



NEW YORK STATE SENATOR

Patrick M. Gallivan

## Senator Gallivan's Votes for the Week of February 27, 2023

JIM RANNEY March 3, 2023

| ISSUE: **NYS SENATE**



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

S2219 CHAPTER AMENDMENT - Amendments make provisions consistent with the changes made by Chapter 257 of 2011. Enabling legislation restored the authority of OGS to review OGS & OGS centralized contracts that exceed 85K. Additionally, the bill restored the Comptroller with oversight over certain SUNY/CUNY contracts. AYE

S2234 CHAPTER AMENDMENT - Amendment shifts that authority from the Secretary of State to town or city clerks. This amendment would further authorize such clerks to receive a fee of \$25 dollars for issuing a one-day marriage officiant license. Enabling legislation allows for the authorization of lay individuals to act as a marriage officiant for one day in order to solemnize marriages. The underlying bill authorized the Secretary of State, or his or her designee, to issue one day marriage officiant designations. AYE

S2352 Requires real estate brokers to compile and disclose client demographic data to the secretary of state. The bill requires this information be submitted to the Secretary of State at least annually. Demographic information from its clients includes 1) the race, ethnicity and gender of each client, and other information deemed necessary by the Secretary of State; 2) every real estate transaction engaged in by the broker in New York, including properties listed or shown, the location of such properties, the disposition of every offer received, and whether a closing occurred. Clarifies that real estate salespersons and brokers would be required to request and collect demographic information but would not be obligated to create such information where a client declines to provide such information. NAY  
(Burdensome on real estate salespeople and brokers. Unnecessary.)

S1747 The bill would permit certain minors 12 or 13 years of age 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

S532 This bill provides that when the human rights commissioner finds a violation of fair housing provisions the commissioner shall issue an order that: 1) awards compensatory damages to the person aggrieved by such violation; 2) assesses a civil penalty of: a) up to \$25K, if its first violation determined to have been committed; b) up to \$50K, if one other violation is determined to have been committed in prior 5 years; c) up to \$75K, if two or more

violations are determined to have been committed in prior 7 years; 3) requires respondent to cease and desist from the unlawful discriminatory practices; 4) awards punitive damages to person aggrieved by violation; 5) other relief that commission deems just and equitable.

NAY (The intent of this bill is laudable, however, given that penalties set forth could be retroactively applied, is concerning.)

S1498 To authorize the use of certain property in the city of New Rochelle For the constriction of municipal fire services. Transfer and convey certain lands to the city of New Rochelle. AYE

S1729 This bill would amend section 37-0119 of Environmental Conservation Law to decrease the permitted amount of polycyclic aromatic hydrocarbons (PAHs) allowed in coal tar pavement products from 10,000mg/kg to 1,000 mg/kg. NAY

S253 Directs the council on the arts to establish criteria and guidelines for the establishment of state designated arts and cultural districts. AYE

S1189 Amends criminal procedure law to permits judges in criminal cases to provide, upon jury's request and as the judges deem proper, written instructions regarding the elements of any offense submitted or any defense or affirmative defense submitted. Counsel shall have the opportunity to review and be heard on the instructions. AYE

S3196 Establishes a curriculum and task force to provide housing navigation services for those with intellectual and developmental disabilities. Adds the Commissioner of OMH and the Commissioner of OASAS to serve on the taskforce. Delays the effective date to April 1, 2023. AYE

S2683 Provides that certain charitable annuities may be unisex in nature and shall be computed on the basis of currently applicable mortality tables for calculating the reserves

for individual annuities; makes related provisions. AYE

S1365 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

S447A Allows for at least one-third of required clinical training and competency for licensing as a registered professional nurse, licensed practical nurse, and nurse practitioner to be completed through simulation experience, as long as such simulation experience has been approved by the department of education prior to January 1, 2023. AYE

S2722 Establishes a temporary New York craft beverage permit for all New York state manufactured liquor, spirits, wine, beer, cider and mead for events located in a municipality with a population of less than one million. AYE

S1156 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

S1056A This bill would provide agricultural assessment to beginner and established farms by creating temporary carve outs. The farm must display that they have the ability to meet the required annual gross sales value within three or five years of attaining the agricultural assessment. Any farm that cannot reach the goal will lose the agricultural assessment without penalty. AYE

S2236 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

S2415 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

S3125 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

S4270 Establishes a tax credit for farmers who maximize carbon sequestration potential through a "carbon farming" land management strategy; directs DEC to develop regulations related to certifying the amount of carbon sequestered or emissions reduced. AYE

S57 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

S2372 This bill requires the publication of the number of veterans or surviving spouses of veterans on certain housing waiting lists. Normally, veterans are put at the top of waitlists for affordable housing such as Mitchell Lama facilities. However, veterans may not know that other veterans are applying for the same unit. This bill requires that the number of applicants applying as veterans and a surviving spouse of veterans be made available on the applications waitlist. AYE

S1304 This bill requires the New York State Department of Building to develop a pamphlet known as the "Adjacent Neighbors' Bill of Rights." This pamphlet would advise homeowners who are adjacent to a property under development or construction of their rights, and available resources. NAY (Another mandate put on developers, increasing their costs.)

S201 This bill would amend insurance law to permit pregnant women to enroll in state health insurance during a special enrollment period without imposing a fee or penalty. AYE

S1733 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

S2623 Directs the department of state and the public service commission to study and report upon the prevalence of the disclosure by public utilities, cable television companies and cellular telephone service providers to credit reporting agencies of late payments and defaults in payment of fees and charges by consumers. AYE

S1451 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

S1867 This bill establishes a New York State community doula directory for the purpose of Medicaid reimbursement and promoting doula services to Medicaid recipients. The directory

must include the name of the doula; address and location where the doula provides services; the name of each Medicaid provider that employs or contracts with a doula to provide services to eligible Medicaid recipients; the doula's national provider identification number; and all documentation related to criteria for admittance into the doula directory. AYE

S3364A This bill would authorize the sale of prepared liquor drinks for on-premises consumption that have been mixed and emulsified inside a sealed PET vessel, having a capacity of not less than a gallon, which are dispensed via pressurized draft system. AYE

S2076 EXTENDER BILL - This bill extends, for one year, the authorization for the horsemen's organization to receive an additional 1.0% of purse monies collected from race meetings at Aqueduct, Saratoga, and Belmont racetracks until August 31, 2024. AYE

S3219 Establishes a uterine fibroids awareness and education program on the symptoms, diagnosis and treatment of uterine fibroids and the elevated risk for minority women. AYE

S3609A This bill would require that the Health Equity Impact Assessments, as required under the Certificate of Need Process, include the availability and provision of reproductive health services and maternal health care in the applicant's service area and if they would be affected if the project is implemented. Under the bill, applicants are required to demonstrate how the project will meet the obligations of providing such services. NAY

S2208 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

S2125 This bill would amend provisions in the adopted 2020- 21 budget to clarify that the "look-back period" for the determination of eligibility of a non-institutionalized individual for medical assistance benefits apply to transfers of assets made on or after October 1, 2020.

It amends current transfer provisions where an individual can show that all assets were transferred for less than fair market value have been returned to the individual to further allow individuals to show that the assets were used on the individual's behalf. AYE

S3605 Requires the annual report of the division of minority and women's business development to contain information on each contract identifying whether it is a contract for goods or services, whether the contract was awarded to a certified minority-owned business enterprise or a certified women-owned business enterprise, the name and business address of prime contractors and subcontractors providing services under such contract, and the dollar value of such contract. AYE