



This Week in New York

Covering New York State and City Government
A Publication of Pitta Bishop & Del Giorno LLC
June 9, 2023 Edition



“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

2023 NYS Legislative Session Calendar

JUNE						
S	M	T	W	T	F	S
	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Overtime

noun: to spend time working at one's job in addition to one's normal working hours

Source: Merriam-Webster

As New York’s 2023 legislative session is now outside of the calendar’s shaded boxes, rank and file legislators, lobbyists, and stakeholders are intently watching both the clock on the wall and the calendars of bills.

The session has now become a waiting game: will a “good” bill make it to a vote or will a “bad” bill be left behind on the calendar or in committee when the legislative leaders call pencils down. “Good” and “bad” are obviously in the eyes of the beholder.

This week’s negotiations have brought passage of legislation to establish a committee on reparations in relation to slavery (page 4) and agreement on a Clean Slate bill. However, the hope of an initiative to address the State’s affordable housing issues has been left behind.

The often illusive second house passage remains for many initiatives and time is quickly becoming an issue. Earlier this week, Senate Majority Leader Andrea Stewart Cousins indicated that she was willing to color outside the lines of the shaded boxes [June 8th end date], but she would not be in Albany over the weekend.

To follow is a selection of the bills that have received two-house passage this week:

A1120 Sponsored by AM Joyner/Senator Ramos -- Include public schools within the provisions of current law designed to require public employers to develop and implement programs to prevent workplace violence.

A1707A Sponsored by AM Rosenthal D/Senator Salazar -- Requires certain manufacturers of prescription drugs to notify the drug utilization review board of the proposed increase of the wholesale acquisition cost of such prescription drugs.

A2672B Sponsored by AM Paulin/Senator Cooney -- Requires sellers to clearly post the price of a credit card surcharge.

A3057 Sponsored by AM Cruz/Senator Kavanagh -- Requires notice of risk of deportation of non-citizens, prior to accepting a plea.

A3335-B Sponsored by AM Joyner/Senator Gounardes -- Increases certain Special Accidental Death Benefits (SADB) for surviving spouses, dependent children, and certain other individuals (Eligible Beneficiaries) of former uniformed employees of the City of New York and the New York City Health and Hospitals Corporation, and for certain former employees of the Triborough Bridge and Tunnel Authority, who were members of certain New York City Retirement Systems and Pension Funds (NYCRS) and died as a natural and proximate result of an accident sustained in the performance of duty.

A3933A Sponsored by AM Colton/Senator Serrano -- Requires N.Y. city to collect discarded recyclable materials at city parks, playgrounds, historic sites and other facilities.

A4008 Sponsored by AM Pheffer Amato/Senator Jackson -- Relates to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system.

A4676A Sponsored by AM Woerner/Senator Addabbo -- Creates a temporary commission to conduct a comprehensive study on the current utilization of paid family leave, make recommendations on how to increase access and the visibility of the program.

A4969 Sponsored by AM Vanel/Senator Sanders -- Creates a temporary state commission to study and investigate how to regulate artificial intelligence, robotics, and automation.

A5010A Sponsored by AM Lavine/Senator Salazar -- Relates to prohibiting corporal punishment in schools.

A5687 Sponsored by AM Barrett/Senator Harkham -- Requires the New York State energy research and development authority to develop a real-time mobile application with a corresponding map with information on electric vehicle charging stations.

A6571 Sponsored by AM Pheffer Amato/Senator Gounardes -- Modifies the retirement program for Triborough bridge and tunnel members.

A6750 Sponsored by AM Pheffer Amato/Senator Jackson -- Permits certain New York City correction officers to borrow from accumulated contributions.

A6949 Sponsored by AM Glick/Senator Harkham -- Exempts closed-loop boreholes installed for the purpose of facilitating a geothermal-powered heating or cooling system from certain regulations.

A7646 Sponsored by AM Septimo/Senator Sanders -- Allows Empire State Development and the Mayor of the City of New York to enter into a memorandum of understanding providing for the reciprocal acceptance of minority and women-owned business enterprise ("MWBE") certifications.

A7691 Sponsored by AM Solages/Senator Sanders -- Establishes the New York State Community Commission on Reparations Remedies.

S1196-A Sponsored by Senator Persaud/AM Hunter -- Requires that every state-regulated insurance plan, including Medicaid, provide coverage for biomarker testing when medically appropriate.

S1359 Sponsored by Senator Kennedy/AM Peoples-Stokes -- Establishes the Office of Racial Equity and Social Justice to act as the official state planning and coordinating office.

S1690A Sponsored by Senator Sanders/AM Hunter -- Expands the capacity of the Pursuit, a lending corporation, so minority- and women-owned business enterprises (MWBEs) have access to more capital.

S1891 Sponsored by Senator Sanders/AM Vanel -- Establishes the New York State Cryptocurrency and Blockchain Study Task Force.

S2946-B Sponsored by Senate Kavanagh/AM Sayegh -- Enacts the "9/11 notice act"; provides for notice to past and present employees of eligibility for the September eleventh victim compensation fund and the World Trade Center health program.

S3261 – Sponsored by Senator Hoylman-Sigel/AM Weprin -- Removes the current inability of lawyers admitted in New York to practice in the State if they neither reside nor have an office in the state.

S4887 Sponsored by Senator Gianaris/Senator Reyes -- Enacts the "roadway excavation quality assurance act."

S5026 Sponsored by Senator Gounardes/AM Bronson -- Provides for the payment of freelance workers as independent contractors, including requiring written contracts; timely payment of compensation and handling controversies relating to payment, complaint procedures, and penalties; excludes construction contracts.

S5178 Sponsored by Senator Brouk/AM Gunther -- Establishes a task force to study aging in place in relation to mental health.

S5621-B Sponsored by Senator May/AM Kelles -- Requires the reporting of name and market value of digital assets held by the reporting individual, in excess of \$1,000, at the close of the taxable year prior to the date of filing on the annual statement of financial disclosure.

S5941-B Sponsored by Senator Kavanagh/AM Paulin -- Requires businesses to notify consumers of an upcoming automatic renewal or continuous service charge forty-five days prior to such charge.



Legislature Approves Bill to Examine the Impact of Slavery on African Americans in New York State & New York City



The Senate and Assembly passed legislation (A7691/S1163) to create the New York State Community Commission on Reparations Remedies. The Commission will examine the impact of slavery and subsequent discrimination and systemic racism against African Americans and propose remedies and reparations in addition to exploring policy and legislative solutions.

“Reparations is about more than monetary compensation – it’s about atoning and a guarantee of nonrepetition,” Assemblymember Michaëlle Solages, the bill sponsor, said. “We need to change our political structures and laws to ensure Black New Yorkers are empowered. This is an important step in changing a long history of systemic racism and discrimination.”

The legislation, also sponsored by Senator James Sanders, establishes a 9-member Commission comprised of individuals who have expertise, education, training, or lived experience in the fields of African or American studies, the criminal legal system, human rights, civil rights, law, economics, psychology, civil society and reparations organizations that have historically championed the cause of reparatory justice, clergy, and/or the history of slavery in New York. The Governor, Senate Majority Leader, and Assembly Speaker would each appoint three members.

The Commission’s examination would include six areas related to the institution of slavery in the State and it would report to the Legislature and the Governor on “remedies and reparations...to reverse such injuries.” Remedies may include compensation, including but not limited to the amount of compensation and who should be eligible for compensation. The report and its recommendations would be nonbinding.

The Commission would be appointed within 90 days and hold its first meeting within 180 days. The written report of its findings and recommendations would be released no later than one year after the date of the first meeting.

The areas to be examined include:

- **Institution of Slavery in New York State and New York City** including: the capture and procurement of Africans; the transport of Africans to New York for enslavement; the sale and acquisition of Africans as chattel property in interstate and intrastate commerce; the treatment of enslaved Africans in New York, including the deprivation of their freedom, exploitation of their labor, and destruction of their culture, language, religion, and families; and the treatment of formerly enslaved Africans and their descendants in the City of New York and the State of New York during the period between the end of the Civil War and the present.
- **Government Support of Slavery** including: the extent to which the federal government, as well as the state and local governments of New York, supported the institution of slavery.
- **Interstate Transfer of Enslaved Africans** including how New York State engaged in the interstate transfer of enslaved Africans and carried out federal policies in the furtherance of slavery.

- **Discrimination of Freed Enslaved Africans, their descendants and people of African descendants** at both the state and federal levels of government, during the period between the end of the Civil War and the present, including, but not limited to, economic, political, educational, and social discrimination.
- **Lingering Negative Effects of the Institution of Slavery and Discrimination** on living people of African descent and on society in the State of New York.
- **Current Condition of Living People of African Descent in the State of New York** including, but not limited to, economic, political, educational, and social conditions.

The legislation now goes to Governor Kathy Hochul for consideration.

In the News-New York City



Legislature Approves Mayor's Bill to Provide Tax Credits for Cannabis Enterprises

The State Legislature has approved a measure to allow New York City tax deductions for adult use cannabis product and medical cannabis product enterprises. The legislation was introduced at the request of New York City Department of Finance.

Sponsored by Senator Luis Sepulveda and Assemblymember John Zaccaro, the legislation (S7508/A7692), would allow a deduction for business expenses for taxpayers authorized by the State Cannabis Law to engage in the sale, distribution, or production of adult-use cannabis products or medical cannabis, for purposes of New York City's unincorporated business tax ("UBT"), the general corporation tax ("GCT"), and business corporation tax ("BCT"). Currently, the State allows a similar deduction under its corporation taxes. The federal government disallows these deductions under section 280E of the Internal Revenue Code

“This modification to income is appropriate because, while the expenses of cannabis-related business cannot be deducted for federal purposes, New York law permits and encourages these businesses akin to any other legitimate business occurring in the State,” according to a memo by Christopher Ellis, Mayor Adams’ State Legislative Director. “The City's business taxes should similarly encourage these business activities. Accordingly, the Mayor urges the earliest possible favorable consideration of this proposal by the Legislature.”

The bill now goes to Governor Kathy Hochul for consideration.



Bills Passed by the City Council

Introduction 244-A Sponsored by Speaker Adrienne Adams and Council Member Shahana Hanif -- Establishes a permanent citywide residential curbside collection program to divert organic waste. The program requires residents to separate both yard waste and organic waste, such as food scraps, for regular weekly curbside collection by the Department of Sanitation. It will be phased in, with citywide coverage by October 2024.

Introduction 274-A Sponsored by Council Member Sandy Nurse -- Establishes a goal of zero divertible waste for New York City by 2030. The Department of Sanitation would be required to report to the Council if this goal cannot be met.

Introduction 275-A Sponsored by Council Member Sandy Nurse -- Requires the Department of Sanitation to report on their efforts to increase waste diversion rates. The report must include information on specific materials and their recyclability, and efforts to recycle or reuse materials collected through public litter baskets and other sources.

Introduction 280-B Sponsored by Majority Leader Keith Powers -- Requires the Department of Sanitation to establish community recycling centers in every borough, to collect materials that are not collected through regular curbside collection but that can be recycled or reused. Information about each facility would be posted online.

Introduction 281-B Sponsored by Majority Leader Powers -- Requires the Department of Sanitation to establish a minimum number of organic waste drop-off sites in each borough.

Introduction 844-A Sponsored by Council Member Julie Menin -- Establishes an Office of Healthcare Accountability. This office would audit city expenditures on employee-related health care costs and make recommendations on how to lower these costs.

Briefs

Governor Hochul Announces Labor Agreement with PEF Representing More Than 51,000 Employees

Governor Kathy Hochul this week announced that her administration has reached a contract agreement with the New York State Public Employees Federation (PEF). The agreement with PEF is for a three-year term running until April 1, 2026, for more than 51,000 New York State employees in a wide variety of professional, scientific and technical titles.

"Governor Hochul promised to invest in the public workforce, and we believe this contract reflects that vow," PEF President Wayne Spence said. "She has long valued the services PEF members provide to New Yorkers in good times and bad. And with this contract, she recognizes the urgent need to attract State employees in every job title with competitive wages and solid benefits. Combined with the initiatives established in this year's budget, this contract will go a long way toward recruiting and retaining the skilled professionals New York needs."

The contract agreement—Governor's Program Bill #13 which is scheduled to receive legislative approval today—includes salary increases for employees in each year of the agreement. The agreement also includes increases in location pay and changes with health benefits.

The contract must now be approved by PEF's Executive Board and ratified by the union membership.

Law Expanding the Rights of Parents in the Workplace is Now in Effect

Legislation Requires Employers to Provide Space with Specific Amenities to Safely Express Breast Milk

Governor Kathy Hochul announced a new law requiring all employers to provide expanded accommodations for breast milk expression became effective this week. The legislation, which was signed by Governor Hochul [last December](#), also requires employers to adopt a policy developed by the New York State Department of Labor establishing employee rights when expressing breast milk in the workplace.

This law requires all employers in New York State to provide private pumping spaces in the workplace that include seating, a table or flat surface, an electrical outlet and nearby access to running water.

In addition, employers must provide a written policy to employees about the rights they have under the law regarding expressing breast milk in the workplace. Employers must provide the policy to each employee when they are hired, once each year thereafter, and again to employees who are returning to work following the birth of a child.

New York Deploys Forest Ranger Crew to Assist with Canadian Wildfire Response

Governor Kathy Hochul yesterday announced that a team of Department of Environmental Conservation Forest Rangers is deploying to assist with efforts to contain wildfires raging in eastern Canada.

The New York team will join firefighters from New Hampshire and Maine in Quebec. Hundreds of fires in Quebec have triggered several days of air quality health advisories across New York State.

"While we continue to monitor the haze caused by smoke from Canadian wildfires, we are fortunate to have Forest Rangers trained and ready to take on the daunting task ahead," Governor Hochul said.

Last week, a Forest Ranger was deployed to serve as the crew boss of an interstate Northeastern Forest Fire Protection Compact crew comprised of firefighters from Connecticut, New Hampshire, and Maine to assist efforts in Nova Scotia.

These two missions are the first time New York State Forest Rangers have been deployed to Canada since wildfires in Quebec in 2005

Lawmakers Push Back Against Thruway Toll Increase Plan

New York Thruway Authority officials are considering the first toll increase for E-Z Pass tagholders since 2010, with a plan that would increase tolls by 5% in 2024 and another 5% in 2027.

Westchester State Senator Shelley Mayer has urged Thruway officials to reconsider, citing a recent audit by Comptroller Thomas DiNapoli's office that found Authority toll collection has lagged following the switch to electronic tolls.

"I oppose the proposed toll increases on the NYS Thruway, and urge the Thruway Authority to withdraw this proposal," she said, according to published reports. "While I am pleased that the Thruway Authority's proposal maintains the commuter discount off the NY E-ZPass rate for those who opt into the commuter program, the recent report of Comptroller Tom DiNapoli strongly suggests that the Thruway Authority needs to do more to improve efforts at toll collection, improve its accounting, and increase transparency with more comprehensive reporting of costs and losses. All of these efforts should be undertaken before imposing a toll increase."

In a May [audit](#), Comptroller DiNapoli identified \$276.3 million in outstanding tolls that the Thruway Authority is seeking via a collections agency.

Coming Up

New York State

Tuesday, June 13th

The New York State Cannabis Advisory Board

CUNY School of Law, 2 Court Square W, Queens, NY

- [Health, Safety, & Research Subcommittee](#), 11 a.m
- [Cannabis Advisory Board](#), Noon.

New York City

Monday, June 12th

Joint - Committee on Health & Women and Gender Equity, Council Chambers - City Hall, 10 a.m.
Oversight - Current State of Access to Healthcare for LGBTQIA+ Individuals.

Tuesday, June 13th

Committee on Parks and Recreation, Committee Room - City Hall, 10 a.m.
Oversight - The State of the City's Tree Canopy.

Subcommittee on Zoning and Franchises, 250 Broadway - Committee Room, 14th Floor, 10 a.m.

Committee on Public Housing, Council Chambers - City Hall, 1 p.m.
Oversight - Summer Preparedness in NYCHA Developments.

Joint - Committee on Immigration & Women and Gender Equity, Committee Room - City Hall, 1 p.m.
Oversight - PromiseNYC and Access to Child Care for Immigrants.

Wednesday, June 14th

Committee on Higher Education, Council Chambers - City Hall, 10 a.m.
Oversight - Serving Justice-Involved College Students in NYC.

Thursday, June 15th

Committee on Environmental Protection, Resiliency and Waterfronts, Council Chambers 1 p.m.
Oversight - The City's new sustainability plan pursuant to Local Law 84 of 2013.

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