



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senator Gallivan's Votes for the Week of May 6, 2024

JIM RANNEY May 10, 2024

| ISSUE: **NYS SENATE**



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

S2263 Amends real property actions and proceedings law to prohibit a tenant from being removed from a residential unit for the certified medical use of medical marihuana. AYE

S156 Designates the month of May as "Maternal Mental Health Awareness Month". AYE

S1899 Relates to designating the month of May as "Korean American Family Month". AYE

S5802A COSPONSOR Allows for the hunting of deer by individuals age sixty and older with a crossbow in a special archery season. AYE

S2124 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

S443 Authorizes the boards of education in union free school districts and central school districts to establish wards for the purpose of school board elections in Orange County. NAY (Lacks requirements to ensure that election wards appropriately represent communities.)

S145 Exempts the metropolitan transportation authority from the requirement to reimburse the state for state services provided to such authority. NAY (This bill provides an additional subsidy to NYS at the expense of rest of state.)

S2824 Amends the vehicle and traffic law by adding section 404- Z, which allows the commissioner of the department of motor vehicles to issue distinctive license plates to the NYC Fire Riders Motor Cycle Club. Outlines the requirements someone must meet to be issued this plate: resident of NY and active or retired member of the club. AYE

S6922 Amends the transportation law by adding subdivision 37 to section 14. This section would require the department to establish a central registry on its website to serve as a database for all reports, audits, plans and public inspections of freight rail operators, freight rail cars, trains and freight rail lines. Outlines what the reports are required to include. Requires the commissioner to maintain and update the registry. AYE

S4467B Clarifies the standard for disparate treatment claims by defining the terms "because of", "because", "by reason of", and "motivating factor" for the purposes of disparate treatment

cases. AYE

S6288 Enacts "Melanie's law"; relates to orders of protection; allows courts to issue orders of protection for immediate family members or household members of the named victims, regardless of age. AYE

S40 GALLIVAN Directs the division of criminal justice services to accept electronic submission of reports or other information from local law enforcement agencies. AYE

S1469 Extends the exemption from filing requirements only with respect to rates and policy forms to out of state businesses underwritten and transacted from an office outside this state. It allows insurers to take advantage of the Free Trade Zone regardless of whether they maintain a physical office in-state. AYE

S2863 This bill would amend section 862 of the general municipal law, to prohibit the provision of financial assistance from an industrial development agency, to an economic development project, unless it can be proven that such project will have a "regionally significant" economic impact. NAY (This bill would severely restrict the ability of an IDA to provide any financial support to an economic development project.)

S1605 To direct the Division of Criminal Justice Services to provide criminal background checks to not-for-profit mentoring programs free of charge. AYE

S3320 Creates a residential condominium owner's bill of rights that includes the right to transparency, the right to timely decisions, voting rights, the right to notice, and the right against extraordinary expenses. AYE

S4305 Requires that all cellular telephone service providers shall provide full plans by December thirty-first, two thousand twenty-four for the conversion of all respective cell

towers to renewable energy by two thousand thirty. NAY (Cost prohibitive. Any additional costs will be passed down to mobile customers.)

S5642 This bill would amend section 459-c (Persons with Disabilities and Limited Incomes) of the Real Property Tax Law to require the assessor to mail a second copy of the Disabled Homeowners' Exemption application and notice thirty days prior to the appropriate taxable status date when the assessor has not yet received a completed application. AYE

S1937 Ensures that when land is disposed of by public authorities, the names of all beneficial owners of the property shall be disclosed via an explanatory statement that will be publicly available. AYE

S724A Prohibits the lease of state forests, wildlife management areas and unique areas for the purpose of gas production. A PRINT - adds reforestation areas. AYE

S1538A Prohibits the use of drilling fluids and flowback water from wells, pools or fields on any highway for any purpose including but not limited to de-icing or dust suppression. AYE

S5424A Provides for the revocation of a person's driver's license who has been convicted of operating a vessel while under the influence of alcohol or drugs. A PRINT - adds in language to make a BWI (Boating While Intoxicated) offense eligible for application of a conditional license. AYE

S3328A This bill would add a new section within Article 19, Title 3 of Environmental Conservation Law to require DEC to adopt fence-line monitoring regulations for toxic air contaminants by major emitters. NAY

S617 This bill would require training for current and new board of elections employees. Requires the state board of elections to establish a curriculum to be completed by local

election commissioners and other board employees, as the state board sees fit. The curriculum shall not exceed 30 hours. AYE

S4621 Conforms the definition of an incarcerated individual with a serious mental illness to the definition of "person with a serious mental illness" in the mental hygiene law. NAY (Expansion of mental disorders is problematic in relation to precluding placement into a special housing unit.)

S2994B Prohibits fuel oil, grade number four in any building or facility in the state on and after July 1, 2029. A AND B PRINTS - changes application dates. NAY (Does not apply to NYC. Excessive cost of conversion.)

S4459 COSPONSOR Designates the state of New York a purple heart state. AYE

S7481 Provides that the principal office of the cannabis control board and office of cannabis management shall be located in Albany county. AYE

S1836 COSPONSOR Permits the designation of low volume roads and minimum maintenance roads by town boards; enacts provisions relating to the maintenance, improvement and repair of such roads. AYE

S7571 Authorizes the assessor of Richmond county to grant the Silver Lake Foundation Inc. retroactive real property tax exempt status upon an application therefor. AYE

S8630 Defines the term "tennis facilities" to mean places that provide programming and services related to tennis and other sports which require the use of racquets or paddles to strike balls or objects in relation to authorization for the town of Greenburgh to lease certain park lands for tennis uses. AYE

S7452A Establishes a council on children and families within the executive department; moves such council from the office of children and family services; defines terms; authorizes the governor to designate the executive director of such council; makes related provisions.

AYE

S3591A COSPONSOR Authorizes the establishment of collaborative practice medication adherence protocols to the Public Health law. Said protocols would be between a physician and a qualified pharmacist (which is a pharmacist who maintains an unrestricted license, has two years of experience in patient care as a practicing pharmacist within the last five years and who demonstrates competency in the medication management of patients with chronic disease(s)). AYE

S1535B This bill requires that any parking facility owned and/or operated by the State of New York which has between 50 and 250 parking spots install electric charging stations in at least ten percent of the total parking spaces. The bill requires that any parking facility owned and/or operated by the State of New York with more than 250 parking spots install electric charging stations in at least 20 percent of the total parking spaces. The bill provides minimum technical requirements for each vehicle charging station. NAY

(Excessive/unknown cost)

S2129B This bill establishes the climate change adaptation cost recovery program to require companies that have contributed significantly to the buildup of climate-warming greenhouse gases in the atmosphere to bear a share of the costs of needed infrastructure investments to adapt to climate change. NAY

S7555 Authorizes the Friendship Engine and Hose Company to file an application for exemption from real property taxes. AYE

S992B Adds provisions to the environmental conservation law to ban the sale and distribution of PFAS chemicals in anti-fogging sprays and wipes, provide for product labeling, and sets violations punishable by civil penalty not to exceed ten thousand dollars for the first violation; further violations not to exceed twenty-five thousand dollars for each violation. AYE

S4198B Enacts the "New York wildlife crossing act"; directs the department of transportation to identify sites along all highways, thruways and parkways in the state where wildlife crossings are most needed to increase public safety and improve habitat connectivity and create a priority list of wildlife opportunity areas where federal grant monies may be available to implement the top five projects identified. NAY (Cost outweighs benefit)

S7617 This bill amends the definition of "eligible person or entity" in relation to the emergency use of an epinephrine autoinjector device to expand its use by police or peace officers, firefighters, first responders and advanced first responders or ambulance service situated in a county that is less than 2 million people, outside of the City of New York. AYE (Corrects ambiguity in the law.)

S8138A Creates a temporary state commission to study and investigate how to regulate artificial intelligence, robotics and automation; repeals such commission. AYE

S5331A Expands the food donation and food scraps recycling program by scaling down the annual average tonnage requirement every two years until 2028; removes exceptions regarding recycler capacity. NAY (Could impose increases in operational costs for covered food scraps generators.)

S3024B Would provide a new Title within Article 9 of Environmental Conservation Law to create a Memorial Lands Facility permit, which is a property, other than a cemetery, that is

primarily used for the respectful disposition of cremated remains. B PRINT - permit would need to be approved by the cemetery board not DEC. Certification would be given to the cemetery board not DEC. Includes "cremated and naturally organically reduced remains." AYE

S8934 Makes technical corrections to the definition of the weapon designated as a "throwing star" or "shuriken"; updates such term from the outdated term "Kung Fu star" to reflect such term's correct etymology. AYE

S2820 Designates a portion of the state highway system in the town of Woodbury, county of Orange, as the "Detective Brian C. Mulkeen Memorial Bridge". AYE

S4636 This bill would amend section 277 of the General Municipal Law, as added by chapter 626 of the laws of 1991 to includes lakes in the Adopt-A-Municipal Park, Shoreline, Roadway or Lake Programs. AYE

S6244A Authorizes the town of Hempstead to transfer ownership of certain parkland constituting the town marina to the village of Freeport. AYE

S4414A Relates to prohibiting the sale or distribution of expanded polystyrene containers (foam coolers) that are designed or intended to be used for cold storage beginning January 1, 2026. This bill would amend subdivision 4 of section 27-3001 of the environmental conservation law, as added by section 1 of part PP of chapter 58 of the laws of 2020 by expanding the definition of a manufacturer and adding new sections. The expanded definition of a manufacturer would also include expanded polystyrene containers that are not wholly encapsulated or encased within a more durable container and are designed or intended to be used for cold storage. AYE

S5728A Creates a program to assist municipalities with water quality improvement of water bodies within the municipality managed by lake associations. AYE

S7086B Directs revenue from penalties for environmental violations currently deposited in the general fund to a new enforcement account which will be known as the conservation enforcement account. All of such monies, revenues and interest would be available to DEC and exclusively for funding the enforcement of the EnCon laws. Also increases penalties for EnCon violations by 50 percent, resulting in increased revenue for the EPF and for enforcement of environmental law. AYE

S8356A Enacts the "harmful algal bloom monitoring and prevention act"; establishes the harmful algal bloom monitoring and prevention fund. DEC would need to publish and update a list of vetted practice strategies for harmful algal bloom monitoring and prevention. AYE