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## The Week That Was

02-01-19

### 1. 8-0

#### *Our Spin:*

With Superbowl 53 to be played this Sunday down in Atlanta, we have scoring on our minds here at FWC and as a result, decided to dive into the numbers. Lawmakers were in session for just seven days in January, but in that time there have been eight Chapter Amendments compared to zero at this time last year. This volume of new measures has longtime Albany political wonks scrambling to figure out what the next play will be... One thing is for sure though, with the new full Democratic majority in all three branches of New York State government, there has been a different pace of play since the team broke the huddle. Say what you want to say about the start to the 2019 Legislative session here in NY, but as the ole sports saying goes “numbers don’t lie.”

#### *The Story:*

The productivity of this year’s legislative session has been quite a contrast with the usual speed in which legislation passes in the Capitol, where things tend to amble along until late March, when the budget is due. This year the Legislature has already approved early voting, the first new limits on campaign contributions in decades, a prohibition on discriminating against people based on their gender identity, a ban on conversion therapy, the biggest update to the state’s abortion law since 1970, financial aid for undocumented immigrants, changes to the use of teacher evaluations, a long-sought expansion of the statute

of limitations against people who sexually abuse minors, and a sweeping package of gun control measures.

John McEneny, a historian of the Legislature who served 10 terms in the Assembly as a Democrat, couldn’t recall a similar crush of legislation passed in a session’s first month. That’s in part because control of the Legislature has been divided for so many years, he said. “Now we have all three out of three,” he said, referring to Democratic control of both houses of the Legislature and the governor’s office. Of course, “productive” doesn’t necessarily mean “good” — it simply refers to the sheer volume of bills passed in a short amount of time.

The Reproductive Health Act, which codified *Roe v. Wade*’s protections into New York law, has been bitterly criticized by abortion opponents around the country and may have led to President Donald Trump’s reported decision to include references to state abortion bills in his upcoming State of the Union address. Even Republicans, reduced to a powerless minority in the Legislature, acknowledge that the last few weeks have seen an extraordinary amount of action in the Capitol. “I always say every Legislature has its own personality, so sometimes we’ve done things quickly, other times we’ve dawdled and kind of taken our time,” said Sen. Ken LaValle (R-Suffolk County), whose 22 terms make him the dean of the Senate. “I think this is moving quickly.”

[Politico Pro](#)

## 2. NYS Emergency Response, Team of 1

### *Our Spin:*

Snow boots, check. State seal bomber jacket, check. Cargo pants, check. All this can only mean one thing, a classic Empire State snow storm accompanied by frigid temperatures and the Governor personally answering the call of duty. The Governor, who has a penchant for coming to the rescue of stranded motorists during treacherous snow events, turned his focus to personally enforcing his ban on tractor trailers and buses on major state routes. In addition to a good old fashioned scolding from the Governor, drivers faced law enforcement fines and points on their license. As always, FWC encourages everyone to be safe on our roads, particularly during these unpredictable winter months. May we also suggest to keep an eye out for the mobile NYS command center, you never know who might emerge and issue you a ticket!

### *The Story:*

Governor Cuomo's week began with storm prep at a press conference in Cheektowaga with state and local officials to update New Yorkers on both the string of impactful winter weather that was going to affect most parts of the State, as well as the State's response to these storms. On Wednesday night, the Governor directed non-essential state employees in Erie County that they do not need to report to work Thursday morning. The Governor also announced that a State of Emergency was in effect for Erie, Genesee and Herkimer Counties. A ban was put in place for tractor trailers and commercial buses for the duration of the storm along multiple State routes and interstates, and several local municipalities enacted travel advisories and speed restrictions due to the hazardous travel conditions. Governor Cuomo pre-deployed state assets ahead of the storm and those assets remained fully engaged in helping local governments respond.

The Governor stayed fully engaged as well. Cuomo toured road closures and storm-impacted areas in Erie County and admonished truck drivers who violated the tractor trailer ban, which had remained in effect for several upstate highways until Friday morning. The tractor trailer and bus ban was strictly enforced by State Police on those roads and highways. Tractor trailer and bus drivers, as well as their companies, who violated the bans were held accountable. Some violators were punished with fines up to \$450, two points on the license and potential criminal charges.

ADDITIONAL B-ROLL of the Governor in action is available on YouTube [here](#).



## 3. Recycled Policy

### *Our Spin:*

The recently recycled push to expand the Bottle Bill found its way into the Executive Budget this year drawing on environmental analysis dating back to Super Bowl XVI. Now, 37 years later, what is clear, is that the Bottle Bill is hurting curbside municipal programs and diverting attention to one of the most ineffective recycling programs from the last century. Undeterred, some groups are pushing forward without getting the team around a comprehensive recycling play. Ignoring this environmental fumble, it looks like a back pass for the beginning of this quarter. From our long view, it is clear it is time to take a comprehensive look at recycling without hurting New York's businesses.

### *The Story:*

Governor Andrew Cuomo is pushing the expansion of the Bottle Bill in his new budget, one of the more prominent pieces of environmentally-themed plastic legislation in statehouses around the country. Cuomo's 2019 state budget proposal would ban plastic bags, allow local governments to put fees on paper bags and expand the state's container deposit laws to cover many more types of plastic containers, including sports and energy drinks, fruit and vegetable beverages and bottled tea and coffee.

While testifying at an Environmental Conversation budget hearing last week, Basil Seggos, commissioner of the state's Department of Environmental Conservation, said that the Bottle Bill expansion will help cities better deal with the impact their waste collection budgets have taken since China banned recyclable scrap imports.

"To respond to the global recycling crisis, we propose to expand the Bottle Bill to make most non-alcoholic beverage containers eligible for a 5-cent redemption, and we must ban the plastic bag," said Seggos.

Putting more types of containers in the bottle bill system will capture material that remains valuable for recycling, Seggos said. "What we're trying to [do is] bring a clean flow of recyclable materials into an appropriate source and have those well recycled."

A spokesman for the American Beverage Association said, in part, "America's beverage companies are working together to protect the environment and we look forward to continuing to work with Governor Cuomo and his administration to improve access to recycling, expand litter recovery efforts and reduce the amount of plastic in our containers."

