



NEW YORK STATE SENATOR

Patrick M. Gallivan

## Senator Gallivan's Votes for the Week of March 7, 2022

JIM RANNEY March 11, 2022

| ISSUE: **NYS SENATE**



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

S49 Creates the Green development home tax exemption which would be a real property tax exemption for a period of no longer than ten years as it relates to improvements in assessed value for green development home communities. This section provides that such an incentive shall be at local option. AYE

S1659 This bill would amend section 239-nn of the general municipal law, to mandate that a legislative body of a municipality must give notice to an adjacent municipality, when a hearing is held by such body relating to the adoption or amendment of any zoning ordinance or local law or comprehensive plan, where such changes would affect a parcel or parcels that are within 500 feet of an adjacent municipality. NAY (Could stymie economic development efforts. Infringes on home rule.)

S7186A This bill would amend Section 209-b of the general municipal law to authorize fire departments or fire companies to establish a schedule of fees or charges for emergency medical service to to be paid by persons requesting such service or services. A PRINT - makes minor technical amendment. AYE

S6777A This bill relates to providing Census-related translation services for languages that are currently not provided by the Census Bureau. The Department of State would be required to connect state agencies, municipalities and other local institutions to translation services. NAY (Not necessary. Lack of funding.)

S1577A 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. A PRINT - makes minor technical amendments. AYE

S2976A Requires the provision of opioid overdose education where a patient is about to be discharged or conditionally released from an correctional, hospital or mental health facility who has been diagnosed with an opioid use disorder; further requires at discharge from the hospital that such individual be provided with two doses of opioid antagonists in a form approved for take home use by the federal food and drug administration. A PRINT - makes

technical amendments and removes the requirement that released inmates be given an opioid prescription. NAY (Education for those to be released from correctional facilities appropriate, sending home with antagonists is not. NYS facilities only.)

S1104 Establishes an emergency evacuation plan for individuals with disabilities; establishes \$500 fine for failure to comply with such plan within one year of the effective date. AYE

S2629 Relates to notice to the commander of a military station of certain municipal actions that occur within 3000 feet of the property to be affected by the proposed action. AYE

S812B This bill would establish a toll free hotline for complainants of workplace sexual harassment, which would be operated by the Division of Human Rights. The Division would be further directed to reach out to groups that represent attorneys, including the NY Bar Association, to find lawyers to provide pro bono advice for people who call the hotline. B  
PRINT - makes minor technical amendment. AYE

S3448A Requires the State University of New York (SUNY), the City University of New York (CUNY), and all community colleges to have resident assistants trained to administer an opioid antagonist in the event of an overdose occurring in college housing. A PRINT - removes community colleges from the applicable bodies under the bill. Additionally, the liability provision is changed to include both people "and entities" acting in good faith. AYE

S5065 This bill is two-fold in that it establishes (1) a rebuttable presumption of entitlement for parents and legal guardians to work remotely when day care centers and schools are closed due to a state of emergency or local disaster emergency and (2) right of parents and legal guardians to request flexible working arrangements when day care centers or schools are closed due to a state or local disaster emergency. Both would apply to all employers in New York State. NAY (Government interference in an employer's operations, specifically

when a presumption of entitlement to work remotely is established in law regardless of an emergency declaration, is unwarranted and unnecessary.)

S3920 Provides retroactivity to the original date of eligibility for the senior citizens rent increase exemption (SCRIE) and disability rent increase exemption (DRIE) in the City of New York. AYE

S1187A Prohibits insurance companies from charging different rates for disability insurance on the basis of gender. AYE

S8054 This legislation would require OPWDD to create a staffing plan in case of workforce shortages over 10% in a region, and allow the agency to take additional measures to enhance recruitment efforts and incentivize the current workforce. AYE

S1958 This bill would prohibit employers, labor organizations, or employment agencies from assessing points, occurrences, or otherwise disciplining employees for lawful absences from work. AYE

S5063 This bill would amend the Human Rights Law to prohibit employers from discriminating against individuals based on such individual's status as a caregiver. AYE

S7012 This legislation amends the governing language regarding persons authorized to control the disposition of the remains of a decedent to include that should there be more than two surviving children, siblings or persons entitled to share in the estate of the decedent that a majority in each aforementioned class of people be the deciding authority in such disposition of remains. AYE

S3083 Establishes an LGBT youth and young adult suicide prevention task force; provides for the number of members, manner of appointment and the topics to be reviewed. AYE

S4844B Expands the existing statutory requirements placed on employers related to the right of nursing mothers to express breast milk by allowing such an employee to use unpaid or paid break time or mealtime for each time such employee has a reasonable need to do so. Current law only requires employers to provide such paid or unpaid time once each day.

AYE

S5031 Directs the commissioner of parks, recreation and historic preservation to establish the state parks passport program allowing visitors to state parks and historic sites to log their visits to such sites in a passport book or electronic application. AYE

S3974 The cap on limited local purchasing of food by a school district or BOCES is removed in its entirety. This bill would also allow a Board of Education to include language in an offer for bids favoring local or regional procurement if certain standards were met. AYE

S2199 Directs the Department of Agriculture and Markets to increase the number of regional farmers' markets for the direct marketing of foods and produce produced in the state. AYE

S4082 Expands eligibility under the New York state young farmers loan forgiveness incentive program. AYE

S7861 Directs the department of agriculture and markets, in cooperation with NYSERDA, to develop and produce guidance and educational materials for farmers on the use of agrivoltaics in farming; requires the department of agriculture and markets to provide a booth at the state fair for the purpose of educating the general public on the use of agrivoltaics in farming. NOTE - The term agrivoltaics would mean an arrangement of land use that co-locates solar photovoltaic panels and agriculture and/or animal grazing, for the purpose of producing electricity and producing crops and/or animal farming simultaneously.

AYE

S4072 The bill would amend the Agriculture and Markets Law to have the Department of Agriculture and Markets, in cooperation with Cornell Cooperative Extension, create a one-stop toll free number for information regarding all aspects of farming. AYE

S8059A Establishes the office of urban agriculture. The bill adds definitions for the following terms: community supported agriculture partnerships, community owned grocery stores, urban agriculture, and urban farming. NOTE - Current law (section 31-h) establishing the Office of Community Gardens has been largely unchanged since its original chaptering in 1986. This bill changes it to the Office of Urban Agriculture and makes changes to broaden the focus and modernize the language (i.e. land banks now exist). AYE

S549B The bill would amend Agriculture and Markets Law, State Finance Law, and Economic Development Law to establish the New York State Council on Food Policy to develop and track guidelines and programs that promote locally grown food products. The council would consist of 13 voting members and requires such council to consult with an advisory board on a regular basis. AYE

S3502A This bill would permanently extend the farm workforce retention credit and would also increase the amount of the tax credit for eligible farm employers or owners of eligible farm employers for taxable year 2021 from \$600 per eligible farm employee to \$800 per eligible farm employee. AYE

S6808A Establishes a procurement goal that at least fifteen percent of all food and food products purchased by state agencies shall be New York state food products in the first and second year after such law takes effect, at least twenty percent in the third year and twenty-five percent thereafter. AYE

S5006 Permits farmers markets in state and local parks. AYE

S1172C 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 consent to participate. AYE

S5720 COSPONSOR Establishes March 13 as a day of commemoration to be known as "K9 Veterans Day". AYE

S2013 Prohibits the imposition of any surcharge for the installation or use of a tenant-installed appliance where the tenant pays for electric utility service. NAY (Additional rent control.)

S4598 Authorizes the Copiague Fire District to file an application for exemption from 2020-2021 real property taxes. AYE

S4650 Allows for unlicensed personnel to administer certain seizure rescue medication in schools, on school grounds and at school events; provides that such medicine may be left with a school health official to be used as needed. Includes diazepam or midazolam nasal spray as a medication in which licensed medical professionals may administer at schools in rescue situations. AYE

S5734A Authorize and directs the Commissioner of Labor to conduct a multi-agency study of the issues impacting the continuum of caregiving in the state, which must include an assessment of the adequacy of the current caregiver workforce. Requires the submission of a report of the findings, conclusions and recommendations from such study to the Governor and the Legislature, within one year of the effective date. AYE

S7004 Removes the defunct "Explore NY" Program statute from state law to eliminate public confusion about the program. NOTE - The Explore NY program has not been funded in 9+ years and is entirely defunct. There are no active awards to pay out and no funding for the program. The program objective is similar to the Market NY Tourism Grant Program which provides matching funds to tourism partners. AYE

S988 Exempts operators of law enforcement and fire department vessels from laws which regulate vessels on the navigable waters of the state while such operators are in the course of responding to emergencies. AYE

S1364 To authorize the Office of Parks, Recreation and Historic Preservation (OPRHP) to identify and lease vacant, at-risk structures in state parks and state historic sites to private persons to encourage investment of private resources to rehabilitate and maintain such structures pursuant to a plan approved by the state board for historic preservation. Establishes a State Resident Curator Program to define the at-risk structures for which the office may enter into resident curator lease agreements, and requires consultation with the state board for historic preservation for programmatic determinations. AYE

S16D Relates to establishing restrictions on the sale of over the-counter diet pills and dietary supplements for weight loss or muscle building; prohibits the sale of over-the counter diet pills or dietary supplements for weight loss or muscle building to people under 18 unless properly prescribed by a health care provider; exempts certain protein powders, protein drinks and foods. AYE