



This Week in New York

Covering New York State and City Government

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April 29, 2022 Edition



“Every record has been destroyed or falsified, every book rewritten, every picture has been repainted, every statue and street building has been renamed, every date has been altered. And the process is continuing day by day and minute by minute. History has stopped. Nothing exists except an endless present in which the Party is always right.”
-George Orwell, 1984-

In the News – New York State

Let the Map Drawing Begin...Again!

Steuben County Acting Supreme Court Justice Patrick McAllister released the “gameplan” for drawing new Congressional and State Senate district lines, following the Court of Appeal’s 4-3 ruling that Democratic leaders violated the State Constitution when they drew districts. In its 32-page ruling, written by Chief Judge Janet DiFiore, the Court ordered a court-appointed special master to draw replacement lines for this year’s midterm elections.

Based on an earlier lower court decision, Justice McAllister earlier this month tapped Dr. Jonathan Cervas to serve as the special master. The new Congressional and State Senate map drawing process begins today and the resulting maps will be used in an August primary, per the Court of Appeals decision.

Justice McAllister issued two scheduling orders with regard to submission of the proposed Senate and Congressional maps after consulting with special master Cervas and the State Board of Elections. Under Thursday’s order, Justice McAllister indicated that the time for filing proposed Congressional maps has already expired. However, in a subsequent order today, he revised this order based on an appeal of his original decision. The following is the new map-related schedule:

April 30th: Respondents have until April 30th to submit proposed Congressional maps.

May 4th: The parties, any other interested party, or any person seeking to participate as an intervenor or *amicus curiae* shall file and submit any proposed complete State Senate Maps or any opposed single Senate district map, or any community of interest map to the court and Dr. Cervas for consideration by May 4, 2022.

May 6th: The parties, any other interested party, or any person seeking to participate as an intervenor or *amicus curiae* shall appear before Dr. Cervas for a hearing on May 6, 2022, at 9:30 a.m. in person at the Steuben County Courthouse in Bath, New York. At that time, anyone wishing to voice opposition to any previously submitted proposed Congressional or State Senate map may do so.

May 16th: Dr. Cervas shall complete his proposed 2022 preliminary Congressional and Senate redistricting map by May 16, 2022.

May 18th: The parties, any other interested party, or any person seeking to participate as an intervenor or *amicus curiae* shall submit to the court and Dr. Cervas any written opposition to the proposed maps by May 18, 2022.

May 20th: The final non-partisan Congressional and State Senate redistricting maps shall be issued.

The Assembly maps, although determined equally flawed by the Court of Appeals, will remain because the matter before the Court did not challenge these maps. The State's voters are currently scheduled to consider candidates in those Assembly districts, and in the Statewide races, in the June 28th primary. However, this may change, as the State's leaders consider legislation to move all of the primaries to August.

Justice McAllister issued a second order today indicating that the 2022 primary for the Congressional and State Senate elections will be held on Tuesday, August 23rd.



Comptroller DiNapoli: Debt Adding to MTA's Financial Pressures With Riders and Fare Revenue Slow to Return

MTA Bought Time With Federal Aid, Higher State Tax Revenue, But Short-term Fixes Risk Making Future Budget Gaps Worse

Despite unprecedented federal aid and better-than-expected state tax revenues, the Metropolitan Transportation Authority (MTA) continues to plan to use borrowing techniques that push difficult financial decisions into the future and could leave less money to pay for services, according to New York State Comptroller Thomas DiNapoli's [annual report on the MTA's debt](#).

If riders do not return faster than the MTA projects, or if new sources of revenue are not found, rising debt payments could force the MTA to close future budget gaps through service cuts, greater than planned fare hikes, or delays to capital projects, the report concludes.

"The MTA's finances are stable this year, but just around the corner it faces growing budget gaps with no solution to close them yet," DiNapoli said. "The MTA should not kick the can down the road. Its plans to issue debt to pay for operating costs and put off paying down its debt for capital projects may save money in the short-term, but those bills will eventually come due for future riders and taxpayers..."

According to the Comptroller, the MTA is relying on more than \$14 billion in one-time federal aid to balance its budgets through 2025. By 2026, the MTA faces a budget gap of over \$2 billion and could, as a last resort, have to borrow to pay for operating costs, as is planned for 2025.

The report encourages the MTA to prioritize its capital spending on projects that address the transit system's resiliency, so that it has a clear understanding of which projects are critical and which can be delayed if necessary.

The MTA anticipates future revenue growth will ease the burden that its debt puts on the operating budget and create breathing room to fund future capital programs, the Comptroller said. However, growth in ridership is far from certain.

In the News – New York City



Mayor Lays out \$99.7 Billion Executive Budget in his “State of the City” Address

Mayor Eric Adams this week laid out his \$99.7 billion [executive budget proposal](#) which proposes to increase City spending by \$1.2 billion as compared to the \$98.5 billion preliminary budget released in February.

The budget funds targeted investments across a variety of service areas, including economic and workforce development, transportation, homelessness, youth development, mental health and sanitation, while maintains balance in FY2022 and FY2023. Outyear gaps are projected at outyear gaps of \$3.9 billion, \$3.4 billion, and \$3.7 billion over fiscal years 2024 through 2026, respectively.

Mayor Adams also focused on bolstering the City's reserves which are now at a “record level” \$6.3 billion:

- General Reserve: \$1.06B
- Rainy Day Fund: now \$1.2B
- Retiree Health Benefits Fund: \$3.8B
- Capital Stabilization Fund: \$250M

In addition, the Mayor plans includes a strategy to replenish the Labor Reserve by adding \$1.7 billion over the financial plan: FY22: \$119 million, FY23: \$238 million, FY24: \$365 million, FY25: \$445 million, and FY26: \$495 million.

"The city's short-term finances have improved dramatically from budget adoption and still has room to improve before the end of the year," State Comptroller Thomas DiNapoli said. "This improvement reflects the city's economic resilience and savings generated mostly through staff vacancies from earlier this year, which helped the city generate a nearly \$5.3 billion surplus in FY

2022. After adjusting for the surplus transfer, total budgeted spending in FY 2023 is expected to near \$105 billion.”

Comptroller DiNapoli noted that the “vast majority” of budget investments are funded by unanticipated revenue and spending reductions and lauded the City for acknowledging potential economic disruptions, amid current inflation, with its Labor Reserve and Rainy Day fund increases.

Council Speaker Adrienne Adams indicated the budget represents a “step forward in our partnership with Mayor Adams,” but there was more to be done.

“The Council spoke loudly with its unified voice on behalf of New Yorkers and the Mayor’s Executive Budget took real steps to incorporate funding for many critical priorities from our response that we appreciate, including homeless services, housing assistance, summer youth programming, and mental health emergency responses,” the Speaker explained. “This confirms that the City has the money to fund crucial services New Yorkers need to thrive... We look forward to examining this proposed budget in greater detail, especially the areas of affordable housing, sanitation, year-round youth programs, student support services, and expanded health care access.”



Council Votes to Clarify and Improve Salary Transparency Law

The Council this week approved legislation which extends the implementation date of the City’s Law requiring job postings to include minimum and maximum salaries to November 1st. In addition, the amendments clarify job applicability and limit consequences for small employers.

Introduction 134-A, sponsored by Council Members Nantasha Williams and Justin Brannan:

- Adds explicit language applying salary transparency requirement for hourly paid workers.
- Maintains coverage of all employers with four or more employees.
- Allows employers to cure first-time violations before a monetary fine is issued.
- Clarifies that the salary transparency requirement law applies to job postings for virtual positions – those that can be done in New York City, are done in the City, or by New York City employers.
- Responds to compliance concerns amongst small employers by exclusively using the Commission on Human Rights for enforcement and fines rather than permitting private lawsuits, except for current employees who maintain an ability to sue in relation to job postings by their employers.

- Extends the effective date of Local Law 32 to provide an additional six months before the requirements take effect to provide additional time for improved compliance.

The bill now goes to Mayor Eric Adams for consideration.

Briefs

Governor Hochul Signs Executive Order Requiring the Adoption of Gender-Based Violence Workplace Policies

Governor Kathy Hochul this week signed an [Executive Order](#) directing all New York State agencies and authorities to have a workplace policy on gender-based violence. The Executive Order expands on a previous order, which required domestic violence policies, and strengthens these policies while expanding New York State's protections to include stalking and sexual assault.

The Executive Order—follows a newly released Inspector General report detailing a deadly incident of domestic violence involving employees from two state agencies—will require agencies to formulate and issue a Gender-based Violence and the Workplace policy that will include mandatory annual training for supervisors, Domestic Violence Agency Liaisons, and Human Resources staff. The policy also has an explicit requirement for agencies to designate a Domestic Violence Agency Liaison, whose role is providing agency staff with resources and information.

Governor Hochul Signs Bill Ensuring Limousine Safety Task Force Issues Final Report

Governor Kathy Hochul this week signed legislation (Chapter 177 of the Laws of 2022) ensuring the Stretch Limousine Passenger Safety Task Force issues its final report by extending the deadline to October 1, 2022. The legislation establishing the Task Force will remain in effect until May 31, 2023.

Chapter 3 of 2020 created the Stretch Limousine Passenger Safety Task Force, which is charged with conducting a comprehensive review of matters influencing the safety, adequacy, efficiency, and reliability of stretch limousine transportation. The Task Force was supposed to issue its final report and recommendations to the Governor and to the Legislature by November 1, 2021 and was to remain in place until May 31, 2022.

Although established in 2020, no appointments were made to the Task Force until October 2021. The Task Force has met twice so far, on February 3 and March 15, 2022. The next public meeting will be on Friday, April 29, 2022.

Mayor Adams Nominates David Do as TLC Commissioner, Chair

New York City Mayor Eric Adams this week announced the nomination of David Do as Chair and Commissioner of the Taxi and Limousine Commission (TLC). He currently serves as the Director of the federal Department of For-Hire Vehicles (DFHV). Under the New York City Charter, any nominee for TLC Commissioner must be confirmed by the City Council.

Under his leadership, DC Microtransit was successfully launched as an on-demand shuttle service to meet the travel needs of specific areas with various challenges. The pilot program was rebranded as DC Neighborhood Connect and subsequently repurposed in response to the public health emergency to serve healthcare workers.

Other pilot programs launched included Taxi-to-Rail, known as T2R, which initially served Wards 7 and 8 with service to Metro Stations and ultimately converted to citywide service; and the Union Station Fast Pass which rewarded top performing drivers of wheelchair accessible taxis with priority entry to the taxi line. Do previously served as the director of the Washington, DC Mayor's Office on Asian and Pacific Islander Affairs.

He is a graduate of the University of California, Merced and the University of Maryland, College Park.

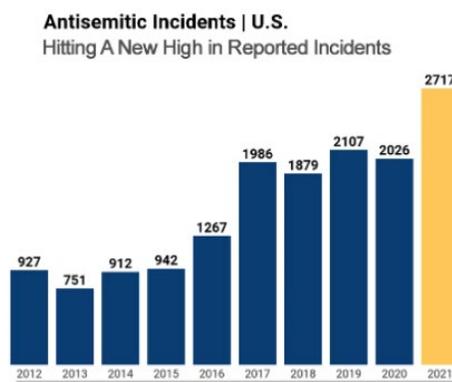
Audit Finds Antisemitic Incidents in United States Reached All-Time High in 2021

Attacks against synagogues and JCCs increased 61 percent

Antisemitic incidents reached an all-time high in the United States in 2021, with a total of 2,717 incidents of assault, harassment, and vandalism reported to ADL (the Anti-Defamation League).

This represents the highest number of incidents on record since ADL began tracking antisemitic incidents in 1979 – an average of more than seven incidents per day and a 34 percent increase year over year.

ADL's annual [*Audit of Antisemitic Incidents*](#), issued this week, found that antisemitic incidents reached a high watermark across virtually every category. Attacks against Jewish institutions, including Jewish community centers (JCCs) and synagogues, were up by 61 percent, incidents at K-12 schools increased 106 percent, and incidents on college campuses rose 21 percent.



Assaults – considered the most serious incident type because it involves person-on-person physical violence triggered by antisemitic animus – increased 167 percent, jumping to a total of 88 reports in 2021 from 33 in 2020. Incidents of harassment were up 43 percent, and acts of antisemitic vandalism rose 14 percent.

Incidents were reported in all 50 states as well as the District of Columbia. The states with the highest number of incidents were New York (416), New Jersey (370), California (367), Florida (190), Michigan (112) and Texas (112). Combined, these states accounted for 58 percent of the total incidents.

Coming Up

New York State

Monday, May 2nd

Assembly Session, New York State Capitol Building, Assembly Chambers, Albany, 1:45 p.m.

Senate Session, New York State Capitol Building, Senate Chambers, Albany, 3 p.m.

Tuesday, May 3rd

Assembly Session, New York State Capitol Building, Assembly Chambers, Albany, TBD

Senate Session, New York State Capitol Building, Senate Chambers, Albany, 3 p.m.

Wednesday, May 4th

Assembly Session, New York State Capitol Building, Assembly Chambers, Albany, TBD

Senate Session, New York State Capitol Building, Senate Chambers, Albany, 3 p.m.

Thursday, May 5th

Assembly Session, New York State Capitol Building, Assembly Chambers, Albany, TBD

Senate Session, New York State Capitol Building, Senate Chambers, Albany, 11 a.m.

New York City

Tuesday, May 3rd

Committee on Technology, Remote Hearing – Virtual Room 1, 10 a.m.

Oversight – Link NYC.

Committee on General Welfare, Remote Hearing – Virtual Room 3, 10 a.m.

Oversight – Unsheltered Homelessness in New York City.

Joint - Committee on Civil and Human Rights & Public Safety, Remote Hearing – Virtual Room 2, 10:30 a.m.

Oversight – Citywide Response to Hate Crimes and Discrimination.

Committee on Public Housing, Hybrid Hearing – Council Chambers – City Hall, 1 p.m.

Oversight – The Impact of PACT/RAD.

Thursday, May 5th

City Council, Council Chambers – City Hall, 1:30 p.m.

Friday, May 6th

Joint - Committee on Fire and Emergency Management & Finance, Remote Hearing – Virtual Room 1, 10 a.m.

Executive Budget Hearings – Fire and Emergency Management.

Joint - Committee on Parks and Recreation & Finance, Remote Hearing – Virtual Room 1, 1 p.m.

Executive Budget Hearings – Parks and Recreation.

“No man can be a good citizen unless he has a wage more than sufficient to cover the bare cost of living, and hours of labor short enough so after his day’s work is done he will have time and energy to bear his share in the management of the community, to help in carrying the general load.”

-Theodore Roosevelt-

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