic sites, to such highly paid positions as on the Public Service Commission, the New York State Board of Parole, the State Liquor Authority and the Corrections Commission.

When Governor Carey took office in January of 1975, women comprised only 11% of these appointments, according to a report of the Center for the American Woman and Politics of Rutgers University. New York State, to which all other states look for leadership, was rated *at the bottom of all states*, with the states of Arizona, Hawaii, Iowa, and Washington at the top, each with 23% of their appointments female. Minorities were well below 11% in New York State.

In the first year of the Carey administration, the almost overwhelming problems of fiscal crisis demanded and consumed the full attention of the new administration, and the task of affirmative action was not fully addressed.

Since January of ~~this~~ ^{last} year, however, Governor Carey has achieved dramatic results in his appointment of women and minorities. Since January 1976, of 384 individuals approved for appointment, women have comprised 32.5% of the Governor's choices, and Blacks 13% of the total. If the Governor continues to appoint women and minorities at this rate or *improves* on this rate as he intends to do, and if the administration stays in office long enough to fill all vacancies as they occur, he will have *tripled* the number of women and minorities in these important positions by the time he leaves office. THINK OF IT. THIS ADMINISTRATION HAS INCREASED BY THREE TIMES THE NUMBER OF WOMEN AND MINORITIES IN NEW YORK STATE POLICY-MAKING POSITIONS. In addition, the Governor's office is now actively recruiting Hispanics, Asian-Americans and other ethnic minorities, and the handicapped for appointment.

Aside from the historic form of discrimination in appointments, which is simple exclusion, there is another form of discrimination which is more subtle. It is stereotyping. It consists of the simple prejudice that certain fields are appropriate to women and minorities, others are not. The fields where women and minorities have been traditionally excluded are, for example, banking and finance, scientific and technological fields, economics, and most regulatory agencies.

- What kind of appointments? Here are some front examples:*
- Anne Mead, Commissioner to the Public Service Commission.
 - Dorothea Klajbor, Commissioner to the State Liquor Authority.
 - Wilhemina (Billy) Holliday, member of the New York State Board of Parole.
 - Dasil Velez, a 28-year old Puerto Rican to the Parole Board.
 - Edward Hammock, Chairperson of the Parole Board.
 - Eileen Durning Dickinson, President of the Higher Education Services Corporation.
 - Irma Santaella, Chairperson to the Human Rights Appeals Board.
 - Rosemary ~~Boyer~~ ^{Boyer}, Chairperson of the Consumer Protection Board.
 - Dorothy Wadsworth, Commissioner on the Corrections Commission.
- Pooler*

In addition, Governor Carey has recently appointed women to the following ~~highly important and influential positions.~~

- Public Employees Relations Board
- Energy Research and Development Authority
- New York State Banking Board
- Project Finance Agency
- Municipal Assistance Corporation
- Crime Control Planning Board
- State Commission on Judicial Conduct
- Agricultural Resources Commission
- N.Y.S. Commission on Sports & Winter Olympics
- ~~and over 100 others, too numerous to itemize.~~

Minority appointments include:

- Banking Board
- Economic Development Board
- Job Development Authority
- Higher Education Services Corp.
- Palisades Interstate Park Commission
- Urban Development Corp.
- Mental Hygiene Council
- Juvenile Justice Advisory Group
- Crime Control Planning Board
- State Historical Records Advisory Council
- Community Affairs Advisory Council
- State Athletic Commission.

The success of Executive Order No. 40 will ultimately depend heavily on the attitudes and determination of the individual Commissioners being reflected and disseminated throughout various agencies. In Executive Order No. 40, the Governor has taken an unmistakable position in regard to Affirmative Action. But he has done more, he is setting a standard by his own example. If every unit of government imitates this standard, which he himself is committed to improve, the results would be immediate and remarkable.

(insert)

over 100 positions,
too numerous to itemize

Lists a few of the
important
positions

Page 2-3
election
Results

ELECTION RESULTS

More women ran for political office in 1976 than ever before, and more women won, but we still have a ~~long~~ long way to go in electing women. ✓
"The progress of women in electoral politics is steady, but slow," according to Betsey Wright, Director of the National Women's Education Fund, which monitored nationwide electoral results of women candidates.

All 16 women members of the U.S. House of Representatives who sought reelection were returned for another term and they will be joined by two newly elected Democrats: Barbara Mikulski of Baltimore, and Mary Rose Oakar of Cleveland. That gives us a total of 18 Congresswomen, or one fewer than in the last session of Congress (three incumbents did not seek reelection).

No woman will be serving in the U.S. Senate, which has not had a woman member since the retirement of Margaret Chase Smith in 1972.

STATE OFFICIALS

The State of (insert) ?

Dixy Lee Ray, Governor-elect of Washington, joins Governor Ella Grasso of Connecticut, to give the nation two women governors, both of whom are Democrats. ✓

Oregon elected its first woman state official when the voters chose State Representative Norma Paulus, a Republican, to be Secretary of State. Paulus' election brings the total number of women Secretaries of State (both elected and appointed) to 12.

Juanita McDaniel, Democrat, was elected to serve as President of the Public Service Commission in Alabama, and Paula Hawkins, Republican, was reelected to membership on Florida's Public Service Commission.

Incumbent State Treasurers Nancy Hall, Democrat of Arkansas, and Joan Finney, Democrat of Kansas, were reelected to their posts.

Georgia Ruth Rice, Democrat, was elected Superintendent of Public Instruction in Montana.

STATE LEGISLATORS

According to data collected by Women's Election Central, the total number of women state legislators will be 685, or 9.1% of all state legislators. The number of women state senators increased from 91 to 102, while women serving in state houses of representatives and assemblies increased from 527 to 583.

New York can only claim two Congresswomen, Shirley Chisholm and Elizabeth Holtzman. Unfortunately we rank near the bottom of the list when it comes to electing women to represent us in the state legislature. ✓
New York voters sent ten women to Albany (one fewer than last session), comprising 4.3% of our legislators. The three state senators and five assemblywomen who won reelection were profiled in the April/May issue of *Women New York*. Rosemary McGee, Democrat of Suffolk, who was elected to the Assembly for the first time will be introduced to our readers in a forthcoming issue.

VICTORIES FOR ERA

The election results brought good news to supporters of the Equal Rights Amendment. The Massachusetts electorate voted overwhelmingly in favor of a constitutional referendum adding an Equal Rights Amendment to the state constitution, a measure which had been supported by two successive sessions of the Massachusetts legislature. Colorado voters defeated by a three-to-two margin an effort to rescind that State's ERA. ✓

The large victories in these two divergent states, each of which was carried by a different Presidential candidate, indicate broad, bipartisan support for the Equal Rights Amendment. They are also a tribute to the solid, grass-roots organizational effort and hard work of the ERA supporters who helped to get out the vote.

On election day, voters in seven states which have yet to ratify the Federal ERA defeated 15 anti ERA state legislators. This hopeful sign leads ERA supporters to claim increased confidence in obtaining ratification by the required four additional states. It is worth noting that nine out of 16 non-ratified states are in the South, where President-elect Carter, an outspoken advocate of equal rights for women, had a clean sweep.

RED INK
Women in NY
10/12 x 20
wH4leg

Key:
L = Session Laws;
S = Senate;
A = Assembly;
C = Chapter.

WOMEN'S RIGHTS AND THE 1976 LEGISLATIVE SESSION

The 1976 legislative session was marked by continuing progress in the area of women's rights. While some of the concepts embodied in the legislation which became law this year are not new and were promoted in previous legislative sessions, significant legislation was introduced for the first time in 1976 to address concerns of women that the public is only beginning to recognize. ✓✓

For example, the Legislature demonstrated its responsibility by refusing to approve resolutions to rescind the ratification by New York of the Federal Equal Rights Amendment (ERA), and to petition Congress to resubmit the Equal Rights Amendment to all the state legislatures.

In the following areas, bills were passed by the Assembly and the Senate and signed into law by Governor Carey:

Maternity Care Insurance Coverage (L. 1976, c. 843, S. 10536 Donovan, A. 11829 Izard)—The Insurance Law was amended to require that accident and health insurance policies delivered or issued for delivery in New York provide coverage for maternity care to the same extent that coverage provided for illness or disease up to a period of four days of hospital confinement. This legislation, part of the Governor's legislative program, is the fulfillment of a pledge made in the Governor's State of the Health message to end "past patterns of discriminatory treatment for pregnancy." ✓✓

Household Workers (L. 1976, c. 397, S. 3385 Beatty, A. 4297b Posner)—This bill amends the labor law and extends the right of collective bargaining to household workers paid by service agencies.

Legislation covering all household workers was unsuccessful in the Senate in the 1975 session and appeared to be headed for the same difficulties this year. While household workers, paid directly by their employers, will not be covered by this bill, the passage of this compromise legislation finally acknowledges the principle that household workers as a group are entitled to the same protections as other employees. It can be a base from which to work for extension of collective bargaining rights for all household workers.

Enforcement of Support Orders (L. 1976, c. 425, S. 8257 Bellamy, A. 10289 Blumenthal)—This bill amends the Family Court Act to include mandatory payroll deduction orders for a State, municipal or county employee ordered to make payments for the support of dependent children or spouse when he or she is in arrears. Previously passed legislation covered only privately employed persons.

Discrimination by Employment Agencies (L. 1976, c. 814, S. 6192 Burstein, A. 12177 Lipschutz)—This legislation amends the general business law to prohibit employment agencies from discrimination on the basis of sex or from establishing sex classifications for applicants or positions.

Voter Registration—Marital Status (L. 1976, c. 196, S. 3942 Winikow, A. 5089 Amatucci)—The election law was amended so that the requirement of a statement providing marital status information on central file registration records is no longer necessary.

Battered Spouses—For the first time, the Governor's Supplemental Budget appropriated funds to establish two New York City-based programs to provide neighborhood shelters for spouses subject to physical abuse.

Furthermore, the Law Revision Commission's Study on Equal Protection recommended 29 bills to revise or repeal 106 sections of New York statutes. Twenty-four of these bills were passed by both the Assembly and Senate and signed into law by the Governor. Moreover, other substantive areas were reserved by the Commission for further study or referred to other State agencies with particular expertise.

For example, the package of bills recommended by the Law Revision Commission did not deal with such areas as support statutes, actuarial formulas, retirement provisions and pension and workmen's compensation statutes. Typically, the legislation that became law extended benefits formerly pertaining to wives or widows to husbands or widowers and in some instances only changed language to substitute sex-neutral words. S7502-A9492 made a substantive change in the law of domicile. It provided that domicile of a married person be established for all purposes without regard to sex. Formerly, in New York a woman could establish her own domicile and not have to follow that of her husband, only for purposes of voting and office-holding. Bills not passed by the Legislature include those to equalize the minimum legal age for marriage; to amend the Family Court Act to provide that treatment of children based on age does not vary with respect to the sex of the child; and to extend the practice of cosmetology and barbering to customers of either or both sexes. The last area not dealt with by the Legislature was the final recommendation of the Law Revision Commission. It proposed three alternative bills to eliminate sex-based distinctions in the eligibility requirements for death benefits to surviving spouses under the Workmen's Compensation Law. The first alternative would have extended death benefits to both sexes on the same basis as is now applicable to widows alone. The second proposal would have required both widows and widowers to prove dependency on the earnings of their spouses to qualify for death benefits. The third alternative would have enacted a presumption of dependency for all surviving spouses regardless of sex.

separate
↓ give
Title

[LAW REVISION
COMMISSION
RECOMMENDATION]

H

Parental Consent for Abortion—The Legislature passed and sent to the Governor a bill to amend the Public Health Law to provide that "No abortifacient act shall be committed upon or with respect to a person under 18 years of age without first obtaining the consent of a parent or legal guardian of such person . . ."

On June 22, 1976, Governor Carey vetoed S7031 and in so doing stated:

"... The measure is illusory. It will not accomplish its stated purpose. On the contrary, it is an attempt to substitute symbolism for a substantial and legally sound treatment of a serious issue. For example, young girls from broken homes or with absent or non-functioning parents could not as a practical matter obtain the consent required by this bill, and alternative counseling services are not even provided. Regrettably, a higher proportion of early teenage pregnancies are among those who lack a secure home. It is with respect to these children that the bill's defects are most glaring, since it would impose upon them a cruel and intolerable burden."

On July 1, 1976, the United States Supreme Court ruled that the parental consent statutes before the Court were unconstitutional. Mr. Justice Blackmun, in writing for the Court in *Planned Parenthood of Missouri v. Danforth*, U.S. (1976) 49 L. Ed. 2d, 788, 808 (1976) stated:

"The State does not have the constitutional authority to give a third party an absolute, and possibly arbitrary, veto over the decision of the physician and his patient to terminate the patient's pregnancy regardless of the reason for withholding the consent."

"Constitutional rights do not mature and come into being magically only when one attains the State defined age of majority. Minors, as well as adults, are protected by the Constitution and possess constitutional rights."

Disappointments of the 1976 Session:

Divorce Reform (S. 9076—A Gordon, A. 11555—A Blumenthal)—A major disappointment of the 1976 session was the failure of the Senate to act favorably upon a bill (A11555-A), extending divorce reform to include reform of the marital property law. The Senate also failed in the 1975 session, to consider this legislation which was passed by an overwhelming vote in the Assembly in both sessions. Today New York is one of only 11 states that gives no recognition to the fact that marriage is an economic partnership. The current law now gives the court no discretion to divide assets in an equitable manner. The strength of A11555-A is that it provides a set of criteria and requires the court to identify the factors considered in dividing assets. In addition, it states that this requirement cannot be waived by either party.

Furthermore, two of the factors listed in this legislation will be of great benefit to the majority of women. First is the present and future capacity of the person having need to be self-supporting and the period of time and training necessary to enable that person to become same. The other is the recognition for the first time of the "contributions and services of the party seeking an allowance as a spouse, parent, wage-earner and homemaker, and to the career or career potential of the other party."

For many women today, economic dependence is a major problem. Child support payments are often inadequate even when the supporting spouse has adequate income. Lack of voluntary compliance is compounded by costly and time-consuming enforcement procedures. The current system of no-fault divorce without sufficient economic protections for the dependent spouse can have disastrous consequences. The law now penalizes women who have led traditional lives. This legislation is a major step toward economic equality by recognizing the reality of non-monetary contributions made by women to the benefit of the family. The Women's Division believes that this legislation is the most urgent legislative need of the 1977 session for women in New York.

Displaced Homemakers (S. 9270 Bellamy, Burstein, Winikow, A. 11701 Lipschutz)—In the 1976 session, legislation was introduced in New York for the first time regarding the situation of displaced homemakers. Similar legislation is in place in California and has also been introduced in Congress. This legislation would provide a program of services for people who have worked in the home and have been supported by others but are no longer receiving such support due to separation, divorce or death.

Such services would include job training programs, job counseling, health and education counseling services, and assistance in finding employment to enable the displaced homemaker to become economically independent.

Displaced homemakers are often without any source of income and are often ineligible for social security because they are too young or are divorced from the wage-earner. They may also be ineligible for welfare assistance if they are not physically disabled and their children are past a certain age. Lastly, they may be ineligible for unemployment compensation because they have been engaged in unpaid labor in the home.

Women comprise most of this group. They are largely an invisible segment of our population and have, up until now, been silent and unorganized.

Maternity Disability (A. 728 Gordon, A. 2325 Posner) ^{S.p.}—Again, this year, this legislation failed to receive serious consideration. This bill would have repealed the specific provision in the Workmen's Compensation Law that makes female employees ineligible for disability if medically disabled during pregnancy or childbirth.

For further information on legislation or for copies of bills, please contact our office.

RED INK
Women in NY
10/12 x 13
wH³look

LOOK TO THE FUTURE

In 1977, women from all over New York State will meet together to discuss their mutual concerns and to prepare recommendations for the National Women's Conference to be held in ~~Washington~~ ^{Washington} in ~~1978~~. These occasions will provide a superb opportunity to focus public attention on the agenda regarding women.

I would expect that women will cooperate with the new administration in Washington as part of a massive effort to complete the unfinished agenda of half our population.

I hope that more women will make themselves available for public service, through both the appointive and electoral processes. It is important to all of us that women occupy policy-making positions in the public sector where their voices can be heard to the advantage of all.

30::: wH³look

1977.
^