LATEST ON COVID-19 AND NYS GOVERNMENT

Prepared for MANY by Government Strategies, LLC.

**The Virus**

Tragically, New York leads the nation in coronavirus infections, with the downstate region being most heavily impacted to date.  It appears that 15-20% of those infected require hospitalization, a reality that drives all the state’s efforts to keep people from spreading the infection further.  In order to prevent the health care system from being overwhelmed—as happened in Italy—the Governor has closed schools, restaurants, bars and other social gathering venues, forced companies to reduce their workforce by half, and begun the process of building additional hospital beds to manage the impending wave of patients.  More restrictions could be applied in the future.  This week, the Governor projected that the tide will begin to turn in New York in 45 days, but that is only an educated guess.  One positive note: today China recorded only one new case, an indication that the kinds of controls the state has implemented can be effective.

**Session**

Concern over infection from the coronavirus, following the  announcement that two Assemblymembers (Assemblymembers Weinstein and Barron) are infected, has radically altered the legislative calendar, access to the LOB and Capitol, and floor operations in both the Senate and Assembly.  Both the LOB and Capitol are closed to the public; only staff and members may enter.  Floor operations have been radically changed: to maintain social distancing, members are watching session online from their offices, and in the Assembly, voting in shifts.  Only members that want to debate bills are in the chamber.  In the Senate, they are taking votes with only the Senators needed to run the floor and the podium; no other Senators are in the room.  The legislative calendar, which projected a budget by April 1, a two week break in April, and seven weeks of session leading up to adjournment on June 2, has been scrapped.  Although an official announcement hasn’t been made, it’s likely that once the budget is completed—perhaps next week, if not the week after—session will be closed down for at least a month, and perhaps several more.  I’ve heard speculation that the legislature will not return until the summer or early fall to work on legislation, but so far that is just a rumor.

**The Budget**

The legislature left Albany today after voting on legislation to provide benefits for workers who lose their jobs as a result of COVID-19.  The leaders didn’t issue a formal announcement about their timetable for acting on the budget, but one thing is certain: when they are ready, they will come back and pass the budget quickly.  I expect that to happen as early as next week, especially as even mildly controversial policy items are likely to be stripped from the budget.  The Comptroller this week estimated that an additional $4-7 billion deficit in the coming fiscal year as a result of the coronavirus, an estimate that could have severe consequences for all aspects of the budget .  Given the pending fiscal shortfall, the range of actions that the legislature may be forced to take to balance the budget could range from revenue enhancers to across-the-board spending reductions, although the Senate and Governor have to date said that that they do not support raising taxes.  The only positive note is the pending federal budget action which will, if enacted, take some of the pain out of the looming economic calamity that the state faces.

**Policy Issues**

Each year the legislature passes numerous “stat-must” bills.  These are laws that expire and must be approved again by the legislature in order to remain in effect.  Many of them expire at the end of June, in line with the typical end of session.  Given that the legislature may not be in session again until after June, there may be an effort to pass all the state-must bills when the legislature comes back to approve the budget.  Controversial legislation—such as legalizing marijuana—is most likely dead for now, though if things subside and the legislature returns in the summer or fall they could be resurrected.  Bills that are of interest, but not urgent, will also be put aside for now.  Bills that address needs related to the coronavirus epidemic will also get acted on.

**Lobbying**

With the ban on access to the LOB and Capitol, and the closure of all member’s district offices, meeting with legislators or staff in person will not be possible for the foreseeable future.  However, members are scheduling phone meetings, and I expect this to become standard practice until things return to normal.  Email communications are open as well, though members offices are being flooded with emails now that in-person meetings aren’t possible, so such communications can be hit-or-miss.  The bottom line is that our work will continue, although mostly over the phone and electronically in the coming weeks.

**Elections**

This week, the Governor by Executive Order reduced the number of signatures required to make the ballot to 30% of the statutory requirement, and ended petitioning as of yesterday.  The Governor also suspended village elections that were to take place today.  He has not made a decision on the April 28 federal primary election, or the June 23 state primary election.  Some legislators and editorial boards have recommended that the state shift to a system of 100% mailed-in ballots, but to date neither the Governor or legislative leaders have stated an opinion on this proposal.

***Information provided by Public Strategies LLC***