



This Week in New York

Covering New York State and City Government

A Publication of Pitta Bishop & Del Giorno LLC

August 13, 2021 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



Hochul Visits New York City Elected Officials, Prepares to Take Over Next Week



Lieutenant Governor Katherine Hochul visited New York City and Long Island this week, ahead of her taking office as Governor. While in NYC, Hochul met with Mayor Bill de Blasio, Public Advocate Jumaane Williams, and other elected officials, and toured sites across the city. She ended her week with a scheduled round table with Long Island labor leaders. The trip is seen as the start of rebuilding the relationship between the office of the governor and the city’s political leadership and has been called a “peace offering” by members of the press. Earlier this week, Hochul promised to pick a lieutenant governor from NYC.

Hochul will take over as Governor on August 24th, following Governor Andrew Cuomo’s resignation last week. In a recent email, Jeff Lewis, her Chief of Staff, notified staff in the Executive Chamber staff that they will be interviewed individually regarding their roles in the new administration. Lewis stated that the administration will “need all hands on deck” and promised an “inclusive, safe, and supportive culture for everyone throughout our State Government.” He asked those who want to leave the administration to let their intentions be known soon.

Hochul also made trips to Erie County this week, returning to her Western New York roots. She visited the Erie County Fair on Sunday and held a birthday fundraiser in Buffalo on Wednesday night. She celebrates her actual birthday next Friday.



AG James Calls on FDA to Regulate E-Cigarettes and Oral Nicotine Products, DOJ to Regulate Ghost Guns

NEW YORK – In two recent press releases, Attorney General Letitia James announced her participation in coalitions calling on federal agencies to regulate e-cigarettes and nicotine products, as well as “ghost” guns.

AG James is leading a [coalition of 31 attorneys general](#) to ask the Food and Drug Administration to regulate tobacco products that disproportionately target youth. The coalition specifically asked for the elimination of youth-appealing flavors in e-cigarette and oral nicotine products, the limitation of their nicotine levels, and restrictions of marketing. The coalition specifically identified fruit, mint, and menthol flavors, citing evidence that 80% of adolescents chose these non-tobacco favors and the rise in sales of these flavors. E-cigarette use among high schoolers has risen from 1.5% in 2011 to 27.5% in 2019. Nearly one quarter of high schoolers reported daily use.

“Flavored nicotine products attract kids to dangerous, habit-forming products that only jeopardize their health,” said Attorney General James. “New York has taken important steps to protect our kids by banning non-tobacco flavored vapor products and limiting the sale of e-cigarettes, but the FDA must also do its part to curb the youth nicotine epidemic. The health and wellbeing of our kids is our top priority and the federal government must act now.”

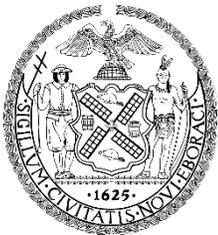
The FDA is expected to decide whether e-cigarettes and oral nicotine products should be allowed to remain on the market next month. The attorneys general of Alaska, Arkansas, California, Colorado, Connecticut, Delaware, the District of Columbia, Guam, Idaho, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, Oregon, Pennsylvania, Puerto Rico, Rhode Island, Tennessee, Utah, Vermont, Washington, and Wisconsin are part of this coalition.

Additionally, AG James joined a [coalition of twenty-two attorneys general](#) to call for the Department of Justice’s Bureau of Alcohol, Tobacco, Firearms, and Explosives to adopt a rule that would define ghost guns as firearms. This closes a loophole in which weapon kits and incomplete weapon parts, which are easily converted to functioning firearms could be sold without federal oversight. The attorneys general of California, Colorado, Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and Wisconsin were also signatories.

“Deadly ghost guns exist for only one purpose — to put guns into the hands of those who are legally prohibited from owning a firearm,” said AG James. “In New York, we have taken significant action to crack down on gun violence and have taken nearly 2,000 guns off our streets, but our efforts can only go so far if these untraceable weapons are not effectively regulated. Ghost guns are just as dangerous as traditional firearms, yet our laws don’t reflect that reality. For the safety of our communities, it’s past time we change that.”

“Closing this ‘ghost gun’ loophole is a vital step to restricting the unregulated flow of these dangerous and deadly weapons,” said U.S. Senate Majority Leader Charles Schumer. “Violent crime and shootings are on the rise across New York and the last thing we need is more untraceable ‘ghost guns’ making the situation worse, which is why I am pleased to support Attorney General James and her push to get the ATF to finalize regulations to make it clear that ghost guns are firearms under federal law, taking a vital step towards curbing the gun violence epidemic across the country.”

In the News – City



Mayor de Blasio Signs Labor Peace Agreement Legislation for Human Services Contractors

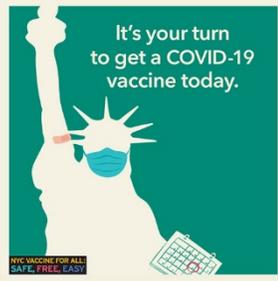
NEW YORK — On August 18, 2021, New York City Mayor Bill de Blasio signed into law Introduction 2252-A, which requires city human services contractors to enter into labor peace agreements within 90 days of receiving or amending a city contract. This legislation will provide workers under a contract with the City the ability to organize without the interference of their employers.

The bill, introduced by Council Speaker Corey Johnson, requires certain contractors to enter into labor peace agreements with unions seeking to represent their employees, or otherwise attest that no labor organization has attempted to represent their employees. Covered contractors include those providing day care, foster care, home care, health or medical services, housing and shelter assistance, preventive services, youth services, the operation of senior centers, employment training and assistance, vocational and educational programs, legal services, and recreation programs. Attestations must be submitted annually. Building service employees and subcontractors providing certain logistical services are exempt.

District Council 37, AFSCME played a key role in drafting this legislation and obtaining the support of the City Council who passed Introduction 2252-A with overwhelming support this past July. To date, District Council 37 represents 20,000 non-profit workers which provide New York City services such as home health care, early childhood education and homeless outreach services.

Henry Garrido, Executive Director, District Council 37, AFSCME said “workers in the non-profit social and human services sectors have been in crisis. They face dangerous working conditions, rising health care costs, low pay and extremely high turnover. They have been asking for the ability to organize without fear, and it has finally been granted.”

The mayor also signed Introduction 339-B, sponsored by Council Member Deborah Rose, which provides protections to domestic workers under the city’s human rights law. The bill extends protections against discrimination in employment, apprentice training programs, religious observance in the employment context, unemployment status, disparate impact discrimination in the employment context, and unlawful discrimination against victims of domestic violence, sex offenses or stalking.



NYC Vaccine Mandate Takes Effect

NEW YORK — On Tuesday, New York City’s [new vaccine mandate](#) for certain outdoor activities took effect. Under the new rules, any person 12 years of age or older will need to prove they have received at least one vaccine dose to take part in indoor dining, visit gyms and similar facilities, or enjoy indoor entertainment.

Businesses covered by the requirement must check on the vaccination status of staff and customers and cannot permit entry to anyone who is unvaccinated. Exceptions are permitted for use of bathrooms or activities that will take a “small amount of time (e.g. less than ten minutes).” Proof of vaccination includes the NYC COVID Safe App, the Excelsior Pass, a CDC vaccination card, an NYC vaccination record, or records of vaccination from outside NYC or the United States. Photos of CDC cards are permitted.

Some City Community Boards Threaten to Violate State Open Meetings Law

NEW YORK — Some of New York City’s community boards have expressed an intent to continue meeting virtually, even if doing so would be a violation of state law. Community boards began meeting virtually during the height of the COVID-19 pandemic, thanks to the suspension of the Open Meetings Law under Executive Order 202.1, and public engagement with meetings increased. Following the end of the executive order, the State’s Committee on Open Government released an advisory opinion interpreting the Open Meetings Law to require any community board member participating remotely to announce their address and open their location to the public, even if it is their home. The city’s elected officials and representatives of community boards across the city have called for changes to the Open Meetings Law in light of this interpretation.

Community boards have also expressed concerns in finding spaces to meet that would accommodate social distancing as they return to in-person meetings. Those who intend to continue participating virtually have resisted opening their homes to the public. The chair of Staten Island Community Board 3 responded to the requirement by asking “What are you, nuts?”

Briefs

Schuler Elected AFL-CIO President

On Friday morning, the AFL-CIO Executive Council elected Elizabeth H. Shuler as President. Shuler is the first woman to hold the post and served as Secretary-Treasurer since 2003. She began her career in labor in 1993 at IBEW Local 125. Shuler took on the role of Acting President upon the death of previous President Richard Trumka earlier this month. The Executive Council elected Fred Redmond to fill Shuler’s seat as secretary-treasurer. Redmond is the first African American to serve as secretary-treasurer.

Governor Signs Bills into Law

Governor Cuomo signed the following bills into law this week.

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| 397 | S858 | GOUNARDES -- Relates to wage theft |
| 398 | S1465 | BRESLIN -- Provides that every banking institution maintaining checking accounts for customers shall pay checks in the order received within account balance |
| 399 | S4772 | BROOKS -- Relates to designating a portion of the state highway system as the Detective Betsy Horner-Miller Cutrone Memorial Bridge |
| 400 | S1091A | GAUGHRAN -- Authorizes a municipality to increase the number of years of service that a participant in a defined contribution plan or defined benefit plan service award program may receive a contribution |
| 401 | S2057 | SEPULVEDA -- Relates to the promotion and administration of scheduled civil service exams |
| 402 | S4368 | MAYER -- Extends the city of Rye's occupancy tax and makes technical changes to the tax law relating thereto |
| 403 | S4369 | MAYER -- Extends the authority of the city of New Rochelle to impose an occupancy tax |
| 404 | S4938C | MARTUCCI -- Relates to authorizing the village of New Paltz, county of Ulster, to alienate and discontinue the use of certain parklands |
| 405 | S5556 | PALUMBO -- Relates to local civil administrative enforcement procedures in the town of East Hampton |
| 406 | S5581A | BRESLIN -- Extends the effectiveness of provisions of law relating to catastrophic or reinsurance coverage issued to certain small groups |
| 407 | S5945A | REICHLIN-MELNICK -- Relates to incident notifications and reports |
| 408 | S6001A | BROOKS -- Authorizes Choice for All, Inc. to file an application for retroactive real property tax exemption |
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| 409 | S6086 | COMRIE -- Extends the deadline for the filing of applications and renewal applications for real property tax abatement programs |
| 410 | S6207 | PALUMBO -- Relates to authorizing Long Island Science Center to file an application for a real property tax exemption |
| 411 | S6221 | REICHLIN-MELNICK -- Designates a portion of the state highway system as the "Rockland County Clerk Paul Piperato Memorial Highway" |
| 412 | S6277 | MANNION -- Requires certain data to be included in the statewide comprehensive plan for persons with mental disabilities to the extent practicable |
| 413 | S6301A | STAVISKY -- Codifies existing guidance on the application of sales and use tax |
| 414 | S6428 | BRESLIN -- Relates to the residential parking permit system in the city of Albany |
| 415 | S6765 | PALUMBO -- Designates a portion of the state highway system as the "State Trooper Jose A. Rosado Memorial Bridge" |

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| 416 | S7182 | PALUMBO -- Authorizes the county of Suffolk to alienate and discontinue the use of certain parklands |
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2021 New York State Fair Butter Sculpture Revealed

On Thursday morning, the New York State Fair and the American Dairy Association revealed the 2021 butter sculpture. The sculpture is titled “Back to School, Sports and Play ... You’re Gonna Need Milk for That” and features children sitting at a desk, playing soccer, and eating a meal in a cafeteria. It is the fair’s 53rd butter sculpture.

“The butter sculpture pays tribute to the resiliency of New Yorkers after such a difficult pandemic year,” said Commissioner of the NYS Dept. of Agriculture and Markets Richard Ball. “We’re all ready to be back at school and back at sports and gathering together again.”

Coming Up

New York State

Wednesday, August 25th

New York State's system of ethics oversight and enforcement

Senate Standing Committee on Ethics and Internal Governance

Van Buren Hearing Room A, Legislative Office Building, 2nd Floor, Albany, 10:00 A.M.

Tuesday, September 14th

To Evaluate the Current Workforce Challenges of the I/DD Service Delivery System

Senate Committee on Disabilities

Van Buren Hearing Room A, Legislative Office Building, 2nd Floor, Albany, 10:00 a.m.

New York City

Thursday, August 26th

City Council Stated Meeting 1:30 PM

Council Chambers - City Hall

Overflow Room for additional public viewing at 250 Broadway.

Wednesday, September 1st

Committee on Education Hearing – Fall 2021 School Reopening Protocols 10:00 AM

Council Chambers - City Hall

**“We believe in the ideas of family, mutuality,
the sharing of benefits and burdens
for the good of all, feeling one another’s pain,
sharing one another’s blessing
recognizing that at the heart of the matter
we are bound to each other.”
-Mario M. Cuomo-**

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