

INSIDE

Legislative News

Public Hearing Calendar

From the Governor

Governor Advances 3rd Nominee for Commission on Ethics in Lobbying and Government

Executive Order 4 to Expire in January

Agency News

AG: Seeking a Congressional Ban on Crypto Investments for Retirement Funds

Comptroller: Labor Force Struggles to Rebound

Closing in on the 2023 Legislative Session

With most of 2022 and a contentious election cycle in the rear view, the holiday season is upon us with tree lightings and other [events](#) scheduled at the NYS Capitol, Empire Plaza in Albany and the Adam Clayton Powell, Jr. State Office Building in Harlem.

The season also signifies the convening of a new legislative session after the New Year. In anticipation, the Executive and Legislature are in the process of readying for the upcoming session and annual NYS Budget negotiations. On the legislative side there is a lot to settle out including the 2023 legislative calendar, filling important committee chairmanships vacated through the electoral process or retirements, and handing out committee assignments. In addition to the staffing changes that occur at the beginning of a new term of office, the Executive will have to appoint a new Budget Director after current Director Robert Mujica announced his departure at the end of 2022 for a role with the Puerto Rico Fiscal Control Board.

2022 election cycle wrap - As we reported in our post-election bulletins, Governor Kathy Hochul, NYS Comptroller Tom DiNapoli, and NYS Attorney General Tish James were re-elected on election day Tuesday, November 8th. The NYS Assembly has maintained its veto-proof majority and it appears at this point that the Senate will also, pending an automatic re-count that was triggered in Senator Mannion's race against challenger Rebecca Shiroff. The results of that race are within the .5% threshold that triggers a recount under New York State election law. The re-count for that race will continue in coming weeks, with all NYS elections being certified on December 2nd as per the [NYS Board of Elections calendar](#) unless litigation prevents certification at that time.

Adult Use Cannabis - The NYS Cannabis Control Board [approved](#) 28 dispensary licenses for Business Owners with a cannabis conviction or a family member with a cannabis conviction, with 8 approved for nonprofit organizations. The conditional adult-use retail dispensary (CAURD) license is a core part of the [NYS Seeding Opportunity Initiative](#), awarding the first adult-use retail dispensaries. The Cannabis Control Board also voted to advance adult-use cannabis regulations to a 60-day public comment period.



From the Governor

Governor Hochul Announces Nominee for the Commission on Ethics in Lobbying and Government

Governor Hochul [unveiled](#) her third nominee - Kaylin L. Whittingham - to the Commission on Ethics in Lobbying and Government. Following a seven-day public comment period, she will be presented to the Independent Review Committee (IRC), which is composed of the deans of New York's law schools, for review of her qualifications to serve on the Commission. The IRC's procedures on nominations are available [here](#).

Executive Orders:

The Governor extended executive order 4.0 (EO 4) related to a public health emergency due to health care staffing shortages, for another 30 days ([EO 4.15](#)). We've been told by the Governor's office that the EO will be extended one more time on December 23 for 30 days, and then be allowed to expire.

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, which leaves the door open for a return to session should the respective leaders deem it necessary.

Public Hearings

~ December 6th, NYS Assembly Standing Committees on Consumer Affairs and Protection, and Banks will host a public hearing examining the accuracy and effectiveness of the consumer credit reporting system.

~December 7th, NYS Senate Standing Committees on Crime Victims, Crime and Correction, and Judiciary host a public hearing to solicit public opinion on bills S.15A and S.7514.

~December 12th, NYS Assembly Standing Committee on Aging host a public hearing on Home-Based Long-Term Care Services.

~December 14th, NYS Assembly Standing Committee on Education hosts a public hearing on Student Hearing Loss.

~December 15th, NYS Assembly Standing Committee on Libraries and Education Technology host a public hearing on the future of New York State's Libraries.

State Agencies

From the New York Office of the Attorney General

AG Urges Congress to Ban Retirement Investments in Cryptocurrencies

New York Attorney General Letitia James [urged congressional leaders to adopt legislation that would prohibit investing retirement funds in digital assets, such as cryptocurrencies, digital coins, and digital tokens](#). Her proposal would apply to Individual retirement accounts (IRAs) and defined contribution retirement plans, like 401(k) plans and 457 plans for government employees. The AG's letter comes after a major financial institution has offered Bitcoin as an investment option in its 401(k) plans, and other financial institutions are expected to follow suit. With recent crypto market crashes and other market turbulence, [Attorney General James stressed](#) the need to protect workers' retirement funds and avoid the dangers of risky cryptocurrencies.

From the New York Office of the NYS Comptroller

NY's Labor Force Decreased During Pandemic and Remains Below Pre-Pandemic Peak

[New York's Labor force decreased](#) by 1% between 2011 and 2021 while the rest of the nation increased by 5.1% during the same period according to a [report released](#) by the State Comptroller. The state's labor force was rebounding until the onset of the COVID-19 pandemic and is still currently 400,000 workers below the workforce peak during December of 2019. DiNapoli's report found the long-term decline was due, in part, to population changes and a relatively lower share of workers participating in the workforce. Only three of the state's 10 regional labor markets (Long Island, New York City, and the Hudson Valley) were larger in 2021 than they were in 2011, with the rest of the regions losing workers, including double digit declines in the Southern Tier (-12.6%) and the North Country (-10.2%).

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