Lobbying bumps industries forward for reopening
There’s an **exception** to every rule, and industries relegated to the last phases of **reopening** have been trying to grab the attention of **New York** lawmakers to prove they are special.

For Melissa Fleischut, president of the New York State Restaurant Association, making her case required getting onto the governor’s New York Forward advisory board.
From there, Fleischut set up calls with Lt. Gov. Kathy Hochul. She briefed the politician on federal Centers for Disease Control and Prevention guidelines, which said restaurants could open for outdoor dining earlier than New York was planning. Fleischut also provided Hochul with data that the restaurant association collected that showed 92% of New York restaurants wanted to reopen sooner. Then she made the rounds with the state’s liquor authority, Empire State Development and Bob Duffy, adviser to Gov. Andrew Cuomo.

“That’s what we were sticking to, was some of the health and science ... that it was safer outside,” Fleischut said. Cuomo announced June 2 that outdoor dining would move up to phase two.

It’s just one example of the lobbying efforts going on in Albany, where since March the governor has had the final say over which sectors shuttered by the Covid-19 pandemic may reopen and when. Some of those told to wait—specifically, businesses in the arts, recreation and restaurant industries—have scrambled to schedule time with the people around Cuomo to appeal that call. It’s just a matter of explaining the nuances of the sector to government officials, leaders of the lobbying efforts say.

Museums now are in talks with state officials to be moved from the back of the line into phase three. The Whitney’s Adam Weinberg is leading the charge. He called the head of New York Forward and Blackstone executive Bill Mulrow to talk about it directly.
Weinberg’s pitch? The measures art museums already take to protect their collections—including temperature control, proper sanitation and crowd control—make them better equipped than most industries to implement public health guidelines and reopen safely.

“Do I think that we can open more safely than some of the other sectors? Absolutely,” Weinberg said. “We’re set up in a way that we have a lot of these controls.”

Some industry groups sitting tight, however.

“Of course everyone would like to be open and keeping their people employed,” said Mike Kane, head of the New York Gaming Association, whose members are betting establishments. “But there are certain realities to the situation that have to be understood.” Still, that’s not the case across the industry. Some casinos owned by Indian tribal nations and not subject to New York law have reopened.

That move was made with safety in mind and heightened precautions, said Joel Barkin, spokesman for the Oneida Indian Nation, which owns multiple casinos in the state. He stressed that Oneida shut down its casinos before the state did.

There are so many business groups politicking in Albany that industries are benefiting from other sectors’ efforts, said Charles Dorn, head of the New York chapter of the Club Management Association of America.

Country clubs held off on pushing for outdoor dining once they realized the restaurant industry, a much bigger fish in Albany’s political sea, was pushing for that already, Dorn said.

The country clubbers have still done their own lobbying, though. At the start of the shutdown, Dorn hired a lobbying firm to persuade Cuomo clubs should at least be
allowed to maintain their golf course—a contention he won. Then the group asked for golf games to be allowed, which Cuomo approved in mid-April.

The outdoor dining and golf wins—in tandem with the fact that summer day camps also may open, as may outdoor pools on a locality-by-locality basis—mean that even though recreation is technically a phase-four sector, country clubs are all but open.

“I think that the gentlemen in the governor’s office were really reasonable because they understood we didn’t ask for anything outrageous. We didn’t ask any favors,” Dorn said. “I don’t see golf as really any different than … people taking a hike.”