



NEW YORK STATE SENATOR

Patrick M. Gallivan

## Votes in the NYS Senate for Week of Jan. 13, 2020

PATRICK M. GALLIVAN January 17, 2020

| ISSUE: **NYS SENATE**



The bills listed below were voted on in the New York State Senate. The legislation is listed by bill number and includes a short description, followed by Senator Gallivan's vote.

6932 CHAPTER AMENDMENT - Amending the alcoholic beverage control law relating to procedures associated with issuing licenses to sell liquor for consumption, whereby posted notice will have to include some form of an identification number provided by the State Liquor Authority (SLA) if available at the time of notice. This chapter clarifies that the notice of a liquor license applicant must include an identification number where the SLA has

provided the applicant such a number. AYE

6938 CHAPTER AMENDMENT - The bill would amend section 353 of Executive Law to require the Division of Veteran Services, in consultation with the Office of Temporary and Disability Assistance (OTDA), Department of Labor (DOL), and Office of Children and Family Services (OCFS) to determine the number of homeless veterans in the State. AYE

6943 CHAPTER AMENDMENT - Relates to requiring a conspicuous memorandum regarding the disruption of vital services by revising the date for which the New York City Housing Authority shall publish information on their website and the date by which a meeting shall be held to discuss proposed additions to such website. The bill amends deadlines within the original bill that are more practical to when the legislation took effect. AYE

6946 CHAPTER AMENDMENT - This bill amends Chapter 728 of 2019 which exempted "research tobacco", tobacco and cigarettes specifically manufactured and exclusively used for research by institutes of higher learning. The amendment corrects the circular defining of "research tobacco product". The amendment also amends the administrative code of the City of New York to exempt "research tobacco product" from New York City's cigarette tax as well. AYE

6951 CHAPTER AMENDMENT - Clarifies that the social service official or authorized agency with custody or care of a child is required to report any anticipated change in placement or change in placement to the court and the attorneys for all parties no later than one business day of the decision or the actual date of the placement. This chapter amendment while less onerous will still be cumbersome for local social service districts. AYE

6952 CHAPTER AMENDMENT - Relates to lactation counseling services when such services are ordered by a physician, physician assistant, nurse practitioner, or midwife so that any of

the above must refer a patient for lactation counseling services by a qualified lactation care provider to be eligible for Medicaid reimbursement. This bill restores the requirement that a mother be referred (by a physician, physician assistant, nurse practitioner, or midwife.) for lactation counseling to be eligible for Medicaid reimbursement in order to promote continuity of care. AYE

6953 CHAPTER AMENDMENT - The original chapter would have allowed New York State registered service contract providers, to issue service contracts (essentially small insurance policies) to lessees of automobiles, for excess wear and use or damage to items such as tires, paint cracks or chips, interior stains, rips or scratches, exterior dents or scratches, windshield cracks or chips, or missing interior or exterior parts that result in a lease-end charge at the end of a lease contract. The amendments agreed to in this bill would remove tires, paint cracks and chips, exterior dents or scratches, windshield cracks or chips, and exterior parts from the coverage of the service contracts. AYE

6954 CHAPTER AMENDMENT - This legislation amends the underlying chapter by removing the responsibility of utility companies, gas corporations and electric corporations from providing notice to homeowners of the conversion and requiring notice to be provided to the appropriate enforcement official. AYE

6959 CHAPTER AMENDMENT - Authorizes the New York black car operators' injury compensation fund, inc. to provide additional health benefits, consistent with its plan of operation, for all black car operators entitled thereto pursuant to this chapter, provided that the fund shall have complied with all applicable statutory and regulatory requirements; and provides for the expiration and repeal of a chapter of the laws of 2019 related thereto. This legislation clarifies the revenue dedication language for the New York Black Car Operators' Injury Compensation Fund, inc. AYE

6963 CHAPTER AMENDMENT - This legislation amends the underlying chapter by adding language to ensure Roosevelt Island operating corporation in the new statute is a continuation of the Roosevelt Island operating corporation, as it was constituted preceding the effective date of the underlying chapter. AYE

6185B Requires DOT to establish a smartphone application, website and toll-free hotline for purposes of reporting customer service or safety issues with a stretch limousine. DOT would be required to consider such reports for purposes of withdrawing a motor carrier's operating authority or denying new authority applications, and would be required to affix signage in for-hire limousines providing information for these resources. Finally, DOT is required to design a scoring system for customer service reports, and is also required to design a reporting system for substantiated claims of safety issues by customer or individuals with knowledge of such issues or compliance failures. AYE

6186B Require that all drivers of any for hire vehicle with a capacity of transporting nine or more occupants, including the driver, are subject to drug and alcohol testing. AYE

6187C Requires stretch limousines having a seating capacity of nine or more passengers to use commercial global positioning system technology which takes into account the minimum clearance and turning radius of the motor vehicle and which can transmit certain real-time data to the motor carrier or stretch limousine operator's employer. AYE

6188B Increases penalties for commercial passenger motor carriers which, make illegal U-turns, run red lights, or speed with a vehicle designed to seat nine or more passengers including the driver. AYE

6189C Establishes the passenger safety task force (11 members) for passengers transported by stretch limousines to promote enhanced coordination and uniformity between the New

York state department of motor vehicles and the New York state department of transportation regarding the regulation of stretch limousines. AYE

6191C Provides that altered motor vehicles commonly referred to as "stretch limousines" which were altered on or after January 1, 2021, shall have at least two safety belts for the front seat and at least one safety belt for the rear seat for each passenger for which the rear seat of such vehicle was designed. Adds severability clause.

AYE 6192A This legislation require individuals operating limousines carrying 9 or more passengers, including the driver, to have a commercial driver's license. AYE

6193C Allows the commissioner of transportation to impound or immobilize stretch limousines in certain situations; provides that such impounded motor vehicle shall not be released unless the commissioner of transportation is satisfied that repairs have been scheduled or been made to satisfactorily adjust such vehicle's out-of-service defect or defects; makes related provisions. AYE

6604B Provides that every motor carrier shall furnish the department of motor vehicles a list of each altered motor vehicle commonly referred to as a "stretch limousine" designed to carry 9 or more passengers; requires the commissioner of motor vehicles to annually review the bus driver files of each driver employed by a motor vehicle carrier who operates such stretch limousine; makes related provisions. AYE

7134 This bill mandates that adults (16 years of age or older) wear seatbelts in the backseat of a taxi or livery vehicle as well as precludes taxi or livery vehicles from operating unless all passengers between the age of 8 and 15 years of age are wearing seat belts. Eliminates the current exemption for taxis and liveries related to seat belt compliance. AYE

6934 CHAPTER AMENDMENT - Specifies the use for which certain state lands are to be transferred to the city of New Rochelle. AYE

6936 CHAPTER AMENDMENT - Allows the commission to designate any commercial mobile radio or cellular telephone service providers as an eligible telecommunications carrier for purposes of providing lifeline service. This is strictly a technical amendment to change the word commissioner to commission in reference to the public service commission (PSC). AYE

6937 CHAPTER AMENDMENT - Relates to requiring that all single-occupancy bathrooms in state-owned or operated buildings be designated as gender neutral. This bill makes the following technical changes: 1) It requires each state agency to ensure any single-occupancy bathrooms are designated as gender neutral, rather than the Commissioner of General Services. It also clarifies that public authorities are included in the definition of state agency; 2) Clarifies that for state leased buildings, the gender neutral bathroom requirement will only apply where practicable. AYE

6940 CHAPTER AMENDMENT - Relates to prohibiting household cleansing products, cosmetic products, and personal care products that contain 1,4-dioxane. Makes technical amendments.

AYE

6945 CHAPTER AMENDMENT - Requires local veterans' service agencies to provide information to the division of veterans' services on an annual basis. This chapter amendment was proposed by the governor, to remove the requirement in the original bill that the information required under this bill be "maintained" by the division, and instead replaced with a requirement that such information need only be provided to the division by each local veterans' service agency. AYE

6947 CHAPTER AMENDMENT - Relates to trampoline park safety by amending the underlying chapter to remove the DOS from the process, and adds reference to a nationally accredited organization, if such organization is needed. This legislation amends the underlying chapter by removing the Department of State (DOS) from the process and adds reference to a nationally accredited organization, if such organization is needed. AYE

6949 CHAPTER AMENDMENT - Relates to persons and families in company projects who are required to pay a rental surcharge by qualifying the amount of the surcharge in a Mitchell-Lama development. The chapter amendment would allow tenants to be eligible for admission at the higher income of 8/9x the annual rent, but would maintain the status quo of requiring tenants with household incomes at or above the 7/8x ratio to pay a surcharge, in addition to their base rent. AYE

6955 CHAPTER AMENDMENT - Establishes a postconsumer paint collection program; requires producers of architectural paint sold at retail in the state or a representative organization to submit a plan to the department of environmental conservation for the establishment of a postconsumer paint collection program; prohibits a producer or retailer from selling architectural paint in the state unless the producer or producer's representative organization is implementing an approved program plan. Makes technical corrections. AYE

6962 CHAPTER AMENDMENT - Relates to proof of eligibility for volunteer firefighter enhanced cancer disability benefits, allowing additional alternative documentation to be used to verify firefighters' eligibility for the program; repealer. This chapter amendment would repeal all the provisions of the original bill relating to alternative documentation and require that the state office of fire prevention and control instead establish acceptable documentation for proof of eligibility. AYE

6964 CHAPTER AMENDMENT - Makes technical corrections relating to gifts for the support of the New York state council on the arts by removing the legislative intent that stated that the arts have been underfunded in NYS. AYE