



NEW YORK STATE SENATOR

Patrick M. Gallivan

## Senator Gallivan's Votes for Week of January 25, 2021

JIM RANNEY January 27, 2021

| ISSUE: **NYS SENATE**



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

S872 CHAPTER AMENDMENT - Provides that the office of children and family services shall, beginning December 31, 2021 and biannually thereafter, make information publicly available on its website regarding youth placed in foster care settings and the recruitment of foster parents; makes related provisions. Makes technical amendments. AYE

S873 CHAPTER AMENDMENT - Requires the commissioner to collect information regarding the homeless population during a state disaster emergency in publicly funded shelters, residential programs for victims of domestic violence, and residential programs for runaway and homeless youth, and publish a report containing such information. The Chapter Amendment clarifies the type of shelters, provides confidentiality provisions and clarifies provisions related to the availability of such report. AYE

S877 CHAPTER AMENDMENT - Provides for the review of policies and practices relating to COVID-19 outbreaks in correctional facilities, including the treatment and prevention of the disease among inmates and staff. This chapter amendment limits the increased review and oversight of policies and procedures in correctional facilities by the Department of Health (DOH) to COVID-19 rather than the broader language "emerging infectious diseases" established in the original piece of legislation. AYE

S878 CHAPTER AMENDMENT - Relates to working with the USDA to receive approvals and develop online fresh food purchasing options throughout the state; adds a repeal date. This Chapter Amendment clarifies that the bill would be subject to an online food-purchasing program operated the USDA and provides a sunset date after three years. AYE

S885 COMRIE CHAPTER AMENDMENT - Relates to notice to tenants in mortgage foreclosure actions; permits tenants who did not occupy the premises at the commencement of the foreclosure action to remain in occupancy for the remainder of the lease term, up to a maximum of three years. This bill expands the definition of tenant to include all lessees residing in a property that is being foreclosed instead of those that were there when foreclosure proceeding began. NAY (This bill could have a negative impact on a future landlord)

S892 CHAPTER AMENDMENT - Relates to the expiration of minutes purchased with prepaid cellular telephone cards; provides that such notification shall be in at least fourteen-point sized print and should include the expiration date or the expiration policy. Removes requirement that the font size for the expiration date must be at least two times larger than any other print on the card. CTIA - The US Wireless Communications Assoc. (2018) NAY (Information already provided and therefore not necessary)

S893 CHAPTER AMENDMENT - Directs the director of the office of information technology services to conduct a study on the use of biometric identifying technology; prohibits the use of biometric identifying technology in schools until July 1, 2022 or until the commissioner of education authorizes such purchase or utilization, whichever occurs later. Pursuant to approval memo 53 of 2020, the Executive expressed concern with unintended consequences of the underlying legislation, while supporting its goals. This legislation is a negotiated change to the underlying chapter that addresses those concerns. NAY (Jeopardizes safety. Takes away local control.)

S897 CHAPTER AMENDMENT - Provides that certain schools shall experience no financial harm for their inability to operate for the full 180 session days due to the outbreak of coronavirus disease 2019 (COVID-19). Eliminates guarantee that certain special education schools shall not experience financial harm for reduced enrollment due to the outbreak of Coronavirus. AYE

S901 CHAPTER AMENDMENT - Relates to supermarkets providing excess edible food to food relief organizations. This chapter amendment makes technical changes so that the bill language is consistent with the Food Donation and Food Scraps Recycling Act (FDFSR). NAY (The FDFSR act was passed in the budget in 2019 and applies to some of the same entities as in the enabling chapter. Also includes a mandatory requirement for food scrap generators to begin donating excess food on Jan. 1, 2022.)

S902 CHAPTER AMENDMENT - Relates to prohibiting certain uses of trichloroethylene; provides that no person shall use trichloroethylene as a vapor degreaser, an intermediate chemical to produce other chemicals, a refrigerant, or an extraction solvent or in any other manufacturing or industrial cleaning process or use. delays the effective date of prohibiting certain uses of TCE by one year, until December 1, 2022. Additionally, a severability clause was added. NAY (A final risk evaluation should be issued by EPA before such uses are banned.)

S2511 BUDGET Amends the 2020-21 Aid to Localities budget to increase the Unemployment Insurance (UI) Enterprise Fund Appropriation by \$11B from \$60B to \$71B to accommodate higher than anticipated UI claims. AYE

S886 CHAPTER AMENDMENT - Relates to adverse determination notices to Medicaid recipients. This bill makes technical corrections. AYE

S887 CHAPTER AMENDMENT - Provides that the department of financial services shall use the information made available to them for the study of which financial institutions provide loans to landlords acquiring or refinancing property that includes rentregulated and/or small business tenants. Technical changes only. AYE

S891 CHAPTER AMENDMENT - Relates to certificate of authority numbers for alcohol vendors. This bill requires the Department of Tax and Finance to make these certification numbers accessible in a public database for each vendor in the State. AYE

S903 CHAPTER AMENDMENT - Grants authority to assessment corporations to write specified kinds of standalone liability insurance. Executive requested technical changes to add additional consumer protections that help ensure assessment corporations that choose to write umbrella policies remain solvent. AYE

S1298 CHAPTER AMENDMENT - This bill is an amendment to Chapter 253 of the Laws of 2020 related to the direct deposit of workers' compensation benefits. The purpose of the bill is to clarify that upon request of the employee, compensation benefits (including death benefits) are to be paid vi direct deposits. The bill would also provide that the effective date is July 1, 2021 as opposed to immediately. AYE

S1303 CHAPTER AMENDMENT - Provides for pre-term labor care and directing the commissioner of health to require hospitals to provide pre-term labor patients with information regarding the potential health effects of pre-term labor and pre-term delivery on an expectant mother and on her fetus. Makes technical corrections. AYE

S1632 This bill would amend section 15-120 of the election law, to provide that the term "illness", for purposes of qualifying for an absentee ballot, shall include the spread or potential spread of any communicable disease, at a time of declaration of a state of emergency within the jurisdiction where the election is taking place. This bill would only apply to absentee ballots for village elections. AYE (Sunsets on January 1, 2022)

S1644 This bill would amend section 8-407 of the election law, to provide that inspectors of local boards of elections shall not attend and/or visit facilities (nursing homes and adult care facilities), and shall not physically deliver ballots to residents of such facilities in-person for primary elections or elections held on or prior to December 1, 2021. This bill would further provide that Boards of elections shall mail or deliver absentee ballots to voters residing in such facilities in the same manner as absentee ballots are delivered to other absentee voters. AYE

S1705A This bill would amend sections 6-202 and 15-108 to provide that, in addition to any manner of nomination or designation under the election law, all party designations and nominations in village elections, may be made via teleconference or web conference upon

notice to the members of the respective committee by mail, email, text or telephone call at least 72 hours before such meeting. AYE

S2733 This bill would amend section 6-136 of the election law to reduce the number of signatures required for a party designating petitions for elections held December 31, 2021. This bill would also amend the state's political calendar to compress the time to collect such designating petitions from February 23, 2021 to April 1, 2021 (38 days to collect petitions) to now require such collections can only occur between March 2, 2021 and March 25, 2021 (23 days to collect petitions). AYE