



This Week in New York

Covering New York State and City Government

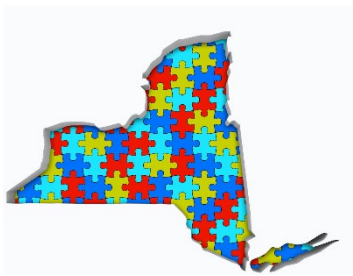
A Publication of Pitta Bishop & Del Giorno LLC

May 13, 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



Judge Upholds State Assembly Maps in Redistricting Challenge

NY Readies for Two Primary Elections

New York voters will head to the polls for two separate primaries this summer, following rulings this week in the State’s redistricting saga. On June 28th, New Yorkers will cast their votes in primaries for governor, lieutenant governor, Assembly members and U.S. Senate. On August 23rd, they will vote in primaries for Congress and state Senate.

On Wednesday, State Supreme Court Judge Patrick McAllister upheld the Legislature-drawn district maps for the state Assembly, clearing the path for a June 28th primary. The ruling did not argue the lines were constitutional, but Judge McAllister found a range of issues with rejecting the maps in the state Assembly given the need to provide timely access to military and overseas ballots for those races.

On Thursday, Judge McAllister approved a new election calendar affirming that the U.S. Congressional and State Senate District elections—based upon lines currently being redrawn under the direction of special master Dr. Jonathan Cervas—will be held on August 23rd.

Judge McAllister’s order also ruled that candidates who already petitioned for the first set of districts will not have to gather signatures again. Any person who already qualified for either a state Senate or congressional primary must certify their use of the prior petition signatures along with a specification of which district they will run in by May 31st. The order also allows candidates to remove themselves from the ballot if they no longer wish to run in the new district. This decision must be made by June 3rd.

The schedule also begins a new petitioning period for candidates who want to run in a redrawn district. Petitioning for these candidates begins May 21, one day after a new set of maps must be finalized. Candidates then must file between June 6th and June 8th to qualify.



State Department of Financial Services Launches New Bureau to Tackle Prescription Drug Costs

New Pharmacy Benefits Bureau to Supervise Pharmacy Benefit Manager Industry

Pharmacy Benefit Managers Required to Register with New Bureau by June 1st and Submit Annual Report by July 1st

Governor Kathy Hochul this week announced the launch of the Department of Financial Services' (DFS) Pharmacy Benefits Bureau, tasked with licensing and supervising the industry and keeping “a watchful eye” on Pharmacy Benefit Managers' impact on consumers and the cost of health care.

"As we continue our comeback from the COVID-19 pandemic, it's crucial that we take every opportunity to improve the health care system and reduce costs for New Yorkers," Governor Hochul said. "This landmark regulatory body will provide careful oversight to protect consumers from predatory practices in the largely unregulated Pharmacy Benefits Managers industry. My administration remains committed to doing everything in its power to reduce the burden of health insurance and prescription drug costs on New Yorkers."

Earlier this year, Governor Hochul signed legislation assigning DFS new authority to license and supervise the industry. According to the Governor, DFS now has the power to address the widely reported problematic practices in the PBM industry which in turn will help lower drug and health insurance costs, protect New Yorkers accessing those drugs, and support New York's pharmacies, many of which are independent small businesses.

The enacted 2023 State Budget included a \$5 million appropriation to fund and staff the new bureau. The Governor explained that as the program fully develops, costs to administer this initiative will be offset through the application of fees, assessments, and penalties directly on the PBM industry, ensuring the cost of regulating this industry will fall on the PBMs.

In addition to the regulation of PBMs, DFS' existing authority to investigate drug price spikes now falls under the supervision of the new Pharmacy Benefits Bureau. DFS will continue to review reporting, monitor the market conduct and ensure proper enforcement of consumer protections in New York.

In the News – New York City



City Officials Call on the Federal Government to Revoke License of Nation's Largest Supplier of Ghost Guns

New York City Mayor Eric Adams, New York City Police Department (NYPD) Commissioner Keechant Sewell, and Everytown for Gun Safety Action Fund this week called on the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to revoke the federal firearms license of Polymer80. They charged the Nevada-based company is the largest source of ghost guns used in crimes nationwide and cited the company's willful violation of federal gun laws.

According to Mayor Adams, ghost guns -- which are unserialized firearms often purchased online as kits and assembled at home -- have been a growing contributor to gun violence and gun-related homicides in New York City. Since January, the NYPD has already taken approximately 200 ghost guns off the streets, up from 148 in 2020. NYPD also reports that approximately 90 percent of ghost guns include Polymer80 parts. The company accounted for over 86 percent of the 1,475 ghost guns entered into ATF's National Integrated Ballistic Information Network database in 2019.

"We must get ghost guns out of our communities, and those that manufacture them must be shut down," said Mayor Adams. "Polymer80's entire business operation presents a clear and present danger to public safety through New York and the entire country — not only selling guns, but also marketing an entire lifestyle brand that celebrates violence and lawlessness...."

In the letter to AFT, Mayor Adams and Everytown for Gun Safety cited evidence of the connection between Polymer80's reckless business practices and gun violence in communities not only in New York, but across the country. For example, the number of untraceable ghost guns recovered by the Los Angeles Police Department increased from 813 recoveries in 2020 to 1,921 recoveries in 2021 — and of those 1,921, Polymer80 supplied 90 percent.

Mayor Adams added that Polymer80 is currently facing numerous lawsuits for its alleged contributions to gun violence. Two Los Angeles sheriffs' deputies who were shot and wounded with a Polymer80 ghost gun are suing the manufacturer, as is the city of Los Angeles. Polymer80 is also being sued by the Washington, D.C. attorney general.

Governor Kathy Hochul released a statement pledging her full support for the Mayor's initiative.

"I fully support the call from Mayor Adams, NYPD Commissioner Sewell, and the Everytown for Gun Safety Action Fund to revoke the federal firearms license of Polymer80 the largest source of ghost guns used in crimes. Gun violence is a public health and public safety crisis, and all levels of government must continue working together on aggressive action to crack down on the distribution and possession of dangerous weapons," Governor Hochul said.

Briefs

New York Employers Must Provide Notice of Electronic Monitoring

Private sector New York employers must provide notice to employees if they monitor employees' telephones, emails, and internet usage under a new law that went into effect last week.

Signed by Governor Kathy Hochul last November, the new law amends the New York Civil Rights Law and applies to individuals, corporations, partnerships, firms, or associations that have a place of business in New York State, regardless of size, according to published reports. It went into effect on May 7th.

Employers who choose to monitor employee communications must provide written notice to all new employees upon hiring and obtain acknowledgement of the notice from the employees, either in writing or electronically. In addition, employers must also post the notice of electronic monitoring in a "conspicuous place which is readily available for viewing by its employees."

Employers who violate the Act are subject to fines: (1) up to \$500 for a first offense; (2) up to \$1,000 for a second offense; and (3) up to \$3,000 for each subsequent offense.

Citing Strong Fiscal Management, Fitch Ratings Raises NYC's General Obligation Bond Credit Outlook

Fitch Ratings' (Fitch) revised New York City's financial outlook from stable to positive for the first time in more than a decade and affirmed the AA- rating assigned to New York City's General Obligation (GO) bonds, according to Mayor Eric Adams.

In affirming the city's AA- GO Bond rating, the Administration explained, Fitch credited the city's "exceptionally strong" budget monitoring and control, which are demonstrated by consistent budget balancing and outyear gap management. The strong rating is also driven by Fitch's assessment that city revenue growth will exceed inflation, and acknowledgment that its diverse revenue base and budget flexibility will protect against the impact of economic volatility.

Mayor Adams Announces Interagency Task Force to Address Rikers Island Crisis

New York City Mayor Eric Adams this week signed [Executive Order 16](#), creating an interagency task force that will coordinate and implement a multi-agency solution to support the New York City Department of Correction (DOC) and provide Mayor Adams with real-time information regarding the City's efforts to address conditions on Rikers Island.

According to Mayor Adams, the goal is clear: to implement the recommended reforms as swiftly and efficiently as possible to keep those in custody and correctional officers safe, and to build a functional, safe, and humane jail system. The task force will be chaired by Chief Counsel Brendan McGuire and Deputy Mayor for Public Safety Phillip Banks.

In addition to the co-chairs, the task force will include representatives from the DOC, the Mayor's Office of Criminal Justice, the New York City Law Department, the New York City Office of Labor Relations, the New York City Office of Management and Budget, the Mayor's Office of Contract Services, the New York City Department of Citywide Administrative Services, and the New York City Department of Design and Construction. Additional agencies will be added as needed.

The task force will meet weekly to take "direct, concrete, and immediate" action to resolve the issues identified by the Nunez monitoring team and to accomplish the objectives of the implementation plan. The task force will seek to address any and all issues related to the implementation plan and the concerns of the court, the monitoring team, the U.S. Attorney's office, and the Nunez plaintiffs.

Mayor Adams Signs Legislation to Promote Salary Transparency

Mayor Adams this week signed legislation amending Local Law 32 of 2022, which requires employers in New York City to post a salary range with all job postings.

Intro. 134 provides that the law applies to employees who are paid hourly or through an annual salary. In addition, it provides employers 30 days to correct first-time violations moves the effective date of Local Law 32 to November 1, 2022.

"Salary transparency is critical to addressing pervasive pay inequities and will help New Yorkers seeking jobs and promotions access parity," said New York City Speaker Adrienne Adams. "Intro. 134 strengthens New York City's salary transparency law and advances it towards successful implementation with broad support, including the business community and pay equity advocates. I thank Councilmembers Williams and Brannan for their leadership on this legislation and Mayor Adams for signing it into law."

Mayor Adams, Chancellor Banks Announce Comprehensive Approach to Supporting Students with Dyslexia

New York City Mayor Eric Adams and New York City Department of Education (DOE) Chancellor David Banks this week announced the City's new approach to supporting public school students with dyslexia including citywide assessments, neighborhood supports, and specialized instruction.

Beginning in fall 2022, the DOE will pilot two programs within New York City public schools, where 80 elementary schools and 80 middle schools across the city will receive targeted support and training to screen and identify students at risk for dyslexia and provide targeted interventions. Every student will participate in short, adaptive literacy screeners as part of the pilot at these schools.

All schools will be supported by district-based Academic Intervention Support coordinators on how to adjust core instruction and provide intervention when screeners, and other evidence of student work, indicate that students are not making adequate progress.

In addition, Literacy Academy Collective in P.S. 161 in the Bronx and Lab School for Family Literacy in P.S. 125 in Manhattan will both offer specialized programs for students with dyslexia and other language-based learning disabilities. The DOE will immediately move to build programs at additional schools with the goal of having at least one school offering specialized instruction in each borough by fall 2023.

By April 2023, all teachers in kindergarten through 12th grade will participate in Made by Dyslexia's two-hour introductory training.

Mayor Adams and Robin Hood Announce \$100 Million Commitment For Childcare Quality And Innovation Initiative

New York City Mayor Eric Adams this week announced new funding for a \$100 million Childcare Quality and Innovation Initiative for New York City. The funding includes \$50 million from Robin Hood and \$50 million through the City over the next four years via state and federal block grant funding.

The Childcare Quality and Innovation Initiative will seek to make high-quality, affordable childcare more accessible. This new funding can be used expand access in childcare deserts — neighborhoods without enough licensed childcare providers, provide options beyond traditional working hours, and workforce development programs.

Coming Up

New York State

Monday, May 15th

Assembly Session, New York State Capitol Building, Assembly Chambers, Albany, Noon.

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

Tuesday, May 16th

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 17th

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

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

Thursday, May 19th

The Impact of Alternative Placement Options for Foster Care Youth, Assembly Committee on Children & Families, Hearing Room C, Legislative Office Building, 10 a.m.

New York City

Tuesday, May 17th

Committee on Rules, Privileges and Elections, Hybrid Hearing, Council Chambers - City Hall, 9 a.m.

Committee on State and Federal Legislation & Committee on Housing and Buildings, Hybrid Hearing, Council Chambers - City Hall, 11 a.m.

Oversight - Examining State Proposals for Good Cause Eviction and Reforming the 421-a Tax Exemption Program.

Wednesday, May 18th

Committee on Hospitals & Committee on Finance, Remote Hearing – Virtual Room 1, 10 a.m.

Executive Budget Hearing: Hospitals

Committee on Finance, Committee on Health, & Committee on Mental Health, Disabilities and Addiction, Remote Hearing – Virtual Room 1, Noon.

Executive Budget Hearing: Health & Mental Health Disabilities and Addiction

Committee on Higher Education & Committee on Finance, Remote Hearing – Virtual Room 1, 2:30 p.m.

Executive Budget Hearing: Higher Education.

Thursday, May 19

City Council Stated Meeting, Hybrid Hearing, Council Chambers, City Hall, 1:30 p.m.

Friday, May 20

Committee on Finance & Committee on General Welfare, Remote Hearing – Virtual Room 1, 9 a.m.

Executive Budget Hearing: Finance & General Welfare.

“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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