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Election Season, Legislative Work Ramps Up

Our PSLLC newsletter returns this month from its summer hiatus to provide monthly updates until January when we will return to publishing weekly snapshots of activities in the state capitol during the legislative session.

Unsurprisingly, Albany is focused on the November 8, 2022 General Election where all statewide offices (the Governor, Lt. Governor, Attorney General), and both Houses of the Legislature up for election, will all appear on the ballot alongside a \$4.2 billion ballot initiative for the [Environmental Bond Act](#), which is making an appearance on the ballot for the first time in 25 years. At stake for the Senate is whether or not the Democrats will hold on to their super majority. In the Assembly, once the elections are final, they will have to determine who will fill two important committee chairmanships: Health - left vacant when long time Assemblyman Richard Gottfried announced his retirement; and Insurance - vacant after Assemblyman Kevin Cahill was defeated in the June Democratic primary. In the meantime, on the legislative side, policy makers and corresponding staff are beginning the process of honing in on their budgetary and legislative priorities for the upcoming session as the NYS Division of Budget begins work to formulate components of the Executive Budget Proposal which will be released in January.

The Siena College Research Institute [released a poll](#) conducted from September 16th through the 25th which indicated Governor Kathy Hochul leads challenger Rep. Lee Zeldin 54% - 37%; U.S. Senator Chuck Schumer leads challenger Republican Joe Pinion 55% - 36%; State Comptroller Tom DiNapoli leads Republican challenger Paul Rodriguez 52% - 29%; NY Attorney General Letitia James leads Republican challenger Michael Henry 53%-37%.

COVID-19 Mask Update: Governor Hochul [announced](#) masks would be optional [in several settings](#) where they were previously required including on public transportation, in for-hire vehicles, at airports, homeless shelters, correctional facilities, and detention centers. Masks will continue to be required at adult care and health care facilities regulated by the state Department of Health, and in clinical settings regulated by the Office of Mental Health, Office of Addiction Services and Supports, and Office for People With Developmental Disabilities. The COVID-19 disaster emergency declaration was allowed to expire on [September 12](#).

OCM moves adult-use timeline: The [Office of Cannabis Management](#) (OCM) has [shifted the timeline](#) for publishing proposed regulations for the adult-use non-conditional program from earlier this fall to December. In effect, the delay pushes the opportunity to apply for non-conditional industry licenses to the middle of 2023.



Legislative News

Legislative Activity

The Legislature is not scheduled to return to session this year, however, session is adjourned at the call of the Majority Leader and the Speaker leaving the door open for a return to session should the respective leaders deem it necessary.

Executive Orders

Governor Hochul extended the “*Statewide Disaster Emergency Due to Healthcare Staffing Shortages*” [Executive Order 4](#) via [Executive Order 4.13](#) on September 27, 2022. Governor Hochul also allowed [EO 11.9](#) which declared a Disaster Emergency in NYS due to COVID-19 to expire on September 12, 2022.

Public Hearings

~October 3rd, 2022 the Assembly Standing Committee on Transportation will hold a Public Hearing on Complete Streets.

~October 14, 2022 the Senate Standing Committee on Corporations, Authorities & Commissions as well as the Senate Standing Committee on Transportation will hold a Public Hearing “to hear from government agency officials, experts, and stakeholders on JFK Airport redevelopment plans, JFK project contracting and subcontracting, and Minority- and Women-Owned Business Enterprise (MWBE) involvement in these projects.”

~October 26th, 2022 the Assembly Standing Committee on Social Services will hold a hearing on Public Assistance Benefits in New York State.

From the Governor

Governor Hochul Aid for Florida After Hurricane Ian

Governor Hochul [announced](#) a directive sending 11 New York Army National Guard members along with two CH-47F Chinook heavy lift helicopters to Florida. The service members will assist the Florida National Guard providing airlift as needed in the aftermath of devastating Category 4 Hurricane Ian. Governor Hochul also deployed similar resources to [Puerto Rico](#).

Governor Hochul Issues Directive to Advance Zero Emission Requirements by 2035

Governor Hochul [directed](#) the NYS Department of Environmental Conservation to take major regulatory action requiring all new passenger cars, pickup trucks, and SUVs sold in NYS to be zero emissions by 2035. This announcement followed a [report from the NY Independent System Operator](#) (NYISO) that identified an unprecedented level of investment needed for NY’s climate policy goals to be implemented.

State Agencies

From the New York Office of the Attorney General

AG Leads Coalition to Support Fast-Food Restaurant Workers

New York Attorney General Letitia James [continued her efforts](#) related to workers' rights, by leading a coalition of 15 attorneys general in filing an [amicus brief to defend a New York City statute that requires just cause to fire or reduce the hours of a fast-food chain employee](#). The law, which took effect in 2021, requires fast-food chain restaurants in New York City to provide a valid reason – such as unsatisfactory performance, misconduct, or a legitimate economic concern – before firing or reducing the hours of an employee. The brief argues that the law passed by New York City does not violate the National Labor Relations Act or the Commerce Clause of the U.S. Constitution.

From the New York Office of the NYS Comptroller

Comptroller: State is Slow in Disbursing Some Federal Relief Funds for Housing

New York [has been slow](#) when it comes to using some federal relief funds earmarked to alleviate the state's affordable housing crisis, according to an [audit](#) released this month by New York State Comptroller Thomas P. DiNapoli. The audit found that, under the management of the state's Homes and Community Renewal (HCR) and its local program administrators, the distribution of funds has been delayed, putting some of the funding at risk. Because there is a deadline on using federal COVID-19 funds, delays in allocating it to specific housing projects or housing relief programs could result in funds being lost.

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