



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



Female NYC Correction Officers Testify on Sexual Assault in the Workplace

Members of the Corrections Officer Benevolent Association (COBA) traveled to Albany this week to amplify the call for legislative intervention to stop sexual assaults on Corrections Officers during the course of their official duties. About 50 percent of the NYC Corrections' force is female.

Since 2021, approximately 50 NYC Department of Corrections employees, most of whom were female Correction Officers, have been sexually assaulted by incarcerated individuals while working in the City's jails.

Senator Jessica Scarcella-Spanton and Assemblyman David Weprin have introduced legislation (S5506/A1606) aimed at curtailing these assaults. The sponsors intend the legislation -- which would create the crime of forcible touching of a Corrections Officer while performing their duties -- to be a deterrent to abusive activity.

Dozens of Senators and Assemblymembers joined the COBA Executive Board and Delegates in supporting these courageous Correction Officers who shared their horrific accounts of being sexually victimized.

The event was hosted by the bill sponsors and Senator Monica Martinez and co-hosts included Senator Toby Stavisky, Assemblyman Eric Dilan, Assemblymember Kimberly Jean-Pierre, Assemblymember Jaime Williams, and Assemblymember Stacey Pheffer-Amato.



COBA Corresponding Secretary Antoinette Anderson, 2nd Vice President Keisha Williams, and 3rd Vice President Ashaki Antoine lead the charge to shine a light on the pervasive culture of sexual assaults and sexual harassment facing NYC Correction Officers daily.



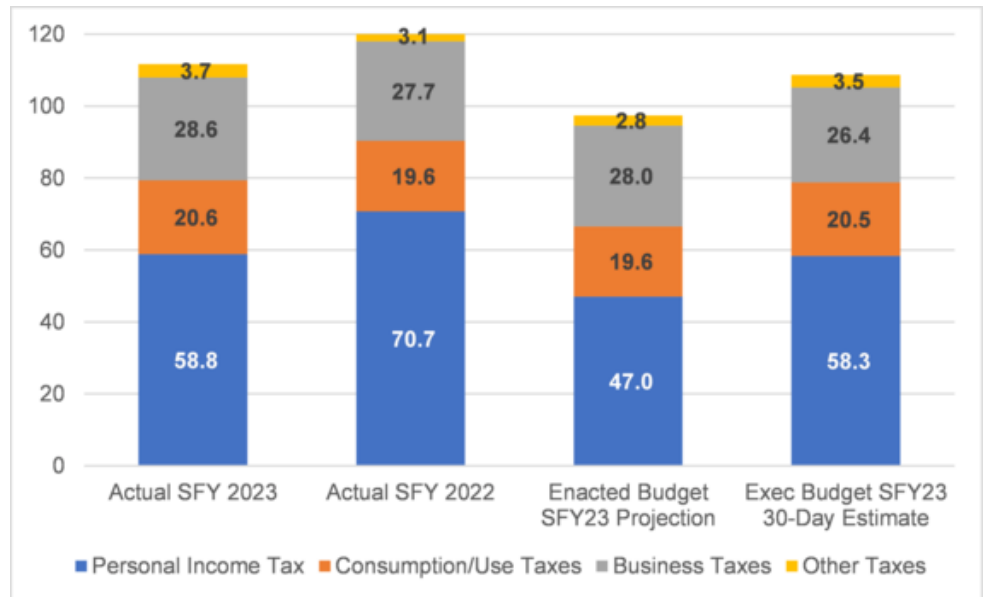
Comptroller DiNapoli: SFY23 Tax Collections Outperform Projections But Fall Below Previous Year

Tax collections for State Fiscal Year (SFY) 2022-23 totaled \$111.7 billion, \$2.9 billion higher than the forecast released by the Division of the Budget (DOB), but \$9.5 billion lower than the previous year, according to the March State [Cash Report](#) by New York State Comptroller Thomas DiNapoli.

Comptroller DiNapoli explained that the year-to-year decrease was primarily due to a decline in personal income tax (PIT) receipts resulting from a variety of factors including: a decline in year-end bonuses in the financial services industry, claiming of credits related to the pass-through entity tax (PTET), the acceleration of the final phase-in of the middle-class tax rate cuts, and financial market volatility over the course of 2022.

“The financial position of the state remains on a solid footing, for now,” Comptroller DiNapoli said. “While tax collections have exceeded projections, they were considerably lower than last year. Although easing, inflation continues to present challenges to economic growth. State policy makers should ensure that the enacted budget for State Fiscal Year 2023-24 commits additional resources to the state’s reserve funds to improve long-term financial stability.”

PIT collections totaled \$58.8 billion, nearly \$12 billion, or 16.9%, lower than prior year collections. PIT collections exceeded March Financial Plan projections by \$454.6 million and by \$11.8 billion from the Enacted Budget. The Comptroller noted that in this instance, taxpayer behavior in response to the new PTET was contrary to DOB’s forecasts.



Consumption and use taxes, which includes sales tax, totaled \$20.6 billion, exceeding the prior year total by \$964 million or 4.9%. Collections were \$50.2 million higher than the latest projections and \$1 billion higher than initial projections.

Business tax collections totaled \$28.6 billion which was \$891.8 million higher than the previous year, reflecting a 24.6% increase in corporate franchise taxes due to continued growth in corporate profits and a significant amount of audit receipts. This total includes \$14.9 billion in PTET collections which were \$1.5 billion, or 9%, lower than SFY 2021-22. Total business tax collections exceeded the latest projections by \$2.2 billion and initial projections by \$636.4 million.

All Funds spending totaled \$220.5 billion, which was \$11.1 billion, or 5.3%, higher than last year. The General Fund ended the fiscal year with a balance of \$43.45 billion, an increase of \$10.4 billion from the opening balance. This includes \$2.35 billion of federal funds from the American Rescue Plan State Fiscal Relief program.

In the News-New York City



Mayor Adams Releases *PlaNYC: Getting Sustainability Done* New York City's Strategic Climate Plan

New York City Mayor Eric Adams this week released *PlaNYC: Getting Sustainability Done*, a plan that focuses the City's long term climate efforts on protecting New Yorkers from climate threats, improving quality of life, and building the green economy. Implementation of the plan will make New York City "the first big city in America" to launch a climate budgeting initiative that prioritizes both climate change and environmental justice in investments and decision-making.

The Mayor' near [200-page vision](#) for spurring the City's climate goals crosses several sectors including heat, flooding, buildings, clean energy, green spaces, waterways, transportation, green economy, food, and waste. The goal is to reach net-zero emissions by 2050.

"PlaNYC is crucially important to New York City's future, said Deputy Mayor for Economic and Workforce Development Maria Torres-Springer. "This plan sets a road map for how we can more quickly and meaningfully meet some of the most pressing challenges of climate change and, at the same time, expand the green economy, foster innovation, build new industries and create more and better jobs for tens of thousands of New Yorkers. For example, new industries such as offshore wind will create jobs and deliver a new, clean, sustainable energy source that will power the transition to a fossil fuel-free economy."

The multi-pronged strategy focuses on cutting transportation emission in half by 2030 by electrify school buses, the city's fleet, and for hire vehicles by 2030 as well as installing electric-vehicle charging station within every 2.5 miles.

Also, the City will install solar energy, electric building infrastructure, green roofs, and other renewable energy on all viable city-owned property by 2035. It will also phase out capital spending on new fossil fuel equipment and infrastructure and introduce a citywide zoning text amendment — ‘City of Yes for Carbon Neutrality’ — which will “remove obstacles to deploying clean energy, facilitate building retrofits for sustainability, and eliminate barriers to electrification.”

In coordination with the Office of the Comptroller, the Adams administration will create a public solar financing program for one-to-four family, low-income homeowners in environmental justice communities (neighborhoods that have historically, and continue to, experience the disproportionate impacts of climate change). The City will pursue funds from the federal Greenhouse Gas Reduction Fund to provide 3,000 homes with proactive door-to-door outreach and financial assistance for rooftop solar panels over the next five years.

To address climate threats, the City will develop minimum flood resiliency standards for shoreline assets, establish a citywide level of service for stormwater infrastructure, and launch a program to explore housing mobility and land acquisition options.

Briefs

NYS Senate Fills All State Court of Appeals Vacancies

For the first time since August 2022, the New York State Court of Appeals is operating with the full complement of judges: one Chief Judge and 6 Associate Justices.

On Tuesday, Justice Rowan Wilson was confirmed by the Senate as Chief Judge of the Court of Appeals, 40-19. Chief Judge Wilson succeeds the Honorable Janet DiFiore who retired last summer. Associate Justice Anthony Cannataro served as Acting Chief Judge in the interim.

“Judge Rowan Wilson is a highly qualified jurist with a keen sense of fairness and a deep commitment to justice. Throughout his tenure on the bench, he has proven himself to be a thoughtful leader who recognizes the power of the judiciary to impact the lives of all New Yorkers,” Governor Kathy Hochul said. “...His confirmation also marks a significant milestone: the first Black Chief Judge of the Court of Appeals.”

Caitlin Halligan was confirmed Wednesday by the Senate to become an Associate Judge, 47-12. The former State Solicitor General fills the spot vacated by Chief Judge Wilson.

"I am confident that Caitlin Halligan will be a phenomenal addition to our state's highest court, helping the New York State Court of Appeals once again become one of our country's leading examples of thoughtful, high-quality jurisprudence," Governor Hochul said.

Supreme Court Ends Compact of Bi-State Port Commission

The United States Supreme Court this week ruled that New Jersey may exit from the Waterfront Commission of New York Harbor.

The Commission was created in 1953 because of the pervasive corruption on the waterfront in the Port of New York-New Jersey. Following public hearings held by the New York State Crime Commission with the assistance of the New Jersey Law Enforcement Council, the States of New York and New Jersey, with the approval of the Congress and the President of the United States, enacted a compact creating the Waterfront Commission of New York Harbor.

In recent years, New Jersey sought to leave the Commission. Prior to leaving office in 2018, then New Jersey Governor Chris Christy signed legislation to end the compact. New York sued to block New Jersey's exit, asserting that the agency was still necessary, and the terms of the compact did not allow one state to leave without the other's permission.

The unanimous 11-page decision was [issued Tuesday and written by Justice Brett Kavanaugh](#). Justice Kavanaugh ruled "it would not make much sense to conclude that each State implicitly conferred on the other a perpetual veto of withdrawal."

Following oral arguments, New York Governor Kathy Hochul and New Jersey Governor Phil Murphy, in a [letter to the Commission](#), indicated their staffs had begun meeting to develop a plan to maintain ongoing investigations, enforcement actions, and operations.

In a joint statement, Governor Hochul and Attorney General Letitia James expressed disappointment with the decision.

"We are disappointed by the Supreme Court's decision to allow New Jersey to unilaterally withdraw from the Waterfront Commission," they wrote. "For decades, the Waterfront Commission has been a vital law enforcement agency, protecting essential industries at the port and cracking down on organized crime. We will continue to do everything in our power to combat corruption and crime, protect the health of our economy, and ensure the safety of New Yorkers."

DFS Adopts Virtual Currency Assessment Regulations

The New York State Department of Financial Services (DFS) has adopted a final regulation establishing how companies holding a DFS-issued Bitlicense will be assessed for costs of their supervision and examination.

Included in the FY23 State Budget, the adopted regulation gives DFS new authority to collect supervisory costs from licensed virtual currency businesses, similar to other licensees regulated by DFS. The Department's virtual currency regulatory framework is modeled after full scope banking supervision, requiring companies to meet standards for capitalization, cybersecurity protection, and anti-money laundering protocols.

NYC Rent Board Evaluates Possible Rate Increases

The New York City Rent Guidelines Board this week reviewed scenarios of possible rent increases as high as 16 percent over two years on the City’s nearly 1 million rent-regulated apartments.

On Thursday, the Board released the [2023 Price Index of Operating Costs](#) which details the change in owner operating costs during the period of April 2022 and March 2023. The annual report includes a range of hypothetical rent increases based on formulas that combine operating costs, revenues, and inflation. Owners of rent-regulated apartments saw their operating costs rise by 8.1 percent between April 2022.

Change In Costs for Buildings that Contain Rent Stabilized Apartments, April 2022 to March 2023

Taxes	7.7%
Labor Costs	2.9%
Fuel	19.9%
Utilities	8.8%
Maintenance	9.4%
Administrative Costs	3.3%
Insurance Costs	12.9%
All Costs	8.1%

The formulas determine how much rent would need to increase to keep the net operating income of rent-stabilized apartments constant. The different scenarios showed increases between 5.3 percent and 8.5 percent on one-year leases, and between 6.6 percent and 16 percent on two-year leases.

The report noted these increases “do not constitute staff or board recommendations” for potential rent hikes, and it is one piece data and public testimony the nine-person panel will review before making a final decision in June.

Mayor Adams Commits to Reducing City’s Food-Based Emissions by 33 Percent by 2030

New York City Mayor Eric Adams this week released the City’s first integrated greenhouse gas inventory and announced that the City will reduce absolute carbon emissions from food purchases across its City agencies by 33 percent by 2030.

In addition, the Mayor launched the Plant-Powered Carbon Challenge, urging private, institutional, and nonprofit sector leaders to reduce their food-based emissions by 25 percent by 2030.

Emissions from food purchases represent 20 percent of New York City’s overall emissions — the third largest source, behind buildings (35 percent) and transportation (21 percent).

According to the Mayor, New York City’s food purchase greenhouse gas emissions come from household food consumption — primarily from meats, poultry, fish, eggs, and dairy products. He asserted that New Yorkers can significantly reduce the city’s emissions by eating more low-carbon food, including fruits, vegetables, grains, and legumes. Specifically, the Mayor cited that by serving plant-based meals as the default option, NYC Health + Hospitals is on track to reduce its food-based carbon emissions by 36 percent as of February 2023.

Coming Up

New York State

Monday, April 24th

Assembly Session, New York State Capitol Building, Assembly Chamber, Albany, 10:30 a.m.

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

Tuesday, April 25th

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

Senate Session, New York State Capitol Building, Senate Chamber, Albany, TBD

Cryptocurrency, FinTech Companies and FinTech Licensing Legislation (S. 1450/Sanders)

Senate Standing Committee on Banks

Van Buren Hearing Room A, Legislative Office Building, 2nd Floor, Albany, 12 p.m.

Wednesday, April 26th

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

Senate Session, New York State Capitol Building, Senate Chamber, Albany, TBD

New York City

Monday, April 24th

Committee on Transportation and Infrastructure, Council Chambers, 10 a.m.

Oversight - Bicycles, Micromobility, and Street Enforcement.

Committees on Oversight and Investigations, Public Safety, & General Welfare, Committee Room, 10 a.m.

Oversight - Operational Challenges in Family Court.

Committee on Youth Services, Committee Room, 1 p.m.

Oversight - Addressing the Needs of Runaway and Homeless Youth.

Tuesday, April 25th

Joint - Committee on Health & Housing and Buildings, Council Chambers, 10 a.m.

Oversight - Lead-Based Paint Hazards.

Wednesday, April 26th

Committee on Parks and Recreation, Council Chambers, 1 p.m.

Committee on Hospitals, Committee Room, 1 p.m.

Oversight - Trauma-Informed Care for Survivors of Rape and Sexual Assault in NYC Health + Hospitals System.

Thursday, April 27th

Committee on Finance, Committee Room, 10 a.m.

Committee on Transportation and Infrastructure, Council Chambers, 10 a.m.

Committee on Government Operations, Committee Room - City Hall, 10:30 a.m.

Manhattan Delegation of the New York City Council, Committee Room, 11 a.m.

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

Friday, April 28th

Committee on Environmental Protection Resiliency and Waterfronts, Committee Room, 10 a.m.

Oversight - The City's new sustainability plan pursuant to Local Law 84 of 2013.

Joint – Committee on Governmental Operations & Immigration, Council Chambers, 1 p.m.

Oversight - Meeting the Needs of Asylum Seekers in New York City.

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120 Broadway, 28th Floor
New York, New York 10271
Telephone (212) 652-3890
Facsimile (212) 652-3891

111 Washington Avenue, St. 401
Albany, New York 12210
Telephone (518) 449-3320
Facsimile (518) 449-5812

1220 19th Street NW
Washington, D.C. 20036
Telephone (202) 964-4753
Facsimile (202) 964-5754