

## INSIDE

### Next Week's Calendar

Session scheduled for Monday - Thursday next week.

### Legislative News

Senate to host 7 Committee Meetings, with Assembly set to announce its own slate.

April public hearings added to calendar.

### Updates from the Governor

New Power Transmission Line

Settlement After Storm

Baseball venues can have fans

### Agency News

Waiver for the Regents Exam

DFS Guidance on Health Insurance Claims

NYS Comptroller: Sales Tax picture decline, but better than expected

## Senate & Assembly Budget Positions Unveiled

*The eleventh week of the 2021 legislative session began with both houses dropping their one-house proposals over the weekend (March 6-7). The week also saw the hiring of an outside law firm by the Assembly to lead its Governor Cuomo impeachment investigation, an announcement by Senate Majority Leader that negotiations are nearing conclusion on recreational adult-use cannabis legislation, and in another sign that the state is moving on from pandemic era restrictions, the April reopening of sports venues to fans just ahead of the start of the 2021 baseball season.*

**FY 2022 Budget** – The Senate and Assembly unveiled their one-house bills, setting the stage for what will likely be very intense final weeks of budget negotiations. Notably and unsurprisingly, both houses eliminated cuts proposed by the Governor and included a range of tax-based revenue raisers to provide funding for priority initiatives. Also, for the first time both the Senate ([S2509B](#), Part Y) and the Assembly ([A3009B](#), Part Y) included *mobile sports betting* in their budget proposals. On Monday, both houses passed budget resolutions outlining their positions and established the General Conference Committee (loosely referred to as the 'Mother Ship') and Joint Budget Subcommittees, which held their first round of public meetings on Wednesday. The Senate resolution [R504 can be found here](#), and the Assembly resolution E107 [here](#). The Assembly resolution includes a separate [Summary](#) detailing the house's positions. Membership to the General Conference Committee and Joint Budget Subcommittees can be found [here](#). As three-way negotiations continue, the next step in the process will be reaching a three-way consensus on available funds (avails) to close gaps, mitigate proposed cuts, and to finance priorities. The deadline for enacting the FY 2022 budget is by April 1.

**Mary Jane's Dance** – Both houses of the legislature eliminated the Governor's proposal legalizing recreational adult-use marijuana from their one-house bills introduced over the weekend. Instead, the legislature and the Governor are negotiating outside of the budget process, and earlier this week Senate Majority Leader Stewart-Cousins said in a press interview that the only major hurdle remaining relates to cannabis use and impaired driving. The legislature's proposal is the [Marihuana Regulation and Taxation Act](#) (S.854, Krueger/A.1248, Peoples-Stokes).

**COVID** – The Governor made a number of announcements related to reopening venues and related to efforts aimed at ensuring communities throughout the state have access to vaccines (see "From the Governor" for more details). General information related to vaccinations and the pandemic can be found [here](#).

**Assembly Impeachment Investigation** – Assembly Speaker Heastie and Judiciary Committee Chair Charles Lavine [announced](#) Wednesday the hiring of outside law firm Davis, Polk & Wardwell, LLP to lead its impeachment investigation into allegations against the Governor. Meanwhile, the federal investigation into how the Cuomo administration handled reporting of nursing home deaths appears to be ongoing. Media reports are [here](#) and [here](#).



## From the Governor

### Transmission Power Line Linking the Proposed South Fork Offshore Wind Farm to East Hampton

The Governor announced a joint [proposal](#) to build a 7.6-mile transmission line that would link the proposed South Fork offshore wind farm to a substation in the Town of East Hampton, Suffolk County. The transmission line is the first approved project in New York State to connect to an offshore wind farm. The transmission line is expected to be operational by 2023.

### \$72 Million Settlement with Broadband and Cable TV Provider Altice

The [settlement](#) comes after the August 2020 Tropical Storm Isaias left more than 400,000 Altice customers without service, some for as long as 14 days. The \$72 million settlement is the largest ever in New York State for any company under Public Service Commission jurisdiction for failing to follow procedures related to an emergency response.

### New York Yankees and New York Mets to Start the Season with Fans in the Stands Beginning April 1

Regional Sports Venues That Hold 1,500+ People Indoors or 2,500+ People Outdoors [Can Reopen](#); Capacity Limited to 10 Percent Indoors and 20 Percent Outdoors

### Executive Orders

Governor Cuomo issued Executive [Order 202.97](#) which increased compacity for indoor dining and provided clarification on the vaccination program.

## Legislative news

### 2021 Legislative Session Days

Next week's scheduled session days are Monday the 22<sup>nd</sup>- Thursday the 25<sup>th</sup>. You can find the full 2021 Legislative Session calendar [here](#).

### Legislative Committees

The Senate will host 7 Committee Meetings ([live stream available on the Senate website](#)), with the Assembly expected to host its own slate of meetings as well ([found here once announced](#)).

### Legislative Activity

The legislature passed 41 bills this week focused on primarily on solitary confinement and changes to the Freedom of Information Law. [A.2277A \(Aubry\)](#) - Restricts the use of segregated confinement and creates alternative therapeutic and rehabilitative confinement options. [S.3537 \(Kennedy\)](#) - This bill would mandate binding arbitration for the Capital District Transportation Authority when there are disputes between the transit authorities and its employees. [S.2004 \(Jackson\)](#) - Permits the court to assess attorney's fees and litigation costs when a State Agency is found to have lacked a reason basis for withholding information in a FOIL request.

### Public Hearings

- ~ April 7 - [Senate Standing Committee on Agriculture and Labor](#). Subject: Diversifying Agriculture and Addressing Food Justice Alongside Continuing Inequalities in our Food Systems.
- ~ April 7 - [Senate Standing Committees on Transportation and Corporations, Authorities, and Commissions](#). Subject: East Side Access/East Side Tunnel Project Oversight (MTA/Amtrak).
- ~ April 13 - [Senate Standing Committees on Environmental Conservation and Energy](#). Subject: Climate and Community Investment Act (CCIA).

The full legislative public hearing calendar can be accessed [here](#).

## State Agencies

### **From the NYS Comptroller**

#### **February Local Sales Tax Collections Down 4.2 Percent; Year Over Year Decline Narrows**

Overall sales tax collections for local governments declined by 4.2 percent in February compared to the same month in 2020, [State Comptroller Thomas P. DiNapoli announced](#). Collections totaled nearly \$1.3 billion, down \$55 million from February of last year.

### **From the NYS Education Department**

#### **Board of Regents Acts on Emergency Regulation Revisions to 2021 Diploma Requirements**

The [Board of Regents acted](#) on a series of emergency regulations to allow for exemptions to diploma requirements associated with the June 2021 and August 2021 Regents Examination administrations. With the COVID-19 crisis still affecting the State of New York and students having varied levels of in-person instruction, the Board and the Department are taking necessary steps to provide essential flexibility for the State's students, families, and educators.

### **From the NYS Department of Financial Services**

#### **Insurers Directed to Follow New Standards for the Prompt, Fair, and Equitable Settlement of Claims for Healthcare Services**

The Department of Financial Services issued new [guidance](#) alerting insurers of new protections for patients and healthcare providers that limit health insurance claims denials and inappropriate payment reductions or delays related to medically necessary services.