



This Week in New York

Covering New York State and City Government
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“Obstacles don't define us. Rather, it is the unparalleled courage and character of us that defines us as a people. So my confidence in the future is steeped in our glorious past - in the face of adversity, we always persist. We persevere, we prevail.” Governor Kathy Hochul



In the News-New York State



April 1st Brings the Start NY’s Fiscal Year & Stakeholders to the State Capitol

Saturday’s deadline for New York’s FY24 spending plan has brought throngs of stakeholders to the State Capitol this week to make their last pleas for inclusion in the final budget.

On Monday, New York City Mayor Eric Adams traveled to Albany to make a last-minute pitch for the City’s programs. He reiterated his call for State support for the City’s “top issue”—assisting the tens of thousands of migrants from the United States’ southern border who are now costing New York City approximately \$5 million per day.

“We shared our concerns, and the lawmakers understand this is a potential \$4.2 billion issue that we’re facing in the city of New York,” Mayor Adams, according to published reports, in reference to the estimated two-year cost through mid-2024.

In addition, the Mayor called for more state funding for the Metropolitan Transportation Authority (as opposed to the Governor’s proposal for New York City to contribute \$500 million more to the agency each year) and “criminal justice reform that’s going to include money for prosecutors, for defense attorneys. We need to un-bottleneck our system.”

Later in the day, “Tax the Rich” activists converged on the Capitol. A dozen activists were arrested in the state Capitol Monday evening in conjunction with their protest which had included an overnight stay in the War Room outside Governor Hochul’s second floor office.

Tuesday brought the environmental advocates who rocked halls outside of the Assembly chamber with chants and whistles in support of Climate Change reform and then formed a gauntlet between the legislative office building to the capital engaging legislators, staff, and lobbyists alike in their call for policy change.



Tax the Rich Advocates take over the Capitol War Room

On Wednesday hundreds of tenants from across the State rallied outside of Governor Hochul’s office, demanding state lawmakers protect tenants facing rent hikes and eviction. The rallies called on the Governor to pass the Good Cause eviction protections and to include tenant relief in 2023-2024 fiscal plan. Tenants and advocates brought sleeping bags and moving boxes to the rally, warning of a spike in homelessness if Good Cause is not passed this year. After the action, 36 individuals occupied the hallways outside of Governor Hochul’s office and were subsequently arrested.

As things heated up in the halls of the Capitol, “light” shone on the behind-the-scenes budget negotiations. *Politico* reported that the Assembly had proposed budget language to revise the state bail laws to remove, for some offenses, the “least restrictive means” standard judges use to set bail.

Following the release, Assemblymember Latrice Walker, sponsor of the original bail reform initiative, shot back against the report, asserting that there have been “...no concessions on bail reform.”

“I feel the need to clarify that the Assembly Majority opposes any changes to weaken or upend the bail laws,” the Assemblymember said in a statement released on *Twitter*. “...We have been resolute in our fight for investments and policy changes that will actually improve community safety.”

Budget battles are being waged outside of the Albany, as well.

In Buffalo, Evergreen Health and its affiliate, the Pride Center of Western New York, sent a letter Monday night to Governor Hochul, informing her that it was denying her administration's request to participate in the annual Pride parade and festival on June 4. The move came in response to the Governor’s continued efforts to cut funding to community based health care centers under the federal 340B pharmacy benefit program.

In New York City, members of 1199 held a mock funeral procession which led to the Governor's New York City Office calling for increase health care funding. Mourners, dressed in black and carrying coffins and tombstones, were accompanied by a brass band in the style of a New Orleans funeral.

New York's Fiscal Year 2023-2024 begins at 12 a.m. Saturday April 1st. In an interview on New York State Public Radio, Governor Hochul indicated that she and the State Legislature need more time to work out the details of the budget.

"It's becoming clear that the budget will not be meeting the April 1 deadline," Governor Hochul told Karen DeWitt. "But as I have said all along, it's not about a race to the deadline, its about a race to getting the right results."



Legislature Considers Governor's Program Bill to Fill Vacancies on State Court of Appeals



The State Senate and Assembly are poised to approve program legislation introduced at the request of Governor Kathy Hochul to make it easier for the Governor to fill vacancies on the Court of Appeals.

Under the legislation (S6061/A5983), if the Governor selects a sitting Associate Judge to head the State's Court of Appeals, she could then fill their position with a nominee from the list of recommendations provided to her by the state nominating commission.

Senator Judiciary Committee Chairman Brad Hoylman-Sigal sponsors the legislation which was approved by the Senate today. In the Assembly, where it is sponsored by Judiciary Committee Chairman Charles Lavine, the bill is on the Assembly calendar.

The State's highest court is comprised of a Chief Judge and six Associate Judges, each serving 14-year terms. With Chief Judge Janet DiFiore's retirement last year, the Court of Appeals currently has Acting Chief Judge Anthony Cannataro and five Associate Judges—Hon. Rowan Wilson, Hon. Jennie Rivera, Hon. Michael Garcia, Hon. Madeline Singas, and Hon. Shirley Troutman.

The State Commission on Judicial Nomination sent a new list of seven candidates to Governor Hochul last week. It includes three current Court of judges-- Acting Chief Judge Cannataro, Associate Judge Wilson, and Associate Judge Troutman. She has until April 23rd to select a candidate to send to the Senate for confirmation.

Without the legislation, if a sitting judge is confirmed as Chief Judge, the Commission would have to begin its search process again, which could take up to 120 days.

The Commission's candidate list also includes:

- Hon. Elizabeth A. Garry, Presiding Justice, Appellate Division, Third Department.
- Caitlin J. Halligan, Esq., attorney in private practice (Selendy Gay Elsberg PLLC).
- Corey L. Stoughton, Esq., Attorney-in-Charge, Special Litigation and Law Reform, The Legal Aid Society.
- Hon. Gerald J. Whalen, Presiding Justice, Appellate Division, Fourth Department.

In the News-New York City



Mayor Adams, OLR Commissioner Campion Announce Signing Of Medicare Advantage Contract

New York City Mayor Eric Adams and New York City Office of Labor Relations (OLR) Commissioner Renee Campion today announced the official signing of the contract between the City of New York and Aetna to provide a Medicare Advantage plan to the City's approximately 250,000 retirees and their dependents.

According to the Mayor, the New York City Aetna Medicare Advantage plan will continue the City's long-standing commitment to providing high-quality, premium-free coverage to the city's retirees and their dependents.

"Our administration has never wavered in our commitment to provide retirees and their dependents with high-quality, sustainable coverage while allowing us to rein in the skyrocketing costs of health care and the strain it is placing on our city's budget," said Mayor Adams. "This plan improves upon retirees' current plans, including offering a lower deductible, a cap on out-of-pocket expenses, and new benefits, like transportation, fitness programs, and wellness incentives. We also heard the concerns of retirees and worked to significantly limit the number of procedures subject to prior authorization under this plan. This Medicare Advantage plan is in the best interests of both our city's retirees and its taxpayers."

The signing of the five-plus year contract follows the official approval by the Municipal Labor Committee (MLC) on March 9, 2023. As of September 1, 2023, retirees currently enrolled in the city's Senior Care plan will automatically be enrolled in the Medicare Advantage plan. Medicare-eligible retirees and their dependents will also be able to opt out of the Aetna Medicare Advantage plan and enrolling in the city's HIP VIP Plan instead.

“For months, the city has worked with the Municipal Labor Committee to diligently negotiate this contract with Aetna to provide a custom Medicare Advantage program to the city’s retirees,” said OLR Commissioner Campion. “This new plan provides substantial improvements to retirees’ health coverage, as well as new and enhanced benefits. We thank the MLC for their partnership throughout this process and Aetna for working with us to provide the best possible plan for New York City retirees.”

The city’s Aetna Medicare Advantage plan will provide a lower deductible for retirees than their current Senior Care plan. The plan also places a cap on out-of-pocket expenses and offers new benefits to retirees, including transportation to certain doctors’ appointments, fitness programs, and wellness incentives. Additionally, the plan significantly limits the number of procedures requiring prior authorization.

Aetna has built a [custom website specifically for City of New York retirees](#). The website has resources for retirees to look up their doctor, find out detailed information about their plan, and register for online and in-person information sessions. Retirees can also contact Aetna’s dedicated call center at 855-648-0389 (TTY: 711), Monday to Friday, from 8:00 AM to 9:00 PM. Aetna will additionally be holding a series of in-person town hall meetings beginning next week in the New York metro area and other states with high Medicare-eligible retiree populations to answer any questions and assist them with the transition.



Mayor Adams Launches First Phase of MyCity Portal Providing 24/7 Access to City Services

Simplified Child Care Application Kicks Off New Portal

New York City Mayor Eric Adams, First Deputy Mayor Sheena Wright, and New York City Chief Technology Officer Matthew Fraser this week announced the first phase of the launch of the [MyCity portal](#), a one-stop shop for city services and benefits that will make it easier for New Yorkers to access the support of city agencies.

MyCity users are now able to check eligibility, apply for, and track services and benefits in the city’s 10 most common languages, as well as securely save their information and documentation for future applications as they apply for childcare. Later this year, the Adams administration will launch phase two of the MyCity portal to assist job seekers and small businesses.

“New Yorkers are busy 24/7 so today we are making it easier for New Yorkers to access city services — 24/7,” said Mayor Adams. “The newly launched MyCity online portal will allow New Yorkers to go online, easily search, apply for, and track city services and benefits right from their smartphones or computers — and we’re starting by spotlighting childcare. For the first time, families who need help paying for childcare can apply in one place, with one application...”

New Yorkers with an internet connection on their phone or computer will be able to log onto mycity.nyc.gov using their IDNYC login or by using an existing email address to authenticate their account. For government agencies, MyCity will act as a centralized data repository that enables greater information sharing across government agencies.

This week's phase one launch features the new child care assistance application, which consolidates a paper application used by multiple government agencies (DOE and ACS) into a single online form. Once an application is submitted, agency staff will review the application and provide status updates to applicants through MyCity. Families will also be able to self-screen to determine whether they may be eligible for assistance before they even apply. Families will still be able to mail in paper applications if they prefer that option. Phase one of MyCity also directs New Yorkers to existing resources for small businesses owners and job seekers, as well as to the city's benefits screener.

Briefs

Federal Court Lifts Adult Use Cannabis Dispensary License Award Injunction for Majority of the State

A federal court this week lifted an injunction for all but one of five regions in New York that had been blocked from issuing licenses for adult use cannabis retailers.

The three-judge panel for the U.S. Court of Appeals, Second Circuit, in Manhattan rules that the Office of Cannabis Management can issued licenses for applications in Central New York, Western New York, Mid-Hudson and Brooklyn. The ruling maintains the injunction in the Finger Lakes, which Variscite, the plaintiff listed as its top geographic preference.

In a statement, Governor Kathy Hochul welcomed the decision which meant that almost every "region of the state will have access to safer, high-quality, adult-use cannabis products."

Meanwhile, Rochester legislator Senator Jeremy Cooney expressed disappointment.

"The Rochester and Greater Finger Lakes Region was negatively impacted by the failed war on drugs. Its residents, especially members of the Black and Brown community, deserve the opportunity to participate in the social equity programs that are part of the marijuana law to help minority businesses open marijuana stores," Senator Cooney said in a statement.

At the March meeting, the Office announced its plan to double the number of conditional adult use dispensary (CAURD) licenses awarded to 300. Over 900 applications were received for the then-150 CAURD licenses. The Board indicated that it hoped to award the next round of licenses at the April meeting.

The OCM is scheduled to meet on April 3rd in Brooklyn.

Comptroller DiNapoli: MTA Must Prioritize Safety and Service to Win Riders Back

The Metropolitan Transportation Authority (MTA) continues to make progress on bringing back riders, but ridership remains well below pre-pandemic levels, putting a major strain on its budget. A [report released](#) by New York State Comptroller Thomas DiNapoli highlights key areas of transit service — safety, reliability and frequency — where the MTA can take steps to improve riders' experience and encourage their return, to effectively fulfil its mission and stabilize its fiscal position.

Comptroller DiNapoli's report urges the MTA to continue to focus its available funding and communication efforts on improvements in these key areas. If the authority can assure safe and reliable service, it could improve upon its projection of reaching 80% of pre-pandemic ridership in 2026.

According to the MTA's fall 2022 rider survey, 41% of subway riders said they use transit less than they did pre-pandemic and gave two main reasons: the ability to work from home and fear for their personal safety.

In 2022, there were 2,334 major felonies, but this included 1,183 violent crimes (51%). In 2019, of the 2,524 subway felonies, only 935 (37%) were considered violent. Even though there are fewer overall incidents of crime last year, the rate of crime remains higher than pre-pandemic because subway ridership has declined.

Mayor Adams Calls Upon Governor to Support Health Insurance Expansion for Undocumented Individuals

New York City Mayor Eric Adams this week sent a letter to Governor Kathy Hochul urging her to support expanding the State's health insurance program to cover adult undocumented individuals living in the state.

Specifically, Mayor Adams called for expanding the Essential Plan to include undocumented adults between the ages of 19 and 64. If approved, about 245,000 New York residents statewide would be added.

"We rarely have the opportunity to improve the lives of so many New Yorkers through a single policy modification," Mayor Adams wrote in the letter. "Please consider this letter and... seize this opportunity."

Proponents of the expansion assert that immigrant coverage through the federal 1332 Waiver would also save New York \$500 million, which it currently spends providing bare bones Emergency Medicaid coverage to immigrants.

Mayor Adams, Trust for Governors Island Introduce New Hybrid Ferry

New York City Mayor Eric Adams and Trust for Governors Island President and CEO Clare Newman this week introduced New York City's first public, hybrid-electric ferry.

The new ferry will be equipped with a hybrid propulsion system that will reduce air pollution by allowing it to toggle between zero-emission battery-only power and battery-assisted hybrid with diesel backup. The ferry is under construction at Conrad Shipyard's facility in Morgan City, Louisiana and is expected to transport passengers to Governors Island in summer of 2024.

The new ferry will have capacity to serve up to 1,200 passengers at a time. It will replace the diesel-powered Lt. Samuel S. Coursen, the Trust's current vehicle and passenger ferry, which was commissioned by the U.S. Army in 1956 and has been in continuous use since.

Ahead of the ferry's launch, Mayor Adams and the Trust launched a citywide competition to name the new vessel. All New Yorkers are invited to participate by suggesting names on the [Governors Island website](#) until May 25, 2023, with the final name expected to be announced in summer of 2023.

Mayor Adams Appoints Dawn Smalls to NYC CFB

New York City Mayor Eric Adams today announced the appointment of Dawn Smalls to the New York City Campaign Finance Board (CFB).

Smalls previously served then in the Obama administration as the chief regulatory officer at the U.S. Department of Health and Human Services (HHS), as well as HHS' liaison to the Office of Information and Regulatory Affairs at the Office of Management and Budget. In addition, she was a Commissioner of the New York State Joint Commission on Public Ethics.

She is a graduate of Boston University and Stanford Law School.

The CFB board consists of five members — two mayoral appointees, two appointees from the speaker of the New York City Council, and a chair who is appointed by the mayor in consultation with the speaker — each of whom is appointed to five-year terms.

City EMTs, Paramedics, and Fire Inspectors Assert Mayor's Building Plan Favors Expediency at the Cost of Safety

Representatives of the City's Uniformed EMTs, paramedics, and fire inspectors this week questioned Mayor Eric Adams plan to transfer FDNY's construction permit responsibilities to the City's Building Department, charging that "'relaxing' key safety laws in not the way to go about expediting construction in the City.

As part of his *Get Stuff Built* Initiative—that included building 500,000 homes in 10 years—Mayor Adams proposed streamlining construction inspections of fire protection systems.

Currently, the New York City Department of Buildings (DOB) performs examinations, permitting, and inspections for construction-related activities of buildings, and the Fire Department of the City of New York (FDNY) monitors operation, maintenance, and compliance for fire safety of buildings after completion of construction.

Under the Mayor’s plan, “the city will make near-term systems improvements to coordinate plan review between DOB and FDNY, and, in the long-term, will consider transferring FDNY’s construction-specific permit responsibilities to DOB – while maintaining FDNY’s authority in operation and maintenance of buildings for fire safety compliance – to remove the redundancy of separate inspections ...”

In a *Crain’s New York* op ed, Oren Barzilay, president of FDNY Local 2507, and Darryl Chalmers, FDNY deputy chief fire inspector, noted a recent lawsuit brought by Plumbers Union Local 1 that alleges gas piping installations in City buildings are often performed by unlicensed or improperly qualified workers. The lawsuit seeks to require DOB to adhere to laws and regulations enacted in response to fatal gas explosions in Harlem and the East Village.

“The bottom line is that there is no room for compromise regarding the integrity of building safety and regulatory enforcement is essential for public safety,” Bazilay and Chalmers wrote. “In our haste to meet the housing demand, let’s not give a city agency more responsibility that it can handle.”

Coming Up

New York State

No Scheduled Hearings at time of publication

New York City

Tuesday, April 4th

Committee on Veterans, Council Chambers – City Hall, 1 p.m.

Oversight - The State of Veterans of Foreign Wars and American Legion Halls, as well as Other Veterans-Services Organizations with Physical Locations.

Thursday, April 6th

Committee on Civil Service and Labor, 250 Broadway - Committee Room, 14th Floor, 10 a.m.

Oversight - Permanent Teleworking Option for City Employees.

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