



This Week in New York

Covering New York State and City Government
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In the News – State



Governor Cuomo Outlines 2020 Agenda: Making Progress Happen

2020 State of the State Book Available [Here](#)

Governor Andrew Cuomo this week delivered his 2020 State of the State address. The Governor's 2020 agenda - *Making Progress Happen* - features proposals to tackle issues facing New York including a domestic terrorism law to address the increase in hate crimes, a \$3 billion environmental bond act to fight climate change, legalized cannabis, and infrastructure and economic development investments.



"Our ship of state is stronger than it has been in decades, but the ocean we navigate is as tempest tossed as we have seen. Waves of anxiety, injustice and frustration are being fanned by winds of anger and division, creating a political and social superstorm, but these are the times when New York is called upon to show leadership and set a course for a troubled nation," Governor Cuomo said.

To help right the State's \$6 billion budget deficit, the Governor will reboot New York's Medicaid Redesign Team (MRT) to revamp the program and cut its \$3 million to \$4 million shortfall. He vowed to address the Medicaid budget shortfall "intelligently and prudently," including the costs incurred when local governments were held harmless by the state for Medicaid increases.

Included among the Governor's initiatives for 2020 are:

Passing the Hate Crime Anti-Terrorism Act: The Governor is proposing a domestic terrorism law to include mass violence motivated by hate, creating a new A-1 class felony punishable by up to life in prison without parole. The Governor is also proposing New York schools add a curriculum that teaches civic values and the state's rich history of diversity and religious freedom. The Battery Park City Authority will develop a plan to expand the Museum of Jewish Heritage on the Holocaust to be a learning destination for school children across the state.

Creating \$3 Billion 'Restore Mother Nature' Bond Act: Governor Cuomo will launch Restore Mother Nature - the nation's most aggressive program for habitat restoration and flood reduction, funded in part by a \$3 billion environmental bond act.

Establishing Paid Sick Leave for Working New Yorkers: Governor Cuomo proposes that all working New Yorkers have access to sick leave. Businesses with five to 99 employees will provide their employees at least five days of job-protected paid sick leave per year and businesses with 100 employees or more will provide at least seven days of paid sick leave per year. Smaller businesses, with four or fewer employees, will guarantee five days of job-protected unpaid sick leave to their employees every year.

Lowering Tax Rates for Small Businesses: Governor Cuomo will propose comprehensive tax relief for small businesses, including: reducing the corporate tax rate for small businesses from 6.5 percent to 4 percent; tripling the current income exclusion for farmers and sole proprietors; making the investment tax credit refundable for farmers; and repealing the penalty on S corporations for underpayment of estimated taxes.

Protecting Gig Economy Workers: Governor Cuomo will introduce legislation to make sure all of New York's workers receive basic employee protections and access to critical safety nets.

Ensuring Cellular Coverage Across New York: Governor Cuomo will launch a comprehensive plan to put New York on a path to full cellular service coverage. The Governor will also advance legislation to standardize the permitting of next generation small cell technology on municipal-owned infrastructure statewide and will support a series of regulatory improvements to promote private cellular infrastructure in areas determined to have significant pockets of unreliable cell coverage.

Requiring Public Officials to Disclose Their Tax Returns: Governor Cuomo will propose the "Nothing to Hide" law to require that the Governor, the Lieutenant Governor, the Attorney General, the Comptroller, every state commissioner and every Assembly Member and Senator make their tax returns public. Further, any elected official in the State who earns over \$100,000 a year will have to do the same.

Streamline and Simplify New York's Court System: Governor Cuomo will work with Chief Judge DiFiore and the Legislature to pursue the efficiency, transparency and fairness goals identified by the Chief Judge.

Building the Empire Station Complex: Governor Cuomo proposes redeveloping the full city block south of Penn Station to add rail capacity. This expansion would increase overall track capacity by nearly 40 percent by adding at least 8 new tracks to the existing 21 tracks, dramatically increase passenger terminal capacity, ease congestion with widened sidewalks and prominent subway entrances and add new development opportunities on adjoining parcels that will transform the area. As part of this plan, Governor Cuomo further proposes to explore acquiring the Madison Square Garden Theater to create a new 8th Avenue entrance to the existing Penn Station.

Strengthening New York's Position as the Hub of the U.S. Offshore Wind Industry: In 2020, NYSERDA will issue its second solicitation for offshore wind facilities, which is expected to yield at least an additional 1,000 megawatts of clean power. NYSERDA, DOT and ESD will also initiate a competitive process to award \$200 million in public investments in port infrastructure improvements.

Streamlining MWBE Certification Process and Create Statewide Integrated Application

Portal: Governor Cuomo will direct Empire State Development's Division of Minority and Women's Business Development to establish a Statewide Integrated MWBE Application Portal. This will allow business owners to apply for any and all MWBE Certification programs in New York using one website and one common application. The Governor is also announcing additional improvements to the MWBE certification process, including: extending MWBE certifications from three years to five years; expanding the Division of Minority and Women's Business Development's internal resources and working with external stakeholders to streamline and reduce the time associated with the application review process; and releasing updated information and guidance that explains the certification process and providing increased technical assistance to applicants as they navigate the certification process.

Transferring Pier 76 Tow Pound to Hudson River Park for Reuse: Governor Cuomo proposes effectuating the long-deferred transfer of Pier 76 from its use as a tow pound for the NYPD to the control of the Hudson River Park Trust to integrate into the park complex. The pier is the last significant opportunity for west side waterfront access. As part of the Governor's proposal, Pier 76 will be vacated at the end of this year, and the Hudson River Park Trust, in consultation with the City of New York, the relevant community boards and representatives, the local elected officials and Assembly and Senate members and other stakeholders, will develop a reuse plan.

Investing \$14 Million in Apprenticeship Expansion Across New York State: New York State will invest \$14 million into expanding apprenticeship opportunities across the State this year.

Ensuring the Strongest Net Neutrality Protections for all New Yorkers: The Governor will introduce legislation to prevent the blocking, throttling and paid prioritization of online content — practices that undermine a free and open internet. The legislation will also prohibit so-called "zero-rating" practices, which penalize consumers for accessing content or applications that are not preferred by their internet provider. The legislation will also codify into law Governor Cuomo's 2018 Executive Order mandating that state government entities may not enter into contracts with internet service providers unless they follow net neutrality principles.

Licensing and Regulating Debt Collection Companies: The Governor will propose legislation to give the Department of Financial Services (DFS) authority to license debt collection entities and empower DFS to examine and investigate suspected abuses, including by requiring the submission of information to DFS and authorizing DFS investigators to enter a debt collector's office at any time to review its books and records. This new oversight authority would also allow the Department to bring punitive administrative actions against unscrupulous debt collectors.

Strengthening New York's Consumer Protection Laws: Governor Cuomo is proposing a consumer protection agenda to enable New York to protect New York from new predatory financial products. First, the Governor proposes making New York State consumer protection law consistent with federal law. Second, the Governor proposes eliminating unnecessary exemptions for consumer financial products and services. Third, the Governor will close loopholes and create a level playing field for regulated entities. And finally, the Governor proposes amending the Insurance Law to increase maximum fines for violations of law and ensure DFS has the authority to maintain civil enforcement actions to address violations.

Requiring Sexual Harassment Data Disclosure from State Contractors: Governor Cuomo will propose measures requiring potential state contractors to provide a report of the number of adverse judgments, adverse administrative rulings and settlements relating to sexual harassment within the past year.

Strengthening Safety Measures for Occupants of Stretch Limousines and Other For-Hire Commercial Vehicles: Governor Cuomo will propose reforms to ensure there are safety protections for limousines and other increased passenger protections. This package of reforms will include legislation requiring that all occupants of a vehicle wear a seatbelt; will increase civil and criminal penalties for violations of a State operating permit, tampering with a federal motor vehicle safety standard tag, or altering or obtaining an invalid State inspection sticker; and will eliminate current statutory exemptions from operating permits in Transportation Law for vehicles that would otherwise be considered a bus, among other things.



Senate Starts 2020 With Election Law Reform

The State Senate opened the 2020 legislative session with the passage of a 9-bill election reform package, including the “New York Automatic Voter Registration Act of 2020.”

The initiatives ranged from the Act which would automatically register New Yorkers to vote via applications with the State Department of Motor Vehicles and the Department of Health to tweaking the State’s early voting statute which was enacted this year and implement in November. Specifically, the package included:

- **S4378 Sponsored by Senator Parker (A5661by M of A Rozic)** - Provides that whenever 300 or more registered voters (excluding registrants in inactive status) are registered on a contiguous college or university property the polling place for such voters shall be on the property or at a location approved by the college or university. Assembly Status: Calendar #218.
- **S6457B Sponsored by Senator Gianaris** – Establishes the "New York Automatic Voter Registration Act of 2020" which implements a system of automatic voter registration, ("AVR") within certain designated state agency applications. The bill specifically designates the Department of Motor Vehicles (DMV) and Department of Health (DOH) as agencies participating in AVR. No Assembly companion.
- **S6754A Sponsored by Senator Breslin** -- Requires municipalities with the highest population in each county to have at least one polling place designated for early voting. No Assembly companion.
- **S6805 Sponsored by Senator Myrie** – Authorizes the commissioner of the Department of Transportation ("DOT") and local municipalities to place variable message signs along highways that display election and voting related messages during certain times of the year. No Assembly companion.

- **S6922 Sponsored by Senator Kaplan** -- Provides that, on Long Island, each town and city must have an early voting polling location. No Assembly companion.
- **S6923 Sponsored by Senator Martinez** – Sets the number of early voting poll sites in certain cities and towns of population greater than 100,000 and requires, where practicable, that such sites shall be situated along public transportation routes. No Assembly companion.
- **S6925 Sponsored by Senator Biaggi** --Provides that certain cities and towns of 50,000 or more shall have early voting poll sites within their boundaries and, where practicable, that such sites shall be situated along public transportation routes. No Assembly companion.
- **S6926A Sponsored by Senator May** --Establishes portable polling locations for early voting; provides that a county board of elections may establish two or more portable polling locations. No Assembly companion.
- **S6930 Sponsored by Senator Krueger** -- This bill provides that public schools shall not be designated as early voting polling sites. No Assembly companion.



Assembly Lays Out Agenda

In his opening speech of the 2020 session, Assembly Speaker Carl Heastie outlined a progressive agenda highlighted by a commitment to address the homeless crisis in New York State.

According to the Speaker, research shows that the primary cause of homelessness, particularly among families, is a lack of affordable housing, while homeless single adults are often homeless due to higher rates of serious mental illness, addiction disorders and other severe health problems. He pledged to focus on the issue comprehensively through investments in affordable housing and mental health treatment.

To put the homeless crisis in perspective, Speaker Heastie explained that the number of New Yorkers who were homeless over a recent 12-month period exceeded 250,000 (greater than the populations of every city in the state except for Buffalo and New York) and that the number of people sleeping in New York City's municipal shelters is now 59 percent higher than it was 10 years ago.

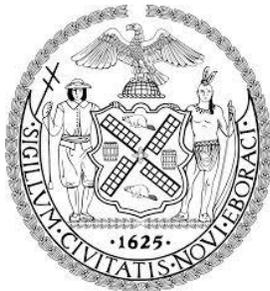
“We cannot address these issues in piecemeal fashion - they are all interconnected,” Speaker Heastie said.

In addition, the Assembly will continue to combat the opioid crisis, support a growing hemp industry and will “address the spending imbalance in the Medicaid program while continuing our fight to ensure all New Yorkers have access to high quality, affordable health care.”

The Speaker concluded his remarks with a pledge for effective government.

“Now more than ever, amidst much division and cynicism, we must double down on our commitment to operating an effective government that serves the people,” he said. “I look forward to building on that commitment in the year ahead.”

In the News – City



De Blasio Administration Releases *Where We Live NYC*, A Blueprint for the Future of Fair Housing

The de Blasio Administration this week released the [Where We Live NYC Draft Plan](#), the City’s plan to promote fair housing.

“Across the country, Americans are living with the legacy of segregation,” Mayor Bill de Blasio explained. “In New York City, we’re charting a path forward to continue to make New York the fairest big city in America.”

The *Where We Live NYC* Draft Plan includes the following initiatives:

- **Expand resources to combat persistent housing discrimination**, including a new dedicated unit to test for and pursue proactive cases against housing discrimination and new protections for justice-involved New Yorkers and New Yorkers who use housing vouchers.
- **Support housing development throughout the city and region**, by expediting the creation of more affordable housing for low-income households and exploring zoning, land use, and other regulatory actions that will promote growth more broadly across the five boroughs.
- **Preserve affordable housing and prevent displacement of long-standing residents**, through improving the quality of the city’s existing housing stock, particularly the 170,000 homes managed by NYCHA and expanding resources that protect tenants and homeowners against the threats of harassment, eviction, fraud, and scams.
- **Empower New Yorkers who use housing vouchers with more choice**, by expanding the number of homes available to New Yorkers who receive rental assistance benefits and improving voucher holders’ and landlords’ experiences with the City.

- **Create more independent and integrated living options for people with disabilities**, by leveraging the resources of the healthcare sector and expanding programs that assist people with disabilities obtain renovations to accommodate their physical needs.
- **Make equitable investments and change policies to support neighborhoods suffering from historic disinvestment** through thoughtful decision-making and community engagement. The City will invest in increased wealth-building opportunities, improved public transit, and expanded diversity in public schools, among other initiatives.

In addition, the City is launching the Fair Housing Litigation Unit to bring cases against owners and brokers who discriminate based on race, disability and source of income. This unit will be comprised of researchers, lawyers, and market testers who will go into the community as “secret shoppers” and identify discriminatory practices.

Briefs

Assembly Committee Chairs

Assembly Speaker Carl Heastie this week released new leadership posts for his conference this week, accounting for changes from the November elections.

Assemblymember Michele Titus’ (D-Queens) election to a judgeship in Queens left a vacancy as chair of the Governmental Operations Committee. Speaker Heastie tapped Assemblyman Ken Zebrowski (D-Rockland) to lead that committee. The Banks Committee, which had been chaired by Assemblyman Zebrowski, will now be headed by Assemblyman Tom Abinanti (D-Westchester), and the Oversight, Analysis and Investigation Committee chairmanship went from Abinanti to John McDonald (D-Albany).

Four other posts changed including:

- Assemblymember Patricia Fahy (D-Albany) is the new vice chair of majority steering, a position formerly held by McDonald.
- Assemblymember Latrice Walker (D-Brooklyn) is the new chair of the Science & Technology Commission, a post previously occupied by Fahy.
- Assemblymember Aravella Simotas (D-Queens) is the new chair of Task Force on Women’s Issues, a job that had been held by Walker.
- Assemblymember Jo Anne Simon (D-Brooklyn) now chairs the Ethics and Guidance Committee, which was chaired by Simotas last year.

Assemblyman Will Barclay elected NY Assembly Minority Leader

Assemblyman William A. Barclay (R-Oswego) was unanimously elected as the Assembly's Minority Leader. He succeeds Assemblyman Brian Kolb who stepped down last week.

Leader Barclay, 51, who was the Deputy Minority Leader, was first elected to the Assembly in 2002. Democrats outnumber Republicans in the State's lower house, 105 to 42.

Mr. Barclay is a graduate of St. Lawrence University and Syracuse University College of Law. After graduating from law school, he served as a law clerk for Roger J. Miner, a judge of the United States Court of Appeals, Second Circuit, in Albany and New York City.

MTA Removes 300 Bombardier Subway Cars From Service

The Metropolitan Transportation Authority (MTA) has pulled 300 new Bombardier subway cars from service due to "questions about the reliable operation of a door mechanism" on R179 cars.

"Out of an abundance of caution, NYCT removed all R179 train cars from service overnight for thorough inspection and re-deployed other spare cars to continue service for this morning's rush and ensure minimal impacts to customers," said New York City Transit President Andy Byford, in a statement.

The 300 cars represent nearly 6 percent of the 5,400 subway cars the MTA operates a day.

Byford said he's enlisted an outside engineering firm to conduct an independent review of the issue.

De Blasio Administration Secures Nearly \$500,000 in Restitution for 4,500 Home Health Aides

Mayor Bill de Blasio and Department of Consumer and Worker Protection (DCWP) Commissioner Lorelei Salas this week announced settlement agreements with 11 home care agencies to resolve violations of the New York City Paid Safe and Sick Leave Law. The settlements require the agencies to pay nearly \$450,000 in restitution to more than 4,100 home health aides.

In addition, the settlements also require the agencies to pay nearly \$122,000 in civil penalties, identify and implement a compliance officer, train managerial staff, and post and distribute the Notice of Employee Rights to all employees.

The cases are part of DCWP's major proactive enforcement initiative to examine the industry's compliance with the NYC Paid Safe and Sick Leave Law, wage and hour requirements, and other workplace standards. As a result of the investigation, DCWP has now entered into settlement agreements with 32 agencies. These settlements require the agencies to pay a total of nearly \$500,000 in restitution to more than 4,500 workers, pay \$145,000 in civil penalties, and comply with the Law going forward.

BQE Reconstruction Panel May Propose New Panel

The panel of experts convened by Mayor Bill de Blasio to develop a proposal for the reconstruction of the Brooklyn-Queens Expressway (BQE) may recommend the creation of a City, State, and Federal panel, according to published reports.

The Brooklyn-Queens Expressway Expert Panel report may also include a call for reducing traffic volumes. More than 150,000 vehicles use the roadway each day, including 15,000 trucks. The draft currently recommends reducing lanes from three to two in each direction to discourage traffic, and closing some on-ramps to reduce traffic volumes.

In a statement, the BQE panel emphasized that its final will be released in the coming weeks and that all drafts are subject to change.

“The BQE panel will release its report in the coming weeks after meeting with community groups and elected officials,” said Chairman Carlo Scissura said. “As of now nothing has been concluded and nothing is final.”

Coming Up

New York State

***The Legislature is in session Monday January 13th through
Wednesday January 15th***

Tuesday January 14th

Real Property Taxation Budget Implementation Hearing

Assembly Standing Committee on Real Property Taxation

Roosevelt Hearing Room C, Legislative Office Building, 2nd Floor, Albany, 9:30 a.m.

New York City

Monday January 13th

Committee on Housing and Buildings, Council Chambers – City Hall, 10 a.m.

Committee on Oversight and Investigations, Committee Room – City Hall, 10 a.m.

Tuesday January 14th

Subcommittee on Zoning and Franchises, Council Chambers – City Hall, 10 a.m.

Committee on Youth Services, Council Chambers – City Hall, 10 a.m.

Subcommittee on Landmarks, Public Sitings and Dispositions, Committee Room – 250 Broadway, 16th Floor, 1 p.m.

Committee on Contracts, Committee Room – City Hall, 1 p.m.

Wednesday January 15th

Committee on Public Housing, Committee Room – 250 Broadway, 14th Floor, 1 p.m.

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To Our Clients: If you have any questions regarding any of the matters addressed in this newsletter, or regarding any legislative, government relations or political or consulting or related issues in general, please contact the Pitta Bishop & Del Giorno LLC professional with whom you usually work.

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