

ANNUAL REPORT 2021



CARL E. HEASTIE, SPEAKER
HARRY B. BRONSON, CHAIR

NEW YORK STATE ASSEMBLY

COMMITTEE ON ECONOMIC DEVELOPMENT, JOB CREATION,
COMMERCE AND INDUSTRY



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CHAIR
Committee on Economic
Development, Job Creation,
Commerce and Industry

COMMITTEES
Education
Labor
Steering
Transportation
Ways and Means

December 15, 2021
Honorable Carl Heastie
Speaker of the New York State Assembly
Legislative Office Building, Room 932
Albany, NY 12248

Dear Speaker Heastie:

I am submitting my first Annual Assembly Standing Committee on Economic Development, Job Creation, Commerce and Industry report for the 2021 Legislative Session.

The 2021 Legislative Session has been challenging due to the public health and economic impact of the continuing pandemic related issues and the challenges of reopening New York's economy. However, the Committee continued to review and participate in the enactment of the SFY 2021-22 budget and worked on legislation that promotes State and local economic development throughout this difficult period. To that end, the Committee was instrumental in securing the COVID-19 Pandemic Small Business Recovery Package which included: \$800 million for the Small Business Recovery Grant Program; \$600 million in federal revenue funds for a State Small Business Credit Initiative (SSBCI) program; \$40 million for the Arts Recovery Grant Programs for Not-For-Profit arts and cultural organizations; \$25 million for the New York Restaurant Resiliency Grant Program which provides grants to restaurants that offer meals to people in distressed or underrepresented communities; \$100 million for NY Theater tax credits; and \$35 million for the Restaurant Return To Work Tax Credit Program.

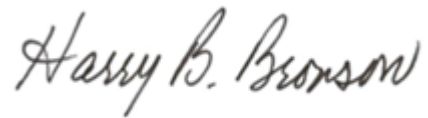
While the dramatic increases in funding during this fiscal year are significantly due to a one-time infusion of funds from Federal COVID-19 Pandemic relief, the Committee will continue its work to fund programs to support businesses and the workforce they employ. The priority focus areas of the Committee during the next session, both legislatively and budgetary will include measures that seek to ensure that economic recovery is both equitable and inclusive of those individuals that have been left on the economic sidelines, especially those from marginalized communities. The COVID-19 pandemic has made the disparity in our economy worse with a disproportional impact on the unskilled labor force, women, underserved, or otherwise marginalized communities who have historically been on the economic sidelines.

In addition to continued pandemic economic recovery issues, the Committee will continue its oversight of legislation and issues related to the manufacturing, distribution, and sale of alcoholic beverages and, going forward oversight of the emerging adult-use cannabis industry. With regards to adult-use cannabis it will be especially important to ensure that social and

economically distressed equity applicants have access to participate and thrive in this emerging industry.

On behalf of myself and the members of the Committee, I wish to thank you for supporting our efforts to encourage economic development and job creation across New York State. With your continued leadership New Yorkers can look forward to productive sessions in the coming year.

Sincerely,

A handwritten signature in cursive script that reads "Harry B. Bronson". The ink is black and the signature is fluid and legible.

Harry Bronson
Member of Assembly
Chair, Assembly Standing Committee on Economic
Development, Job Creation, Commerce and Industry

2021 Annual Report

New York State Assembly
Committee on Economic Development, Job Creation,
Commerce and Industry

Harry B. Bronson, Chairman

Committee Members

Majority

Kevin Cahill
William Magnarelli
Donna Lupardo
Al Stirpe
Maritza Davila
Charles Barron
Alicia Hyndman
Billy Jones
Steve Stern
Marianne Buttenschon
Taylor Darling
Judy Griffin
Mathylde Frontus
Patricia Fahy
Patrick Burke
Jennifer Lunsford
Anna Kelles
Gina Sillitti

Minority

Christopher Friend, Ranking Member
Kieran Lalor
Angelo Morinello
Robert Smullen
John Salka
Joseph Giglio
John Lemondes

Staff

Giovanni Warren, Assistant Secretary for Program and Policy
Patrick Totaro, Committee Counsel
Debra Jenkins, Legislative Analyst
Jennifer Skoog-Harvey, Chief of Staff
Allan Richards, Legislative Director/ Committee Clerk

TABLE OF CONTENTS

I. INTRODUCTION: COMMITTEE JURISDICTION3

II. FY 2021-2022 ECONOMIC DEVELOPMENT BUDGET INITIATIVES4

III. IMPROVING NEW YORK’S ECONOMY AND CREATING JOBS9

IV. 2021 PUBLIC HEARING/ROUNDTABLES17

V. OUTLOOK FOR 202218

APPENDIX A: 2021 SUMMARY OF ACTION ON ALL BILLS19

APPENDIX B: 2021 BILLS CONSIDERED20

APPENDIX C: 2021 CHAPTERS/VETOES.....23

I. INTRODUCTION: COMMITTEE JURISDICTION

The Assembly Standing Committee on Economic Development, Job Creation, Commerce and Industry is responsible for legislation that affects economic development and business regulation throughout the State. The Committee also provides oversight of the State's various economic development agencies, authorities and programs that notably impact the State's overall economy. Additionally, the Committee is responsible for oversight of legislation related to the sale of alcoholic beverages adult-use cannabis, and the licensing, registration and regulation of a broad spectrum of industries associated with the production, distribution and sale of cannabis and alcoholic beverages. The Committee is also responsible for the regulation of certain industries that are subject to General Business Law.

The Committee interacts with many State agencies, economic development organizations and other groups and associations on these important issues. The State agencies include the Department of Economic Development, the Urban Development Corporation, the Job Development Authority, the Department of State, the State Liquor Authority, the Department of Labor and the Department of Law. At the local level, the Committee works with several organizations, including not-for-profit local development corporations, economic development agencies, not-for-profit foundations, colleges and universities, chambers of commerce and Small Business Development Centers.

The Committee currently has two Subcommittees that are tasked with providing more in-depth analysis on specific subject areas, which helps the committee better understand and respond to related legislation and policy proposals. The new Subcommittee on Occupational Licenses focuses on reviewing and examining occupational licenses in relation to the licensing process, fee structure, educational requirements, and other aspects of these licenses as well as the contribution of these occupations to the State's economy. The Subcommittee on Export Trade provides insight about New York's international and domestic export experiences and how to bolster future expansion of New York State business exports. These Subcommittees are chaired by Members of Assembly Gina Sillitti and Marianne Buttenschon, respectively.

II. FY 2021-2022 ECONOMIC DEVELOPMENT BUDGET INITIATIVES

Empire State Development and Department of Economic Development

The Committee has long advocated for policies that support and promote economic development and job creation within the State. The New York State Budget provides funding for economic development programs through allocations to the Department of Economic Development and the Urban Development Corporation (doing business as Empire State Development). Funding through these programs is typically provided in the form of loans, grants, tax credits and other financial assistance to local governments, businesses, higher education institutions and not-for-profit corporations to develop stable and growing local economies. The Committee supported key initiatives to boost New York's economy, create jobs and facilitate opportunities for all business sectors in the State.

The enacted State Budget provided an All Funds appropriation of \$691.32 million, an increase of \$608.08 million over the Executive proposal, for the Department of Economic Development. Further, the budget provided an All Funds appropriation of \$1.3 billion, an increase of \$832.23 million over the Executive proposal, for the Urban Development Corporation. The dramatic increases in funding during this fiscal year are due to a one-time infusion of funds from Federal COVID-19 Pandemic relief. The following are highlights of some of the programs that are funded to promote economic development and businesses in New York via the State Fiscal Year 2021-2022 Budget:

- COVID-19 Pandemic Small Business Recovery Package
 - \$800 million for the Small Business Recovery Grant Program, which will provide support for small businesses negatively impacted by the COVID-19 pandemic;
 - \$600 million in federal revenue funds for a State Small Business Credit Initiative (SSBCI) program, which would provide a mechanism to ensure federal aid is effectively distributed to small businesses negatively impacted by the COVID-19 pandemic;
 - \$40 million for the Arts Recovery Grant Programs for Not-For-Profit arts and cultural organizations;
 - \$25 million for the New York Restaurant Resiliency Grant Program to provide grants to restaurants that offer meals to people in distressed or underrepresented communities;
 - \$100 million for NY Theater tax credits; and
 - \$35 million for Restaurant return to work tax credits.

- Business Assistance
 - \$13.47 million for the Manufacturing Extension Partnership Program;
 - \$5 million for the High Technology Matching Grants Program;
 - \$921,000 for the Industrial Technology Extension Service Program;
 - \$5 million for the New York State Innovation Hot Spots/New York State Incubators;
 - \$3.4 million for the Urban and Community Development Program;

- \$1.495 million for the Community Development Financial Institutions (CDFI) Program;
 - \$1.76 million for the Entrepreneurial Assistance Program (EAP);
 - \$2 million for the Minority- and Women-Owned Business Development and Lending Program and for Minority- and Women-Owned Business Development;
 - \$1.382 million for Technology Development Organizations; and
 - \$343,000 Science and Technology Law Center.
- University-Based Programs
 - \$13.6 million for the 15 existing Centers for Advanced Technology (CATs), which collaborate with New York companies on the development of new technologies and products and create new businesses and high-quality jobs throughout the State; and
 - \$9.85 million for the 11 existing Centers of Excellence. The Centers are collaborative public-private partnerships that commercialize scientific discoveries in fields such as nanoelectronics, bioinformatics, photonics, environmental systems, wireless applications and information technology.
 - The following appropriations were approved in addition to the base funds:
 - \$375,000 for the creation of the Clarkson – SUNY ESF Center of Excellence in Healthy Water Solutions;
 - \$1 million for the Center of Excellence in Precision Responses to Bioterrorism and Disaster at New York Medical College; and
 - \$800,000 for the SUNY Albany Center of Excellence in the Data Science in Atmospheric and Environmental Predictions and Innovation.
 - The Legislature rejected the Executive funding proposal related to the consolidation of the Centers of Excellence and Centers for Advanced Technology.
 - \$3 million for SUNY Polytechnic Institute College of Nanoscale Science and Engineering and Rensselaer Polytechnic Institute focus centers; and
 - The Legislature restored \$745.67 million in reappropriations to support life science initiatives and the Wadsworth Center Lab in the Capital Region.
 - General Economic Development
 - \$220 million for the New York Works Economic Development Fund;
 - \$26.18 million for the Empire State Economic Development Fund;
 - \$15 million for the Market New York Program;
 - \$42.5 million for economic development initiatives of the State for promoting tourism and expanding business investment and job creation and retention;
 - \$7.04 million for Western NY football retention;
 - \$2 million for the Empire State Entertainment and Diversity Job Training Program; and
 - \$500,000 for a racial disparity study on the underutilization of minority and women screenwriters.

- Commerce, Regional Economic Development, Trade and Tourism
 - \$700,000 for in total support for CenterState CEO;
 - \$670,000 for the Stony Brook Medicine’s National Cancer Institute;
 - \$550,000 for the Bronx Overall Economic Development Corporation;
 - \$500,000 for Brooklyn Alliance, Inc.;
 - \$500,000 for the Queens Chamber of Commerce;
 - \$310,000 for the City of Amsterdam Urban Renewal Agency;
 - \$300,000 for the Brooklyn Chamber of Commerce;
 - \$275,000 in total support for the North Country Chamber of Commerce;
 - \$200,000 for Urban Upbound;
 - \$185,000 for the Trust for Governors Island;
 - \$165,000 for the Kingsbridge Riverdale Van Cortland Development Corp.;
 - \$150,000 for Association of Community Employment Programs;
 - \$100,000 for Adirondack North Country, Inc.;
 - \$100,000 for the Brooklyn Neighborhood Improvement Association;
 - \$100,000 for the Greater Harlem Chamber of Commerce;
 - \$100,000 for the Harlem Park to Park initiative;
 - \$100,000 for the Queens Economic Development Council;
 - \$100,000 for Syracuse JazzFest Productions, Inc.;
 - \$75,000 for the Capital Region Chamber of Commerce;
 - \$50,000 for the Sunnyside Shines Business Improvement District;
 - \$50,000 for the Bayside Business Association;
 - \$50,000 for the Brooklyn Chamber of Commerce’s Re-start Brooklyn Support and Recovery Initiative;
 - \$50,000 for the Buffalo Niagara International Trade Gateway Organization;
 - \$50,000 for the Douglaston Local Development Corporation;
 - \$50,000 for the Floral Park Bellerose Indian Merchants Association, Inc.;
 - \$50,000 for the Flushing Business Improvement District;
 - \$50,000 for the Joint Bellerose Business District Development Corporation;
 - \$50,000 for the Staten Island Economic Development Corporation;
 - \$40,000 for the New York Women's Chamber of Commerce (NYWCC);
 - \$40,000 for the Orange County Chamber of Commerce;
 - \$25,000 for the Bronx Cooperative Development Initiative;
 - \$25,000 for the Citizens Committee of New York City;
 - \$25,000 for the Flatbush Development Corporation;
 - \$25,000 for the Haitian-American Business Network;
 - \$25,000 for the Hudson Valley Gateway Chamber of Commerce;
 - \$20,000 for the Women's Enterprise Development Center, Inc.; and
 - \$10,000 for the ITAC/Manufacturing Extension Partnership Center.

- Regional Economic Development Councils

The Governor’s 10 Regional Economic Development Councils (REDCs) initially developed and implemented comprehensive Strategic Plans for their respective regions in 2019 and have annually presented updated plans. These plans have played an important role in determining how

millions of dollars in existing economic aid have been awarded through the State's Consolidated Funding Application (CFA). The REDCs were allocated another round of funding in the SFY 2020-2021 Budget, which consisted of up to \$150 million to be awarded through a competitive process in each region. An additional \$100 million was allocated for a third round of the Downtown Revitalization Initiative that will provide an additional 10 downtown neighborhoods across the State with a \$10 million award via a competitive process.

- Article VII

The enacted 2021-2022 State Fiscal Year Budget includes the following Article VII provisions related to the Department of Economic Development and Empire State Development:

- The Legislature included a new proposal for direct grants and technical assistance to small businesses, micro-businesses and for-profit arts and cultural entities through the COVID-19 Pandemic Small Business Recovery Grant program. The grant program will give priority to socially and economically disadvantaged business owners, minority- and women-owned business enterprises, service-disabled veteran-owned businesses, veteran-owned businesses, and businesses located in communities that were economically distressed prior to the pandemic. (Note: Empire State Development opened the application portal on June 10, 2021).
- The Legislature modified the Executive proposal to extend the general loan powers of the New York State Urban Development Corporation by three years to a one-year extension (July 1, 2021, to July 1, 2022).
- The Legislature modified the Executive proposal to authorize the New York State Urban Development Corporation to administer the Empire State Economic Development Fund by three years to a one-year extension (July 1, 2021 to July 1, 2022).
- The Legislature modified the Executive proposal to extend the Economic Transformation and Facility Redevelopment Program tax credits for five years (December 31, 2026).
- The Legislature modified the Executive proposal to establish a child care credit component to the Excelsior Jobs Program and to expand the Employer Provided Child Care Credit, to allow additional businesses to participate in the Excelsior program if they provide child care for their employees and to establish new reporting requirements related to the new credits.
- The Legislature modified the Executive proposal to extend tax credits for restaurants and New York City musical and theatrical productions as they reopen for business through the Pandemic Recovery and Restart Program.
- The Legislature rejected the Executive proposal to consolidate the Centers of Excellence (COE) and Centers of Advance Technology (CAT) Programs into one CAT program and would have repealed the statutory authorization for the COE program and eliminate it completely as of April 1, 2023.

New York State Liquor Authority

The enacted 2021-2022 State Fiscal Year Budget provided the State Liquor Authority (SLA), the entity charged with enforcing the provisions of the Alcoholic Beverage Control Law in New York State, with \$59.31 million in the State Operations budget, an increase of \$8.55 million over the Executive Budget. The SLA did not receive any allocations through the Capital or Aid to Localities budgets.

- State Operations
 - \$13.31 million was allocated to the SLA operations related to licensing, oversight and enforcement alcoholic beverage industry; and
 - \$46 million was allocated to support the operations of the newly established Cannabis Management Program (Chapter 92, Laws of 2021), for a total of \$46 million.

- Article VII

The enacted 2021-2022 State Fiscal Year Budget did not include the following Article VII provision related to the State Liquor Authority:

- The Executive's proposal to make permanent the statutory authority for the State Liquor Authority (SLA) to issue Statewide temporary retail permits, including New York City, and to provide the SLA with new statutory authority to issue temporary manufacturing permits for prospective licensees statewide.

- The Executive's proposal that would authorize movie theatres to sell alcoholic beverages during motion pictures.

III. IMPROVING NEW YORK'S ECONOMY AND CREATING JOBS

The Committee plays an important role in facilitating economic development policy in the State with an overarching objective to ensure an equitable and inclusive economy. The State's role should be to partner with local governments and the private sector to grow regional economies and to focus its incentives to support clusters such as emerging high-technology industries in New York. The Committee supports legislation that focuses economic development efforts toward assisting companies that retain and create jobs and contribute to the economic stability and revitalization of communities across New York. Companies that seek and receive State financial assistance should commit to retain or create jobs in their communities. Where appropriate, the State should seek to leverage resources and help emerging industries, thereby supporting the growth of specialized clusters in growing fields of employment.

The Committee's primary responsibility in the area of the Alcoholic Beverage Control (ABC) Law is to ensure the safe and lawful manufacturing, distribution and sale of alcoholic beverages in the State. In addition, the Committee has recognized the changing market for alcohol products in relation to agri-business and tourism. New York State has committed to utilizing New York's farm products to produce alcoholic beverages and encourage the expansion of local craft beverage markets. The Committee will continue its review of the ABC Law to ensure the law is supporting a market that functions best, and in a balanced manner, for consumers and businesses. The Committee will support legislation that ensures communities have adequate information and notice as they make decisions about the future of cannabis, alcoholic beverage manufacturing businesses and retail establishments located in their neighborhoods.

The following is a list of legislation advanced by the Committee in 2021:

- **Removing Old Blue Law Prohibition Related to Barbering:**

This law repeals existing law prohibiting individuals from using their barber's license on a Sunday. (A.436, Jones, Chapter 240, Laws of 2021)

- **Encouraging Minorities and Women to Pursue Careers in Science, Technology, Engineering, and Mathematics (STEM):**

This law authorizes the Urban Development Corporation (UDC) to conduct a study, in collaboration with the Departments of Education and Labor, related to determining the amount of financial, technical or any other assistance, needed to encourage women and minorities to pursue technology careers in science, technology, engineering and mathematics (STEM). The report on the study's findings, recommendations and conclusions would be delivered to the Governor, the Temporary President of the Senate, and the Speaker of the Assembly no later than December 31, 2022, and annually thereafter. (A.530-B, Rosenthal, L., Chapter 757, Laws of 2021, Approval Message 119)

- **Assisting License and Permit Applicants:**

This law will require that the New York State Liquor Authority (SLA) make available on its public website a daily updated list of all open license and permit applications it received, as well as the anticipated length of time that such applications would be processed. This law requires that the applicant be notified if estimated processing times were to change. This bill also requires the SLA to provide applicants with a receipt within 15 days indicating that the application has been received and an estimated time for completion. (A.597, Woerner, Chapter 719, Laws of 2021, Approval Message 90)

- **Listing Certificates of Authority:**

This law effectuates amendments to Chapter 367 of the Laws of 2020 (Approval Message 64). Specifically, this law requires the Department of Taxation and Finance to create and maintain a publicly accessible, searchable database containing the Certificate of Authority (COA) number and any corresponding identifying information for each vendor in the state by January 1, 2022. The original Chapter would have required COA's to be printed on State Liquor Authority issued licenses; however, this new searchable database is an alternative way to verify a COA as provided for in the original Chapter. (A.956, Jean-Pierre, Chapter 3, Laws of 2021)

- **Establishing A Strategic Investment In Workforce Development Program:**

This bill would create the Strategic Investment Workforce Development Program and would have the Urban Development Corporation collaborate with the Department of Labor, the Department of Economic Development, the State University of New York, the City University of New York and the State Education Department to identify the training needs of employers, employees and perspective employees, as well as identify areas of the state where there is a shortage of skilled workers and identify ways to strengthen prospective employees.

Eligible applicants for the program would include an employer or consortium of employers, a not-for-profit, an educational entity, a program that provides training and skill development for youth or individuals who are unemployed, or an entity that promotes and fosters economic development and job growth. Eligible applicants would be directed to use funds for costs associated with strategic workforce development training and skills development. Twenty percent of all funds made available would be required to assist small businesses and minority- and women-owned businesses.

The corporation would be required to report to the Legislature by June 30, 2023, and annually thereafter as well as provide an independent evaluation of the program by June 30th, 2023, and every three years thereafter. (A.1011, Bronson, Committee on Ways and Means)

- **Promoting Export Trade:**

This bill would require Empire State Development to provide business assistance for export trade development by promoting projects designed to encourage and assist businesses, industrial firms, or industry groups to engage in export trade regionally and globally, as well as to coordinate with other State economic development programs. (A.1177, Buttenschon, Passed Assembly)

- **Extending License Credits to Businesses Affected By COVID-19:**

This bill would authorize any on-premises licensee and any manufacturing licensee with on-premises retail privileges, to receive a credit to the next renewal of their license on a pro-rata basis for each inactive day, up to a maximum of 365 days. The bill would define an inactive day as each day between March 7, 2020 and March 7, 2021 that, due to the COVID-19 pandemic or the government response to the pandemic, the licensee i) was closed, or ii) ceased all on-premise retail business functions that require a license under the alcoholic beverage control law. To claim the credit, licensees would have to document to the SLA, the number of inactive days up to a maximum of 365-days that they are claiming for a credit to be added to their next retail on-premise license renewal. (A.1235-A, Buttenschon, Committee on Ways and Means)

- **Authorizing Process Servers In New York City to Use An Electronic Logbooks:**

This bill would give process servers in New York City the choice to manually record attempts in a logbook or use an electronic logbook. This bill would make it illegal for any process server to tamper with a record and if an entry has an error, it must be amended by a third-party contractor in the electronic system with the original copy being saved and changes being noted on the document. Finally, this bill would require that an electronic back-up be generated daily. (A.1713-A, Pretlow, Committee on Rules)

- **Authorizing The Sale and Consumption Of Alcoholic Beverages Inside Motion Picture Theatres:**

This bill would create a special license to authorize the sale and consumption of alcoholic beverages (beer, wine, cider, mead) inside motion picture theatres. Specifically, this bill would: define a motion picture theatre as open 5 out of 7 days on a regular basis (for at least 6 contiguous weeks) with auditorium seating permanently affixed to the floor, 65% of gross receipts are from the sale of tickets, food, and non-alcoholic beverages; offer food, typically found at motion picture theatres (popcorn, candy and light snacks), and open to the public; exclude motion picture theatres located in a city with a population of a million or more; allow only two drinks per ticket to someone 21-years of age or older with proof of age; require that alcoholic beverages can't be served for movies until 4 p.m. and end after the last showing; require an applicant to submit an alcoholic beverage control plan as part of the complete application process; limit consumption to screening rooms that are limited to patrons aged 17 or older unless accompanied by a parent or adult guardian; requires for an application to be deemed complete the municipality would

have to provide written notice of no objection; and include a severability clause. (A.2452-A, Fahy, Passed Assembly)

- **Standardizing factors considered by the New York State Liquor Authority when licensing:**

This bill would establish a consistent standard with respect to the factors that may be considered by the State Liquor Authority (SLA) when determining whether public convenience, advantage, and interest will be promoted by the grant of a specific on-premises liquor license to a particular applicant. The bill would also require that before issuing a license within 500 feet of three or more existing licensed establishments, the SLA consider any formal communication received from the municipality or community board. (A.3143, Epstein, Assembly 3rd Reading)

- **Evaluating State Technical Assistance Services to Communities With Predominantly Minority Populations:**

This bill would require an evaluation study to be performed on programs overseen by the Urban Development Corporation (UDC) and any other programs funded with State money that provide technical assistance services to communities with predominantly minority populations. Further, this bill would require the UDC to partner with not-for-profit organizations to provide technical assistance if any gaps in the coverage are found in minority communities. (A.3169, Cook, Committee on Ways and Means)

- **Expanding Excelsior Jobs Program to Include Distributed Ledger Technology Businesses:**

This bill would amend the Economic Development Law to add "distributed ledger technology" into the definitions of businesses engaged in "financial services data centers or financial services customer back-office operations" and "software development" within the Excelsior Jobs Program. For the purposes of this section "distributed ledger technology" means a mathematically secured, chronological, and decentralized consensus ledger or database, whether maintained via Internet interaction, peer-to-peer network, or otherwise used to authenticate, record, share and synchronize transactions in their respective electronic ledgers or databases.

This bill would also require, during the application and approval process that the commissioner of the Department of Economic Development strive for broad regional geographic representation within the program. The Commissioner would also be directed to promote diverse ownership and workforces of participating businesses through outreach to businesses owned by people with disabilities, minority- and women-owned businesses and veteran-owned businesses. (A.3813, Vanel, Committee on Ways and Means)

- **Prohibiting Zone Pricing of Retail Gasoline:**

This bill would clarify the definition of zone pricing and expand the prohibition on zone pricing to cover dealers of retail motor fuel. The bill would also authorize a wholesaler or dealer to bring court action to enjoin a violation of zone pricing. (A.4112, Thiele, Passed Assembly)

- **Promoting Personal Protective Equipment Manufactured In New York State:**

This bill would require the Empire State Development Corporation (ESD) to develop and implement a public awareness campaign promoting New York State manufacturers of personal protective equipment. Within 90-days of the effective date, ESD would be required to implement a public awareness campaign could include, but not limited to, internet, radio, and print advertising such as brochures, billboards, and posters. This bill would also require annual report starting on or before December 1st of each year. (A.4384, Stirpe, Vetoed, Message number 53)

- **Including Community Significant Projects as Eligible to Receive Excelsior Jobs Program Tax Credits:**

This bill would include demolition and remediation costs as a qualified investment if the costs were incurred and paid in leased buildings by businesses in a public housing development. This bill would define a "community significant project" as: a business creating or retaining current jobs, with an emphasis on employment and/or training of current public housing residents; is currently located or to be located in existing leased space of a building in a public housing development in the state that is owned and operated by a public housing authority and which makes significant qualified capital investments to start a business, or improve services and working conditions for an existing business, when located in such public housing space; and creates at least five new net jobs or retains current jobs or makes qualified capital investments to the space of the a building of one million dollars or more. Further, this bill would establish community significant projects as eligible to receive Excelsior Jobs Program tax credits. (A.5457, Joyner, Committee on Ways and Means)

- **Authorizing Credit Unions Participation in Excelsior Linked Deposit Program:**

This bill would authorize credit unions to participate in the Excelsior Linked Deposit Program. Credit unions would have the same meaning as currently provided New York State Banking Law or any federal credit union. Finally, this bill would authorize credit unions to accept monies deposited by the Commissioner of Taxation and Finance or the Comptroller as linked deposits, make linked loans and accept repayment of such loans. (A.5459, Darling, Chapter 495, Laws of 2021)

- **Authorizing the State Liquor Authority to Provide Cure Period:**

This law amends the Alcoholic Beverage Control Law (ABCL) to provide State Liquor Authority (SLA) with the ability to provide a cure period or other opportunity for ameliorative action for a first-time violation of the ABCL, or an authority rule or regulation, if such violation is related to administrative or paperwork issues. These first-time violations would need to be determined by the SLA to be *de minimus* in nature, and would not endanger health, safety, environment, or other protections provided in law. Such cure period would provide SLA licensed individuals the opportunity to take ameliorative action to correct the violation and upon the successful correction would prevent the imposition of penalties on the party or parties subject to enforcement of such violation. (A.5972, Bronson, Chapter 738, Laws of 2021, Approval Message 105)

- **Assisting a Business in Sullivan County:**

This law authorizes the State Liquor Authority to issue an on-premise liquor license to a business located in Sullivan County that is within 200 feet of a religious institution. (A.6203, Gunther, Chapter 356, Laws of 2021)

- **Assisting a Business in Saratoga County:**

This law authorizes the State Liquor Authority to issue an on-premise liquor license to a business located in Saratoga County that is within 200 feet of a religious institution. (A.6236, Woerner, Chapter 362, Laws of 2021)

- **Supporting Growth Of The Caregiving Industry:**

This law requires the Commissioner of the Department of Economic Development, in consultation with the Department of Health, Department of Labor, the Office of Children and Family Services and any other entity to study, develop and propose how to implement a long-term strategy to support the growth of the caregiving industry in New York State. Specifically, this law will analysis of the support needed to: expand the caregiving industry; develop, recruit, and retain a skilled workforce; and innovation and new modes of delivering caregiving.

The law defines the care industry to include, but not be limited to: direct care, home care, child care, adult care, private and non-profit nursing homes and residential facilities, and other entities that support formal and informal caregiving, as the commissioner shall deem necessary and appropriate.

Further the study findings and recommendations required by this law will have to be reported to the Governor, the Temporary President of the Senate and the Speaker of the Assembly within one year of the enactment. (A.6590-B, Kelles, Chapter 744, Laws of 2021)

- **Extending License Credits To Businesses Affected By COVID-19 At The State Fair:**

This law authorizes the State Liquor Authority to provide on-premise retailers and manufacturers with on-premise retail privileges a one-time credit for license or permit fees that were paid in calendar year 2020 to sell alcoholic beverages on the New York State Fairground or at the canceled 2020 New York State Fair. Such credit could only be used if the licensee were applying or renewing a current license to sell alcoholic beverages on the State Fairground or at the State Fair. Further, under this law licensees would not be able to claim a credit for these fees, if they claimed such fees under another applicable provision of law. The definition for State Fairground and New York State Fair is the same as provided in Agriculture and Markets law. (A.7411-A, Hunter, Chapter 651, Laws of 2021)

- **Authorizing The State Liquor Authority to Issue Temporary Retail Permit:**

This law extends for one year the existing statute authorizing the State Liquor Authority to issue temporary retail permits to applicants while the license application is pending outside of New York City and liquidator's permits. This law provides this authorization to applicants until October 12, 2022. (A.7418, Conrad, Chapter 375, Laws 2021)

- **Extending the Powers and Duties of the Chair of the State Liquor Authority:**

This law extends the administrative and executive functions of the State Liquor Authority (SLA) which are centralized and vested with the Chairman. Such functions include budgetary and fiscal matters, appointments, development of alcohol awareness and training programs, and reporting requirements. This law extends such provisions relating to the power and authority of the Chairman of the SLA for an additional three years from July 18, 2021 until July 18, 2024. (A.7435, Jones, Chapter 124, Laws of 2021)

- **Helping Certified Service-Disabled Veteran-Owned Business Enterprises to Participate In The Excelsior Linked Deposit Program:**

This bill would amend State Finance Law provisions governing the Excelsior Linked Deposit Program to enable certified Service-Disabled Veteran-Owned Business Enterprises to participate in the Excelsior Linked Deposit program. Specifically, this bill would define "certified Service-Disabled Veteran-Owned Business Enterprise" to have the same meaning as it does in Executive Law. This bill would also add certified Service-Disabled Veteran-Owned Business Enterprises as eligible to receive project support through the program as well as receive reduced interest rates through the linked deposit program for loans and loan renewals. (A.7728, Stern, Passed Assembly)

- **Extending Cocktails for Delivery or Takeout:**

This bill would authorize a retail licensee for on-premises consumption or a manufacturer with retail on-premises consumption privileges to sell for takeout or deliver alcoholic beverages for consumption off the premises for one-year. Specifically, this bill would

authorize the takeout or delivery for off-premise consumption alcoholic beverages with a meal or entrée, in limited quantities and in sealed containers. (A.7732, Cymbrowitz, Committee on Codes)

- **Extending SLA licensed On-Premised Retailers to Use Municipal Outdoor Space:**

This law provides retailers, such as restaurants and taverns, which are licensed to sell alcoholic beverages for on-premises consumption, to apply to the Authority to operate on municipal property for the purposes of outdoor dining using a simplified process. Licensees must have temporary use permits from the municipality for the use of such space. A municipal temporary use permit issued to a licensee to use both contiguous and non-contiguous municipal space would be deemed sufficient documentation to demonstrate that control of the property for the purposes of this act and the Alcoholic Beverage Control Law (ABCL). (A.7733, Fahy, Chapter 238, Laws of 2021, Approval message 11)

IV. 2021 PUBLIC HEARINGS/ROUNDTABLES

On December 13, 2021, the Assembly Standing Committee on Economic Development, Job Creation, Commerce and Industry; Assembly Standing Committee on Higher Education; Assembly Standing Committee on Labor; Assembly Standing Committee on Small Business; and the Assembly Commission on Skills Development and Career Education held a joint hearing to examine the overall impact and implementation of the enacted 2021-2022 State Budget as it relates to direct and indirect funding of workforce development programs administered and/or funded by various State entities. Specifically, the hearing sought information on the effectiveness of workforce development programs funded through the enacted 2021-2022 State Budget which provided both direct and indirect funding for workforce development programs funded and administered through the Department of Economic Development, Empire State Development Corporation (d.b.a. Urban Development Corporation), and Department of Labor, as well as programs administered through New York State institutions of higher education. During this time, the COVID-19 pandemic has had a disproportional impact on the unskilled labor force, women, underserved or otherwise marginalized communities who have historically been on the economic sidelines.

The hearing highlighted that it is essential that any State funds expended to help stimulate the economy and job creation by businesses and not-for profit employers also meet the needs of those seeking new skills and training opportunities in a manner that promotes an equitable and inclusive post-pandemic economic recovery. During the hearing, Members of the Committees and Commission sought information as to the overall effectiveness of the workforce development programs funded in this year's enacted 2021-2022 State Budget and administered by various State entities as well as recommendations to improve and enhance these programs, including ensuring that such workforce development programs equitably and inclusively meet the needs of both employers and current and potential workers. Finally, the Committees and Commission sought information related to what lessons may be learned from the last economic crisis and applied to the current workforce development programs funded and administered by the State.

V. OUTLOOK FOR 2022

During the 2021 Legislative Session, the Committee oversaw the gradual re-opening of New York's Economy and the issues facing businesses in all sectors as they re-engaged in their core business operations. Every business, no matter the size or nature of its operations, has been affected by COVID-19 and the State's response to keep our citizens safe. The Committee will need to continue to review the impacts associated with and lessons learned from COVID-19 and the State's response.

The priority focus areas of the Committee on Economic Development during the next session, both legislatively and budgetary, will include measures that seek to ensure economic recovery is both equitable and inclusive of those individuals that have been left on the economic sidelines, especially those from marginalized communities. The COVID-19 pandemic had a disproportionate impact on the unskilled labor force, women, underserved, or otherwise marginalized communities who have historically been on the economic sidelines. Priorities will include:

- Expanding and improving workforce development strategies within economic policy. To this end, the Committee will focus on expanding work training and employment programs, as well as coordinating workforce development throughout State policy development, implementation, and funding. To ensure that existing State programs, across agencies and other State entities, are coordinated, promoted and accessible to employers and workers. Importantly, we will work to ensure workforce development strategies are aligned with job availability as well as meeting industry needs.
- Re-examine existing State economic development programs and incorporate inclusive workforce development policies that are not just about counting job numbers but creating opportunities for true career development and up-skilling those that are unemployed and underemployed and to align funding priorities with the needs of those individuals by supporting additional funding for apprenticeships, skills training, and other career pathways to enhance their skills and give them the ability to thrive economically;
- Improving transparency through committee's oversight role. The Committee is responsible for legislation that affects economic development and business regulation throughout the State but also has an oversight role of the State's various economic development agencies, authorities, and programs that notably impact the State's overall economic health; and
- Providing support and oversight of the new adult-use cannabis industry in New York State, especially related to reviewing the evolving regulatory structure necessary to implement the licensure of the manufacturing, distribution, and retail sale of adult-use cannabis.

APPENDIX A

**2021 SUMMARY OF ACTION ON ALL BILLS REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT, JOB CREATION, COMMERCE, AND INDUSTRY**

TOTAL NUMBER OF COMMITTEE MEETINGS HELD 7

BILLS REPORTED FAVORABLE TO:	Assembly Bills	Senate Bills	Total
Codes	7	0	7
Judiciary	0	0	0
Ways and Means	13	0	13
Rules	2	0	2
Floor	4	0	4
TOTAL	26	0	26
COMMITTEE ACTION			
Held For Consideration	0	0	0
Defeated	0	0	0
Enacting Clause Stricken	5	0	5
REMAINING IN COMMITTEE	145	23	168
BILLS REFERENCE CHANGED TO:			
Codes- 4			
Social Service- 1			
Corporations, Authorities and Commissions -1			
Ways and Means - 2			
TOTAL	8	0	8

APPENDIX B

**COMMITTEE ON ECONOMIC DEVELOPMENT, JOB CREATION, COMMERCE
AND INDUSTRY**

2021 Bills Considered (Chapters/Vetoes are included in Appendix C)

Assembly Bill #	Senate Bill #	Last Assembly Action	Description
A.1011 Bronson	No Same As	Ways and Means	This bill would create the strategic investment workforce development program and would have the Urban Development Corporation collaborate with the Department of Labor, the Department of Economic Development, the State University of New York, the City University of New York and the State Education Department to identify the training needs of employers, employees and perspective employees, as well as identify areas of the state where there is a shortage of skilled workers and identify ways to strengthen prospective employees.
A.1177 Buttenschon	S.5238 Kaplan	Passed Assembly	This bill would require Empire State Development to provide business assistance for export trade development by promoting projects designed to encourage and assist businesses, industrial firms, or industry groups to engage in export trade regionally and globally, as well as to coordinate with other State economic development programs.
A.1235-A Buttenschon	S.3877-A Griffo	Ways and Means	This bill would authorize any on-premises licensee and any manufacturing licensee with on-premises retail privileges, to receive a credit to the next renewal of their license on a pro-rata basis for each inactive day, up to a maximum of 365 days.
A.1713-A Pretlow	No Same As	Rules	This bill would give process servers in New York City the choice to manually record attempts in a logbook or use an electronic logbook.
A.2452-A Fahy	No Same As	Passed Assembly	This bill would create a special license to authorize the sale and consumption of alcoholic beverages (beer, wine, cider, mead) inside motion picture theatres.

Assembly Bill #	Senate Bill #	Last Assembly Action	Description
A.3143 Epstein	S.3117 Kavanagh	Assembly 3 rd Reading Calendar	This bill would establish a consistent standard with respect to the factors that may be considered by the State Liquor Authority (SLA) when determining whether public convenience, advantage, and interest will be promoted by the grant of a specific on-premises liquor license to a particular applicant. The bill would also require that before issuing a license within 500 feet of three or more existing licensed establishments, the SLA consider any formal communication received from the municipality or community board.
A.3169 Cook	S.4419 Parker	Ways and Means	This bill would require an evaluation study to be performed on programs overseen by the Urban Development Corporation (UDC) and any other programs funded with State money that provide technical assistance services to communities with a predominantly minority populations.
A.3813 Vanel	S.1800 Savino	Ways and Means	This bill would add "distributed ledger technology" into the definitions of businesses engaged in "financial services data centers or financial services customer back-office operations" and "software development" with in the Excelsior Jobs Program.
A.4112 Thiel	S.6255 Thomas	Passed Assembly	This bill would clarify the definition of zone pricing and expand the prohibition on zone pricing to cover dealers of retail motor fuel. The bill would also authorize a wholesaler or dealer to bring court action to enjoin a violation of zone pricing.
A.5457 Joyner	S.2232 Sepulveda	Ways and Means	This bill would include demolition and remediation costs as a qualified investment if the costs were incurred and paid in leased buildings by businesses in a public housing development. This bill would define a "community significant project" and would establish community significant projects as eligible to receive Excelsior Jobs Program tax credits.
A.7728 Stern	S.7068 Brooks	Passed Assembly	This bill would amend State Finance Law provisions governing the Excelsior Linked Deposit Program to enable certified Service-Disabled Veteran-Owned Business Enterprises to participate in the Excelsior Linked Deposit program.

Assembly Bill #	Senate Bill #	Last Assembly Action	Description
A.7732 Cymbrowitz	S.589-A Benjamin	Codes	This bill would authorize a retail licensee for on-premises consumption or a manufacturer with retail on-premises consumption privileges to sell for takeout or delivery alcoholic beverages with a meal or entrée, in limited quantities and in sealed containers.

APPENDIX C

**COMMITTEE ON ECONOMIC DEVELOPMENT, JOB CREATION, COMMERCE
AND INDUSTRY**

2021 Chapters/Vetoes

Assembly Bill #	Senate Bill #	Chapter #	Description
A.436 Jones	S.3812 Griffo	Chapter 240 Laws of 2021	This law repeals existing law the prohibiting individuals from using their barber’s license on a Sunday.
A.530-B L. Rosenthal	S.531-B Kaplan	Chapter 757 Laws of 2021 Approval Message 119	This law authorizes the Urban Development Corporation (UDC) to conduct a study, in collaboration with the Departments of Education and Labor, related to determining the amount of financial, technical or any other assistance, needed to encourage women and minorities to pursue technology careers in science, technology, engineering and mathematics (STEM).
A.597 Woerner	S.5764 Ryan	Chapter 719 Laws of 2021 Approval Message 90	This law requires that the New York State Liquor Authority (SLA) make available on its public website a daily updated list of all open license and permit applications it received, as well as the anticipated length of time that such applications would be processed. This law requires that the applicant be notified if estimated processing times were to change. This law also requires the SLA to provide applicants with a receipt within 15 days indicating that the application has been received and an estimated time for completion.
A.956 Jean-Pierre	S.891 Kaminsky	Chapter 3 Laws of 2021	This law effectuates amendments to Chapter 367 of the Laws of 2020 (Approval Message 64). Specifically, this law requires the Department of Taxation and Finance to create and maintain a publicly accessible, searchable database containing the Certificate of Authority number and any corresponding identifying information for each vendor in the state by January 1, 2022.
A.4384 Stirpe	S.30 Kaplan	Vetoed Message No. 53	This bill would require the Empire State Development Corporation (ESD) to develop

Assembly Bill #	Senate Bill #	Chapter #	Description
			and implement a public awareness campaign promoting New York State manufacturers of personal protective equipment.
A.5459 Darling	S.191 Sanders	Chapter 495 Laws of 2021	This law authorizes credit unions to participate in the Excelsior Linked Deposit Program.
A.5972 Bronson	S.5979 Skoufis	Chapter 738 Laws of 2021 Approval Message 105	This law amends the Alcoholic Beverage Control Law (ABCL) to provide State Liquor Authority (SLA) with the ability to provide a cure period or other opportunity for ameliorative action for a first-time violation of the ABCL, or an authority rule or regulation, if such violation is related to administrative or paperwork issues.
A.6203 Gunther	S.5695 Martucci	Chapter 356 Laws of 2021	This law authorizes the State Liquor Authority to issue an on-premise liquor license to a business located in Sullivan County that is within 200 feet of a religious institution.
A.6236 Woerner	S.6019 Jordan	Chapter 362 Laws of 2021	This law authorizes the State Liquor Authority to issue an on-premise liquor license to a business located in Saratoga County that is within 200 feet of a religious institution.
A.6590-B Kelles	S.4652-B May	Chapter 744 Laws of 2021	This law requires the Commissioner of the Department of Economic Development, in consultation with the Department of Health, Department of Labor, the Office of Children and Family Services and any other entity to study, develop and propose how to implement a long-term strategy to support the growth of the caregiving industry in New York State.
A.7411-A Hunter	S.6465-A May	Chapter 651 Laws of 2021	This law authorizes the State Liquor Authority to provide on-premise retailers and manufacturers with on-premise retail privileges a one-time credit for license or permit fees that were paid in calendar year 2020 to sell alcoholic beverages on the New York State Fairground or State Fair.
A.7418 Conrad	S.6614 Kaplan	Chapter 375 Laws of 2021	This law extends for one year the existing statute authorizing the State Liquor Authority to issue temporary retail permits to

Assembly Bill #	Senate Bill #	Chapter #	Description
			applicants while the license application is pending outside of New York City and liquidator's permits. This extension will expire on October 12, 2022.
A.7435 Jones	S.6641 Skoufis	Chapter 124 Laws of 2021	This law extends the administrative and executive functions of the State Liquor Authority (SLA) which are centralized and vested with the Chairman. This law extends such provisions relating to the power and authority of the Chairman of the SLA for an additional three years from July 18, 2021, until July 18, 2024.
A.7733 Fahy	S.6353-A Persaud	Chapter 238 Laws of 2021 Approval Message 11	This law provides retailers, such as restaurants and taverns, which are licensed to sell alcoholic beverages for on-premises consumption, to apply to the Authority to operate on municipal property for the purposes of outdoor dining using a simplified process.