



NEW YORK STATE SENATOR

Patrick M. Gallivan

## Senator Gallivan's Senate Votes for Week of February 7, 2022

JIM RANNEY February 9, 2022

| ISSUE: **NYS LEGISLATURE, NYS SENATE**



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

S284B Requires the counting of an affidavit ballot of an eligible voter if such voter appeared at a polling place in the correct county but in the incorrect election district; provides that such vote shall not be cast and canvassed for such contests for which the person was not entitled to vote at such election. B PRINT - requires the affidavit ballots to be counted after the election and removes a provision that is no longer in law. NAY (Would likely complicate and slow down the voting process.)

S1045 The bill would permit certain minors 12 or 13 years of age to be 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

S700 This bill repeals P470 of the judiciary law which allows an attorney (admitted to practice in New York) who is a resident of another state to practice in New York, provided such attorney maintains a law office in New York. AYE

S1374 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. AYE

S7832 CHAPTER AMENDMENT - Relates to the hiring of security guards by public sports venues with a capacity of at least sixty thousand people located in the county of Erie. NOTE - This legislation amends the underlying chapter by narrowing the scope of the underlying bill to publicly-owned sports venues with a capacity of 60,000 or more located in Erie County. AYE

S482B This bill amends the Criminal Procedure Law governing jury deliberation procedures to permit that when the jury requests written instructions regarding trial information, the court may provide the jury with such written instructions as they deem proper. Provides for counsel to be heard prior to giving the jury such written instructions. A PRINT - changes effective date to 90 days. B PRINT - changes effective date from 90 to 120 days. AYE

S1271 Provide that a first time offense for intentionally dumping snow onto a handicapped parking place shall not exceed one hundred twenty-five dollars and for a second or subsequent offense shall not exceed two hundred-fifty dollars. AYE

S6617 OSC DEPARTMENTAL - Provides that the comptroller shall cause, in accordance with the rules and regulations promulgated by the comptroller, that a state employee's net salary may be deposited directly in a bank for any purpose to an account in the name of such employee. AYE

S410A Enacts the "Lydia Soto law" - Establishes a Minority Coordinating Council on Asthmatic Affairs within the Department of Health (DOH) to (a) assess the asthma risk factors for the minority citizens of our state, counties and regions; (b) identifies the existing barriers to quality asthma treatment and care among minorities; (c) develop evidence-based intervention strategies for addressing care issues; and (d) launches a state-wide asthma awareness campaign to educate our citizens about the disease; requires report. Requires the Council to deliver an annual report beginning in September 1, 2025, and annually thereafter. AYE

S7769 CHAPTER AMENDMENT - Requires real estate brokers and salespersons to receive implicit bias training as part of their license renewal process. NOTE - This bill amends the effect date provision of the underlying bill to clarify that the bill will take effect 90 days after enactment. The underlying bill was enacted on December 21, 2021. AYE

S7781 CHAPTER AMENDMENT - Requires compilation of additional data on pesticides; provides that pesticide data shall be compiled and reported by both EPA registration number and by active ingredient; requires the department of environmental conservation's report on pesticide data shall be posted on the department's website annually by December 31st. Changes the effective date from 60 days to 180 days. NAY (Reporting issues for landscapers.

Additional compliance costs for DEC not provided for.)

S7890 CHAPTER AMENDMENT - Relates to donate life registrations. NOTE - allows organ and tissue donation indication on a manual renewal application offered through state health benefit exchange and eliminates the language allowing registration through mandatory electronic tax filings. These changes are due to federal rule implications. AYE

S1416 Provides the commissioner of mental health may authorize the certification of recovery living residence and provide a list of such residences on the department of mental hygiene's website. AYE

S4611 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

S6667 Reduces the minimum nonforfeiture interest rate for annuities from one percent to one half of one percent for annuities during the surrender charge period, and from one percent to fifteen hundredths of one percent during any contract period with no surrender charge. AYE

S1578B Includes applied behavioral analysis provided by a licensed behavior analyst or certified behavior analyst assistant for treatment of autism spectrum disorder under standard coverage for Medicaid recipients. B PRINT - makes technical corrections. AYE

S7789 CHAPTER AMENDMENT - Relates to juvenile delinquency proceedings for certain acts committed by a sixteen or seventeen year old; amends the definition of juvenile delinquent; makes technical changes relating to such provisions. NOTE - This bill makes technical amendments to conform language in bills. NAY

S660 Directs the Commissioner of the Department of Transportation, in cooperation with the Department of Environmental Conservation, to develop policies and procedures to encourage, train and assist the State and localities to use pollinator-friendly plant species in medians along highways. AYE

S334A Requires the commissioner of mental health to issue a report on short term crisis respite programs and intensive crisis respite programs. AYE

S5304A This bill requires any state department that maintains a website to post a current list of the names of all individuals authorized by the department to execute contracts on behalf of the department. AYE

S7842 CHAPTER AMENDMENT - Relates to the frequency of updates on the report of a study regarding the assistance needed to encourage women and minorities to pursue technology careers in science, technology, engineering and mathematics (STEM); changes to every 2 years. AYE

S7887 CHAPTER AMENDMENT - Requires grease traps or interceptors at food service establishments be designed to withstand expected loads and prevent unauthorized access. NOTE - This chapter amendment repeals the law and reauthorizes it in the state's building and fire code provisions in the executive law. It streamlines the language to require installation of warning signs in the vicinity of the grease traps or interceptors. It removes provisions requiring a secondary protection mechanism sufficient enough to prevent a person from falling into the trap, making it less burdensome on businesses. AYE

S4207 To provide educational materials to individuals who may have as issue with problem gambling. AYE

S7852 Extends the authority of the New York Thoroughbred Horsemen's Association to receive an additional 1.0% of purse funds for the support of additional medical and mental health services for backstretch employees through August 31, 2023. AYE

S720 This bill amends the exceptions to the general rule that a husband or wife are deemed the surviving spouse (whether or not the deceased spouse had a will), for purposes of various sections of the Estates, Powers, and Trusts Law(EPTL). This bill impacts New York's Spousal Right of Election provisions provided by EPTL 5-1.1A in that it would allow a decree or judgment nullifying a marriage after death to eliminate a spouses right of election. AYE

S235A Allows for the examination of industrial development agencies and not-for-profit corporations by county comptrollers. AYE

S4610 Ensures that when land is disposed of by public authorities, certain safeguards are in place, including disclosure of ownership information, ensuring that disposals with that contain rights of first refusal make certain that the land is transferred at or above fair market value, that when land is transferred for less than fair market value, it is in the public interest to do so and the legislature retains oversight. AYE

S1477A Includes contacts via text, email or other electronic communication in the definition of the offense of aggravated harassment in the second degree. A PRINT - adds private messages and direct messages to the provisions of this bill. AYE

S1137 Relates to observance of all religious holidays by institutions within the state university and the city university of New York, and includes the Asian Lunar New Year within the definition of such holidays. AYE

S1407A Establishes the interagency task force on health literacy, to study health literacy and develop recommendations for improving health literacy in this state. A PRINT - makes

technical changes. AYE

S6500 OCA DEPARTMENTAL - This bill amends the state finance law to formally establish the attorney licensing fund. It will consist of the portion of attorney biennial registration fees currently deposited into the attorney licensing fund. AYE

S7839 CHAPTER AMENDMENT - Relates to ambulance services which provide transportation by aircraft. NOTE - The chapter amendment includes a definition of "air transport services" to mean emergency medical care and the transportation of sick or injured persons by aircraft to, from or between general hospitals or other health care facilities. AYE

S7849 CHAPTER AMENDMENT - Relates to operation of a three-wheeled vehicle; changes certain references to the term "wheel" to "mechanism". NOTE - This bill makes a minor amendment to the original legislation by replacing steering wheel with steering mechanism, within the definition of autocycle. AYE

S2992 Includes Furnace Brook in the list of inland waterways eligible for the local waterfront revitalization program. NOTE - The Waterfront Revitalization of Coastal Areas and Inland Waterways Act was enacted to ensure that the coordinated and comprehensive policy and planning for the preservation, enhancement, protection, development and use of the State's coastal and inland waterway resources ensured the proper balance between natural resources and the need to accommodate the needs of population growth and economic development. AYE

S345 Requires the office of alcoholism and substance abuse services to develop training materials for health care providers and qualified health professionals, recognized by the office to enable the implementation of the screening, brief intervention, and referral to treatment program, regarding screening for alcoholism and chemical dependency. AYE

S7851 Extends the provisions relating to the New York state thoroughbred breeding and development fund until twelve years after the commencement of the operation of a video lottery terminal facility at Aqueduct racetrack. AYE

S815 This bill permits health insurance carriers and HMOs to offer premium discounts or other benefits for participation in wellness programs approved by DFS. AYE

S6317 Authorizes the Faith Evangelical Lutheran Church to retroactively apply for a real property tax exemption for certain property. AYE

S4609 Amends Subdivision 27 of Section 292 of the Executive Law by striking the phrase "However, nothing contained herein shall be construed to protect conduct otherwise proscribed by law" from the definition of "sexual orientation." AYE

S6921A The bill includes within provisions that require written or electronic notification of registration to individuals enrolling in the donate life registry provisions prioritizing the use of written, in-person or electronic notifications wherever possible. Additionally, the bill adds language to the timing of the effectiveness of registration to include the receipt of enrollment by the registry. AYE