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# Senator Thomas O'Mara

## 2018 Legislative Update

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Dear Constituent:

I recently provided an update on the first half of the 2018 legislative session, including highlights of this year's state budget.

While the annual enactment of the state budget represents one of the most significant actions of each and every session, the Legislature annually approves non-budget legislation that impacts communities, families and workers across the Southern Tier and Finger Lakes regions, and statewide.

This newsletter provides an overview of some of the legislation approved by the Senate and Assembly this session.

Additionally, I hope that you will remember my Senate website, <http://www.omara.nysenate.gov>, as an ongoing source of legislative and community information, news and updates.

My very best wishes to you and your family for a safe, memorable and enjoyable summer.

Sincerely,

NYS Senator Thomas F. O'Mara  
58th Senate District

### "DRUG TAKE BACK ACT" SIGNED INTO LAW

A new law sponsored this session by Senator O'Mara will further combat the abuse of prescription drugs and prevent unused drugs from contaminating water supplies.

The "Drug Take Back Act" (S9100/A9576, Chapter 120 of the Laws of 2018) will establish an industry-funded, statewide pharmaceutical drug take-back program. It advances a "product stewardship" approach to the challenge of disposing of unwanted medications. Pharmaceutical manufacturers will be responsible for all of the costs of the initiative including public education and awareness, as well as the collection, transport and proper disposal of unwanted drugs. The Act further requires chain pharmacies and mail-order pharmacies to provide consumers with on-site collection, prepaid mail-back envelopes, or other federally approved methods to encourage safe drug disposal.

Senator O'Mara said, "It's incredibly important to do anything and everything we can to complement and support the efforts of local law enforcement and other community leaders to combat prescription drug abuse. These efforts include National Prescription Drug Take-Back Days and other initiatives like this one to facilitate the collection, and safe and responsible disposal of unused medications. This new law will greatly expand the number of permanent, locally based drop-off locations and be a very positive, cost-effective addition to the state's ongoing, overall strategy to protect our communities and local environments."

### 2018 SESSION REVIEW

Unless otherwise noted, both houses of the State Legislature have approved the following pieces of legislation, which now go to Governor Andrew Cuomo for final action:

- Consumers would become better informed about the price of prescription drugs and certain industry practices would be prohibited to help fight the rising cost of prescription drugs (Senate Bill Number 6940)
- An unintended new tax on not-for-profits is eliminated by excluding payments for transportation costs from taxation to ensure that not-for-profits can continue to perform their missions (S8831)
- Extends the current law authorizing "cooperative purchasing" to allow local governments to save on costs by utilizing existing federal, state and local government agency contracts for the purchase of goods and services (S2947)
- Mandates on local municipalities are eased by eliminating the requirement that local agencies must file numerous "hauling permits" every year for each vehicle and trailer in their fleet (S2904)
- A proposed amendment to the State Constitution given first legislative approval would prevent unfunded state mandates on local governments (S8400)
- The current salary cap for BOCES CTE instructors would be increased from \$30,000 to \$50,000, phased-in over five years, to help attract and retain qualified and skilled teachers (S1469)
- First-time offenders of state small business regulations would be given a reprieve from paying fines to help foster a productive relationship between the state and small business owners (S4120). A related measure would amend the State Administrative Procedure Act to increase the revised rule public comment period from 30 days to 45 days (S6916)
- A "Digital Currency Task Force" would be established to study how to regulate cryptocurrencies in New York State (S9013)
- The existing Department of Agriculture and Markets Farmland Protection Implementation Grant Program is strengthened to better protect farmland, improve the chances of farmer-to-farmer property transactions, and keep active farmland in use (S8362)
- State policy would encourage pollinator-friendly landscapes on solar farm sites (S6339)
- The sale of beer and hard cider ice cream would be authorized to help dairy farmers, craft beer and cider producers, and food retailers and restaurants meet the growing demand by consumers for these new and innovative dairy products (S8830)
- Screening tools and guidelines for autism spectrum disorders (ASD) in children three years of age and younger would be established (S8955)
- Hospitals would be allowed to establish non-patient specific orders for the care of healthy newborns by an attending registered nurse (RN) (S8774)
- Smoking would be prohibited at all times in areas that provide child care services, specifically daycares, in order to protect children from the harmful effects of second- and third-hand smoke (S7522)



STEUBEN COUNTY WWII VETERAN INDUCTED INTO  
STATE SENATE VETERANS' HALL OF FAME

Senator O'Mara inducted Warren A. Thompson -- a lifelong Steuben County resident and farmer, and a stalwart in civic and veterans affairs in the county -- into the New York State Senate Veterans' Hall of Fame earlier this year.

Senator O'Mara said, "Warren Thompson is a Steuben County legend and I am proud to have this opportunity to salute his remarkable life and service. He truly stands for America's 'Greatest Generation' as a model of citizenship, sacrifice and service as a soldier, a prisoner of war and a veteran who returned home and went on looking out for his community, family, friends and fellow veterans. His is truly a story of love of country and family, brotherhood, courage, determination, honesty, perseverance, toughness, goodwill, gratitude and a remarkable joy in living. He represents everything that the New York State Senate Veterans' Hall of Fame is intended to honor."

Carl D. Peters, Jr. of Savona, a close Thompson family friend, nominated Warren for this year's induction. He said, "Warren Thompson is an icon in our area. His work ethic, accomplishments as a businessman and farmer, and integrity are legendary."

Warren Thompson currently resides at the Bath VA community living center and celebrated his 94<sup>th</sup> birthday on June 20.

The Senate established its online Veterans' Hall of Fame in 2005 and, including this year, has inducted more than 400 veterans. The Hall salutes New York veterans for their service in the United States Armed Forces and their civilian accomplishments.

A link to the Hall and more information on the life and service of Warren A. Thompson is available on Senator O'Mara's Senate website, [www.omara.nysenate.gov](http://www.omara.nysenate.gov).



APPROVED LEGISLATION WILL STRENGTHEN THE  
RESPONSE TO LYME AND TICK-BORNE DISEASES

The Legislature gave final approval to legislation co-sponsored by Senator O'Mara, a member of the Senate Task Force on Lyme and Tick-Borne Diseases (TBDs), to strengthen New York State's response to the rise of these diseases.

The measures now go to Governor Andrew Cuomo for final action.

Senator O'Mara said, "We have taken important actions over the past few years to broaden the state's overall response to the spread of Lyme and other tick-borne diseases, but much more needs to be done, particularly in the areas of reporting, testing and treatment, and education and awareness. These pieces of legislation would greatly strengthen New York's long-term strategy and I urge Governor Cuomo to sign them into law."

The approved legislation would:

- require the state to conduct an impact study considering how infectious diseases and blood-borne pathogens, including Lyme and TBDs, may have correlations with mental illness in infected individuals. The new "Mental Health Impacts Report" would enable better treatment of the mental health consequences associated with these infections (S7171);
- establish an expert-based Lyme and TBDs Working Group to review current best practices for the diagnosis, treatment, and prevention of Lyme and TBDs (S7170); and
- direct the New York State Office of Parks, Recreation and Historic Preservation to install and maintain tick warning signs at all state-managed parks, including trail entryways and campgrounds (S7242).

Senator O'Mara said that the actions are part of the Senate's latest, comprehensive legislative package representing recommendations first made in a Task Force report released last October, "'Ticking Time Bomb: An Update on the Lyme and Tick-Borne Disease Epidemic in New York State.'" The full Senate report can be viewed on Senator O'Mara's website, [www.omara.nysenate.gov](http://www.omara.nysenate.gov).



On June 25 at Katy Leary Park in Elmira, Senator O'Mara helped recognize "Nurturing Community Day" in Chemung County to kick off the county's Free Summer Meals for Kids program. This summer, the meals program is partnering with the "Libraries Rock" summer reading program sponsored by the NYS Senate and public libraries statewide. Find out more at [www.omara.nysenate.gov](http://www.omara.nysenate.gov).

2018 SESSION REVIEW CONTINUED

- A temporary commission would be created to evaluate the current activation criteria of the AMBER Alert, its notification procedures once activated, and the partners and methods used to disseminate information (S9004)
- A Class A misdemeanor would be established for a caregiver who makes a false written statement that misrepresents their background for employment (S9070)
- The types of educational settings required to report child abuse would be expanded and the professions required to receive training to identify and report abuse would be increased (S7372)
- A temporary state task force will be created to examine, evaluate and make recommendations concerning child abuse and neglect prevention efforts in the state with the goal of preventing child removals, lowering foster care placements, and increasing family reunification (S7285, Chapter 12 of the Laws of 2018)
- Taxpayers would be allowed to donate to regional food banks when filing their income taxes through a new "Gifts to Food Banks Fund" voluntary tax check-off (S8938)
- Strengthens protections for consumers from fraudulent solicitation on behalf of a charitable organization (S3780)
- The state Education Department would be directed to establish and implement a museum education grant program (S1676)
- Provides for the establishment of a statewide centralized system for the delivery of books, including electronic books (e-books) and other non-print library materials to achieve fiscal savings for libraries statewide (S6424)
- School districts would be given the option to contribute toward the cost of hiring additional crossing guards to help ensure the safety of children walking to and from schools (S367)
- Random drug and alcohol testing for all school bus drivers would be required (S2587)
- The cost of college textbooks would be reduced by promoting pricing transparency and alternatives to conventional textbooks, such as e-books (S6608)
- The construction of public water mains and connections would be added to the list of projects eligible for Water Quality Improvement funding so that water supplies that have been contaminated by toxic chemicals or hazardous substances can be fixed to protect public health (S7853)
- The state Health Department would be directed to post on its website information relating to emerging contaminant notifications levels and make educational materials easily accessible to the public (S6655)
- The New York State Energy and Research Development Authority (NYSERDA) would be required to establish a program to provide incentives to owners for the construction of energy efficient and environmentally sustainable affordable residential homes (S7321)
- A new identification card would be created to help improve communication with people who have developmental disabilities (S2565)
- Out-of-pocket expenses for prostate cancer screening would be eliminated to help save lives through early detection and treatment (S6882)
- Survivors of sexual assault would be better informed of their various rights to fair and sensitive treatment during the investigation of their crime through the establishment of a "Sexual Assault Survivor Bill of Rights" (S8977)

2018 SESSION REVIEW CONTINUED

- Residents receiving Medicaid benefits through the Assisted Living Program (ALP) and living in assisted living facilities would be allowed to have access to hospice services in their assisted living facilities (S8353)
- The "Living Donor Protection Act of 2018" would be enacted to ensure New Yorkers receive reliable, accurate information about live organ donation, and also to help guarantee that those who donate are protected against discrimination with regards to insurance and paid family leave benefits (S2496)
- The State Office of Mental Health (OMH) would be required to develop educational materials regarding suicide prevention for New York State universities and community colleges. Suicide is the second leading cause of death among persons aged 10-24 years old, according to Center of Disease Control and Prevention (S5860)
- The "Substance Use Disorder Parity Report Act" would be enacted to require insurers and health plans to submit certain data to multiple state agencies as a way of measuring compliance with federal and state mental health and substance abuse parity laws (S1156)
- The use of medical marijuana for the treatment of substance use disorder or as an alternative to opioids for the treatment of episodic pain would be authorized (S8987)
- The "Military Family Relief Fund" would be established to provide financial assistance to the families of soldiers who are suffering economically as a result of line-of-duty related injury or illness (S9044)
- A task force to study and improve the job market for veterans would be created (S936)
- An annual increase would be provided to the Gold Star Parent Annuity (S1124)
- The "New York State Silver Rose Veterans Service Certificate" would be established for veterans exposed to dioxin or phenoxy herbicides during military service (S6606)
- Short- and long-term safe houses for victims of human trafficking would be established and operated by not-for-profit agencies to provide a variety of services to support victims (S8305)
- The permitted use of TSA body image scanner devices in correctional facilities across the state would be expanded as part of an effort to reduce a high level of inmate "slashing" violence through the use of smuggled blades (S5337)
- Full retirement benefits for surviving family members of a corrections officer who dies in the line of duty would be guaranteed (S7525)
- The commissioner of the Division of Homeland Security and Emergency Services would be directed to develop a plan that would allow more skills training requirements for volunteer firefighters to be completed at a trainee's home department or online as part of the overall effort to attract new volunteers (S7373)

For more information on all of the above actions, and other legislation approved during the 2018 session, go to: <https://www.nysenate.gov/newsroom/articles/summary-2018-senate-legislative-action>