



NEW YORK STATE SENATOR

Patrick M. Gallivan

## Senator Gallivan's Votes for Week of February 1, 2021

JIM RANNEY February 6, 2021

| ISSUE: **NYS SENATE**



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

879 CHAPTER AMENDMENT - Requires the department of health of the state of New York to conduct a study of the effects of racial and ethnic disparities on infant mortality and prepare and submit a report to the governor and the legislature. This chapter amendment repeals the language of the original bill and establishes language consistent with current law and practices, while maintaining the legislative intent of the original bill. AYE

1296 CHAPTER AMENDMENT - Requires the department of health of the state of New York to conduct a review of the effects of racial and ethnic disparities on breastfeeding rates and prepare and submit a report to the governor and the legislature. This legislation amends the underlying chapter by changing the "study" of disparate breastfeeding rates into a "review", pushing back the report date to the legislature to eighteen months, and authorizing the Department of Health to issue additional reports. AYE

1463 EXTENDER BILL - Extends the provisions relating to the New York state thoroughbred breeding and development fund until eleven years after the commencement of the operation of a video lottery terminal facility at Aqueduct racetrack. This chapter provides the following provisions to be extended for an additional year: -Payments from NYRA and OTBs be made on a quarterly basis -Percentage of revenue that can be allotted for breeder awards -The amount of money used for promotion -The money used for administrative allotments NY Farm Bureau. AYE

679A This bill requires that the Council for Treatment Equity be created to address substance use disorder treatment disparities amongst vulnerable populations across the state. AYE

1352 Requires cultural awareness and competence training for medical professionals, including two hours of course work encompassing minority healthcare issues. This bill applies to physicians, physician assistants (PAs), registered professional nurses (RNs), licensed practical nurses (LPNs), podiatrists, optometrists and nurse practitioners who provide direct patient care. Training must be completed by July 1, 2022. AYE

1407 Establishes the interagency task force on health literacy, to study health literacy and develop recommendations for improving health literacy in this state. The Task Force would be composed of 21-24 members. Task force would be required to report to the legislature no

later than December 15, 2022 on its finding and recommendations. AYE

410A Establishes the "Lydia Soto law" a Minority Coordinating Council on Asthmatic Affairs within the department of health to assess the asthma risk factors for the minority citizens of our state, counties and regions; identifies the existing barriers to quality asthma treatment and care among minorities; develops action steps for addressing care issues; launches a state-wide asthma awareness campaign to educate our citizens about the disease; requires report. AYE

646A Requires the Department of Health (DOH) to conduct a study on the incidences of asthma in cities having a population of 90,000 or more as determined by the last federal decennial census. The study shall include an analysis of high risk neighborhoods examining disparities in: income, race/ethnicity, public and private housing, proximity to major sources of air pollution and evaluation of effectiveness of existing medical facilities in each city. Requires the study to include recommendations for evidence-based interventions to address the high incidences of asthma. Requires study completion by September 30, 2023. AYE

1374 This bill amends PHL section 2805-x, regarding hospital-home care physician collaboration program that provide grants or positive adjustments in medical assistance rates or premium payments to support such programs by adding a new paragraph (d) to include in the program collaborative programs that will address disparities in health care access or treatment, and/or conditions of higher prevalence, in certain populations, where such collaborative programs could provide and manage services in a more effective, person-centered and cost-efficient manner for reduction or elimination of such disparities. AYE

1451 Requires a health equity assessment to be filed with an application for construction, or substantial reduction of, a hospital or health related service. A health equity impact assessment (HEIA) is an assessment of whether, and if so how, a project will improve access

to hospital services and health care, health equity and reduction of health disparities with reference to members of medically underserved groups in the applicant's service area.

"Medically underserved group" is defined under the bill as low-income, racial/ethnic minorities, immigrants, women, lesbian/gay/bisexual/transgender or otherthan-cisgender people, people with disabilities, older adults, persons living with a prevalent infectious disease or condition, persons living in rural areas, those eligible for public health benefits, those without third-party health coverage or inadequate coverage, and those unable to obtain healthcare. NAY (Duplicative and unnecessarily costly.)

865 CHAPTER AMENDMENT - The bill removes the requirement that the Commissioner provide printed information on bone marrow donation and transplant directly to health care practitioners for distribution, and rather requires the information be made available on the department's website in a printable format to allow public access and health care practitioners to provide such information to their patients. AYE

900 CHAPTER AMENDMENT - Relates to the confidentiality of contact tracing information. Makes various clarifications to the previous chapter. AYE

1295 CHAPTER AMENDMENT - Requires public employers to adopt a plan for operations in the event of a declared state disaster emergency involving a communicable disease and establishes certain protocols necessary for responding to a declared state disaster emergency involving a communicable disease in an educational setting. AYE

1299 CHAPTER AMENDMENT - This bill is an amendment to Chapter 252 of the Laws of 2020 which amended the Labor Law, section 591 to require that the regulations take into account the claimants need to provide child care and that such claimants are able to satisfy work search requirements for the purpose of maintaining eligibility for unemployment insurance benefits. Removes the previous exemption that a claimant is exempted from work search

requirements due to their need to provide child care. Aligns with federal unemployment regs. AYE

1300 CHAPTER AMENDMENT - This bill is a chapter amendment to Chapter 297 of the Laws of 2020 to change the agency with primary jurisdiction from the Department of Labor to the Office of Temporary and Disability Assistance. It would require the office of temporary and disability assistance (as opposed to DOL) to produce a report regarding the summer youth employment program. AYE

1301 CHAPTER AMENDMENT - Directs the commissioner of mental health to create a workgroup and report regarding frontline worker trauma informed care. AYE

1302 CHAPTER AMENDMENT - Establishes a registry of workplace fatalities in the construction industry to record information pertaining to all incidents under which an employee performing construction work suffers a workrelated fatal injury. AYE

1304 CHAPTER AMENDMENT - This bill is a chapter amendment to Chapter 309 of 2020. The original bill required the MTA to establish criteria to be used in formulating the capital program plans of the authority. The chapter amendment repeals the requirement that the methodology used to create those criteria be made public. NAY (This chapter amendment significantly reduces the value of the law and limits transparency.)

1306 CHAPTER AMENDMENT - Establishes the Adirondack road salt reduction task force and pilot program. This bill modifies the Adirondack road salt reduction task force and pilot program by clarifying definitions, adding requirements to how is appointed to the task force, and to further insure that public safety is considered. AYE

1310 CHAPTER AMENDMENT - This chapter amendment would only apply to Washington County and would allow Washington County to have the discretion to place early voting

location in municipality of its choosing. AYE

1172 This bill includes in the patient's bill of rights information on the patient's right to receive all information necessary to give informed consent for any procedure or treatment; a right to be informed of the name, position and functions of hospital staff including medical students involved in the patient's care; and a right to be informed of any human research and to voluntarily provide written informed. AYE

2074 CHAPTER AMENDMENT - This bill is a technical chapter amendment to the chapter 265 of the laws of 2020, amending the Labor Law section 860-b related to notice provided prior to a mass layoff to clarify that such notice shall be provided for the locality of the site of employment at which the mass layoff, relocation or employment loss will occur in order to maintain consistency with existing regulations. AYE

2076 CHAPTER AMENDMENT - Relates to the automatic voter registration process; amends certain voter registration processes and the agencies to be included as designated agencies. This chapter amendment would mandate that all participating agencies other than the Department of Motor Vehicles must start participating in automatic voter registration on January 1, 2024. It would further add the State University of New York as an agency participating in automatic voter registration on January 1, 2025. NAY (The original bill violates the constitution and this chapter amendment makes no adjustment to correct it.)

2558 CHAPTER AMENDMENT - This is a chapter amendment to Chapter 382 of the Laws of 2020. The underlying legislation removed the authority of the Commissioner of DMV to suspend a person's driver's license for the failure to answer a summons or nonpayment of fines. NAY (The ability to suspend licenses for failure to answer a summons is restored, but adds provisions to end license suspensions when an individual has paid their fine for failing to appear, or has been acquitted of the charge that led to the suspension in the first place.)

1351 CHAPTER AMENDMENT - Repeals section 240.37 of the penal law which establishes the crime of loitering for the purpose of engaging in a prostitution offense. The crime is a violation for the first offense and a class B or class A misdemeanor for repeat offenders. An individual is guilty of the crime if they repeatedly beckon, stop, attempt to stop, engage passer-bys in conversation or stop or attempt to stop a motor vehicle for the purpose of prostitution. NAY (First step toward legalizing prostitution.)

890 CHAPTER AMENDMENT - The original bill, S.6758-B, establishes the intent to dispose of construction and demolition waste on the property of another to the crime of endangering public health, safety or the environment. The chapter amendment adds language that the individual must "intentionally" engage in conduct that results in the unlawful disposing of material. AYE

1297 CHAPTER AMENDMENT - Changes the form of the Briarcliff Manor fire department benevolent association from a corporation to an unincorporated association; makes related provisions. This legislation amends the underlying chapter to reference updated insurance law sections. AYE

1305 CHAPTER AMENDMENT - Directs the commissioner of agriculture and markets, in coordination with the commissioner of economic development, to work with the state's land grant university system to produce a report to provide advice, guidance, and recommendations on improving the resiliency and self-reliance of the state's farm and food supply and the related supply chain logistics to address food shortages, food waste, and the inability to get New York farm goods to markets that occurred as a result of the COVID-19 pandemic, with the goal of creating permanent solutions beyond the state of emergency to reflect the changing wholesale, retail and consumer marketplace; makes related provisions. The chapter amendment largely follows the intent of the initial legislation. AYE

1308 CHAPTER AMENDMENT - This bill would enact a Chapter Amendment to Chapter 325 of the laws of 2020, by substituting the word firefighter for the word employee in the section of law granting these benefits. AYE

1442 Relates to the aftercare of retired race horses; prohibits the slaughter of race horses and race horse breeding stock; requires that race horses be microchipped; provides for gifts for thoroughbred aftercare on tax returns. AYE

1137 Relates to observance of all religious holidays by institutions within the state university and the city university of New York, and includes the Asian Lunar New Year within the definition of such holidays. NAY (Students already have the ability to be excused from classes to observe a certain holiday so long as they inform the campus of their religious needs.)

1520 To establish a temporary State commission to study the ten SUNY community colleges that have not participated in the Educational Opportunity Program (EOP) and make recommendations for legislative action based upon its findings. AYE

328 This bill would amend the penal law to create a new section prohibiting the illegal installation of gas meters. A gas meter is unlawfully installed when it is installed by a person other than a person acting on behalf of a utility corporation subject to the jurisdiction of the PSC, unless such person has received a permit. Unlawfully installing gas meters would be a class B misdemeanor. AYE

1100 Develops grow your own initiatives at school districts, boards of cooperative educational services and higher education institutions to attract underrepresented candidates into the teaching profession. AYE



2556 CHAPTER AMENDMENT - Requires a process for notification of new homeless shelters and conducting a public information session in the community where the proposed shelter is to be located. AYE

1477 Includes contacts via text, email or other electronic communication in the definition of the offense of aggravated harassment in the second degree. AYE

1355 Municipally owned parkland is vital to local communities. Once lost, municipal parkland is difficult to recover. The alienation of municipal parkland should be limited to instances of compelling public need where no other alternative is available, and should be accompanied by replacement parkland. Provides that any municipality that has received alienation authorization through enactment of municipal parkland alienation legislation shall submit a report to the Office of Parks, Recreation and Historic Preservation. AYE

1924 This bill would move the Amistad commission from the Department of State to the New York State Education Department. AYE

1984 This bill would require SED to annually convene a Statewide convention of underrepresented educators to discuss experiences, best practices, and afford for networking, mentorship opportunities, and support. It would also require at least five regional conventions be held annually for the same purpose. AYE

2555 This bill establishes a task force on educator diversity. The purpose of the task force shall be to conduct a comprehensive study on the diversity of educators in New York State, current actions taken to promote educator diversity, and ways New York State can encourage new initiatives to enhance and promote educator diversity. The task force shall be comprised of 13 members who shall issue a report by December 31, 2022. AYE