



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senator Gallivan's Votes for Week of February 5, 2024

JIM RANNEY February 8, 2024

| ISSUE: **NYS SENATE**



The following bills were approved in the NYS Senate. Senator Gallivan's vote is noted.

S8081 CHAPTER AMENDMENT - Authorizes the commissioner of general services to transfer and convey certain unappropriated state land to the town of Romulus for the purposes of operating and maintaining a water treatment plant. Makes changes to provisions of L.2023, c.718, to make technical changes to the metes and bounds, clarifies the land was not declared abandoned, adds a sunset provision, and clarifies the process for the land reverting to state control. AYE

S8056 CHAPTER AMENDMENT - Relates to municipal limited health care service facilities; diagnostic or treatment centers or other facilities managed and administered by a local health department for the purpose of providing limited health care services. Amendment changes effective date to two years after it becomes law and authorizes the commissioner to make regulations for municipal limited health care service facilities. AYE

S8063 CHAPTER AMENDMENT - Relates to the "hope card act" to provide that any protected party of a final order of protection shall be provided either a digital image of the final order of protection as issued in court, delivered via text message, email or other electronic communication. modifies multiple provisions of the underlying chapter. Most notably, it clarifies that a court may issue a hope card as either a physical, wallet-sized card or as a digital image, delivered via text message or other electronic communication, of the final order of protection. The underlying chapter authorized a physical card but not a digital one. AYE

S8067 CHAPTER AMENDMENT - Permits Gold Star families to use any of the public campsites, parks and other public places of recreation in this state free of charge; defines "veteran". Amends the underlying chapter to refine the terms "veterans" and "member of a Gold Star family" to better conform with existing law. AYE

S8074 CHAPTER AMENDMENT - Requires the use of gender-neutral terms in law. This bill amends that chapter by specifying that gendered-terms in resolutions shall also be construed to be gender neutral, unless the context indicates otherwise. AYE

S3385A Bill establishing educator diversity task force to conduct a comprehensive study on the diversity of educators in NYS and how to improve the same. Task force to be comprised of 15 members (5 from the Gov.; 4 from the Senate pro temp; 4 from the Speaker of the Assembly; 1 from Senate minority leader; and 1 from Assembly minority leader). AYE

S1032 Bill to amend the Arts and Cultural Affairs Law to move the Amistad Commission, which reviews education to propose improvements in teaching about slavery in United States and the Slave Trade, from the control of the Dept of State to the Dept of Education. Dept of State will still be involved, but not in direct control. Also authorizes incentive grants for teachers who perform well on the subject. AYE

S1192 Establishes the underrepresented teachers of tomorrow teacher recruitment and retention program to attract and retain underrepresented certified teachers in schools which have an underrepresentation of underrepresented certified teachers; provides for grants and procedures for applying for such grants and eligibility requirements for fund distribution. AYE

S1988 This bill would require SED to annually convene a Statewide convention of underrepresented educators to discuss experiences, best practices, and afford for networking, mentorship opportunities, and support. It would also require at least five regional conventions be held annually for the same purpose. AYE

S3408 Establishes the bilingual teachers of tomorrow teacher recruitment and retention program to attract and retain bilingual, certified teachers in schools with a bilingual teacher shortage; provides for grants and procedures for applying for such grants and eligibility requirements for fund distribution. AYE

S363 The bill sets a cap on installment credit interest rates that is equal to the state usury rate of 16 percent. Currently, installment sales contracts for goods and services fall under the Time Price Doctrine and are exempt from the state usury laws. AYE

S932C Requires health clubs accept cancellation of a membership within twenty-four hours of receiving notice of the cancellation if within the first three days or after the completion of

the term of membership. B AND C PRINTS - removes the 24 hour requirement and requires the health contract to be in 12 point font, as well as requires consumer to be refunded within 3 business days of cancellation also adds language regarding renewals. AYE

S7783B Establishes the "New York junk fee prevention act"; requires any person or entity doing business in the state involved in selling or leasing goods or services directly to consumers must clearly and conspicuously disclose the total price of goods or services, including any mandatory fees, in all advertisements, except when the total price is indeterminate due to variable rates. AYE (Despite concerns with establishing a private cause of action, consumer protection.)

S492B This bill establishes that any public authority that operates a toll highway, bridge, and/or tunnel facility authorized to promulgate toll collection regulations and to impose monetary liability for failure to comply with such regulations is authorized and empowered to operate a demonstration program for utilization of cashless tolling facilities, cashless tolling monitoring systems, and a tolls by mail program and to impose monetary liability on the owner of a vehicle for failure to comply with the toll collection regulations of such public authority so long as each public authority complies with the provisions of this bill. AYE

S1242A Establishes that the department of motor vehicles shall notify individuals via postal mail or electronic notification that their vehicle inspection is subject to expiration thirty days before such expiration; provides for a five day grace period after the expiration of the vehicle inspection certificate wherein operators of such vehicle shall not be fined. A PRINT - restricts the provisions of the bill to "personal use passenger" vehicles and establishes a penalty structure only after the inspection lapsed for 60 days. NAY (Personal responsibility and unwarranted cost.)

S1361A Amends the public authorities law to wave initial deposits for EZ passes for 60 days following a Thruway Authority vote to increase tolls. Further requires retail locations to accept cash payment to reload EZ pass tag. A PRINT - makes technical amendments. AYE

S177 This bill would require licensed money transmitters to clearly and prominently warn their customers that are requesting the transmissions prior to completing such transmission of funds, regarding the dangers of consumer fraud. NAY (Unnecessary and a burdensome statutory requirement.)

S1065 Prohibits banks from doing any of the following after the date on which a customer is notified that such customer's account shall be closed: (1) honoring requests for deposits or withdrawals, (2) keeping open or re-opening the account, or (3) charging fees with respect to such account. AYE

S2601A This bill would prohibit any state-chartered bank that provides benefit banking services to the state or local governments from charging fees to benefit recipients. NAY (Imposed on State chartered banks only.)

S8077 CHAPTER AMENDMENT - Provides that every public utility shall provide the commissioner of public service an affidavit annually, that no call centers or other facilities providing customer service have been closed without notice and hearing before the commission. Makes changes to provisions of L.2023, c.545, to require utilities to file annual affidavits with the Public Service Commission affirming compliance with the provisions of Chapter 330 of the laws of 2010. AYE

S8095 CHAPTER AMENDMENT - Authorizes the county of Nassau assessor to grant a property tax exemption for the Maritime Administration, a component of the United States Department of Transportation, without an application, if the assessor determines that the

property is exempt from taxation due to being owned by the federal government. AYE

S5757 Establishes the position of an insurance liaison on the disaster preparedness commission to be appointed by the governor and serve as a non-voting member. AYE

S8018 CHAPTER AMENDMENT - Limits third party verification of an applicant's driving history when used as a rating or underwriting factor for private passenger motor vehicle insurance to such applicant's New York State driving history; limits application to policies issued on and after the effective date. Makes technical changes to the underlying chapter, limits it to new policies, and requires automobile insurance companies to run only New York motor vehicle reports. AYE

S8022 CHAPTER AMENDMENT - Relates to automated identification of OTDA assistance program participants. Amends the underlying chapter by changing the title to conform with changes made in the definition of automated identification OTDA assistance program and throughout the legislation, which stem from the removal of the term "affordability". AYE

S8043 CHAPTER AMENDMENT - Makes changes to provisions of L.2023, c.737, to require cellular corporations, telegraph and telephone corporations, and cable television corporations to provide notice of bills to third parties upon customer's authorization. AYE

S8071 CHAPTER AMENDMENT - Expands eligibility for victims and survivors of crime to access victim compensation funds. This amendment creates a new definition for "support agency for survivors of crime", creates a new definition for "victim services provider" which includes physicians and local victims services providers, amends the definition of "criminal justice agency", allows for alternative forms of evidence if accompanied by an attestation, and extends the effective date to December 31, 2025. AYE

S8083 CHAPTER AMENDMENT - Provides that no person operating or controlling any Class I railroad or Class II railroad shall allow the operation of any railroad train or locomotive for the movement of hazardous materials unless such railroad train or locomotive has a crew of not less than two individuals. Amendment defines hazardous material. AYE

S8084 CHAPTER AMENDMENT - Relates to reporting of youth placed in foster care settings and recruitment of foster parents. Amends the underlying chapter by requiring the Office of Children and Family Services, by December 31, 2023, and biannually thereafter, to make information regarding youth placed in foster care settings and the recruitment of foster parents publicly available on its website, as opposed to providing a report to the Governor, the Senate, and the Assembly. AYE

S8091 CHAPTER AMENDMENT - Changes the effectiveness of provisions relating to religious dietary food options in prison commissaries and visitor's areas to 270 days after such provisions become law. AYE

S1209 This bill is two-fold in that it establishes (1) a rebuttable presumption of entitlement for parents and legal guardians to work remotely when day care centers and schools are closed due to a state of emergency or local disaster emergency and (2) right of parents and legal guardians to request flexible working arrangements when day care centers or schools are closed due to a state or local disaster emergency. Both would apply to all employers in New York State. NAY (Government interference in an employer's operations, specifically when a presumption of entitlement to work remotely is established in law regardless of an emergency declaration, is unwarranted and unnecessary.)