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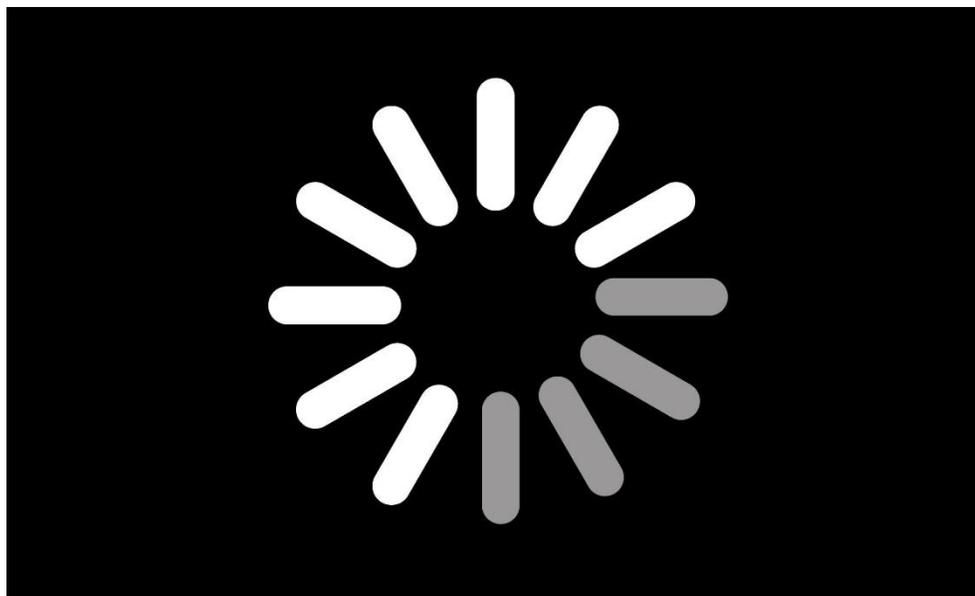
The Senate's hearing and subsequent rejection of the Governor's nominee for Chief Judge of the state Court of Appeals on Wednesday took up most of the air in the room last week as the Governor, her staff, and the Division of Budget continued their work to finalize the Executive Budget Proposal, which is due by February 1. It is unclear how or if the Senate's rejection of the Governor's nominee will impact the rest of the legislative session and/or budget negotiations. Once the budget drops next week, the legislature will begin their hearing process for input on the Governor's proposal and advocacy priorities as they, in turn, begin their process of formulating the Senate and Assembly one house proposals.

Also, last week the State Senate held hearings on the Climate Action Council's Final Scoping Plan, while the Governor announced the opening of the first conditional adult-use retail cannabis dispensary in Manhattan.

Senate Rejects Chief Judge Nomination - Governor Hochul's nomination for Chief Judge of the New York Court of Appeals, Justice Hector LaSalle [was rejected](#) by the NYS Senate Judiciary Committee after a lengthy hearing last week. LaSalle's nomination became the first judicial nominee to fail at the committee stage since the system was [put in place in 1978](#), leaving the door open to potential legal challenges from the Governor and others as to the proper process for considering a judicial nominee.

January 19th Hearing on Climate Action Council's Final Scoping Plan - As previously reported in the last newsletter, the NYS Senate Standing Committee on Environmental Conservation hosted a public hearing to examine legislative and budgetary actions necessary for implementation of the Climate Action Council Final Scoping Plan last week on January 19th. The archived video for the full hearing can be [found here](#).

January 24th Marks the Opening of the first Conditional Adult-Use Retail Dispensary - On January 19th, Governor Kathy Hochul announced the first Conditional Adult-Use Retail Dispensary license in New York State owned by entrepreneur, Ronald Conner, will open at 144 Bleecker Street in Manhattan on Tuesday, January 24 at 10:00 AM. The dispensary is called Smacked LLC, and [according to Governor Hochul's statement](#) "is the latest example of our efforts to build the most equitable and inclusive cannabis industry in the nation," Governor Hochul said.



The policy world is in a holding pattern as we wait on the Executive Budget Proposal slated to be released no later than February 1st, 2023.

Legislative News

Legislative Activity

The Legislature will be in session on the 23rd through the 25th, this week and the 30th and 31st next week. The legislature has already introduced approximately 4,736 bills. The Senate and Assembly passed 48 election law related bills in session last week, of note:

~ [A1004 \(Rivera\) / S815 \(Kennedy\)](#) a chapter amendment to a bill signed last year impacting public transit authorities. The underlying bill provides that any local or statewide transit advocacy organization may recommend one or more transit dependent individuals to be considered for board openings.

Public Hearings

~ On January 26th, the Senate Standing Committee on Children and Families will host a public hearing to receive testimony regarding the childcare crisis in New York State, the lack of availability of childcare, and any legislation or policy response to protect childcare workers and families.

~On January 31st, the Senate Standing Committee on Racing, Gaming, and Wagering along with the Assembly Standing Committee on Racing and Wagering will host a public hearing on mobile sports betting in NY; a first-year review and its budget impact.

From the Governor

Gov. Announces Funding for Affordable Housing

On January 19th, Governor Kathy Hochul [announced](#) more than \$390 million has been awarded through bonds and subsidies to create or preserve more than 1,600 affordable, sustainable, and supportive homes across the state. There will be 10 projects that will receive funding, and these 10 projects are expected to create \$600 million in overall investment that advance New York's commitment to expanding the supply of safe, secure, and healthy housing opportunities for individuals and families across the state.

Executive Orders:

Executive Order 4.0 (related to health care staffing shortages) was extended until February 21, 2023 ([EO 4.17](#)).

State Agencies

From the New York Office of the Attorney General

AG Announces Recovery of Security Deposits

On January 20th, [Attorney General Letitia James recovered](#) more than \$422,000 for almost 1000 tenants whose security deposits were illegally withheld by Fairfield Properties (Fairfield) on Long Island. Fairfield Properties illegally withheld full or partial security deposits without providing tenants with a written itemized list of deductions, inspected apartments without the tenant present, and did not allow tenants to make repairs before vacating their apartment to avoid said penalties. As a result, Fairfield must return security deposits that it illegally withheld to approximately 900 former tenants, including interest, and pay \$90,000 in additional penalties.

From the New York Office of the NYS Comptroller

State Comptroller: State Tax Receipts Exceed Latest Projections by \$7.7 Billion

State tax receipts totaled \$79.8 billion through the third quarter of State Fiscal Year (SFY) 2022-23, exceeding the latest projections from the Division of the Budget's (DOB) Mid-Year Update to the State Financial Plan by nearly \$7.7 billion, according to the monthly [State Cash Report](#) released by State Comptroller Thomas P. DiNapoli.

"Tax collections continued to exceed projections through December," DiNapoli said. "However, concerns of an economic downturn and a cloudy revenue picture continue to create uncertainty. These conditions reinforce the importance of increasing rainy day reserve funds on or ahead of the schedule proposed in the Financial Plan."

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