



NEW YORK STATE SENATOR

Patrick M. Gallivan

## Senator Gallivan's Votes for the Week of March 18, 2024

JIM RANNEY March 22, 2024

| ISSUE: **NYS SENATE**



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

S346 This bill establishes a student loan repayment information notice. Requires the DOL commissioner, in consultation with the President of the Higher Education Services Corporation and the Superintendent of DFS to develop a notice, pamphlet or other written materials with regard to responsibilities and repayment options for student loans. Further requires all employers in the State to provide such information materials to new employees who have been hired for a post-graduate internship or entry-level position that requires an

associate's degree or higher such notice. NAY (Government program and therefore should not be responsibility of the employer. Adds to cost of doing business in NYS.)

S101A Purpose is to amend vehicle and traffic and real property law relating to manufactured home certificates of title. Section 2 directs the commissioner to maintain documents related to applications for surrender of certificates of origin or title, and for confirmation of conversion and affidavits of affixation. Section 3, 5, 6, and 7 are amended to align with the real property law. Section 4 adds three new sections each creating procedures for surrendering certificate of origin, surrendering title, and for converting manufactured home to real property. Section 8 adds Article 9-E creating procedure for conveyances or encumbrances of a manufactured home. AYE

S965 Authorizes and directs the commissioner of education to conduct a study on the number of children who are caregivers and how being a caregiver impacts their education. AYE

S540 This bill seeks to address predatory practices in point of sale equipment leases and prevent credit card leasing companies from taking advantage of businesses by ensuring that the lessee has more information about the credit card terminal lease. The bill essentially increases lessor disclosure requirements. AYE

S14 Amends general obligations law to render unenforceable any claim settlement between an employer and an employee or independent contractor, who is a natural person, if such settlement prohibits the employee or contractor from working for the employer, or any entity related to the employer, in the future. NAY (Infringement on rights of employers. Opens door to retaliatory future claims by employees.)

S1610 This bill provides that a landlord, or any person acting on behalf of a landlord, who willfully includes information he or she knows to be misleading or incorrect in any notice provided pursuant to the 421-A program (Affordable New York Housing program) about the unit becoming subject to decontrol upon the expiration of such tax benefit, shall be guilty of a violation. Such violation would be punishable by a fine of \$1,000. This bill was amended from last year's bill to also require the Commissioner of Housing and Community and Renewal to standardize the notice provided by landlords to their tenants pursuant to these provisions. NAY

S147A Establishes potable water testing standards at state or local parks. Periodic first-drawn tap testing must be conducted to monitor for lead contamination at each park and testing must be carried out and analyzed by an entity approved by DOH. Periodic testing also must occur once every three years. AYE

S5007B Establishes the "secure our data act" requiring the Director of Information Technology Services, in consultation with stakeholders and other interested parties (including at least one public hearing), to promulgate regulations on the develop and design standards for malware and ransomware protection, data backup, information system recovery, and annual workforce training regarding protection from ransomware and other malware. AYE

S1160 Provides that school districts may hold elections in any building owned or leased by the district, in addition to any district schoolhouse. AYE

S935 This bill would expand eligibility for participation in the low interest rate mortgage program of the State of New York Mortgage Agency to include graduates of post-secondary education or comparable apprenticeship or workforce training programs. The program would allow such graduates to participate for a period of seven years after such graduation.

AYE

S8109 Requires the division for small-business to publish a small business compliance guide and post such guide to the division for small-business's website. AYE

S1303B Directs the Public Service Commission (PSC) to adjust each utility corporation's residential fixed-charge upon such corporation's filing with the department of an amendment of rate schedules. The adjustment would allow the utility to recover only the fixed costs and operation and maintenance expenses directly related to metering, billing, service connections and the provision of customer service. AYE

S1851B Permits the rendering of an estimated bill from a utility corporation or municipality under certain circumstances; requires each utility corporation and municipality within six months to submit to the commission a model procedure for the calculation of estimated bills that incorporates best practices and technology and accounts for any barriers to the use of actual meter readings. AYE

S2432 Requires the public service commission (PSC) to consider the economic impact of utility rates and charges. When deciding whether to approve a rate or charge increase for a utility (gas, electric, water-works, steam, telegraph/telephone), the PSC would have to determine whether charges are just and reasonable, consideration must be given to the economic impact of such charges upon consumers and the area served by each such utility. AYE

S2623A Directs the department of state and the public service commission to study and report upon the prevalence of the disclosure by public utilities, cable television companies and cellular telephone service providers to credit reporting agencies of late payments and defaults in payment of fees and charges by consumers. AYE

S1104 This bill amends the Public Authorities Law and Public Lands Law to provide new oversight authority over land transfers to the Attorney General and Comptroller. NOTE - The bill also requires that elected officials receive notice before a state agency or public authority transfers land located within their district. When an elected official receives such notice, they would be allowed to make an objection against such transfer to the Director of Budget and the Secretary of State. AYE

S4882 Expands the manner in which the Public Service Commission (PSC) can fine a utility found out of compliance, and removes the maximum value of fines that can be imposed. Expands from violations of the statute or PSC orders to also include violations of regulation that can be fined in the event a public utility company or its agents or employees knowingly fails or neglects to obey with said regulation. NAY (Could be a very dangerous expansion of powers.)

S6557A Requires certain utilities to adopt the common equity ratio and rate of return on equity authorized by the public service commission. Creates a standard in which settlement negotiations through commission-led adjudication shall take place when it comes to a utility's rate case. NAY (Current system better.)

S6710 This bill establishes civil penalties for making false material statements to the public service commission in relation to a rate proceeding. NOTE - Knowingly providing false material, representation or certification to the Public Service Commission (PSC) in any rate case would carry a maximum fine of \$250,000. AYE

S1147A This bill creates exemptions to the license suspension law for taxpayers who are 1) on public assistance, or 2) a taxpayer whose income does not exceed 250 percent of the poverty level (from \$31,225 1 person in household to \$108,535 - 8 people in household.) Additionally, this bill would add an inflation factor to the \$10,000 in tax liens required to trigger the possible

suspension of a taxpayers drivers license. The \$10,000 figure would be increased for inflation every year. A PRINT - revises a date. NAY (Disparate impact.)

S258 Prohibits the division of criminal justice services from disclosing pending orders of adjournment in contemplation of dismissal on civil records of arrests and prosecutions. NAY

S2496 Requires social services districts to, every heating season, automatically re-enroll persons or households currently receiving assistance through the low-income home energy assistance program, so long as each person or household maintains eligibility. AYE

S8456 The NYS DOH commissioner is directed to require electronic health records at Article 28 general hospitals to permit patients to register in the “donate life registry” for organ, eye, and tissue donations at no cost to hospitals or health systems. Makes corresponding changes to the sections of law governing the “donate life registry” to effectuate the ability to register via the patient’s electronic health record. This bill also clarifies that applicants under the state health benefit exchange who are 16 and 17 years of age, who have checked “yes” to be added to the “donate life registry”, be permitted to do so consistent with existing law regarding persons who may execute an anatomical gift. AYE

S3409 This bill would amend section 239-nn of the general municipal law, to mandate that a legislative body of a municipality must give notice to an adjacent municipality, when a hearing is held by such body relating to the adoption or amendment of any zoning ordinance or local law or comprehensive plan, where such changes would affect a parcel or parcels that are within 500 feet of an adjacent municipality. NAY (Could stymie economic development efforts. Infringes on home rule.)

S2016B Aligns utility regulation with state climate justice and emission reduction targets. Eliminates the statutory requirement for gas utilities to provide service to new customers

that request it and also allow for decommissioning sections of the gas system, switching customers to electric heat. Also removes the requirement that utilities provide free hookup to a gas line for new customers whose building is within 100 feet of an existing main. NAY (Likely lead to higher energy usage which will lead to higher costs)

S7516 OCA DEPARTMENTAL - This bill is proposed in light of the 2018 change in CPLR §8003(b) which increased the maximum amount paid to referees from \$500 to \$750 in foreclosure sales(for property sold for less than \$50,000 or where court does not find additional pay is proper). Would increase the threshold, related to filing a statement with OCA, whenever a judge or justice approved one or more fees or allowances of more than \$750 for services performed by the court in any capacity. AYE

S1137A This bill will require standard financial aid award letters to include the estimated cost of repayment of all outstanding loans including expected monthly payments. AYE

S1179 COSPONSOR This bill would allow municipalities to alienate certain parklands without receiving authorization from the Legislature for the purpose of renewable energy generating projects. This bill would exempt solar energy projects that are under two megawatts of generating capacity to be installed in the airspace of a vehicle parking lot without the usual authorization of the Legislature. AYE

S1001 Prohibits the preferred drug program, managed care programs and insurers from restricting or imposing delays in the distribution of antiretroviral prescription drugs prescribed to a person for the treatment or prevention of the human immunodeficiency virus (HIV) or acquired immunodeficiency syndrome (AIDS). AYE

S6808 Establishes first responder safety zones. Outlines safety procedures to be implemented such as speeding limits, sign postings, proper order of right of ways, possible

punishments, and when this would or would not apply. AYE

S151 Amends criminal procedure law and civil practice law and rules to provide for the tolling of all criminal and civil statutes of limitation for causes of action against a person while said person holds the office of President of the United States. NAY (Political)

S622 The bill would amend §383 of Executive Law to require that the building and fire regulations generally applicable in any locality within the State shall also apply to all building and structures owned by or in which space is leased by state agencies and authorities. AYE

S2088 Makes rent stabilized dwelling units eligible for certain protections regarding deposits. NOTE - This bill seeks to extend the protections of the housing stability and tenant protection act of 2019, related to security deposits to tenants in rent stabilized dwelling units as well. NAY (Not balanced. Onerous for landlords.)

S1974A This bill would amend the Workers' Compensation Law section 13 (5) (i) related to reimbursement for pharmaceutical claims. Current law requires claimants to obtain all prescribed medicines from a pharmacy with whom the employer has a contract ("network pharmacy") unless there is a medical emergency. This bill would amend current law to only "encourage" employees to obtain their prescription drugs through the contracted pharmacy. Specifies that a claimant may seek to have a prescription filled from any resident, in-state pharmacy licensed to conduct business in the State of New York when the network pharmacist has failed to fulfill the claimants prescription within 72 hours. AYE

S1176 This bill would amend section 11-c of Volunteer Firefighters' Benefit Law, so as to make permanent, the procedures regarding a presumption that the death or disability of a volunteer firefighter from a disease or malfunction of the lung was caused due to work



related factors. AYE

S4342 This bill amends the provisions of who can act as a voluntary administrator of a small estate to add 1) a fiduciary of the deceased distributee; or 2) a competent adult who is not a distributee upon the filed consents of all competent adult distributees. AYE

S8357 Prohibits the issuance of permits to drill, deepen, plug back, or convert wells that use carbon dioxide (CO<sub>2</sub>) for purposes of bringing a natural gas or oil well into production. NAY

S7374 DCJS DEPARTMENTAL - exempt fire police squads from the reporting requirements of the Police Officer and Peace Officer Registry maintained by the Division of Criminal Justice Services. AYE

S1478 Requires NYS DOH and OPWDD to conduct a study on the delivery of services provided to individuals diagnosed with TBI. The study must examine, in part, the availability and accessibility of services for such individuals, the cost of services, and any disparities that may exist in the regional availability of services. AYE

S1468 This bill would amend section 2108 of the insurance law, regarding licensing of independent insurance adjusters, to waive requirements regarding character references and a written examination, if the applicant holds a claim certification from a national or state-based claims association, and such program meets certain high end requirements. AYE

S1918 Amends environmental conservation law to allow the department of environmental conservation to enter into leases or easements for the purpose of aiding in the siting and connectivity of renewable energy installations, as well as the transmission and distribution of electricity from those installations on state forest lands classified as reforestation lands. Such action is not permitted to interfere with reforestation areas. AYE

S1863 Directs the education department and OCFS to prepare posters and pamphlets with information regarding higher education funding opportunities for foster youth. AYE

S2208 Relates to observance of all religious holidays by institutions within the state university and the city university of New York, and includes the Asian Lunar New Year within the definition of such holidays. AYE