



NEW YORK STATE SENATOR

Brian X. Foley

Senator Foley Has Busy Friday in Albany

BRIAN X. FOLEY June 18, 2010

Senator Brian X. Foley (D – Blue Point) passed six pieces of legislation through the senate today. The legislation touched on the topics of banking, the Metropolitan Transportation Authority (MTA), building codes, and education.

“Although not a regularly-scheduled session day, Friday turned out to be an active and successful legislative day,” said Senator Foley. “I was able to usher through the senate a number of bills that will help to provide additional protection to Long Islanders. Those residents serving as fire fighters, whether on a volunteer or career basis, will be able to rest a little easier knowing that there will be an additional level of security for them when they respond to a call. Our taxpayers will be afforded the peace of mind of knowing that steps are being taken to ensure that the money they pay to their school districts will be secure once it is deposited into the district’s bank account and that the people they elect to their local school boards are knowledgeable about the powers and responsibilities that are vested in them. Those who utilize the Long Island Railroad will be better able to speak their mind about proposed service and fare changes with the passage of legislation changing the way the MTA holds public hearings on these topics. All-in-all, it was a great day for Long Island residents.”

Senate Bill 8106 will provide added protections to fire fighters responding to building fires. It requires any applicant that is applying to erect a new structure which is going to be constructed of truss foundation to provide the municipality issuing the permit with a notarized affidavit affirming that the applicant has notified, by certified mail, any fire department that holds jurisdiction over the construction. Buildings constructed of truss foundations are prone to collapse suddenly without warning when weakened by a fire, placing the responding fire fighters at greater risk for injury and death.

Another piece of legislation (S7458), which has already passed the assembly, requires the MTA to hold hearings in each county that is allocated a voting member of the board prior to the implementation of any changes in services or fares. It would also limit the number of hearings to one per day so that the board members may attend all hearings and better understand the concerns of all residents who will be affected.

The two bills relating to the Banking Department make a number of technical changes to Banking Law. The first bill (S7445) amends the Banking Law in relation to reporting by banking organizations, conforming criminal provisions of the mortgage banking article to those in the mortgage loan originator article, permitting remote deposit capture machines, clarifying the definition of capital impairment for banking institutions, and reducing operating expenses of the banking department. The second bill (S3726-B) amends the Banking Law in relation to powers of the banking board, restrictions on employees of the banking department, collecting assessments and fees, suspending mortgage bankers and brokers for cause, and eliminating outdated language and provisions. It also amends Real Property law in relation to interest rate increases on mortgage loans after default. Both bills will provide updates to the banking law needed to clarify certain provisions and to eliminate outdated references and language.

The education bills provide added security to school districts and greater training requirements for new school board members. The first bill (S7323) establishes a School District Finance Security Task Force. This task force would be responsible for developing guidelines for protecting school district funds deposited with banks and other financial institutions from adverse consequences, such as theft and cyber-theft. It would also require the state education, banking and homeland security agencies to investigate security issues that affect school districts and their financial management, develop guidelines for best practices to secure district finances and make recommendations for legislation. The second bill (S4658-B) would require every trustee or voting member of a board of education of a school district or cooperative educational service to complete a training course within the first year of his or her first term. The purpose of the training, which would be required in addition to already-mandated training, would be to acquaint the school board member with the powers, functions and duties of boards of education, as well as the powers and duties of other governing and administrative authorities affective public education.