



NEW YORK STATE SENATOR

Patrick M. Gallivan

## Senator Gallivan's Votes in the NYS Senate for Week of March 9, 2020

JIM RANNEY March 13, 2020

| ISSUE: **NYS SENATE**



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

4081 Grants authority to assessment corporations (assessment cooperative property and casualty insurance companies) to write both personal and commercial umbrella liability coverage and standalone liability insurance policies. AYE

7152 Re-defines "military service" to now include the United States Merchant Marine Academy for the purposes of military voting in school elections. In 2019, the Senate passed legislation that aligned absentee ballot provisions for military voters with absentee ballot provisions for general elections. This bill would extend such provisions to the Merchant Marine Academy. AYE

6331 NYSERDA DEPARTMENTAL - This bill would amend section 1896 of Public Authorities Law (PAL), section 66-m of Public Service Law (PSL) and section 242 of the Real Property Law (RPL) to allow a revised On-Bill Recovery (OBR) loan transferability process to eliminate a recording requirement and reduce costs associated with the program. AYE

2839-A This bill amends various sections of the State Administrative Procedures Act (SAPA) sections 201-a and 202 to make improvements to the process for evaluating the potential impact of proposed rules on jobs and employment opportunities. AYE

2899 Amends SAPA to require that rules that require changes to compliance or billing standards that could result in eventual withholdings or takebacks due to Medicaid auditing and/or self-disclosure obligations, such effective date shall not be sooner than 90 days from the publication of the notice of adoption of the rule. AYE

7357 Provides that the departments of agriculture and markets, environmental conservation, labor, transportation and taxation and finance shall designate an existing employee to serve as its liaison to small businesses regulated by such department; further provides the duties of such small business liaison. AYE

89-A Authorizes a residential parking system in certain parts of the hamlet of Oceanside in the town of Hempstead near South Nassau Communities Hospital. AYE

5595-B Lowers the threshold for filing an income tax return from the current \$4,000 to the amount of the taxpayers Standard Deduction (currently \$8,000 for a single filer or \$16,050 for a couple). B print makes technical amendment to the effective date. AYE

6165 EMPIRE STATE DEVELOPMENT DEPARTMENTAL - Amends the Excelsior Linked Deposit program to increase the lifetime cap on the total amount of money a company may borrow in the program from \$2 million to \$5 million and to remove the current \$2 million limit on the maximum loan amount a company may receive under the program. NAY (With no additional funds it will reduce the number of recipients.)

7350 EMPIRE STATE DEVELOPMENT DEPARTMENTAL -- Directs Empire State Development to publish and maintain a list of available programs to assist small businesses. Must coordinate with state agencies and authorities to gather information and share the list on the E.S.D.C. website. AYE

4337 Requires cities with a population of one million or more to collect discarded recyclable materials at city parks, playgrounds, historic sites and other recreational facilities; requires the posting of signs on facilities without trash receptacles stating that trash must be retained until you reach a trash can; provides state assistance for such programs. AYE

2797 To amend the reporting requirement for the farmer's market program to include a discussion of food deserts and the efforts to develop and expand farmer's markets in food deserts. AYE

844-A Renames the Urban Development Corporation (UDC) Regional Revolving Loan Trust Fund the "Small Business Revolving Loan Program". Requires that UDC use the fund to assist micro-businesses and allows UDC loans to be used for refinancing when it is to maintain or expand operations in New York State. AYE

7355-A Directs the secretary of state to provide new businesses the following contact information, including the website address and telephone number of the following entities serving their region: 1) New York State Small Business Development Center 2) New York State Entrepreneurship Assistance Center 3) Empire State Development Corporation resources. AYE

4066 This bill permits health insurance carriers and HMOs to offer premium discounts or other benefits for participation in wellness programs approved by DFS. AYE

2145 Directs counties and the city of New York to contact a veterans' organization to provide for the disposition of the unclaimed remains of a deceased veteran when such veteran has no next of kin or other person designated to provide for the disposition of his or her remains. AYE

5073A Establishes a school voter registration access program to promote student voter registration and pre-registration. AYE

6327 DOS DEPARTMENTAL - The bill amends the statewide "do-not-call" registry under section 399-z of the general business law. Includes in the definition of telemarketer use of text messages. Includes in the definition of telemarketing collection of information from calls or texts messages with intent to provide to a third party who accepts or collects the information to engage in telemarketing. AYE

769A This bill would amend section 2118 of the insurance law, to exempt commercial lines insurance transactions, placed by wholesale insurance brokers, from the excess line diligent effort requirement. It would also modify the excess line affidavit proscribed in section 2118, to provide that declinations filed by insurance brokers when placing excess line business, shall be limited to those risks named and identified by the National Association of Insurance

Commissioners (NAIC) code. AYE

1603 This bill amends section 2118 of the insurance law regarding excess line coverage, to remove the requirement that excess line brokers must obtain a declination from the medical malpractice insurance pool before the broker can place primary malpractice insurance in the excess line market. AYE

6168 OCA DEPARTMENTAL - This bill would establish that in cases where an agreement or a stipulation fails to comply with any of the provisions of the Child Support Standards Act - CSSA (Section 413(1)(h)), the non-CSSA complaint provisions are void as of the earlier of the date that one of the parties alleged noncompliance in a pleading or motion or the date the court finds the noncompliance. AYE

1455 Requires water works corporations to post water supply statements online if a website exists or make such available to the municipalities' website. AYE

4004 Requires voluntary agencies to provide potential adoptive parents with information concerning state-funded benefits or services available once the foster child is adopted as well as those that expire upon adoption. AYE

5196 Requires the commissioner of the department of environmental conservation to conduct an investigation prior to removing a species from the endangered and threatened species list. NAY (Department of Interior should prevail.)

5462A This bill allows candidates for office to decline a nomination on one or more party lines in the event that they lose a primary election for another line. The A-print adds a provision that would require the candidate to fill out a certificate of declination not later than 15 days after the primary. AYE

6533 OCA DEPARTMENTAL - Relates to requiring the video recording of interrogations of juveniles in juvenile delinquency proceedings in family court. NAY (Mandate. Burdensome.)

5228C This bill requires instruction in pedestrian and bicyclist safety as part of the drivers pre-licensing course. AYE

6142 The bill would provide a new Article in Racing, Pari-Mutuel Wagering Law (PML) to have New York State join the Mid-Atlantic Interstate Drug Testing Compact for thoroughbred horse racing. AYE

6800A 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

7123 Establishes the small business crime prevention services program to provide small businesses with information on strategies, best practices and programs offering training and assistance in prevention of crimes in and around the premises of small businesses or otherwise affecting small businesses, including but not limited to: assault, arson and other violent felony offenses; robbery, burglary, theft, identity theft counterfeiting, check and credit card fraud and other fraud; and vandalism, graffiti and other property damage; further provides that information on eligibility and applications for financial assistance be made available to small businesses; authorizes the New York state urban development corporation to provide loans, loan guarantees, interest subsidies and grants to small businesses, municipalities, not-for-profit corporations or other organizations for the purpose of preventing crimes against small businesses or on the premises or in the vicinity of small businesses; makes related provisions. AYE