



NEW YORK STATE SENATOR

Patrick M. Gallivan

## Senator Gallivan's Votes for the Week of March 15, 2021

JIM RANNEY March 22, 2021



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

1557 Requires the release of individuals from utility corporation services in instances of domestic violence where such individuals request to opt-out in writing and provide certain documents to the utility corporation. AYE

155 This bill would enhance the ability of the public to participate more meaningfully in the rule-making process by permitting agencies to use innovative techniques in organizing public hearings on proposed rules, and establishes a 3-year pilot project for seven major

regulatory agencies to hold public hearings upon petition of 125 or more New York residents. This bill would enhance public participation by ensuring that these agencies receive additional public input when a rule is of significant concern to the public. AYE

978 This bill clarifies that a vacancy in public office occurs when a public officer enters a guilty plea in federal court. AYE

49 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. This section further provides that such homes shall be 1,2,3 story homes NGBS silver level certified by Home Innovation Research Labs or better, or LEED silver. AYE

1286 Provides that authorities having control of a fire department or fire company which provides emergency medical services may establish fees and charges for services. AYE

3257 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

1789 Establishes that domestic violence advocates may not disclose any communication made by a client to the advocate except in certain circumstances including after the consent of the client or if the client reveals an intent to commit a crime. AYE

3537 Requires the Niagara Frontier Transportation Authority, the Rochester-Genesee Regional Transportation Authority, the Capital District Transportation Authority and the Central New York Regional Transportation Authority and their employees to submit all

unresolvable contract negotiations to binding arbitration. AYE

4308 This bill would allow retirees of the State University Optional Retirement Program and the Board of Higher Education Optional Retirement Program to authorize voluntary direct automatic contributions to their employee organization benefit plans or the political action committees. AYE

1681 Requires statewide housing authorities, in reviewing applicants, to grant domestic violence survivors the same preference as granted other prioritized populations, should the authority establish waiting list preferences. Establishes a standardized definition of domestic violence when determining applicant eligibility for the preferred population. AYE

671 This bill would add a new section 96-e to the banking law to requires creditors to identify a single point of contact to borrowers in the foreclosure process, with such person being responsible for providing accurate account and other information related to the foreclosure process and loss mitigation efforts. NAY (Creates much more harm than good in the mortgage market.)

2004 Permits assessment of certain fees and costs upon wrongful denial of access to records under the freedom of information law when either the person has substantially prevailed and the agency had no such reasonable basis for denying access, or if the agency failed to respond within the statutory time, or when the record is substantially disclosed and the agency lacked a reasonable basis in law for withholding the record. NAY (Removes the requirement that "reasonable attorney's fees" be assessed.)

1114 Amends various provisions of the Public Authorities Law to include LDCs in the law governing accountability and transparency of public authorities. This bill also provides for the definition of "contracting officer" as defined in the Public Authorities Law, section 2895

and the duties thereof also apply to local authorities. AYE (Provides full and public disclosure of local development corporations.)

78A Clarifies the meaning of the phrase "greatest social need" for purposes of the administration of programs under the federal Older Americans Act of 1965, defining it to mean the need caused by non-economic factors that restrict an individual's ability to perform normal daily tasks or that threaten his or her capacity to live independently. Such factors would include, but not be limited to physical or mental disability, language barriers, and cultural or social isolation caused by, among other things, racial and ethnic status, sexual orientation, gender identity or expression, or HIV status. AYE (Expands eligibility for services provided by the Older Americans Act, funds administered by the State Office for the Aging.)

4064 To increase the maximum pay for chairmen, election inspectors and ballot clerks for fire district elections. This bill would increase the pay for election workers at fire district elections. It would nearly triple minimum pay from \$35 to \$70 and quadruple maximum pay from \$50 to \$100. Association of Fire Districts of the State of New York, Inc. AYE

3132 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

2986 Expands the definition of the offense of coercion in the second degree to include the production or dissemination of intimate images; and relates to the definition of "sex offense". AYE

4086 This bill would create a new substance use disorder education and recovery fund in State Finance Law, and would authorize a tax check off on personal income tax returns for gifts to the substance use disorder education and recovery fund. AYE

5305 Extends provisions of law relating to the "Procurement Stewardship Act of 1995" from June 30, 2021 until June 30, 2026. The act provides various statutory rules that govern the purchasing of services and commodities by state agencies. AYE

3762 This bill would require licensure and registration of pharmacy benefit managers (PBMs). The public health law is amended to implement duties and obligations on the PBM to covered individuals and the health plan or provider. Establishes provisions regarding appeals and contract provisions. The Insurance law is amended to create a new Article 29 to license and register PBMs under the jurisdiction of the Department of Financial Services (DFS).

NAY (This bill would severely limit insurers' flexibility in providing cost-effective prescription drug benefits by imposing onerous reporting, accounting, and disclosure requirements on PBMs. Does not strike proper balance.)

1378A This bill would add a new fourth veterans exemption to the real property tax law, by adding a new section 458- c, to provide active duty military personnel with a real property tax exemption equal to 15% of the assessed value of their residential property, and provide an additional 10% property tax exemption if such active duty personnel are deployed in an active combat zone. AYE

161 CONSTITUTIONAL AMENDMENT - This concurrent resolution to amend the constitution would eliminate the requirement that a veteran must have served in time of war in order to be eligible to receive 5 points additional credit in a competitive examination for original appointment and 2 1/2 points additional credit in an examination for promotion. AYE

436 Permits a grand jury to inspect medical records pursuant to subpoena duces tecum powers and requires the disclosure of information when a crime is committed against a patient. NAY (Already able to do this in court if necessary.)

1646 The bill would amend sections 189 & 195-c of General Municipal Law to allow employees of non-profit organizations to participate in the management & operation of games of chance'. AYE

409 This legislation would create the Problem Gambling Advisory Council with the purpose of making findings and recommendations to the governor and legislature on how to treat problem gambling. AYE

4700 Authorizes the village of Upper Brookville to retroactively apply for a real property tax exemption for certain property. AYE

4207 To provide educational materials to individuals who may have as issue with problem gambling. AYE

2969 Enacts the "STAR credit bill of rights" and establishes the office of STAR ombudsman. This office will ensure STAR recipients are provided a better understanding of their rebate and their inquiries receive prompt responses. AYE

4670 Directs the commissioner of taxation and finance to include a space on the personal income tax return for taxpayers to check off if they wish to contribute to the state library aid program for financial support for public libraries. AYE

2836 Restricts the use of segregated confinement and creates alternative therapeutic confinement options; limits the length of time a person may be in segregated confinement and excludes certain persons from being placed in segregated confinement - HALT

legislation. NAY (Unnecessary due to significant SHU regulatory reform implemented in 2020. Compromises safety and security in county and state correctional facilities.)