



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senator Gallivan's Votes for Week of May 3, 2021

JIM RANNEY May 5, 2021

| ISSUE: **NYS SENATE**



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

6473 This bill would create the Long Island Water Reform Act, which relates to the assessment of property owned by water-works corporations. AYE

1868 Authorizes the town of Dekalb, in the county of St. Lawrence, to reduce the maximum speed limit on a portion of United States route eleven. AYE

2767A Establishes a private student loan refinance task force to study and report on ways lending institutions offering private student loans to graduates of institutions of higher education can be encouraged to establish student loan refinancing programs. This amended version shifts the balance by giving one additional member to the Majority conferences of the Senate and Assembly, and removes the Comptroller from the task force. AYE

1509A This bill amends the Transportation law to add certain member and update the titles of certain appointees to the Interagency Coordinating Committee on Rural Public Transportation. Adds the Commissioner of the Office Of Alcoholism and Substance Abuse Services, the Commissioner of the Office for Temporary and Disability Assistance, the Executive Director of the New York State Justice Center for the Protection of People with Special Needs, the Commissioner of the Office of Children and Family Services. Additionally the bill also adds a representative of a labor union affiliated with rural public transportation systems receiving public transportation systems as a voting member. AYE

3966A Requires children's non-regulated camps to ascertain whether an employee or volunteer is listed on the state sex offender registry pursuant to article six-C of the correction law. AYE

944 Expands notification to include municipalities within a one-mile radius of a proposed construction of major utility transmission facilities. AYE

2057 This bill requires that the State Civil Service Department offer examination at any location that it deems suitable and requires the Department to make efforts to utilize the State University of New York Educational Opportunity Centers when selecting testing sites. AYE

4778 Authorizes the assessor of the town of Brookhaven to accept an application for exemption from real property taxes from Al-Muneer Foundation, Inc., a not-for-profit religious organization. AYE

1026 This bill would amend the Workers' Compensation Law section 13 (5) (i) related to reimbursement for pharmaceutical claims. Current law requires claimants to obtain all prescribed medicines from a pharmacy with whom the employer has a contract ("network pharmacy") unless there is a medical emergency. This bill would amend current law to only "encourage" employees to obtain their prescription drugs through the contracted pharmacy. AYE

5025A Creates a legislative task force on outdoor environmental education and recreation that will benefit residents of New York state by fostering stewardship and conservation of the environment, and an appreciation of the importance of the wise use of natural resources as well as acknowledgment of the health benefits of time spent in nature. AYE

1201 Requires the Department of Health to maintain a schedule setting forth when competency exams for qualified home care services workers who live outside New York State will be administered to fill any shortage of said workers. The schedule must be made available on the NYS DOH website and readily accessible by the public. AYE

4716A Directs the Office for Information Technology Services to advise and assist State agencies in the implementation of language translation technology on state agency websites containing information about COVID-19 or programs, benefits or services related to COVID-19 within 30 days of the effective date of this legislation and on all state agency websites within 90 days of the effective date of this legislation. AYE

3402 Provides additional tax exemptions on qualifying residential real property where two or more qualified veterans live in the same household. AYE

2019 This bill acknowledges existing authority of licensed podiatrists to diagnose and treat conditions affecting the foot and ankle and skin of both, and clarifies that authority expands to wound care within the soft tissue up to the knee. AYE

5509 Requires the pre-licensing course to operate a motor vehicle to include information on organ and tissue donation and how to register as an organ donor. AYE

6036 Establishes a distinctive plate honoring recipients of the Girl Scout Gold Award for which the regular registration fee will apply plus an initial one time service charge of \$25. AYE

5751 The bill would amend sections 203 and 204 of Agriculture and Markets Law to include beech sugar and syrup to the list of other tree syrups and sugars regulated for imitations. AYE

5581 This bill amends the insurance law to make certain catastrophic or reinsurance coverage issued to small groups permanent. AYE

1745 Establishes a temporary New York craft beverage permit for all New York state manufactured liquor, spirits, wine, beer, cider and mead for events located in a municipality with a population of less than one million. AYE

5742 Provides for certain commercial small businesses to be eligible for relief under the "COVID-19 Emergency Protect Our Small Businesses Act of 2021". This bill provides a mechanism for eviction protection for small businesses that employ 100 or fewer people and commercial tenants who were closed to in person operations for two or more weeks between

May 15, 2020 and May 1, 2021. The commercial tenant can employ up to 500 individuals. NAY (Does not help small business in meaningful way. Not fair to all involved. Pool expanded but with no additional funding.)

6362A Extends the "COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020" and the "COVID19 Emergency Protect Our Small Businesses Act of 2021" until August 31, 2021. NAY

2675 GALLIVAN Permits the Depew union free school district to establish an insurance reserve fund. AYE

2936 Adds a new section 19-0329 to the ECL to completely phase out the use of fuel Grade 6 the state, but makes clear that nothing in this act shall preempt a municipality from adopting a more stringent law. AYE

64 Mandates that the NYS Office of Temporary and Disability Assistance establishes a statewide Restaurant Meals Program, in accordance with the guidelines set at the federal level to allow the elderly, disabled, their spouses, and the homeless to use SNAP benefits for the purchase of hot or prepared foods from participating restaurants, delis, and grocery stores. AYE (Optional for restaurants.)

4856 Requires policies and contracts that provide coverage for prescription drugs to include coverage of an immediate additional thirty-day supply of a prescription drug during a state disaster emergency. AYE

5402 Authorizes Chabad of Islip Township, Inc. to file an application for a retroactive real property tax exemption for the 2019-2020 assessment roll. AYE

2903A Requires courts, prior to accepting a plea to a misdemeanor or violation, to provide notice to the defendant that such plea and the acceptance thereof could result in deportation, removal from the United States, exclusion from the United States or denial of citizenship, if the defendant is not a citizen of the United States. AYE

704A Authorizes the empire state development corporation to develop a public awareness campaign promoting businesses located in New York state with an emphasis on small businesses and the need to shop in downtown local areas; requires the creation of the Buy New York Online Networking Directory to connect purchasers with businesses located in New York. AYE

5060 Permits signs, placards or other displays to provide notice that school bus photo violation monitoring systems are in use. AYE

1168A Requires each general hospital to establish and maintain a clinical staffing committee by January 1, 2022 and implementation of clinical staffing plans by January 1, 2023. The committee makeup shall be 50 percent registered nurses, licensed practical nurses and ancillary members of the front line team (who support or provide direct patient care) and 50 percent of the members must be selected by hospital administration, which must include the CFO, the chief nursing officer and patient care unit directors or managers or their designees. Selection of the registered nurses, et al is governed by the respective collective bargaining agreement or if none such professionals shall be selected by their peers. AYE (The requirements as proposed within this legislation provide general hospitals (which are 24 hours facilities, not including residential health care facilities, public health centers, diagnostic centers, treatment centers, outpatient lodge, dispensary and laboratory or central service facilities) with needed flexibility to determine adequate staffing ratios.)

4532 This bill requires a minimum of one abuse-deterrent opioid analgesic drug per opioid analgesic active ingredient as covered on a health plan and cannot exceed the lowest cost-sharing level and prohibits a health plan from requiring a patient take a non-abuse deterrent drug before an abuse-deterrent opioid version related to prior authorization requirements.

AYE (Increased costs notwithstanding, this bill is intended to combat opioid abuse.)

6346 This bill establishes minimum staffing standards for nursing home minimum staffing levels to meet applicable standards of service and care and to provide services to attain or maintain the highest practicable physical, mental and psychological well-being of each resident of such facility. NAY (Despite laudable intentions, this bill could potentially cost the industry \$260 million in new costs; fails to acknowledge the shortage of nurses and CNAs; and does not take into account the recently enacted budget language, which requires nursing homes to spend at least 40 percent of revenue on resident-facing workers and 70 percent of revenue on direct care – provisions that already address staffing.)

4089 Directs the commissioner of agriculture and markets to develop and conduct a public awareness campaign regarding Lyme disease and other tick-borne diseases. AYE

4112 Authorizes the superintendent of financial services to authorize the return of subscribing member operating reserve balances to members of a municipal insurance reciprocal. AYE

133 This bill establishes a ninety day grace period for the use of credit card reward points when an account is modified, cancelled, closed or terminated. The holder of the card shall have ninety days to use their reward points from the date notice of modification, cancellation, or termination of the card is provided. AYE

2819 Prohibits the sale of whipped cream chargers to persons under the age of twenty-one.
AYE

5475 Amends state finance law to direct the Governor to submit five-year capital plans on SUNY and CUNY institutions starting in 2021 and every fifth fiscal year thereafter that meets 100% of the critical maintenance needs identified by each public university system or annually reduces the facility condition index for each university system. AYE

5046 This bill would amend the unconsolidated law to authorize and direct the Urban Development Corporation, in cooperation with the Dormitory Authority, the Division of the Budget, the Department of Financial Services, and the Department of Tax and Finance to create a new investment vehicle to be known as an Alternative Finance Investment Bond.
NAY (Waste of agency resources. Unproven investment opportunity.)

3682 Directs the commissioner of education to study and report on the provision of services to public school students in grades 8 through 12 by guidance counselors. AYE

4818 Relates to the Uniondale public library district; amends certain dates and certain rights of the board to allow for additional time for the public to participate in the election process.
AYE

1045 This bill would amend the Labor Law section 130, which governs the employment of minors under 14 years of age. The bill would permit certain minors 12 or 13 years of age to be employed as a referee, umpire or official at a youth sporting event for minors predominantly ten years of age or less. It would limit a minor 12 or 13 years of age to officiating one youth sporting event per week. AYE

6481 Clarifies qualifications for supplemental costs associated with an emergency rental assistance program. The provisions of this bill would allow applicants to be eligible for relief

if they meet all the eligibility requirements of CERAP except if their income exceeds 80% of the area median, and they have one household member in a priority population. AYE (This bill allows more applicants to compete for the additional \$100 million dedicated from the state for rental relief.)

1311A Requires the Long Island Power Authority to prepare a semi-annual expenditure and lobbying report to be submitted to the governor, the temporary president of the senate and the speaker of the assembly; defines terms. AYE

1752 Designates a portion of the state highway system as the "Sergeant David Lockwood Memorial Bridge". AYE

4248 The bill would amend P236 of Domestic Relations Law to require the court to consider the best interest of a companion animal when awarding its possession in a divorce proceeding. AYE

2987A Establishes within the NYS Department of Health a racial equity working group. The Governor along with the legislative leaders (both majority and minority) will appoint members to the group, which will study issues related to racism as a public health crisis and develop recommendations for legislative or other actions to reduce or eliminate racial and ethnic disparities. NAY (Declaration of public health crisis lacks data/science.)

5991 Authorizes the dormitory authority to provide financing to the Sandy Ground Historical Museum for the restoration or replacement of the museum building. AYE

960 The bill would amend P353-a of Agriculture and Markets Law to eliminate the term 'serious' from the level of physical injury required to charge someone with felony aggravated cruelty to animals. AYE

1130 Prohibits the sale of dogs, cats and rabbits by retail pet shops; authorizes collaboration with entities to provide space to showcase cats or dogs owned by certain entities for the purpose of adoption. AYE

4081A The bill would amend section 373 of Agriculture and Markets Law to require the property owner or lessor of property that has been vacated as a result of an eviction, foreclosure, default, or abandonment, to inspect the property within three days of such known vacancy to search for the presence of abandoned animals. AYE

5231 Directs the department of financial services, in coordination with the division of housing and community renewal, to conduct a study examining the increasing costs of insurance premiums and the lack of availability of insurance coverage for affordable housing developments. AYE

1368 Authorizes the town of Babylon to establish an administrative adjudication hearing procedure for code and ordinance violations relating to conditions which constitute a threat or danger to the public health, safety or welfare. AYE

6108A Directs the superintendent of financial services to publish a comprehensive list of all state sponsored COVID-19 related programs and resources available to consumers, student loan debtors, senior citizens, small businesses, renters and homeowners on a single webpage. AYE

2992 Includes Furnace Brook in the list of inland waterways eligible for the local waterfront revitalization program. AYE

3706A This bill would require a study into the access of Capital Funding for State Public Libraries and Library Systems and provide recommendations for the improvement of such access. AYE

54 This bill provides a definition for Kinship caregiver to include an individual related by blood, marriage or adoption; if related to half sibling of the child through blood, marriage or adoption; or an adult with a positive prior relationship with the child, a half-sibling of the child or the child's parent. AYE

5628 Provides that a foster youth who has obtained the age of eighteen shall not be required to receive a criminal history record check unless the youth's foster or adoptive parent or guardian is being certified to care for an additional foster youth who is under the age of eighteen; makes related provisions. AYE

6196 This bill would amend the Workers' Compensation Law, section 76 that governs the general purpose of the State Insurance Fund (SIF). It would allow the SIF to enter into agreements with private insurance providers licensed to issue policies to SIF policyholders covering those policyholders' obligations to secure the payment of workers' compensation benefits under the laws of states other than New York. AYE (While this bill could potentially impact commercial insurers negatively, the benefits to businesses in relation to lower workers' compensation costs is noteworthy.)

6266 This bill would amend the Workers' Compensation Law to update certain actuarial tables as provided in section 27 (5) and deposit calculations to the Aggregate Trust Fund. It also amends section 86 of the Workers' Compensation Law, which governs catastrophe surplus and reserves in the State Insurance Fund (SIF). NAY (Potential to raise rates.)

4784A This bill would allow any officer in active service in the US armed forces, who is authorized in any part of the US armed forces to act as a notary, to acknowledge or provide proof of a conveyance of real estate located in New York. AYE

6193A Designates April twentieth as a day of commemoration to be known as New York state constitution day. AYE

5992 Increases the statutory cap on the amount of Recharge New York power that may be allocated to eligible not-forprofit corporations and small businesses from 100 megawatts to 150 megawatts. NOTE - ReCharge NY allows qualifying businesses and nonprofits statewide to lower their energy costs by using specially allocated NYPA power which is set aside by the state government and the NYPA board for economic support. AYE