



NEW YORK STATE SENATOR

Patrick M. Gallivan

## Senator Gallivan's Votes for the Week of March 11, 2024

JIM RANNEY March 15, 2024

| ISSUE: **NYS SENATE**



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

S1200A Establishes a statewide program to provide eligible participants with affordability payment plans. The company must provide "appropriate payment plans" to qualifying low income individuals and the fiscal impact of the program shall not be borne by the customers and shall not be added to bills rendered by the investor owned combination utility company to customers. AYE

S7383 NYC MAYOR'S OFFICE DEPARTMENTAL - This bill would amend the New York City Charter (section 326) to provide that before entering into any contract for goods, services, or construction that is to be awarded pursuant to a procurement method (other than for competitive bidding or competitive sealed bids from prequalified vendors) and that has a dollar value in excess of a threshold established by the NYC Procurement Policy Board by rule, the agency must give notice in the City Record that comments may be submitted online for a period of time (no less than seven days). AYE

S4511C Makes changes to the New York state district attorney and indigent legal services attorney loan forgiveness program including: expanding the eligibility period for indigent legal service attorneys to receive certain loan forgiveness; increasing loan reimbursement under the loan forgiveness program; expanding eligibility to include 18-b attorneys who provide an average of 120 hours per month to assigned counsel cases; and allowing an eligible attorney to apply after the completion of their second year (instead of their fourth year) of qualified services and annually after the completion of their third through eleventh year (currently fifth through ninth year) of qualified services. AYE

S213B This bill makes amendments to the provision of law governing false advertising of a food or food product to, in part, consider whether such advertising was directed at a child. Importantly, the penalty for a violation under this bill would subject such false advertisers to a fine of \$600 in the first instance and \$1,200 for the second and subsequent violations. NAY (Nanny state. Burdensome for business. Usurps parental authority.)

S1458 Creates a legislative task force on outdoor environmental education and recreation that will benefit residents of New York state by fostering stewardship and conservation of the environment, and an appreciation of the importance of the wise use of natural resources as well as acknowledgment of the health benefits of time spent in nature. AYE

S6476B Directs state agencies to submit reports detailing their telework policies; permits input from employees anonymously; directs the department of civil service to compile reports and submit a single report to the legislature. B PRINT - Increases the date for the above report from 2023 to 2024. It also pushes back the Department of Civil Service report due date from 2024 to 2025. AYE

S1963A Requires daycare facilities to maintain evacuation and lockdown plans for children with disabilities during an emergency situation. NOTE - A-Print removes the section of law that would require schools to maintain evacuation plans for children with disabilities during a lockdown or emergency situation. AYE

S8184 EXTENDER BILL - Extends provisions of law relating to the OPWDD authority to administer the care demonstration program from March 31, 2024 until March 31, 2026. AYE

S7833A Includes xylazine and other substances in the definition of drug adulterant testing supplies for the purposes of the dispensing of such supplies by health care professionals or pharmacists to any person. AYE

S5603 Provides the NYC water board shall not establish a limit of less than six years to challenge any fee, rate, rent or other service charges for the use of or services furnished by the water board and/or sewerage systems. AYE

S623 This bill would direct the Committee on Open Government to conduct a study on the feasibility of agencies proactively increasing the disclosure of information to the public. This report would be required to be delivered to the Governor, the Speaker of the Assembly, and the Temporary President of the Assembly by January 31, 2026. AYE

S3108A Directs the independent developmental disability ombudsman program to establish a service delivery structure based in New York state that includes a toll-free telephone hotline,

an interactive website, and availability of in-person, telephone and email access to ombudsman program staff or volunteers; to provide assistance for navigating and completing processes; to assist individuals in filing and preparing appeals; to assist individuals with any problems encountered; and to educate individuals on their rights and responsibilities with respect to access to services provided by the office for people with developmental disabilities and care coordination provided by health homes serving individuals with developmental disabilities or services provided by other providers. AYE

S3221A Establishes the statewide fibroid study program to study fibroids, the treatment of fibroids, potential barriers to the access of treatment for fibroids, and differences in symptoms and access to treatment for women of color. AYE

S6701 FERNANDEZ This legislation would create the Problem Gambling Advisory Council with the purpose of making findings and recommendations to the governor and legislature on how to treat problem gambling. A print version of this bill includes language that would examine the impact of mobile sports betting on problem gambling. AYE

S7641 Directs the canal corporation to create a chart to identify, map and model normal and flood water flows in the Oswego river basin and the Mohawk river basin and report on the completed chart by July 1, 2025; requires the updating of such chart every five years to account for any changes in the normal and flood water flows. AYE

S179A Adds a new Section 59-E to the Civil Service Law to provide that vacancies in supervisory personnel of the fire alarm dispatcher service in the title of Supervising Fire Alarm Dispatcher level 2 and/or positions with equivalent duties and responsibilities in the City of New York, shall be filled by promotion from among employees holding competitive class positions in a lower grade in the department, and that such promotions shall be based on merit and fitness examination. AYE

S8409A Requires nonpublic schools provide and maintain on-site automatic external defibrillator (AED) equipment on school grounds and assure that AED equipment is available for off-site curricular events, extracurricular events or school-sponsored athletic events.

NOTE - These devices would be an aidable expense under the non-public safety equipment program. AYE

S1027B This bill would amend section 120 of the Workers' Compensation Law relating to discrimination against employees who have taken paid family leave. The bill would provide that an employee shall not be required to request reinstatement in order to file a discrimination claim regarding paid family medical leave benefits and provides for restitution of attorneys' fees and costs to such employee. NAY (Private right of action)

S1729 This bill would amend section 37-0119 of Environmental Conservation Law to decrease the permitted amount of polycyclic aromatic hydrocarbons (PAHs) allowed in coal tar pavement products from 10,000mg/kg to 1,000 mg/kg. NAY

S2684 Authorizes an accident and health insurer to offer an incentive or reward program to support wellness, primary and preventative care, population health, care coordination, case management, disease management, mental health and substance use disorder treatment initiatives, evidence-based treatment, or quality and cost containment initiatives. AYE

S362 This legislation seeks to increase transparency in the private education loan market. The bill imposes new notification and information requirements that loan lenders and debt collectors will need to provide to borrowers and cosigners in servicing private education loans. It additionally, prohibits certain instances of loan acceleration. The bill seeks to protect loan borrowers and cosigners from predatory private student loan practices. AYE

S1305 Establishes a framework for property owners to make improvements and repairs that require access to adjoining property, and the rights of the adjoining property owners. AYE

S3236 Amends executive law to define a victim of sexual offense as including any victim of any act constituting an offense of unlawful dissemination or publication of an intimate image or threats to commit such an offense. This bill also allows for the expansion of the Address Confidentiality Program to include victims of the revenge porn law. AYE

S3283 Corrects an outdated reference under the Mental Hygiene Law, governing appointment of guardians; adds the professions of physician's assistant and nurse practitioner in relation to the requirement that a health care agent (designated such pursuant to a health care proxy) consult such prior to making health care decisions; adds licensed master social worker to the definition of "health or social services practitioner" under the Family Health Care Decisions Act (FHCDA); requires attending practitioners to document in the patient's medical record a determination that a patient is an emancipated minor patient with decision-making capacity under the FHCDA and requires hospitals to document their diligent efforts to notify the parents or guardian of an emancipated minor patient. NAY (Setting a standard as imprecise as making "diligent efforts" makes it too easy for unscrupulous medical practitioners to cut ethical corners.)

S8216A Requires that applicants not be prohibited from taking competitive civil service exams if they will meet the minimum age requirement or attain the minimum education requirement within twelve months. AYE

S261 Directs the commissioner of parks, recreation and historic preservation to establish the state parks passport program allowing visitors to state parks and historic sites to log their visits to such sites in a passport book or electronic application. AYE

S8557 Provides for crediting of time spent as a provisional appointee for promotional examinations and eligibility for appointment from the resulting eligible lists. AYE (School boards believe that a more effective way to address this situation would be to allow for provisional employees to earn permanent status if a test is not offered within nine months.)

S260 Directs the state education commissioner to require public school districts to report on compliance with art education instruction requirements. AYE

S485A Requires the New York state thruway authority to submit biannual reports to the legislature of all fiscal transactions, receipts and expenditures, with each report covering activity from the prior six months. AYE

S6921 Amends the railroad law by adding section 109. Requires every railroad corporation, which operates any freight train to submit quarterly reports to the department of transportation outlining the corporations inspections of any train yard operated in the state by the corporation. The department shall also conduct follow up inspections. Also allows the commissioner to create any rules and regulations needed for implementation. AYE