



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senator Gallivan's Senate Votes for Week of February 14, 2022

JIM RANNEY February 18, 2022

| ISSUE: **NYS SENATE**



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

S536 Replaces all instances of the word or variations of the word salesman with the word salesperson or variation thereof; amends the language of the real property law to be gender neutral. AYE

S1374A 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. A PRINT - adds chronic kidney disease to the list of conditions. AYE

S1577 This legislation will prevent service provided to individuals pursuant to the nursing home transition and diversion (NHTD) and traumatic brain injury (TBI) program waivers from the Medicaid managed care program. Also directs the NYS DOH commissioner to take any action necessary to continue provisions of such services through waivers. AYE

S1100A This bill would direct SED, SUNY, and CUNY to develop guidelines for school districts, BOCES, and colleges and universities to use in developing their own Grow Your Own initiatives. This would include local recruitment of underrepresented candidates, partnerships with local organizations, and implementation of funding sources to attract and retain candidates. It would not provide any funding to do so. AYE

S1984 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

S2555A Establishes a task force on educator diversity in New York state to study the presence of educator diversity. A PRINT - changes report and repeal dates. AYE

S5261A This bill would amend the appropriate sections of the Business Corporation Law to allow for expanded ownership in Design Professional Corporations by employee stock

ownership plans and non-licensed employees. A PRINT - changes the effective date to two years after enactment into law. AYE

S6666 Modifies certain interest rates for life insurance within the standard nonforfeiture law. Under current law, there is a fixed 4% interest rate requirement. This bill would eliminate the fixed 4% rate and in exchange implement an indexed approach which will fluctuate as interest rates move up and down. AYE

S485A Requires certain health care providers to disclose the fact that the provider is on probation to current and new patients. Disclosure is only when probation is related to the individuals practice such as gross negligence or gross incompetence, mental illness or other cognitive impairment that impedes a licensee's ability to safely render patient care, or drug or alcohol abuse that threatens to impair a licensee's ability to render patient care safely. AYE

S6518 SED DEPARTMENTAL - Grants access to patient or client records for the Board of Professional Medical Conduct for the purpose of investigation and prosecution of professional licensing and misconduct proceedings. AYE

S62 This bill would require driver's education and defensive driving instructors to include proper behavior when stopped by a law enforcement officer as a part of driving instruction courses. AYE

S1801 This bill would amend section 302 of the state technology law to define "Blockchain technology" to mean distributed ledger technology that uses a distributed, decentralized, shared and replicated ledger, which may be public or private, permissioned or permissionless, or driven by tokenized crypto economics or token-less, and where the data on the ledger is protected with cryptography, is immutable and auditable and provides an uncensored

truth. AYE

S1488 To direct the Division of Criminal Justice Services to provide criminal background checks to not-for-profit mentoring programs free of charge. AYE

S342 Establishes the underrepresented teachers of tomorrow teacher recruitment and retention program to attract and retain underrepresented certified teachers in schools which have an underrepresentation of underrepresented certified teachers; provides for grants and procedures for applying for such grants and eligibility requirements for fund distribution.

AYE

S5433 Establishes the bilingual teachers of tomorrow teacher recruitment and retention program to attract and retain bilingual, certified teachers in areas of greatest need, especially schools under registration review; provides for grants and procedures for applying for such grants and eligibility requirements for fund distribution. AYE

S8308 Provides that in 2022, the statement of party positions to be filled at a primary election shall be filed by February 28, 2022. NOTE - Under current law, statements of party positions are to be filed with the New York State Board of Elections no later than two weeks before the first day of petitioning for primary elections (February 15). AYE

S271 Authorizes the mortgagee or lienor of an abandoned multiple dwelling to apply for the appointment of a receiver to bring the building into compliance. NAY (Adds costs of doing business.)

S244A Relates to human trafficking awareness and training; requires employees of lodging facilities to have training in the recognition of a human trafficking victim; requires the division of criminal justice services, the office of temporary and disability assistance and the New York state interagency task force on human trafficking to approve a human trafficking

recognition training program. AYE

S3178 This bill would require the office of Temporary and Disability Assistance (OTDA) to work with the local Social Services Districts to determine what information should be given to applicants and recipients of public assistance. Additionally, the Office of Temporary and Disability Assistance (OTDA) shall further determine which of that information shall be placed on the office's website. AYE

S166B This bill would require licensed money transmitters to clearly and prominently warn their customers that are requesting the transmissions prior to completing such transmission of funds, regarding the dangers of consumer fraud. NAY (Unnecessary and a burdensome statutory requirement.)

S3098D This bill would establish the New York State Advisory Council on Coronavirus Economic Recovery and Workforce Development. The Advisory Council would be a 16-member committee concerned with the issues of coronavirus economic recovery as well as issues impacting small businesses post recovery. AYE

S983 Allows a village that has one associate justice, by unanimous resolution of its board of trustees, to authorize the appointment of a second associate village justice to serve when requested by the village justice or in the absence or inability of the village justice or acting village justice to serve. AYE

S3908A COSPONSOR Enacts the New York state buy American salt act to ensure all rock salt, or sodium chloride, used or supplied in the performance of a government contract or any subcontract thereto within the state shall be mined or hand harvested in the United States. AYE

S4110A This bill amends the state finance law and the public authorities law to require, to the extent practicable, state agencies and public authorities, when they enter contracts of \$50,000 or greater to purchase personal protective equipment(PPE) or medical equipment, to purchase such items produced or made in New York. AYE

S5054 Creates the chemical dependence treatment bill of rights to be posted in a conspicuous place in all treatment facilities. AYE

S3257 This bill would expand the eligibility of the urban development corporation act to allow dry cleaning businesses and appearance enhancement businesses, which practice nail specialty to make capital improvements through grants and flexible financing programs. AYE

S3132 This bill directs the Division of Housing and Community Renewal (DHCR) to work in coordination with the Empire State Development Corporation, the Department of State, the Department of Transportation, and the office of Parks and Recreation to develop a "New York Main Street Development Center" within DHCR. The Center would provide resources and technical assistance to local government entities and developers to revitalize local business districts across New York. AYE

S5956A This legislation adds physician assistants to the definition of "primary care practitioner" within the law governing managed care programs under Medicaid. Such medical professionals are authorized to provide medical care to participants of such programs directly. AYE

S1800 This bill would add "distributed ledger technology" to the list of business types that participate in the Excelsior Jobs Program that engage in financial services data centers. This bill defines distributed ledger technology as a mathematically secured, chronological, and

decentralized consensus ledger or database, whether maintained via internet interaction, peer-to-peer networking, or otherwise, used to authenticate records, share and synchronize transactions in respective electronic ledgers or databases. AYE

S8084A The bill amends Agriculture and Markets Law and Cannabis Law to create a process for existing licensed hemp growers to transition over to cannabis cultivating through a conditional license. AYE

S1426 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

S546 This bill would require every board of education to ensure a student government organization is provided for grades 9-12. AYE

S912A This bill requires school districts, BOCES, charter schools, and non-public schools to adopt a policy to promote student voter registration and pre-registration for students in grades 10-12. It also requires local boards of elections to promote student voter registration and pre-registration. AYE

S2114 Authorizes and directs the commissioner of education to conduct a study on the number of children who are caregivers and how being a caregiver impacts their education. AYE

S6744 Removes the term incorrigible from certain sections of the education law. NOTE - The Executive budget proposal included a similar provision that would have also removed references within the Family Court Act. NAY (Accountability for bad behavior in school.)

S7023 This bill requires the Commissioner of Health to conduct a study on the rates of reimbursement made through the New York state Medicaid durable medical equipment, orthotics, prosthetics and supplies program for rate adequacy and patient access. AYE

S2778 Mandates that no employee or officer of SUNY or CUNY shall determine the specific details of a student's immigration status except when required by federal law, pursuant to a court order or as required in connection with tuition or financial aid eligibility. NAY (This bill has been amended but still prohibits data collection.)

S1085 This bill establishes civil penalties for making false material statements to the public service commission in relation to a rate proceeding. AYE

S6529 SED DEPARTMENTAL - Prohibits discrimination, intimidation and retaliation against students of proprietary schools who file a written complaint or exercise their right of private action against a proprietary school. AYE

S996 This bill would prevent a court, in a child custody case, from prohibiting a parent from undergoing a gender reassignment as a condition of receiving custody. Also prohibits the court from considering the sex, sexual orientation, gender identity or gender expression of the parties. NAY

S641 Requires public utility companies in the City of New York to repair or replace all damaged residential lateral sewer and water pipes where such damage was caused by such public utility company. AYE

S2138 This bill would add licensed Massage Therapists to the list of authorized providers of workers' compensation. A licensed Massage Therapist is defined in this bill as having completed a formal course of study and having passed an examination in accordance with the education law, the regulations of the commissioner of education, and the requirements

of the board of regents. AYE

S4784A 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

S5377 Relates to special proceedings to convey title to abandoned real property to cities, towns or villages. AYE

S238 This bill authorizes the Commissioner of the Department of Health to reimburse relatives of patients receiving Medicaid, who have been approved for in-home nursing care through Medicaid, for providing private duty nursing services, so long as such relative is a registered professional nurse. The rate of payment to said relative must be on par with the rate paid to a licensed practical nurse. AYE

S3330 Allows certified dietitians and nutritionists to order therapeutic diets. AYE

S7882A CHAPTER AMENDMENT - Enacts the comprehensive insurance disclosure act to require that all parties provide notice and proof of the existence and contents of any insurance agreement, including coverage amounts, under which any person or entity may be liable to satisfy part or all of a judgment within sixty days of serving an answer in an action. NOTE - This bill makes various technical changes to the underlying bill including: 1) delays the deadline for disclosure of insurance agreements until 90 days after the filing of an answer; 2) allows a plaintiff to choose to receive an insurance policy declaration page instead of a copy of the complete policy document; 3) instructs a defendant to provide the name of an assigned individual responsible for adjusting the claim being litigated; 4) clarifies that a plaintiff must make reasonable efforts to ensure insurance policy information provided remains accurate and complete at the time of the filing of the note of issue, when entering

settlement negotiations conducted or supervised by the court, at a voluntary mediation, when a case is called for trial, and 60 days after any settlement or entry of final judgment.

AYE

S1646 The bill would amend sections 189 and 195-c of General Municipal Law to allow employees of non-profit organizations to participate in the management and operation of games of chance. AYE

S6488 This bill is intended to improve the regulation and supervision of Mitchell-Lama cooperatives. Currently, agencies have discretion of deciding whether or not to remedy problems. Agencies are not required to demand issues are fixed. This legislation states that the commissioner "Shall take such steps, as may be necessary and proper to effect such remedies as may be available." The bill goes on to say that actions may include commencing an action or proceeding in NYS Supreme Court. NAY (Gives more power to Commissioner and can lead to overburdened courts.)

S952 This bill would add a new section 7-a to the volunteer firefighters benefit law, to provide for the payment of certain volunteer firefighter death benefits within 90 days of the filing of application to receive such death benefit by the person or persons entitled to such benefit. AYE

S3985 Places a cap on the amount that a rental vehicle company may charge a renter for refueling a rental vehicle; imposes a maximum fine for a violation of such cap on charges.

AYE