



NEW YORK STATE SENATOR

Brian X. Foley

Senator Foley's Legislative Highlights for the Week of June 21, 2010

BRIAN X. FOLEY June 25, 2010

Senator Brian X. Foley (D – Blue Point) sponsored eleven pieces of legislation that passed the senate this week.

“This week has been one of the busiest legislative weeks during this session,” said Senator Foley. “The senate has been meeting well into the nights in order to ensure that these pieces of legislation get passed. The bills that I have been able to get passed this week will help to reduce the energy consumption of homes in New York, ensure that residents of communities not easily accessible are able to receive timely medical care, continue to provide recreational opportunities for residents of all ages, protect residents who receive public housing assistance, provide small businesses with a tax credit for fees paid to the SBA, and honor a Long Island resident who lost his life in service to our country. In total, this legislation will help to make lives a little easier for our residents while ensuring that we are taking steps to protect our environment.”

Three pieces of legislation were aimed at updating the state energy conservation construction code. The first, Senate Bill 6912-A, provides for a state energy code for new residential construction. The legislation, which will be enforced to achieve a compliance rate above ninety percent, requires that new residential construction must achieve a score of at least 84 on the Home Energy Rating System (HERS), indicating that the home is at least 20%

more efficient than a similar home built to conventional standards. The second bill, Senate Bill 8315, is a chapter amendment to Senate Bill 6912-A that will change the effective date of the updates to the energy conservation code. The final bill, Senate Bill 8281 or Governor's Program Bill 6, updates the state energy conservation construction code to address the requirements of the American Recovery and Reinvestment Act of 2009. The legislation requires that the state code meet or exceed the International Energy Conservation Code and meet or exceed the ASHRAE Standard.

Two bills amend the Banking Law in relation to licensed lenders and cashers and bank holding companies. The first, Senate Bill 3727-B, amends the banking law in relation to licensed lenders, licensed cashers of checks, sales finance companies, premium finance companies, budget planners and transmitters of money. The legislation modernizes the banking law through technical changes that are needed to clarify the law. The second bill, Senate Bill 7446, amends the banking law in relation to bank holding companies. The goal of the legislation is to simplify and streamline the application of the bank holding company provisions by eliminating the requirement that a company obtain prior approval of the Banking Board to own or control two or more banking institutions with principal offices in New York State.

There are also bills aimed at helping two Long Island towns. Senate Bill 5950-B authorizes the Town of Brookhaven to establish a special improvement district for a medical facility for the Fire Island Pines community. The only access to this summer community is by ferry or private boat. The establishment of a special improvement district will help to ensure that Emergency Medical Services are readily available. The cost will be spread throughout the community. Senate Bill 7703 authorizes the Town of Islip to lease parkland located in Hidden Pond Park for an extended period of fifty years. Currently the maximum time allowed for a lease is thirty years. The parkland has been leased to a business corporation for the last

fourteen years to provide residents with sports and recreation opportunities.

Senate Bill 4322-B amends social services law in relation to landlords of housing accommodations occupied by recipients of public assistance. The legislation requires owners of such buildings to file a form stating that the building conforms with all applicable codes. The form must be notarized and resubmitted every six months. Local social service departments would be authorized to withhold public assistance payments to a landlord who does not comply with the requirements.

Senate Bill 8308 establishes a gang assessment, intervention, prevention and suppression program. The Department of Criminal Justice Services would be required to deploy the division of state police to develop a coordinated law enforcement response in communities across the state. The program will involve a partnership between local, state and federal law enforcement and county prosecution offices. In addition to local response strategies, the superintendent of the division of state police will be required to establish and maintain a gang clearinghouse as a central repository of information relating to gangs operating within the state.

Senate Bill 6696 establishes a small business tax credit for Small Business Administration guaranty fees. The goal of the legislation is to assist small businesses in obtaining loans by providing a tax credit for the fees which are part of the United States Small Business Administration loan processing. Small businesses in New York State that have paid a loan guaranty fee to the SBA in order to obtain a loan to receive a tax credit for the full amount of the guaranty fee. Such a credit may only be claimed by the small business and may not be claimed if the guaranty fee has been added to the amount financed by the borrower.

The final bill, Senate Bill 6459-A, honors a fallen service member from the 3rd Senate District. The legislation designates the bridge on the William Floyd Parkway which crosses over State Route 27 as the Cpl. Paulo Marko Pacificador Memorial Bridge. Corporal Pacificador, of

Shirley, New York, was 24 when he was killed while serving in hostile action in Qayyarah, Iraq. He was posthumously awarded the Bronze Star and the Purple Heart.