
2011

New York State
Senate Session
Summary
Report

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Senate Majority
Counsel/Program
Office

Note: As of December 29, 2011 all bills which passed both houses were delivered, seven of which will be “30-day bills” which, unless approved by February 4, 2012, will be deemed vetoed:

Corporations, Authorities and Commissions

- **S. 4555A SEWARD** - Relates to authorizing Otsego county to withdraw from the Montgomery, Otsego, Schoharie county solid waste management authority

Energy and Telecommunication

- **S. 2581 LAVALLE** - Authorizes the Long Island power authority to propose certain rate changes to the public service commission in the amount of two and one-half percent.

Judiciary

- **S. 5694A SALAND** - Creates Article 10-C of the Family Court Act relating to destitute children.

Local Government

- **S. 4360 YOUNG** - Authorize municipalities to utilize contracts for public works services which have already been let out to bid by the county in which the political subdivision or district is located, or through any county within the State.
- **S. 4753 RANZENHOFER** - Relates to obtaining the best value for contracts for public work and purchase contracts.

Rules

- **S. 5745 SALAND** - Relates to kinship guardian assistance payments.
- **S. 5796 MCDONALD** - Creates an abuse prevention notification system; provides for certain criminal history information regarding persons working with people with developmental disabilities; defines "abuse", "serious neglect" and "substantiated report".

AGING
Senator David J. Valesky, Chair

The Aging Committee reported 40 bills from committee this session. Of these 40 bills, 16 were referenced to a committee of secondary reference and did not advance further. A total of 24 bills advanced to the calendar, eight of which died on the 3rd Reading Calendar, eight passed the Senate only and seven passed both houses.

Bills Died in Committee of Secondary Reference

Finance

- **S. 110 DIAZ** - Establishes a senior housing task force
- **S. 112 DIAZ** - Establishes the New York certified retirement community program within the office for the aging
- **S. 113 DIAZ** - Creates a shared housing registry for senior citizens
- **S. 122 DIAZ** - Authorizes the panel to adopt policies to exclude certain non-recurring items from income for the program for elderly pharmaceutical insurance coverage
- **S. 254 MAZIARZ** – Relates to income eligibility under the EPIC program
- **S. 270 DIAZ** – Authorizes the establishment of a caregiver support program for grandparents and other older adult relative caregivers
- **S. 303 DIAZ** – Died in Finance - Establishes the bureau of the senior tenants' advocate in the state office for the aging
- **S. 348 DIAZ** - Establishes the home delivered meal assistance program
- **S. 482A DIAZ** – Relates to requiring renewal notices for applications under the SCRIE program
- **S. 2172 GOLDEN** – Died in Finance - Provides for cost of living and marriage penalty adjustments to eligibility standards for the program for elderly pharmaceutical insurance coverage
- **S. 2174 GOLDEN** – Died in Finance - Authorizes a pooled purchasing program for certain services and commodities
- **S.2179A GOLDEN** – Died in Finance - Provides for the creation of a drug guide for seniors regarding the drugs commonly used by people over 62 years of age
- **S. 2181 GOLDEN** – Died in Finance - Establishes a coordinated statewide policy, investigation, and reporting requirements with respect to infections, including certain staphylococcus infections
- **S. 2380 SEWARD** – Died in Finance - Makes certain persons who are eligible for or receiving social security disability insurance benefits eligible for elderly pharmaceutical insurance coverage
- **S. 2396 DIAZ** – Creates the Mature Workers Support Program
- **S. 3775 VALESKY** – Extends provisions of law relating to the enriched social adult day demonstration program

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S. 658 VALESKY** – Enables widows/widowers to submit proof by April 30th to their local assessors' office informing them that they have experienced a drastic decrease in income due to the loss of a spouse.
- **S. 1224 STAVISKY** - Makes rent re-determinations under the Senior Citizen Rent Increase Exemption Program (SCRIE) and the Disability Rent Increase Exemption Program (DRIE) retroactive to the time of the decrease in income of the household.
- **S. 1942 LAVALLE** – Provides that where a senior citizen purchases real property after the taxable status date, such person shall be eligible for the enhanced STAR exemption.
- **S. 2212 GOLDEN** – Increases the local option income levels for a senior citizen partial exemption from real property taxes gradually, over a five year period
- **S. 4173 SAVINO** – Provides certain elderly individuals with financial relief based on their metered use of water.
- **S. 4319 YOUNG** – Clarifies that individuals living in senior housing have the right to access and obtain the same services that they would if they were an individual residing in the community, from the provider of their choosing.
- **S. 4365 LANZA** – Offers local governments the option to provide senior citizens who are homeowners with incomes of \$23,000 a greater level of RPT relief than can presently be offered through the existing structure of the Senior Citizen RPT Exemption Program.
- **S. 4679 FLANAGAN** – Provides that individuals who are totally and permanently disabled will be able to receive the same tax exemption that persons over the age of sixty-five currently receive.

Passed Senate Only

- **S. 638 GOLDEN** – Adds seniors and the disabled as eligible for the property tax exemptions for prohibiting an assessment increase for housing a parent or grandparent.
- **S.1920 HANNON** - Require the state to develop a shorter, simplified renewal application for senior citizens already receiving a STAR. Tax exemption.
- **S. 1924 HANNON** – Removes the annual re-application that senior citizens are currently required to submit for real property tax exemption.
- **S. 2185 GOLDEN** – Provides a new way to finance long term care in New York State that will result in greater freedom for the individual in need of services and in cost savings for the public sector.
- **S. 3337 RANZENHOFER** – Establishes a Veterans Gerontological Advisory Committee.
- **S. 3576 LAVALLE** – Authorizes municipalities to adopt a local law authorizing the assessor of such municipality to accept late applications for the STAR exemption.
- **S. 5077A VALESKY** – Creates a uniform assessment demonstration program within the state office for the aging.
- **S.5493 GALLIVAN** – Provides the community guardian program shall obtain a statement by a physician, psychologist, nurse clinician or social worker within 3 months prior to filing a statement regarding an evaluation of the condition and current functional level of the person being evaluated.

Passed Both Houses

- **S. 331A DIAZ** - Allows naturally occurring retirement communities to raise matching funds from non-state sources and sources outside of the NORC's Supportive Services Boundary. Signed into law, Ch. 320.
- **S. 1303 DUANE** – Requires the State Office of the Aging to assess the needs of and delivery of services to traditionally under-served populations and to provide technical assistance to organizations that provide services to the lesbian, gay, bisexual, and transgender senior populations. Signed into law, Ch. 547.
- **S. 1753 DIAZ** – Requires the director of the New York State Office for the Aging (NYSOFA) to periodically review the programs offered by NYSOFA to ensure that they are appropriately responding to the needs of New York State's Military Veterans population. Signed into law, Ch. 263.
- **S. 4492 VALESKY** – Requires SOFA to assess the condition of the senior center network across the state and include any recommendation on ways to support and strengthen the network. Vetoed, Memo 36.
- **S. 4851A SALAND** – Allows residents of the adult home and assisted living program at Camphill Ghent to age in place without the need for transfer to a nursing home or other institution, and would provide a mechanism to support the additional services necessary to serve persons with developmental disabilities in such program. Signed into law Ch. 594
- **S. 4894A HANNON** – Simplifies and expedites the admission process for senior residents of assisted living and adult care facilities by reducing paperwork requirements. Signed into law, Ch. 168.
- **S. 5375 DIAZ** – Prohibits building owners from interrupting or discontinuing essential services from the time an occupant files an application for coverage under the Loft Law, until a final determination, including appeals, has been made by the Loft Board to approve. Signed into law, Ch. 270.

AGRICULTURE
Senator Patty Ritchie, Chair

The Agriculture Committee reported 34 bills from committee this session. Of these 34 bills, one was referenced to a committee of secondary reference and did not advance further. A total of 32 bills advanced to the calendar, 10 of which ultimately did not pass, 13 passed the Senate only and 9 passed both houses. One bill S. 232 by Senator Maziarz was reported to the Agriculture committee as a committee of secondary reference and did not advance further. This bill related to property tax assessments for orchards and vineyards and was reported from Local Government Committee.

Bills Died in Committee of Secondary Reference

Rules

- **S. 3806 BALL** – Requires that individuals convicted of certain animal cruelty and animal fighting offenses reimburse the organizations caring for such animals

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S. 848 YOUNG** – Provides sole authority for the regulation of the sale and analysis of fertilizer to the New York State Department of Agriculture and Markets, and would render any local legislation in violation of this section void and unenforceable.
- **S. 2015 LAVALLE** - Establishes a registry of people who have been convicted of a felony violation of animal abuse or of the comparable statutes in another state.
- **S.2370A SEWARD** – Allows individuals who produce a small amount of homemade baked goods, spices and powders to sell their wares at farmers' markets and roadside stands without being required to obtain an Article 20-C food processing establishment license.
- **S.4340 RITCHIE** – Reduces farm-based taxes, fees, and regulatory burdens imposed on state's farms to allow the state's vital agricultural economy to grow and to benefit family farms.
- **S. 4352 RANZENHOFER** – Increases the matching funds to farmers from 75% to at least 85% when those farmers are investing in non-point source pollution control measures in watersheds deemed to be critical to New York State's fisheries.
- **S. 4728 RITCHIE** – Clarifies that sale of abstracts of title to land used for agricultural purposes are not subject to sales tax.
- **S. 4906 KLEIN** - Enacts a comprehensive legislative findings that supports the concept and work of those involved in the community gardens movement and expands the powers of the Office of Community Gardens
- **S. 5084 BALL** - Toughens penalties to prevent and punish the crime of animal cruelty.
- **S. 5172 RITCHIE** - Establishes the crime of unlawful tampering with a farm animal
- **S. 5702 KLEIN** – Bans the use of cage and box dryers that contain a heating element, with the heating element turned on, for the purpose of drying or aiding in the drying of a companion animal

Passed Senate Only

- **S. 770 YOUNG** – Extends agricultural district protections to on-farm breeding of certain game birds provided that such farm is otherwise eligible for the agricultural assessment of farm operation.
- **S. 771 YOUNG** – Provides that certain information pertaining to registration and identification of premises and animals which is collected and maintained by the Department of Agriculture and Markets is to remain confidential.
- **S. 791 YOUNG** – Removes farm pond dams from required monitoring by the DEC and give the responsibility by the state soil and water conservation committee for development of guidelines and best management practices for the classification, operation and maintenance of farm pond dams.
- **S. 793 YOUNG** – Enhances farmers' ability to market their farm, food, and other products directly to consumers through encouraging the development of retail farm operations such as roadside stands and on-farm markets.
- **S. 847 YOUNG** – Doubles the amount of woodlands eligible for an agricultural assessment.
- **S. 850 YOUNG** - Clarifies that the Commissioner of Agriculture and Markets and the NYS Soil & Water Conservation Committee shall be the authorities that establish the need for technical expertise on farm environmental and conservation best management practices.
- **S. 2409C GRISANTI** – Develops a training, examination and certification program for dog control officers, police officers and peace officers who deal with animal control or animal abuse issues when a locality makes such a requirement.
- **S. 2485 LITTLE** -Eases burdensome contacting requirements currently required in order to gain permission from the Department of Environmental Conservation (DEC) to harvest timber on state lands
- **S. 3317 DEFRANCISCO** – Establishes a toll-free hotline that can be used by individuals to report instances of animal fighting.
- **S. 3542 RITCHIE** – Includes maple production facilities and "sugar shacks" within the definition of agricultural buildings and to make them accessible to the public.
- **S. 5159 RITCHIE** – Allows for automatic renewal of agricultural assessments provided there are no changes in farmland eligibility or acreage.
- **S. 5160 RITCHIE** - Clarifies that silvopasturing acreage in forested land qualifies as eligible lands for agriculture assessment.
- **S. 5499 RITCHIE** – Ensures that consumer packaging of maple syrup offered or exposed for sale shall be plainly and conspicuously marked as to the grade and by providing that wash water produced during the process of making maple syrup shall not be considered a pollutant under any state pollutant discharge elimination system permit requirements.

Passed Both Houses

- **S. 769 YOUNG** – Clarifies that those portions of land used in support of a farm operation which include corn and hay bale mazes are eligible for the benefits of the agricultural districts law. Signed into law, Ch. 47.

- **S. 3237A LAVALLE** – Increases the penalties for those convicted of violating the prohibition of animal fighting. Signed into law, Ch. 332.
- **S. 3626 SALAND** – Requires the Commissioner of Agriculture and Markets to consult with local government officials concerning local land use regulations, ordinances or laws. Signed into law, Ch. 497.
- **S. 3911A OPPENHEIMER** – Allows the release of animals to other entities in addition to adoptees or owners to increase chances for adoption. Signed into law, Ch. 83.
- **S. 4054A RITCHIE** –Permits the manufacture and sale of frozen desserts made with wine. Signed into law, Ch. 42.
- **S. 4080 RITCHIE** – Requires food retailers to provide scales for customer use by eliminating the thirty foot requirement for computing scales. Signed into law, Ch. 43.
- **S. 4144 RITCHIE** - Replaces the current biennial application deadline of November 1 for nursery grower and dealer registrations with a rolling application schedule. Signed into law, Ch. 73.
- **S. 4718A RITCHIE** – Streamlines and enhances the operations of county agricultural and farmland protection boards and soil and water districts Signed into law, Ch. 201.
- **S. 5168A RITCHIE** – Provides commercial equine operations with eligibility access to agricultural district protections and an agricultural assessment Signed into law, Ch. 384.

ALCOHOLISM AND DRUG ABUSE
Senator Jeffrey D. Klein, Chair

The Alcoholism and Drug Abuse Committee reported 17 bills from committee this session. Of these 17 bills – 8 were referenced to a committee of secondary reference and did not advance further. Six bills were referred to the Finance Committee, one to the Codes Committee, and one to the Commerce, Economic Development and Small Business Committee. A total of 9 bills advanced to the calendar, of which three died on the 3rd Reading Calendar, four passed the Senate only and two passed both houses.

Bills Died in Committee of Secondary Reference

Finance

- **S. 308 DIAZ** – Renames and broadens the geriatric service demonstration program to include older adults with mental health disabilities and chemical dependence.
- **S. 2201 GOLDEN** - Provides for the reinvestment of funds into community-based services for persons suffering from chemical dependence and for establishment of fund.
- **S. 3068 HUNTLEY** – Relates to the training of boards of directors or trustees of certain voluntary not-for-profit facilities or corporations.
- **S. 4447 HUNTLEY** – Creates the chemical dependence treatment bill of rights to be posted in a conspicuous place in all treatment facilities.
- **S. 4466A HUNTLEY** – Defines the scope of responsibilities of the office of alcoholism and substance abuse services regarding recovery services for veterans.
- **S. 5338 DEFRANCISCO** – Enacts "Vince's law" to increase fines, terms of imprisonment and license conditions for violations of provisions of law relating to driving while intoxicated.

Codes

- **S. 3145 LAVALLE** – Provides that no candy or confection shall be sold in this state which resembles marijuana or marijuana products or imitates the flavor of marijuana

Commerce, Economic Development and Small Business

- **S. 4221B KLEIN** – Regulates the retail sale of flavored malt beverages

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S. 616A KLEIN** - Eliminates the sale of candy and other food products that may be attractive to or marketed to children, but which are packaged to resemble or emulate tobacco products, such as cigarettes, cigars, or snuff. A violation of this offense shall constitute a "violation" as defined in the penal law.

- **S. 628A FUSCHILLO** – Prohibits the consumption of alcoholic beverages by any person under the age of twenty-one years on the premises of a private residence. Provides penalties for a violation of this section of law as it relates to first time (fine not to exceed \$500) and multiple offenders (second offense class B misdemeanor, third and subsequent offenses is a class A misdemeanor).
- **S. 2842 KLEIN** –Increases the criminal penalties for those who sell caffeinated alcoholic beverages to persons under the age of 21.

Passed Senate Only

- **S. 565A ROBACH** – Strengthens the underage drinking laws through an increase in penalty for those minors who seek to buy alcoholic beverages
- **S 1834 FLANAGAN** – Prohibits the sale or distribution of any product containing a synthetic cannabinoid.
- **S. 3349 BONACIC** – Increases safety and security at alcohol and substance abuse treatment facilities that are utilized for judicial diversion programs.
- **S. 3889A KLEIN** – Bans the sale of caffeinated or stimulant enhanced alcoholic beverages

Passed Both Houses

- **S. 1880B ESPAILLAT** –Expands the grounds for revocation of a barber's license to include selling, giving, or delivering alcohol to a person under 21 years of age and increase penalties for those who manufacture or sell alcoholic beverages without having the appropriate license, or with a revoked or suspended license. Signed into law, Ch. 417.
- **S. 3251 KLEIN** - Increases the number of Office of Alcoholism and Substance Abuse Services advisory council members from 26 to 30 and by adding two representatives of dual diagnosis programs and two consumer representatives of such programs to the advisory council. Vetoes, Memo 53.

BANKS
Senator Joseph A. Griffo, Chair
Senator Hugh T. Farley, Vice-Chair

The Banks Committee reported 26 bills from committee this session. Of these 26 bills, five were referenced to a committee of secondary reference and did not advance further, one bill S.3942 by Senator Martins was referred to the Banks Committee as a committee of secondary reference and was not reported to the Calendar. A total of 20 bills advanced to the calendar, of which two died on 3rd Reading Calendar, 11 passed the Senate only and seven passed both houses.

Bills Died in Committee of Secondary Reference

Finance

- **S. 3650 SMITH** – Relates to the imposition of fees for investigations and applications for banking institutions
- **S. 3750 GRIFFO** - Extends the provisions relating to the Gramm-Leach-Bliley act
- **S. 3752 GRIFFO** – Relates to extending the dates of application of the investment tax credit
- **S. 3754 GRIFFO** – Extends the provisions relating to the franchise tax on banking
- **S. 3841A FARLEY** – Enacts the "short-term financial services loan act"

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S. 3753A GRIFFO** – Makes permanent the provisions in the State and City bank taxes relating to enactment and implementation of the federal Gramm-Leach-Bliley Act.
- **S. 5215B GRIFFO** – Expands current law to require persons conducting debt settlement and debt management services to be registered as budget planners under the jurisdiction of the Department of Financial Regulation and require all budget planners to disclose specific information necessary for consumers to make informed decision regarding whether budget planning services are appropriate for them.

Passed Senate Only

- **S. 219 MAZIARZ** – Protects consumers from having their bank accounts debited after they have canceled such authorization.
- **S. 271 DIAZ** – Provides for the effective prosecution of criminal actions by persons or entities whose intended purpose may be the laundering of money through legal money transmission instruments.
- **S. 3779 SMITH** – Tightens the mortgage banker licensing exemption, thereby helping to prevent and address problems resulting from unregulated residential mortgage loans which are not subject to existing consumer protections.
- **S. 3781 SMITH** - Helps prevent and address illegal and fraudulent activities in the mortgage industry.

- **S. 4193A GRIFFO** – Clarifies and streamline the ability of foreign banking corporations to enter into merger and purchase transactions.
- **S. 4194 GRIFFO** – Increases the penalties for robbery of a banking institution.
- **S. 4210 FARLEY** – Raises the criminal penalties for unlicensed money transmitter activities in those situations where the person knows that the funds involved are the proceeds of criminal conduct.
- **S. 4927 GRIFFO** – Expands the funds available for the community bank deposit program which seeks to encourage the State to place funds in local banks in order to support and promote local economic activity.
- **S. 5144 FARLEY** – Conforms the character and fitness standards for mortgage bankers and mortgage brokers to the character and fitness standards for mortgage loan originators.
- **S. 5209 FARLEY** – Ensures that all sales finance companies and money transmitters which do business with residents of New York State are subject to regulation and oversight by the State Banking Department.
- **S. 5463 GRIFFO** – Modernizes state Banking Law, including enhanced restrictions on employees of the banking department, collection assessments and fees, suspending mortgage bankers and brokers for cause and eliminating outdated language and provisions; to amend the real property law, in relation to interest rate increases on mortgage loans after default

Passed Both Houses

- **S. 4038B SAVINO** - Prohibits home improvement contractors from acting on behalf of mortgage brokers. Signed into law Ch. 593
- **S. 4612A GRIFFO** – Expedites the consideration of wild card applications by mandating that properly submitted applications be posted on the Banking Department's website and made available for public consideration within 120 days of their receipt and requiring the superintendent to notify applicants within 10 days of making a decision. Signed into law, Ch. 448.
- **S. 5004 GRIFFO** – Makes technical changes with respect to the definition of bank holding company. Signed into law, Ch. 449.
- **S. 5460A GRIFFO** – Provides the New York State and Local Retirement System with access to the wage reporting system administered by the Tax & Finance. Signed into law, Ch. 206.
- **S. 5464 GRIFFO** – Clarifies the confidentiality of supervisory information, the treatment of credit extensions and other credit exposure by a bank or trust company to one person or entity, and the references in the banking law to credit rating agencies and rated securities. Signed into law, Ch. 182.
- **S. 5478 GRIFFO** – Extends, for an additional five years, the provisions of Chapter 526 of 1998 which authorize savings institutions to participate in the Banking Development District program. Signed into law, Ch. 484.
- **S. 5531 GRIFFO** - Continues, for another two years, the existing statutory authority of licensed lenders to charge annual fees on open-end personal loans. Signed into law, Ch. 114.

CHILDREN AND FAMILIES
Senator Diane J. Savino, Chair

The Children and Families Committee reported 25 bills from committee this session. Of these 25 bills – 3 were referenced to a committee of secondary reference and did not advance further. A total of 22 bills advanced to the calendar, of which four died on the 3rd Reading Calendar, nine passed the Senate only and nine passed both houses.

Bills Died in Committee of Secondary Reference

Finance

- **S. 3439A STAVISKY** – Relates to educating children on the harms of electronically sending and posting certain images of themselves
- **S. 4115 SAVINO** – Provides that parents and caretakers who are otherwise eligible for a child care subsidy shall receive a subsidy when care is necessary to enable them to sleep
- **S. 4438 MARCELLINO** – Requires certain nursery school operators to file with the office of children and family services and to fingerprint applicants for purpose of conducting searches

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S. 3835 LAVALLE** – Allows great-grandparents to commence special proceedings or habeas corpus to obtain visitation rights of certain infant great-grandchildren.
- **S. 4301 SAVINO** – Allows school districts to be parts of truancy allegations in persons in need of supervision and child protective proceedings in family court, regardless of who initiated proceeding.
- **S. 5456 SAVINO** – Expedites notice of indicated reports of child maltreatment and changes of placement in child protective and voluntary foster care placement and review proceedings.
- **S. 5457 SAVINO** – Provides mechanism for judicial review of a plan for care and custody of destitute children.

Passed Senate Only

- **S. 815 LAVALLE** - Requires the State provide reimbursement to days care providers within 30 days of the receipt of an invoice for services.
- **S. 888 KRUEGER** – Extends maximum duration of orders of protection for cases of sexual assault and provides that courts may disregard credits for jail time served.
- **S.1538 SKELOS** – Provides for the transfer of guardianship and custody of infants abandoned pursuant to the Abandoned Infant Protection Act.
- **S.3224 RANZENHOFER** – Adds adult protective service officials to the list of persons to whom reports made pursuant to Social Services Law Title 6 regarding child abuse and

maltreatment, together with any other records, may be made available when such information is necessary to conduct an adult protective service investigation.

- **S. 3228 RANZENHOFER** – Prohibits courts from considering possible military deployment as a negative factor in weighing the custody for children, provided a suitable custody plan has been presented.
- **S. 3306B MAZIARZ** – Ensures that reports of serious abuse of children or of impaired adults are fully investigated including entry to the home and that those individuals who interfere with such a lawful investigation will be guilty of a class A misdemeanor. It also ensures that Child and Adult protective services can share important information about reports of abuse and other relevant records.
- **S. 4090 SAVINO** – Allows family court to direct establishment of a trust or other designated account for the benefit of children in matrimonial, child support and paternity cases, where the parent receives a windfall payment.
- **S. 5388 GOLDEN** – Provides greater accountability and safety regarding caseworker visits to children in the child protective services and foster care system.
- **S. 5494A GALLIVAN** – Allows sharing of certain juvenile justice records to individuals leaving the custody of the NYC Administration for Children's Services and entering the custody of the NYC Department of Corrections. It also forbids re-disclosure of these records.

Passed Both Houses

- **S. 247A MONTGOMERY** - Notifies adoptive parents of available local and regional post adoption services. Vetoed, Memo 40.
- **S. 1428 SALAND** - Provides orders of protection for members of the same family or household, in addition to spouses, parents and children. Signed into law, Ch. 9.
- **S.2551A GALLIVAN** –Enacts the most current Interstate Compact for Juveniles (ICJ), which governs the management, monitoring, and supervision of juveniles, delinquents and status offenders who are on probation or parole and the return of those who have absconded, escaped or run away to another state; and provide for the return of non-adjudicated juveniles who have run away from home to another state. Signed into law, Ch. 29.
- **S. 3777A MARTINS** – Classifies camp directors as mandated reporters, thereby requiring them to report child abuse or maltreatment. Signed into law, Ch. 91.
- **S. 4050B GALLIVAN** – Permits the Family Court to order the designated diversion agency to provide diversion services at any time during the pendency PINS proceeding, not simply upon the accused juvenile's first appearance. It also permits a potential PINS petitioner to file a PINS petition and to request a warrant for a child who has absconded and cannot be located. Vetoed, Memo 65.
- **S. 4504 SAVINO** – Makes permanent legislation permitting social services districts to utilize a differential response program for appropriate reports of abuse and maltreatment, and would make New York City eligible to participate in such program. Signed into law, Ch. 45.
- **S. 5470 MAZIARZ** – Equips adult protective services workers with information that will better enable them to investigate a case of a person who may be in need of protective services. Signed into law, Ch. 440.

- **S. 5471 MAZIARZ** – Requires that when social service officials are denied access to persons they have reasonable cause to believe are in need of protective services for adults they must assess, no later than twenty-four hours, whether it is appropriate to apply for a court order to gain access. Signed into law, Ch. 412.
- **S. 5582 SAVINO** – Allows an indigent parent to enter evidence to decrease the current minimum child support order of \$25 per month. Signed into law, Ch. 436.

CITIES
Senator Andrew J. Lanza, Chair

The Cities Committee reported 21 bills from committee this session. Of these 21 bills, three were referenced to a committee of secondary reference and did not advance further. A total of 18 bills advanced to the calendar, of which eight died on the third reading calendar, three passed the Senate only and seven passed both houses.

Bills Died in Committee of Secondary Reference

Finance

- **S. 821 LITTLE** - Makes residential facilities controlled by state agencies subject to local site plan review.
- **S. 2866 LANZA** - Establishes limitations upon real property tax levies in cities having a population of one million or more.
- **S. 2966 LANZA** - Provides that new streets within and abutting streets of new commercial projects in the city of New York be the maximum legal width.

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S. 419C KRUEGER** – Provides that a commercial bicycle operator and the business affiliated with such operator utilizing or arranging for the delivery of their products shall be liable for such bicyclist's violation{s} of Administrative Code.
- **S. 2130 KRUGER** – Authorizes DMV to suspend the licenses of persons who fail to appear or pay fines to the New York city taxi limousine commission.
- **S. 2513 GIANARIS** –Authorizes the city of New York to discontinue use of certain park land and convey it to the St. Michael's cemetery.
- **S. 3548 LANZA** – Provides that the borough of Staten Island shall also be known and designated as the "Borough of Parks."
- **S. 3992A KLEIN** – Authorizes the City of New York to lease certain parklands along the Dr. Theodore Kazimiroff Boulevard to the New York Botanical Garden so that such parklands may be enhanced for better enjoyment by the general public.
- **S. 4261 GOLDEN** – Establishes maximum age requirement of 35 for New York City correctional officers' initial appointment.
- **S. 4318 LANZA** – Allows the New York City Taxi and Limousine Commission to docket all decisions and orders of its Administrative Tribunal as if they were money judgments, without court proceedings.
- **S. 5489 GOLDEN** – Provides the Commissioner of Buildings with authority to have environmental control board judgments of \$25,000 or more enforced as tax liens. It provides for notice to be sent by the department of finance to owners and others with an interest in the property.

Passed Senate Only

- **S. 3090 LANZA** - Extends the sunset date of the Industrial and Commercial Abatement Program ("ICAP") from March 1, 2011 to March 1, 2015. It also provides that no benefits will be granted for construction work unless the first building permit was issued on or before April 1, 2015, or, if no permit was required, unless construction commences on or before April 1, 2015.
- **S. 4358 YOUNG** – Authorizes municipalities to utilize mediation as an alternative procedure in reaching certain land use regulation decisions.
- **S.5669A SAVINO** – Confirms J-51 eligibility for Section 8 housing projects in Staten Island with more than 1100 units.

Passed Both Houses

- **S. 333 DIAZ** - Permits St, Peters' Lutheran Church to re-acquire title to premises located at 431 East 140th Street, The Bronx, designated as lot number 73 in block number 2285. Signed into law, Ch. 452.
- **S. 1610 SAVINO** – Authorizes the city of New York to discontinue permanently the use as parkland 9.3 acres of land on two parcels that currently operate as a parking facility for the Brooklyn Cyclones, a minor league baseball team owned by the Mets, and the indoor Abe Stark skating rink, in Coney Island, in the Borough of Brooklyn. It also authorizes the City of New York to enter into a long-term lease for the development and long-term management of portions of the replacement parkland as an amusement park. Signed into law, Ch. 281.
- **S. 4226 LANZA** – Authorizes city and village planning boards to extend conditional approval of a final plat if such extension is warranted by the particular circumstances. Signed into law, Ch. 561.
- **S. 4377A LANZA** – Establishes a general residential fire break permit for the borough of Staten Island, city of New York to allow the owner of residential real property to cut and remove phragmites, a type of invasive reed, which is highly flammable in spring and fall. Signed into law, Ch. 306.
- **S. 4444B DILAN** – Permits the commissioner of the department of buildings to issue a temporary certificate of occupancy to residential condominiums when the building's owners have partially completed the necessary work to achieve compliance with city building codes. Signed into law, Ch. 519.
- **S. 4778 GOLDEN** –Continues reduced water rates for hospitals and charitable institutions in New York City for two additional years. Signed into law, Ch. 75.
- **S. 5485 GOLDEN** - Extends the current 8% statutory rate of interest used by the Chief Actuary for the City retirement systems in valuing retirement system liabilities for the purpose of computing the amount of employer contributions to those systems. Signed into law, Ch. 180.

CIVIL SERVICE AND PENSIONS
Senator Martin J. Golden, Chair

The Civil Service and Pensions Committee reported 25 bills from committee this session. Of these 25 bills, one was referenced to a committee of secondary reference and did not advance further. A total of 24 bills advanced to the calendar, of which three died on the third reading calendar, one passed the Senate only and 20 passed both houses.

Bills Died in Committee of Secondary Reference

Finance

- **S. 916 BRESLIN** – Prohibits the diminution of health insurance benefits of public employee retirees.

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S. 514 MAZIARZ** – Recognizes the combined sixty-five years of service of three retired state park police officers by issuing them each an honorary retirement identification card.
- **S. 3411A MCDONALD** - Allows John R. Panichi, a deputy sheriff in Rensselaer County, the option to join the special retirement plan for sheriffs, undersheriffs and deputy sheriffs.
- **S. 4239 LARKIN** – Allows retired firefighters with knowledge and expertise in the profession to train the future generation of young firefighters without diminution of his or her retirement benefits.

Passed Senate Only

- **S. 4270B GOLDEN** – Allows the civil service department to conduct ongoing reviews of dependent eligibility audits for all newly hired New York State Health Insurance plan enrollee dependents through a qualified verification vendor.

Passed Both Houses

- **S. 2953A LARKIN** – Allows the City of Newburgh to make available to Daniel Cameron, Lorenzo D' Angelico, John Jenerose, Matthew M. Kirwan, and Kevin Romero, police officers, and Robert Bain Jr., Mark Bethea, and William Wiseman, firefighters, the optional twenty year retirement plan. Signed into law, Ch. 434.
- **S. 3034 LAVALLE** – Allows the village of Southampton to elect to reopen the optional retirement plan offered under §384-d of the Retirement and Social Security to police officer Theodore Raffel, Jr. Signed into law, Ch. 365.
- **S. 3402 GOLDEN** – Increases the percentage of assets which may be invested by public employee retirement systems in real estate under Retirement and social Security Law §177(6) from five to ten percent. Signed into law, Ch. 554.

- **S. 3403 FLANAGAN** – Provides procedures for resolution of disputes between a public employer and Suffolk County probation officers. Vetoed, Memo 73.
- **S. 3505 LARKIN** – Allows the village of Maybrook to make available to police officer Michael E. Maresca the optional twenty year retirement plan. Signed into law, Ch. 369.
- **S. 3550 MCDONALD** – Allows seven police officers in the town of North Greenbush an optional twenty year retirement plan. Signed into law, Ch. 414.
- **S. 3667 LAVALLE** – Allows the Town of Southampton the option of allowing a police officer to complete twenty years of service to the Town. Signed into law, Ch. 368.
- **S. 3811 GOLDEN** – Provides that the State Civil Service Department shall develop qualifications and eligibility standards for multiple tiers designated Director of Facilities I, II, & III and administer one test for the positions for school district in the state. Signed into law, Ch. 403.
- **S. 3994A GOLDEN** – Extends the escalation of a cost of living increase of approximately 3% for all line-of-duty widows or widowers for fiscal year 2009-10. Signed into law, Ch. 161.
- **S. 4048A JOHNSON** – Grants Michelle Merlino retroactive tier IV membership in the New York State and Local Employees' Retirement System. Signed into law, Ch. 372.
- **S. 4131 GOLDEN** – Continues to provide for an expedited method to resolve improper labor practice issues. Signed into law, Ch. 112.
- **S. 4987 GOLDEN** – Allows for taxpayers to see the cost of employing temporary employees to perform the jobs of NYS employees. Vetoed, Memo 63.
- **S. 5072 MCDONALD** – Allows police officer Edward A. Miano to qualify for such retirement benefits in the town of East Greenbush. Signed into law, Ch. 374.
- **S. 5098 GOLDEN** – Provides continuous health insurance coverage to the spouse or dependents of public employees who are injured in the performance of duty or taken ill as a result of duty. Vetoed, Memo 60.
- **S. 5413 O'MARA** - Authorizes police officer Michael P. Koval to receive his retirement service credit for the time period from September 6, 1988 through July 1, 1991, when he was a police officer in the village of Watkins Glen. Signed into law, Ch. 483.
- **S. 5558 BALL** – Ensures compliance with the Federal Heroes Earnings Assistance and Relief Tax Act of 2008 ("HEART Act") to remain qualified governmental pension plans for tax purposes. Signed into law, Ch. 582.
- **S. 5588 FARLEY** – Enables Randy Prock to be retroactively placed in Tier IV NYSLERS, as he had filed a timely membership application with the retirement system. Signed into law, Ch. 378.
- **S. 5651 GOLDEN** – Decreases from 30 days to 15 days the minimum amount of time within which a service retirement may take effect for a prospective retiree of the New York State and Local Employees' Retirement System or the New York State and Local Police and Fire Retirement System. Signed into law, Ch. 375.
- **S. 5655 BONACIC** – Allows Sheriff's Deputies who are injured on the job, but who choose not to immediately retire, to later receive enhanced disability pensions if ultimately linked to the on the job injury. Signed into law, Ch. 447.
- **S. 5668 BALL** – Authorizes the Town of Kent, in the county of Putnam, to offer certain retirement options to police officer Jerry R. Raneri. Signed into law, Ch. 539.

CODES
Senator Stephen M. Saland, Chair

The Codes Committee reported 146 bills from committee this session. Of these 146 bills, four were referenced to a committee of secondary reference and did not advance further. Three were referenced to Codes as a committee of secondary reference and not reported to the calendar. A total of 139 bills advanced to the calendar, of which 15 died on the 3rd Reading Calendar, 105 passed the Senate only and 19 passed both houses.

Bills Died in Codes as a Committee of Secondary Reference

- **S. 498 ROBACH** – Prohibits certain discriminatory practices against victims of domestic violence.
- **S. 499 DIAZ** - Changes fine for violations by employment agencies to up to \$500 a day and a class A misdemeanor for 3 or more violations in 5 years.
- **S. 3145 LAVALLE** – Provides that no candy or confection shall be sold in this state which resembles marijuana or marijuana products or imitates the flavor of marijuana.

Bills Died in Committee of Secondary Reference

Finance

- **S. 127 PERALTA** – Provides that limited liability for persons held jointly liable shall not apply to parties held liable for failing to provide reasonable security
- **S. 823 LITTLE** – Establishes a 10 year statute of limitations to enforce violations of rules and regulations of Adirondack park agency committed within the Adirondack park
- **S. 2377A SEWARD** – Authorizes peace officers designated by the Superintendent of insurance/financial services to execute arrest and search warrants
- **S. 3304A KLEIN** – Increases the mileage fees in the city of New York imposed for the services provided by sheriffs

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S. 259 MAZIARZ** - Gives the courts to consider a broader scope of criteria when they are ordering bail for a defendant.
- **S. 743A YOUNG** – Creates the crime of disseminating a known obscene image to an internet site without consent or knowledge of another person a computer network internet website.
- **S. 1003A PERALTA** – Protects victims of domestic violence by requiring criminal or family court judges to inquire about the defendant's or respondent's possession of a firearm when orders of protection are sought.
- **S. 1441 BRESLIN** – Makes it unlawful for any person age sixteen or older to knowingly possess a knife in an educational institution.

- **S. 1539 SKELOS** – Requires that criminal defendants found to be persistent violent felony offenders be sentenced to life imprisonment without parole.
- **S. 2001 SKELOS** – Provides for tolling of the statute of limitations in criminal cases in which the identity of the defendant is established by means of DNA evidence.
- **S. 2946 LANZA** – Provides for family members of a crime victim and interested parties to make statements to members of the parole board.
- **S. 3134B GRISANTI** – Grants peace officer status to the security officers of the Kaleida Health Centers.
- **S. 3296A DEFRANCISCO** – Prohibits the defendant from conducting ex-parte interviews with the plaintiffs nonparty treating physicians in a personal injury, medical, dental or podiatric malpractice or wrongful death action.
- **S. 4305 DEFRANCISCO** – Includes certain persons and entities within the term "victim" to enable a sentencing court to order restitution or reparation.
- **S. 4717A RITCHIE** – Updates the definitions of aggravated murder and murder in the first degree to include murder of an emergency first responder.
- **S. 4841 SALAND** – Provides for the sealing of court records involving certain cases dismissed at arraignment or earlier.
- **S. 5096 MARCELLINO** – Creates the crime of aggravated criminal conduct where an individual commits a misdemeanor and has been previously subjected to four or more qualifying misdemeanor convictions within the preceding five years.
- **S. 5165A SALAND** – Imposes new criminal liability and create a registerable offense for defendants who may commit misdemeanor crimes for the purpose of their own sexual gratification, but cannot be charged with a sex offense.
- **S. 5170A SALAND** – Imposes criminal liability and create a registerable offense for sexual predators who may unlawfully tamper or trespass on victims computers for the purpose of sexual gratification.

Passed Senate Only

- **S. 108 DIAZ** - Provides that stalking by technological means shall be prohibited and shall be included in the crimes of stalking in the first, second and third degrees.
- **S. 152 MAZIARZ** –Includes the kidnapping of a child under the age of sixteen years.
- **S. 241 MAZIARZ** - Adds to penal law that individuals who obstruct a firefighter from performing emergency medical care shall be guilty of the crime of obstructing a fire fighting operation, a class A misdemeanor.
- **S. 256 MAZIARZ** - Provides an avenue of prosecution against individuals who observe others by means of unaided eyes or by means of an imaging device a person in a bedroom, changing room, fitting room, restroom, toilet, bathroom, washroom, shower or any room assigned to guests or patrons in a spa, hotel, motel or inn.
- **S. 271 DIAZ** – Provides for the effective prosecution of criminal actions by persons or entities whose intended purpose may be the laundering of money through legal money transmission instruments.
- **S. 464 NOZZOLIO** – Includes within the crime of harassment of police officers, peace officers, court officers, emergency medical technicians or paramedics, the act of assaulting officers with bodily fluids.

- **S. 487 ROBACH** – Requires any sentence for a sexual offense to run consecutively to any other term of imprisonment.
- **S. 526A FUSCHILLO** –Requires judicial discretion for the issuance of a conditional license in relation to sanctions for driving while ability impaired
- **S. 527 FUSCHILLO** – Enhances penalty for theft of property by a person who possesses an item designed to block or otherwise override merchandise control systems in retail stores.
- **S. 528 FUSCHILLO** – Assures that individuals are not able to petition to legally change their names in order to evade legal process or obligation; ensures any prior violent felonies and sex offenses are disclosed on such petitions.
- **S. 578 KLEIN** – Includes an insurance card and certificate of insurance for a motor vehicle, in the list of documents covered under forgery in the second degree, whenever fraud is alleged.
- **S. 585 KLEIN** – Requires any community service sentence imposed for an offense involving graffiti to include graffiti removal as a portion of the required service
- **S. 593A FUSCHILLO** – Enhances penalty for endangering the welfare of the child to a felony where there has been a previous conviction of the crime.
- **S. 600A FUSCHILLO** –Codifies accepted legal definitions of impaired or intoxicated and includes alteration of physical or mental abilities by known or unknown substances.
- **S. 641B GOLDEN** – Specifies that any act constituting a misdemeanor assault in the third degree would be elevated to a class D nonviolent felony offense if committed against an employee of any local social services district, or juvenile detention facility while performing an assigned duty providing, or directly related to providing, public assistance and care.
- **S. 643 GOLDEN** – Defines a persistent misdemeanor offender as a person who stands convicted of a misdemeanor after having previously been convicted of five or more crimes within the last five years (excluding time during which the defendant was incarcerated).
- **S. 657 VALESKY** – Prevents the recreational and dangerous ingestion or inhalation of embalming fluid.
- **S. 702A ROBACH** – Criminalizes intentional or reckless damage to the environment done in the course of committing another crime.
- **S. 746A YOUNG** – Creates the new crimes of promoting or possessing a sex offense with a child to address the solicitation of and/or participation in such acts via a computer network (i.e. the internet, Instant message, e-mail, blog, etc.).
- **S. 754 YOUNG** – Permits the use of closed circuit television for the testimony of victims of alleged domestic violence.
- **S. 885 KRUEGER** – Allows prosecutors and criminal courts to try crimes committed in the same transaction as identity theft or the unlawful possession of personal identification information in the same venue.
- **S. 924 MARCELLINO** – Increases penalties for first, second, third and fourth degree stalking.
- **S. 943 MARCELLINO** – Makes criminally negligent homicide a class D felony.
- **S. 946 MARCELLINO** – Includes the theft of a pet within the provisions of Grand Larceny in the Fourth Degree.
- **S. 947 MARCELLINO** – Permits the court to issue an order precluding the disclosure of jurors' names and addresses if necessary to prevent bribery, jury tampering or physical injury to or harassment of jurors.

- **S. 957 MARCELLINO** – Prohibits the use of radar and laser blocking devices in all motor vehicles.
- **S. 1042 KLEIN** – Includes unauthorized use of a motor vehicle in the first degree, grand larceny of a motor vehicle, criminal possession of a motor vehicle, auto stripping or illegal possession of a vehicle identification number as predicate convictions for the unauthorized use of a vehicle in the second degree.
- **S. 1208 JOHNSON** – Prohibits the operation of any non-emergency vehicle with a device which affects the operation of a traffic control signal.
- **S. 1242 ADDABBO** – Expands the definition of aggravated harassment and provide further provisions in dissuading both the public and governmental personnel from unlawfully using or disclosing confidential information with intent to alarm another individual.
- **S. 1365 PERKINS** – Removes the ten year time period in relation to being defined as a person who has committed persistent sexual abuse.
- **S. 1407A GOLDEN** – Provides stiffer sentences to criminals who use firearms to commit felonies.
- **S. 1411 SALAND** – Includes the theft of credit card and debit card numbers, in addition to theft of the cards themselves, in the definition of grand larceny in the fourth degree.
- **S. 1414A SALAND** – Requires the court, when determining recognizance or bail in cases of domestic violence, to consider certain enumerated factors which could lead to intimidation or injury by the principal to the victim or witness.
- **S. 1415B SALAND** – Conforms the ages of victims in certain prostitution offenses to the ages of victims of rape offenses. Increases penalties for patronizing a prostitute in the third, second and first degrees and for promoting prostitution in the first degree.
- **S. 1416 SALAND** – Creates criminal penalties where a convicted sex offender fails to meet his or her obligation under to Sex Offender Registration Act (SORA) and where a convicted offender refuses or fails to provide a DNA sample.
- **S. 1417A SALAND** – Permits prosecution of internet pedophiles in proportion to the scale and danger of their criminal activity.
- **S. 1423 GOLDEN** – Allows the disclosure of criminal histories of all applicants for employment by police departments and other law enforcement agencies.
- **S. 1433 SALAND** - Minimizes emotional harm for child victims and witnesses by allowing them to give testimony via closed-circuit television in murder and attempted murder cases.
- **S. 1541 SKELOS** – Increases criminal penalties for sexual contact between a minor and a person in a position of trust.
- **S. 1543 SKELOS** –Increases the penalties for the theft of a motor vehicle when a child is present in the vehicle.
- **S. 1618 SAMPSON** – Raises the penalty for sexual abuse in the second degree from a class A misdemeanor to a class E felony.
- **S. 1620 SAMPSON** – Creates the crime of abandoning a dangerous drug or controlled substance as defined by penal law
- **S. 1685 SEWARD** – Imposes tough criminal penalties on those who engage in staged accidents.
- **S. 1728 LARKIN** –Creates a new crime for cemetery desecration of a veteran cemetery plot, grave or burial place.

- **S. 1746 GOLDEN** – Prevents the filing of a petition for change of name by anyone convicted of certain felonies and currently confined as an inmate in any correctional facility, on parole, or on probation.
- **S. 1751 GOLDEN**- Includes within the confidentiality provisions for police personnel records those records that include the identity of undercover police officers.
- **S. 1826 SKELOS** – Punishes repeat sexual offenders by mandating consecutive sentences for each act of first-degree rape.
- **S. 1827 SKELOS** – Creates "drug free zones" within one thousand feet of a drug or alcohol treatment center and methadone clinic.
- **S. 1991 GOLDEN** – Establishes the crime of promotion of a child less than seventeen years of age by a parent or guardian as a class B felony.
- **S. 1999 SKELOS** –Permits witnesses to testify regarding out-of-court identifications of defendants made by means of pictorial, photographic, electronic, filmed or videotaped reproductions of such defendants.
- **S. 2004A SKELOS** – Makes the use of "runners" illegal in New York, in order to prevent the profiting from real or falsely made no fault claims by providers.
- **S. 2141 BONACIC** – Adds the following material to those which constitute aggravated harassment of an employee by an inmate: saliva, other bodily secretion or excretion, and the contents of a toilet bowl.
- **S. 2168 GOLDEN** –Creates a new category of crime for the use of government documents for the purpose of advancing criminal activity.
- **S. 2194 SALAND** – Minimizes mental or emotional harm for child victims and witnesses by allowing them to give testimony via closed circuit television in assault and endangering the welfare of a child cases.
- **S. 2209 GOLDEN** – Provides that the crime of Criminal Mischief in the third degree, a class E felony, is committed when an individual intentionally causes any damage to any authorized emergency vehicle.
- **S. 2322 GRIFFO** – Establishes the crime of aggravated harassment of a police officer or peace officer and make such crime a class E felony.
- **S. 2488B GRIFFO** – Requires that when a person, other than law enforcement, requests a search of the pistol or revolver automated listing under the Freedom of Information Law (FOIL) that it is limited to a search by specific name.
- **S. 2510B GIANARIS** – Defines the crimes of unlawfully installing or possessing a concealed vehicular compartment in the first and second degree.
- **S. 2596A FLANAGAN** – Creates two new felony crimes addressing those who cause such serious physical injury or death by operation of a motor vehicle while knowing or having reason to know that his or her license or privilege of operating a motor vehicle is suspended or revoked.
- **S. 2598 SALAND** – Amends custodial interference in the second degree, by removing the requirement to show that the abductor intended to hold the child permanently or for a protracted period, therefore making the focus of the statute the actual "taking" or "enticing" of the child.
- **S. 2599 SALAND** –Creates a rebuttable evidentiary presumption that the taking of a child in violation of a court order establishing custody or visitation is known by the offender to be a wrongful taking, and that service of such order pursuant to the "substitute service" provisions shall constitute actual knowledge by the offender of the existence of the order.

- **S. 2737 SALAND** – Establishes the crime of unauthorized radio transmission for those who broadcast radio transmission without obtaining a license to do so from the Federal Communications Commission (FCC).
- **S. 2936 LANZA** – Elevates all computer tampering offenses by one degree in severity.
- **S. 2942 LANZA** – Provides for the immediate notification to a complainant, in the manner specified by the complainant, of the service of an ex parte order of protection.
- **S. 2945 LANZA** – Requires a delinquent parent to demonstrate as an affirmative defense that the inability to pay excuses his or her failure to provide child support for their minor child.
- **S. 2950 LANZA** – Expands and clarifies the definition of arson in the first degree to include fires accelerate by various incendiary materials, and fires caused or accelerated by the use of flammable or combustible liquids or flammable gases.
- **S. 3205A FLANAGAN** –Establishes the crimes of home invasion robbery in the first and second degrees.
- **S. 3207 FLANAGAN** – Provides that a person is guilty of the crimes of aggravated sexual abuse in the first, second or third degree when the victim is less than 13 years of age and the actor is 18 years of age or older.
- **S. 3210A MARTINS** – Creates the crime of criminal sale of a controlled substance to a child in the first degree, making the sale of a controlled substance by an adult to a minor under the age of 14 a class A-II felony.
- **S. 3336 RANZENHOFER** – Provides that if a person who has been convicted of unlawful possession fails to pay the fine set by the court within one hundred twenty days after sentencing, the court may impose an additional fine of not more than two hundred and fifty dollars.
- **S. 3349 BONACIC** – Increases safety and security at alcohol and substance abuse treatment facilities that are utilized for judicial diversion programs.
- **S. 3463 NOZZOLIO** – Expands the definition of dangerous contraband to include telecommunications and electronic recording devices, and prohibits possession by inmates.
- **S. 3660 GRIFFO** – Authorizes the distribution of seized goods bearing counterfeit trademarks to a charitable organization for distribution to the needy, once there has been permanent alteration of the items so as to not be mistaken for authentic items.
- **S. 3686 ADAMS** – Enhances the penalty for people who violate orders of protection after having been previously convicted of violating such orders.
- **S. 3825 RITCHIE** – Provides peace officer status to the trained personnel of the physical security organization of a nuclear facility.
- **S. 3912A SAVINO** – Defines the new crime of intrusion into an active work zone as a class B misdemeanor which will subject offenders to a fine between \$250 and \$500 and/or a maximum sentence of three months imprisonment. It also creating the new crimes of vehicular manslaughter in an active work zone in the first degree (a class B felony offense), vehicular manslaughter in an active work zone in the second degree (a class C felony offense), vehicular assault in a work zone in the first degree (a class D felony) and vehicular assault in a work zone in the second degree (a class E felony).
- **S. 3923 SMITH** –Amends the laws relating to the rape of a child in order to increase the jail time the offender receives.
- **S. 4017 DEFRANCISCO** –Authorizes children 10 years of age or older to load and fire a rifle, shotgun or pistol at a shooting range while under the supervision of a qualified person.

- **S. 4052 GALLIVAN** – Insures that a final order of protection issued in connection with a youthful offender adjudication is not sealed for law enforcement purposes.
- **S. 4073B – ZELDIN** –Allows victims of sexual violence protection against their attacker by enabling them to have their voter records sealed.
- **S. 4092 SALAND** – Permits additional members of a victim's family to speak at the sentencing phase of a criminal proceeding.
- **S. 4147 GRIFFO** – Streamlines process for the storage and destruction of goods and articles relating to the offenses of trademark counterfeiting and unauthorized recordings; allows NYPD to simply keep a representative sample and either donate counterfeit goods, return them to trademark holder, or destroy them.
- **S. 4373 LANZA** – Provides for the seizure and forfeiture of the property used in trafficking in counterfeit goods.
- **S. 4391A FLANAGAN** – Includes eleven-, twelve- and thirteen-year-olds within the protections of the crime of aggravated assault.
- **S. 4396 FLANAGAN** – Requires defendants to pay restitution upon a conviction of vandalism or arson upon a municipality.
- **S. 4400 FLANAGAN** – Defines "unauthorized purchases" and creates the new crime of Public Larceny in 5 degrees to deter and punish the abuse of publicly-issued credit cards.
- **S. 4436A SALAND** – Punish repeat offenders by mandating consecutive sentences for any crime against an employee of the Department of Correctional Services, or any employee of a local correctional facility.
- **S. 4443B LANZA** – Provides for the designation of certain employees of the Richmond county public administrators office as peace officers.
- **S. 4472 NOZZOLIO** - Provides a statutory basis to vacate a judgment of conviction on the ground of ineffective assistance of appellate counsel.
- **S. 4610 FUSCHILLO** – Makes clear that the avoidance of tolls on a toll road constitutes theft of services.
- **S. 4725 KENNEDY** – Allows prosecutions for financial abuse of senior citizens by amending the Penal Law to add a new crime of financial exploitation of the elderly or disabled.
- **S. 4726 KENNEDY** - Expands the definition of second degree criminal impersonation to include the impersonation of a specially licensed disabled veteran vendor.
- **S. 4757 LARKIN** – Gives peace officer status to the protective officers of the United States mint police, United States Department of the Treasury.
- **S. 4886B ROBACH** – Upgrades New York's piracy laws to include new recording technologies.
- **S. 5022A ADDABBO** – Makes it a crime for a perpetrator to disguise themselves and falsely solicit donations, gifts or any other tangible property for the sole benefit of the perpetrator and/or group.
- **S. 5226 SALAND** – Implements the recommendations of the Senate Republican Majority 2007 Report entitled "Protecting Children in the Internet Age" protecting children from the dangers posed by Internet predators.
- **S. 5232 FUSCHILLO** – Establishes the class E felony of false personation at a transportation facility or public place, and the class E felony of criminal impersonation at a transportation facility or public place.

- **S. 5241 FUSCHILLO** – Increases penalties for crimes committed while impersonating a police officer.
- **S. 5260B HANNON** – Restructures the existing fraudulent prescription medication crimes and creates new crime of Fraudulent Prescription, Dispensing and Procurement of Non-controlled Medications and Devices.
- **S. 5309 LARKIN** –Designates town court attendants in the Town of Highlands as peace officers.
- **S. 5325 LARKIN** – Designates uniformed town court officers in the Town of New Windsor as peace officers.
- **S. 5454 NOZZOLIO** – Authorizes the inclusion of Monroe County sheriff’s deputies as court security.
- **S. 5542 SALAND** – Clarifies that a sentence and commitment or certificate of conviction, and any order of protection, must be delivered with a defendant at the time of his or her delivery to his site of incarceration.
- **S. 5560 SALAND** – Requires that every person convicted of a felony or a misdemeanor as defined in the Penal Law must provide a DNA sample.

Passed Both Houses

- **S. 541A KLEIN** – Provides that law enforcement security officers, criminal investigators and police officers of the Federal Protective Service clearly retain the powers of a peace officer. Signed into law, Ch. 407.
- **S. 1188 BRESLIN** – Designates dog control officers as peace officers in the city of Cohoes, relating to the treatment of animals. Vetoed, Memo 42.
- **S. 1313B DIAZ** –Establishes criminal sanctions for prostitution in a school zone and promoting prostitution in a school zone. Signed into law, Ch. 191.
- **S. 1882 GRIFFO** –Provides that a person is guilty of sexual abuse in the first degree when he or she is twenty-one years old or older and subjects another person to sexual contact who is less than thirteen years old. Signed into law, Ch. 26.
- **S. 2143D BONACIC** – Increases criminal penalties when a judge is attacked. Signed into law, Ch. 148.
- **S. 2476 FLANAGAN** – Clarifies the definition of gambling to make clear that coin-operated amusement machines are, per se, "gambling". Signed into law, Ch. 8.
- **S. 2835A YOUNG** – Designates the dog control officer of the city of Salamanca as a peace officer. Vetoed, Memo 44.
- **S. 3762 DEFRANCISCO** – Prohibits a third-party defendant from asserting an objection or defense that the summons and complaint, summons with notice or notice of petition and petition was not properly served and, thus, to expressly overrule the recent decision in *Charles v. Long Island College Hospital*. Signed into law, Ch. 264.
- **S. 4089 SALAND** –Extends the authorization for the interagency task force on human trafficking for two years until September 1, 2013. Signed into law, Ch. 24.
- **S. 3947 DEFRANCISCO** – Adds a further, more streamlined, way to determine the value of real property used in a secured bail bond. Signed into law, Ch. 305.
- **S. 4104 ZELDIN** – Grants peace officer status to members of the Town of Islip's Bureau of Fire Prevention in matters arising under the laws relating to fires, the extinguishment thereof and fire perils. Vetoed, Memo 35.

- **S. 4209 FLANAGAN** – Allows those uniformed officers who serve in the Fire Marshal's office in the Town of Huntington the same powers and responsibilities as officers holding the same positions in the towns of Southampton and Riverhead. Vetoed, Memo 46.
- **S. 4244C SALAND** – Ensures that pertinent information regarding misdemeanor domestic violence conviction is transmitted to the FBI for purposes of determining whether a person is disqualified from purchasing a firearm under federal law. Signed into law, Ch. 258.
- **S. 4454B DEFRANCISCO** – Encourages a witness or victim of a drug or alcohol related overdose to call 911 or seek other emergency assistance in order to save the life of an overdose victim. Signed into law, Ch. 154.
- **S. 4469 NOZZOLIO** – Authorizes a court to review an order of recognizance issued when the defendant subsequently fails to appear in court as required. Signed into law, Ch. 565.
- **S. 4529D NOZZOLIO** – Modernizes the statute dealing with illegal fireworks, provide additional definitions of what constitutes fireworks and dangerous fireworks and clarify that certain novelty devices. Vetoed, Memo 59.
- **S. 5455B NOZZOLIO** – Eliminates ability to consent to sexual conduct between a state employee and an inmate. Signed into law, Ch. 205.
- **S. 5605 GRIFFO** – Extends the buffer zone around a religious service, funeral, burial or memorial service from one hundred feet to 300 feet. Signed into law, Ch. 528.
- **S. 5623 PERALTA** – Adds the distribution of obscene material or material that depicts nudity to more than 10 people in a public place with the intent to advance or profit from prostitution to the current penal law. Signed into law, Ch. 215.
- **S. 5658 GALLIVAN** – Prevents prohibited persons (those convicted of felonies, serious offenses or have been certified not suitable to possess a rifle or shotgun) from lawfully possessing muzzle-loading or black powder rifles, shotguns and firearms. Signed into law, Ch. 357.

COMMERCE, ECONOMIC DEVELOPMENT AND SMALL BUSINESS

Senator James S. Alesi, Chair

The Commerce, Economic Development and Small Business Committee reported 21 bills from committee this session. Of these 21 bills – two were referred to the Finance Committee. Six bills were referred to Commerce, Economic Development and Small Business Committee as a committee of secondary reference. A total of 13 bills advanced to the calendar, of which three died on the 3rd Reading Calendar, three passed the Senate only and seven passed both houses.

Bills Died in Commerce Economic Development and Small Business as a Committee of Secondary Reference

- **S. 298 DIAZ** –Requires telephone companies to provide essential equipment, including voice dialing equipment, to persons with disabilities.
- **S. 579A KLEIN** - Enacts the wireless facility siting act.
- **S. 1874 ESPAILLAT** - Requires employment agencies in the city of New York to provide and post a job seekers bill of rights.
- **S. 3765 BONACIC** – Prohibits contracts that relate to hydraulic fracturing from containing provisions that prohibit the disclosure of the chemicals used.
- **S. 4074 ZELDIN** - Prohibits the selling, offering for sale or distribution of any electrical or extension cords with fraudulent seals for the Underwriters' Laboratory.
- **S. 4221B KLEIN** – Regulates the retail sale of flavored malt beverages.

Bills Died in Committee of Secondary Reference

Finance

- **S. 2520 JOHNSON** – Establishes the empire state baseball trails program.
- **S. 4125 MARCELLINO** – Amends license fees to sell liquor at retail for on premises consumption outside the city of New York to standardize such fees.

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S. 616A KLEIN** – Prohibits the sale of candy or other food products in New York that are packaged to look like tobacco products such as cigarettes, cigars or powdered tobacco.
- **S. 3109A KENNEDY** - Permits persons with licenses to sell beer or wine products for consumption off premises to provide beer samples.
- **S. 4287A JOHNSON** – Authorizes the Department of Environmental Conservation to adopt rules and regulations to regulate coastal and marine activities that threaten sea grass.

Passed Senate Only

- **S. 1707A GRIFFO** – Ensures that the New York State Athletic Commission regularly updates the list of single discipline martial arts organizations that are approved by the commission to sanction martial arts matches or exhibitions; and to allow professional mixed martial arts to be permitted in this State.
- **S. 3889A KLEIN** – Bans the sale of caffeinated or stimulant-enhanced alcoholic beverages.
- **S. 5171B FUSCHILLO** – Requires bus drivers to submit to a criminal background check at the time of employment.

Passed Both Houses

- **S. 1831B GRISANTI** – Ensures that persons suffering from sleep disorders are diagnosed and treated only by competent and qualified polysomnographic technology professionals who are registered with the State Education Department. Signed into law, Ch. 262.
- **S. 2009 PERKINS** – Allows issuance of a retail license for on-premises consumption of alcohol for a premises within 200 feet of a place of worship, provided that the purpose of such premises is for the sale and consumption of food or beverage, on site specific property. Signed into law, Ch. 165.
- **S. 2877A GRISANTI** – Revises the number of reverse vending machines (RVMs) that are required of certain businesses to redeem empty beverage containers, based on the square footage of the store. Signed into law, Ch. 459.
- **S.3736A ALESI**– “ARIA” leverages New York State's public and private higher education sector to implement an information infrastructure for research, scholarship, and innovation in the STEM (science, technology, engineering, and mathematics) fields. Vetoed, Memo 45.
- **S. 4242B LARKIN** – Expands the types of low/medium alcohol content beverages that a licensee that is authorized to sell wine for consumption on-premises may sell. Vetoed, Memo 49.
- **S. 4816 CARLUCCI** – Requires agencies, when adopting rules that involve the assessment of penalties on small businesses or local governments, to consider including a 'cure period' that will allow time for correction of violations prior to imposing penalties. Signed into law, Ch. 524.
- **S. 5570 ALESI** – Extends the designation of entities as regional technology development centers. Vetoed, Memo 38.

CONSUMER PROTECTION
Senator Lee Zeldin, Chair

The Consumer Protection Committee reported 26 bills from committee this session. Of these 26 bills eight were referred to a committee of secondary reference. Specifically, two were referred to the Finance Committee, one bill was referred to Agriculture, three to Commerce, Economic Development and Small Business and two to Codes as a committee of secondary reference. A total of 19 bills advanced to the calendar, of which five died on the 3rd Reading Calendar, eight passed the Senate only and five passed both houses.

Bills Died in Committee of Secondary Reference

Finance

- **S. 94 DIAZ** – Relates to implementing the immigrant assistance service enforcement act
- **S. 3960 FUSCHILLO** - Provides for distribution to the public, over the internet, of information regarding credit card rates, charges, terms and other conditions; further provides for dissemination of information over the internet regarding types of bank accounts available, requirements for opening an account, and all fees charged the customer, including monthly fees and transaction fees.

Agriculture

- **S. 232 MAZIARZ** - Relates to the administration of property tax assessments for certain orchards and vineyards.

Commerce, Economic Development and Small Business

- **S. 298 DIAZ** - Requires telephone companies to provide essential equipment, including voice dialing equipment, to persons with disabilities.
- **S. 1874 ESPAILLAT** - Requires employment agencies in the city of New York to provide and post a job seekers bill of rights
- **S. 4074 ZELDIN** - Amends the general business law so that merchants selling defective electrical products sold with fraudulent labeling are subject to required training in distinguishing labeling for the first offense and to stiff fines if the offense is repeated .¹

Codes

- **S. 499 DIAZ** - Changes fine for violations by employment agencies to up to \$500 a day and a class A misdemeanor for 3 or more violations in 5 years.
- **S. 3145 LAVALLE** - Provides that no candy or confection sold in this state shall be packaged, shaped or manufactured to resemble marijuana or marijuana products or to imitate the flavor of marijuana.

¹ S.4074 was committed to Commerce after it had been reported to the Third Reading Calendar.

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S. 616A KLEIN** - Prohibits the sale or offering for sale at retail of candy or other food products packaged or shaped to emulate or resemble tobacco products; violations of such provisions shall constitute a violation as defined in the penal law.
- **S. 2554 MAZIARZ** - Allows purchasers of membership camping contracts to cancel such contracts under certain conditions.
- **S. 2910 ZELDIN** - Relates to the no telemarketing sales calls statewide registry.
- **S. 4170 ALESI** - Relates to zone pricing of gasoline.
- **S. 5215B GRIFFO** - Defines certain terms related to budget planners and regulates the activities of budget planners.

Passed Senate Only

- **S. 459 NOZZOLIO** – Repeals pistol and revolver ballistic identification databank.
- **S. 525 FUSCHILLO** - Establishes no itinerant vendor, except for a manufacturer, an authorized manufacturer's representative, or authorized distributor, shall offer for sale baby food, nonprescription drugs, cosmetics or batteries.
- **S. 1833 FLANAGAN** - Prohibits the sale of salvia divinorum to persons under 18 years of age in New York state; defines salvia divinorum; sets penalties for sale and provides a defense.
- **S. 1834 FLANAGAN** - Prohibits sale or distribution of any product containing a synthetic cannabinoid; establishes a defense of lack of knowledge of the content of such product.
- **S. 2789 KLEIN** - Regulates vehicle licensing recovery fees as they relate to rental vehicles.
- **S. 3497A GRISANTI** - Prohibits the sale or purchase of certain items as scrap; street signs, funeral markers, government entity, utility, cemetery or railroad items; preempts local laws.
- **S. 4435A ROBACH** - Strengthens current regulations relating to file-sharing applications.
- **S. 4925 LAVALLE** - Prohibits the sale of carolina fanwort, which is scientifically known as cabomba caroliniana grey.

Passed Both Houses

- **S. 1880B ESPAILLAT** - Establishes penalties for licensed barbers who sell alcohol to persons under the age of twenty-one years, including the loss of barbering license. Signed into law, Ch. 417.
- **S. 3102 GALLIVAN** - Relates to the no telemarketing sales calls statewide registry. Signed into law, Ch. 127.
- **S. 4485 RANZENHOFER** - Requires health clubs to provide automated external defibrillators during business hours when they are staffed. Signed into law, Ch. 31.
- **S. 5317 FUSCHILLO** - Requires a warning to be printed on baby-bottle and sippy cup packaging concerning tooth decay. Vetoed, Memo 79.
- **S. 5477A ZELDIN** - Increases disclosures of automobile brokers. Signed into law, Ch. 579.

CORPORATIONS, AUTHORITIES AND COMMISSIONS

Senator Michael H. Ranzenhofer, Chair

The Corporations, Authorities and Commissions Committee reported 51 bills from committee this session. Of these 51 bills – six were referenced to a committee of secondary reference and did not advance further. A total of 45 bills advanced to the calendar, of which seven died on the 3rd Reading Calendar, 14 passed the Senate only and 24 passed both houses.

Bills Died in Committee of Secondary Reference

Finance

- **S. 1395A PERKINS** –Relates to debt limitation recommendations for state authorities
- **S. 4429 RANZENHOFER** – Eliminates a number of filing fees imposed on businesses by the department of state.
- **S. 4483 ALESI** – Creates the seed-NY investment fund.
- **S. 4484 RANZENHOFER** – Prohibits bonuses for employees, officers and members of governing boards of state authorities who are members of the New York State retirement system
- **S. 5045 MAZIARZ** – Requires organizations that receive funds for capital improvements use such funds for the purchase of energy star equipment and appliances where available
- **S. 5202 RANZENHOFER** – Relates to claims and actions against the New York city school construction authority arising out of contracts

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S. 519C MAZIARZ** – Removes the ability of public authorities to pay bonuses.
- **S. 742 YOUNG** – Provides that farmers shall receive an exemption from tolls when transporting product to NYC for consumption in the city.
- **S. 2868 GRIFFO** – Permits NYS Canal Corporation to sell lands to governmental entities at a below market value price.
- **S. 3126 MAZIARZ** – Establishes a dairy farm improved energy efficiency loan fund to provide grants and low interest loans to dairy farms for energy efficiency projects and advanced energy technologies.
- **S. 4690 FLANAGAN** – Amends the Excess Medical Malpractice Liability Insurance Coverage Program to lower the primary medical malpractice layer required to be eligible for the Excess Program from its currently required level of \$1.3 million for each claimant/\$3.9 million for all claimants to \$1M for each claimant/\$3M for all claimants.
- **S. 5429 RANZENHOFER** – Clarifies that state regulated cemetery operations are under the sole jurisdiction of the State Cemetery Board which is composed of the Secretary of State, Attorney General and Commissioner of Health or their designees. It also clarifies the definition of cremation to account for technological advances in such processes.

- **S. 5533 BONACIC** – Allows for service of process on the Secretary of State either at the office of the Department of State in the City of Albany or at any of his or her regularly established offices.

Passed Senate Only

- **S. 627 KLEIN** – Provides Economic Development financing for construction and improvements to wholesale regional farmers' markets.
- **S. 1642 BRESLIN** – Enables the St. Andrew's Foundation, to obtain funding and enter into contracts through the dormitory authority for facilities within the Hudson Valley.
- **S. 1989 GOLDEN** – Prohibits a bid to New York City School Construction Authority from being rejected or declared invalid solely for harmless, technical, or ministerial defects where the intent is clearly discernible and unintentional.
- **S. 2471 LANZA** – Provides that the New York City Health and Hospital Corporation spend a minimum of ten percent of its budget on acute care and emergency room facilities in each of the five boroughs.
- **S. 2682 RANZENHOFER** – Repeals certain provisions relating to the assessment and reimbursement of state expenditures and requires reimbursement of monies previously paid.
- **S. 3907A LAVALLE** – Adds the Advanced Energy Research and Technology Center of the State University of New York at Stony Brook to the Centers for Excellence Program.
- **S. 4410 FLANAGAN** – Requires that State economic development agencies give preference to the small businesses and entrepreneurs in the award of State assistance.
- **S. 5012A FUSCHILLO** – Allows doctors of chiropractic duly licensed under the education law to form partnerships with medical doctors.
- **S. 5019A GRIFFO** – Converts Clifton-Fine Health Care Corporation from a public benefit corporation to a not-for-profit corporation.
- **S. 5198A RANZENHOFER** – Repeals the statutory authorization for certain public authorities that have ceased operations, and transfers all obligations and liabilities to the municipality in whose interest such authorities were created.
- **S. 5370 RANZENHOFER** – Modernizes and streamlines provisions of the Not-for-Profit Corporation Law to provide clear regulatory guidance to the New York State Cemetery Board in approvals of cemetery transactions and financial oversight.
- **S. 5573 LANZA** – Authorizes certain organizations to be known as "fire patrols" under the not-for-profit corporation law.
- **S. 5594 GRISANTI** – Expands USA Niagara Corporation to include all of the city of Niagara Falls.
- **S. 5670 LITTLE** – Establishes the Corinth and Warren railroad authority to improve and operate a 56 mile section railroad.

Passed Both Houses

- **S. 79A SQUADRON** - Authorizes a New York corporation to elect to be a benefit corporation and thus to have as one of its purposes the creation of general public benefit.
- **S. 614B KLEIN** – Provides financing for transportation projects to facilitate delivery of New York farm products to institutional food service purchasers. Signed into law, Ch. 454.

- **S. 663 VALESKY** – Provides for the creation of land banks by municipalities. Signed into law, Ch. 257.
- **S. 1406 GRISANTI** – Authorizes the sale of state property formerly known as the Buffalo Psychiatric Center to the Richardson Center Corporation. Signed into law, Ch. 14.
- **S. 2987 LAVALLE** – Authorizes a new type of professional service corporation to be known as a design professional service corporation. Signed into law, Ch. 550.
- **S. 3037 GALLIVAN** – Dissolves the former Wadsworth Library charter, allowing all assets to be transferred to the newly organized corporation. Signed into law, Ch. 461.
- **S. 3250A DEFRANCISCO** – Creates the Syracuse Regional Airport Authority which will facilitate adequate, safe, secure and efficient aviation and transportation facilities at a reasonable cost to the people. Signed into law, Ch. 463.
- **S. 3339 DILAN** – Provides financing and construction of capital facilities for Williamsburg Infant and Early Childhood Development Center. Signed into law, Ch. 155.
- **S. 3834A LAVALLE** – Create new purposes for the economic development fund to help fund Biosciences curriculum development and workforce training. Signed into law, Ch. 467.
- **S. 3918 GRISANTI** – Extends for three years, provisions of the Public Authorities Law relating to the special powers of the Environmental Facilities Corporation ("EFC"). Signed into law, Ch. 70.
- **S. 4308 DEFRANCISCO** – Allows a surviving business entity of a merger between a professional service corporation and a professional service limited liability company to be a limited liability company. Signed into law, Ch. 564.
- **S. 4521A GRIFFO** – Allows The Beacon Institute, Inc. through the Dormitory Authority to improve and construct research and education facilities at its center located at the Old Main Building at Clarkson University's downtown campus. Signed into law, Ch. 518.
- **S. 4544 NOZZOLIO** – Allows fire companies within the town of Fleming to utilize volunteers from outside the district in certain instances to provide necessary fire and emergency medical services. Signed into law, Ch. 472.
- **S. 4555A SEWARD** – Authorizes Otsego County, at its option, to terminate its participation in the Montgomery, Otsego, Schoharie Solid Waste Authority.
- **S. 4874 BONACIC** – Extends the term of existence of the Middletown Parking authority until 2012 in order for the city of Middletown to begin using the authority for parking purposes within the city. Signed into law, Ch. 255.
- **S. 5223B LIBOUS** – Codifies the centers of excellence program and its reporting requirements. Signed into law, Ch. 162.
- **S. 5225 RITCHIE** – Includes all of St. Lawrence County within the Service Area of Foreign Trade Zone (FTZ) No. 118. Signed into law, Ch. 364.
- **S. 5415A FUSCHILLO** – Extends the sunset provisions relating to the composition of the MTA Board including two non-voting members (one to represent the riders and one to represent labor). Signed into law, Ch. 576.
- **S. 5437 LARKIN** – Extends the affordability period for existing low income units in 80/20 projects and to induce the construction of affordable and market rate housing. Signed into law. Signed into law, Ch. 508.
- **S. 5452B ALESI** – Adds the term agriculture and market facilities and adds the establishment and development of agriculture and agriculturally related businesses to the purpose of the Genesee Valley Regional Market Authority. Signed into law, Ch. 577.

- **S. 5512 GOLDEN** – Allows for the Dormitory Authority to review projects for possible future financing. Signed into law, Ch. 580.
- **S. 5593 FLANAGAN** – Provides for the expansion of the existing territory of the Randolph Academy union free school district located in the town of Randolph, county of Cattaraugus. Signed into law, Ch. 213.
- **S. 5645 HANNON** – Enables the Primary Care Development Corporation to apply for funding through the Dormitory Authority of the State of New York. Signed into law, Ch. 537.
- **S. 5656 HANNON** – Authorizes the Dormitory Authority of the State of New York to form one or more subsidiaries for the purpose pursuing remedies against a borrower that has defaulted in its obligations with the Authority. Signed into law, Ch. 584.

CRIME VICTIMS, CRIME AND CORRECTION
Senator Michael F. Nozzolio, Chair

The Crime Victims, Crime and Corrections Committee reported 52 bills from committee this session. Of these 52 bills – five were referenced to a committee of secondary reference and did not advance further. A total of 47 bills advanced to the calendar, of which nine died on the third reading calendar, 30 passed the Senate only and eight passed both houses.

Bills Died in Committee of Secondary Reference

Finance

- **S. 470 NOZZOLIO** – Authorizes the head of any correctional institution to charge taxes on sales of commissaries and canteens.
- **S. 1861 LAVALLE** – Increases from twenty-four to sixty months, the time for which reconsideration for parole shall be determined.
- **S. 2005 SKELOS** – Expands the amount of information available about registered sex offenders on the division of criminal justice services website.
- **S. 3249 NOZZOLIO** – Directs the division of parole to maintain a current list of all inmates due to appear before a parole board.
- **S. 5302 BALL** – Extends, from 2 years to 4 years, the time between parole eligibility for certain inmates.

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S. 230 MONTGOMERY** – Requires all correctional facilities to distribute condoms to inmates on a regular schedule free of charge and without request by the inmate.
- **S. 260 MAZIARZ** – Provides that sex offenders shall not be employed in any job involving substantial contact with children.
- **S. 508A MAZIARZ** – Allows the local sheriff or other person in charge of a correctional facility to charge reasonable and necessary fees to the inmates of the facility in order to help support the operations of the facility.
- **S. 1448 LAVALLE** – Requires any parolee, prior to release, to secure an acceptable permanent residence and not a temporary shelter, for the purpose of complying with all state and local laws and regulations regarding placement of registered sex offenders.
- **S. 1825 SKELOS** – Requires sex offenders to annually return a verification form to the Division of Criminal Justice Services.
- **S. 1828 SKELOS** – Requires all sex offenders to register for life. Eliminates the right of level 3 sex offenders classified as such on or before March 11, 2002 to petition a court for relief from the duty to register with the sex offender registry.
- **S. 1829 SKELOS** - Increases the number of times a sex offender has to verify their registration with the Division of Criminal Justice Services.
- **S. 1856A LAVALLE** – Restricts the number of level 2 and level 3 sex offenders that could live in an area if a high concentration of sex offenders were already living in the area or if

the municipality lacked the support services to properly keep track of the offenders living in the community.

- **S. 3537 NOZZOLIO** – Prohibits parole for any inmates convicted of homicide unless five or more members of the Parole Board are present at the hearing.

Passed Senate Only

- **S. 108 DIAZ** – Provides that stalking by technological means shall be prohibited and shall be included in the crimes of stalking in the first, second and third degrees.
- **S. 356 ROBACH** – Mandates that any offender required to register pursuant to the Sexual Offender Registration Act will be designated "level three" if their offense was committed against a child of ten years or less.
- **S. 474 NOZZOLIO** – Permits correction officers to be color blind.
- **S. 476A NOZZOLIO** – Requires inmates to make co-payments in the amount of seven dollars for medical treatment.
- **S. 744A YOUNG** – Authorizes the employment of state and local work release inmates by not-for-profit organizations and public service projects.
- **S. 1194 MAZIARZ** – Defines residency under the sex offender registry act in order to enhance public safety.
- **S. 1209A MARTINS** – Requires inmates incarcerated for a class A-1 felony, requesting a delay of their parole hearing, to submit such request to the state board of parole in order to prevent "shopping" for sympathetic parole commissioners.
- **S. 1418 SALAND** – Prohibits convicted sex offenders from working or volunteering at any facility where such employment would allow the offender unsupervised access to residential living quarters.
- **S. 1429 SALAND** – Requires the Commissioner to enter into agreements to house local inmates when necessary to alleviate overcrowding at local correctional facilities.
- **S. 1449B LAVALLE** – Requires that a school district shall distribute information on sex offenders residing within the school district to the parents of its students.
- **S. 1542 SKELOS** – Increases the penalty to a class E felony for a first offense of failure to register or report a change of address by a level 3 sex offender.
- **S. 1544 SKELOS** – Increases the penalty for failing to register as a sex offender under the Sex Offender Registry Act from a class A misdemeanor to a class D felony.
- **S. 1857A LAVALLE** – Prevents any person required to register under the sex offender registration act from serving as a trustee, principal, officer, or member of a board of education of any public school in any BOCES, city, union free, common or central school district or any charter school.
- **S. 1927 ALESI** – Adds a new section to Megan's Law, which creates a penalty for offering false information when registering as a sex offender.
- **S. 1931 ALESI** - Mandates that work release programs for inmates shall not be allowed to operate in areas zoned exclusively residential by a municipality.
- **S. 1966A MARCELLINO** – Provides that where an inmate to be conditionally released was convicted of a domestic violence offense, the Board of Parole shall notify the victim of such offense of the release and the conditions of such release; provides such notice may also be required to be sent to a shelter for victims of domestic violence.

- **S. 2048 KRUGER** – Includes bail jumping as an offense which will preclude an individual from eligibility for work release programs.
- **S. 2481 FLANAGAN** – Prohibits any sex offender from being granted physical or legal custody of a child by a court, or unsupervised visitation.
- **S. 3220 RANZENHOFER** – Provides that any person who knowingly harbors, houses or employs a sex offender required to register or verify residence or employment, who has failed to register or verify as required by law, shall be guilty of an A misdemeanor.
- **S. 3325 LAVALLE** – Helps insure that sex offenders are held responsible for knowing what the state and local residency and employment laws are in the community verifying they are in compliance with them.
- **S. 3645C GRIFFO** – Establishes a violent felony offender registry, known as Brittany’s Law.
- **S. 3744 LANZA** – Provides that certain sex offenders who are released on parole or sentenced to probation may not enter public libraries.
- **S. 3747 NOZZOLIO** – Eliminates conjugal visits in New York State correctional facilities by removing the Family Reunion Program.
- **S. 4026 ZELDIN** – Prevents convicted level 1, 2, or 3 sex offenders from residing within 500 feet of a building used exclusively as an elementary or high school.
- **S. 4393 FLANAGAN** – Prohibits a defendant who is found not responsible by reason of mental disease or defect from deriving a profit from his or her crime.
- **S. 4560 ROBACH** – Protects college students from dangerous sex offenders who may be residing in college dormitories with them.
- **S. 5189 AVELLA** – Requires that notice of a risk level determination hearing for convicted sex offenders be given to the sex offender and district attorney within five days of the conviction for any sex offender, the risk level determination hearing must be held within 20 days of this notice and prior to sentencing.
- **S. 5288 LANZA** – Requires the Division of Criminal Justice Services' (DCJS) website that provides sex offender registry information to be searchable by the zip code of a registrant's employment.
- **S. 5498 RITCHIE** – Requires parole violators to be transferred to a state correctional facility after 10 business days in a local correctional facility.
- **S. 5565 YOUNG** – Provides greater protection and disclosure to employees of facilities where juvenile delinquents and youthful offenders are placed.

Passed Both Houses

- **S. 296B DIAZ** – Provides that supervision fees for persons on community supervision shall be collected at a central location and shall not be collected by parole officers. Vetoed, Memo 82.
- **S. 1521 KLEIN** – Adds to the sex offender registration act the offense of attempting to commit unlawful surveillance as a registerable offense, and by authorizing local law enforcement agencies to provide entities with vulnerable populations with the exact address of a Level 2 sex offender. Signed into law, Ch. 513.
- **S. 2595 FLANAGAN** – Enables law enforcement to better track offenders registered under the Sex Offender Registration Act. Vetoed Memo 88.

- **S. 2765 HASSELL-THOMPSON** – Requires the department of correctional services to report to the legislature on the staffing and capacity of the state prison system. Vetoed, Memo 34.
- **S. 4084 NOZZOLIO** – Includes the class A misdemeanor offense of Criminal Obstruction of Breathing or Blood Circulation, to the list of offenses for which the Office of Victim Services may make awards to victims when the victim does not suffer physical injury. Signed into law, Ch. 534.
- **S. 4146 DEFRANCISCO** – Mandates that the Sex Offender Registry contains additional information such as type of assigned supervision and the length of time of such supervision, which shall also be actively maintained and updated. Signed into law, Ch. 507.
- **S. 4946A GALLIVAN** – Authorizes local correctional facilities to enter into contracts for the purpose of boarding inmates from other states' local correctional facilities. Signed into law, Ch. 573.
- **S.5368 NOZZOLIO** – Authorizes the detaining in the Ontario County Correctional Facility of persons awaiting arraignment in any local court in the county of Ontario. Signed into law, Ch. 299.

CULTURAL AFFAIRS, TOURISM, PARKS and RECREATION
Senator Elizabeth Little, Chair

The Cultural Affairs, Tourism, Parks and Recreation reported 30 bills from committee this session. Of these 30 bills – two were referenced to a committee of secondary reference and did not advance further – two to Finance. One bill S.5182 by Senator Marcellino eliminating several boards and committees no longer necessary, was referenced to Cultural Affairs as a committee of secondary reference, and ultimately passed the Senate only. A total of 28 bills advanced to the calendar, of which three died on the third reading calendar, six passed the Senate only and 19 passed both houses.

Bills Died in Committee of Secondary Reference

Finance

- **S. 760 YOUNG** - Establishes a historic preservation revolving loan program to provide interest free loans to municipalities for historic preservation projects
- **S. 2747 SERRANO** - Directs the office of parks, recreation and historic preservation or other state agency having jurisdiction of a state park or recreational facility to establish a 3 year and a 5 year access fee that is valid in all state parks and recreational facilities.

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S. 922 MARCELLINO** - Exempts operators of law enforcement vessels from laws which regulate vessels on the navigable waters of the state while such operators are in the course of responding to emergencies.
- **S. 2708 GOLDEN** - Exempts white collar boxing from regulation by the state boxing commission; provides that a "white collar boxer" is a person who is not a professional boxer or an amateur registered with the U.S. Amateur Boxing Federation, and who engages in boxing or sparring contests and exhibitions where no cash prizes having a value of more than \$35 are given or prizes in excess of an amount established by the United States White Collar Boxing, Inc.
- **S. 4988 LITTLE** - Relates to consignments of works of art to art merchants by artists, their heirs and personal representatives

Passed Senate Only

- **S. 234 MAZIARZ** - Establishes the county historian for the county of Niagara and the local historian for any city, town or village located within the county of Niagara shall be appointed by the chief executive officer of such county, city, town or village.
- **S. 554 LITTLE** - Authorizes persons under the age of fourteen to participate in special events involving snowmobiles.
- **S. 1707A GRIFFO** - Establishes protocols for combative sports; authorizes mixed martial arts events in this state.

- **S. 2686A GRISANTI** - Directs the commissioner of parks, recreation and historic preservation to cooperate with municipalities in establishing adopt-a-park programs; municipalities may enter into agreements with volunteer groups for provision of services.
- **S. 3760 DEFRANCISCO** - Increases the penalties for persons leaving the scene of a boating accident.
- **S.5182 MARCELLINO** – Eliminates several unnecessary boards and commissions, such as, the Empire State Plaza Art commission, the barbers board and the New York statewide law enforcement telecommunications committee.

Passed Both Houses

- **S. 958C MAZIARZ** - Requires a solar powered trash compacting garbage receptacle pilot program whereby 100 garbage receptacles in certain parks will be replaced with solar powered trash compacting garbage receptacles once the commissioner of parks has received the proceeds from advertising space on such receptacles. Vetoed, Memo 41.
- **S. 1914 SERRANO** - Establishes protocols for combative sports; authorizes mixed martial arts events in this state Vetoed, Memo 43.
- **S. 2152 MCDONALD** - Extends the term of the lease of certain park lands and provides for the return of such park lands to the village of Round Lake upon the occurrence of certain conditions. Signed into law, Ch. 324.
- **S. 2912 LITTLE** - Authorizes the village of Saranac Lake to grant easements over certain park lands for the purpose of operating a waterworks system. Signed into law, Ch. 64.
- **S. 3060 MARTINS** - Authorizes the village of Saranac Lake to grant easements over certain park lands for the purpose of operating a waterworks system. Signed into law, Ch. 331.
- **S. 3488 NOZZOLIO** - Authorizes town of Webster, Monroe County, to discontinue the use of certain lands as parklands. Signed into law, Ch. 194.
- **S. 4045A MCDONALD** - Authorizes the town of East Greenbush to lease certain parklands for a term not to exceed thirty years. Signed into law, Ch. 337.
- **S. 4253B MAZIARZ** - Allows the county of Niagara to transfer and convey certain parcels of land located within the town of Newfane to the town of Newfane; requires the town of Newfane to hold such land as parkland and to be responsible for the maintenance and development thereof. Signed into law, Ch. 562.
- **S. 4267B O'MARA** - Authorizes Schuyler county to convey an easement through land located in Seneca Harbor Park to enable access to lakefront development. Signed into law, Ch. 563.
- **S. 4473 LAVALLE** - Relates to the regulation of vessels in the village of North Haven in the county of Suffolk. Signed into law, Ch. 278.
- **S. 4493 MARCELLINO** - Extends certain provisions of law relating to the resale of tickets to places of entertainment. Signed into law, Ch. 19
- **S. 4720 YOUNG** - Specifies the terms, requirements and enforcement of surface access permits issued to entities proposing to extract privately-owned oil or gas resources within Allegany State Park. Signed into law, Ch. 568.
- **S. 4838A AVELLA** - Omits the requirement that property in Queens county be conveyed to the city of New York department of parks and recreation within nine years of the effective date of chapter 709 of the laws of 2005. Vetoed, Memo 28.

- **S. 4844A MAZIARZ** - Directs the office of parks, recreation and historic preservation to promulgate regulations to allow Nik Wallenda to traverse the Niagara River Gorge on a high wire. Signed into law, Ch. 572.
- **S. 4861A GRIFFO** - Authorizes the exchange of certain lands between National Grid and the state of New York. Signed into law, Ch. 318
- **S. 5133 O/MARA** - Authorizes the office of parks, recreation and historic preservation to lease the caretaker's house and garage within the Buttermilk Falls state park. Signed into law, Ch. 302.
- **S. 5342 GRISANTI** - Amends the Michigan Street African-American Heritage Corridor Commission draft management plan submission dates. Signed into law, Ch. 438.
- **S. 5372 LITTLE** - Extends through January 1, 2013, provisions authorizing the operation of certain leased personal watercraft and prop-craft without a boating safety certificate. Signed into law, Ch. 301.
- **S. 5534 LIBOUS** - Relates to expanding the Susquehanna Heritage Area by including the cohesive geographical areas of the cities of Binghamton, Johnson City and Endicott, Broome county. Signed into law, Ch. 279.

EDUCATION

Senator John J. Flanagan, Chair

This session the Education Committee reported 65 bills. Of these 65 bills, 57 were reported to the Calendar, with seven bills dying in committees of secondary reference. Of those 57 bills reported to Calendar, 38 passed the Senate only and 19 passed both houses. One bill, S.3320 Ritchie died in Education but was committed as a secondary reference to this committee, having been reported from Local Government.

Bills Died in Committee of Secondary Reference

Finance

- **S. 586A KLEIN** –Restricts the sale, lease, transfer and certain uses of existing outdoor school playgrounds.
- **S. 1583 OPPENHEIMER** – Prohibits contracts with out-of-state school districts in relation to aidable shared service.
- **S. 2420 SALAND** – Requires fingerprinting of prospective employees of special education schools for purposes of a criminal background check.
- **S. 2491A ALESI** – Requires schools to provide instruction in cardiopulmonary resuscitation.
- **S. 4378 BONACIC** – Establishes the Hudson School of Math, Science and Engineering Regional Technology Institute; provides governing board powers and duties.

Rules

- **S. 4174A OPPENHEIMER** – Requires distribution of information on obtaining library card and application to all students.
- **S. 5247A YOUNG** – Authorizes two or more school districts to enter into a contract to establish and operate a regional high school.

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S. 592A FUSCHILLO** – Provides notification to a school district when a parent or guardian intends to send a child to a charter school, in order for the school district to create an accurate budget.
- **S. 1573 OPPENHEIMER** – Grants to any BOCES the ability to enter into contracts with public or association libraries or library systems to provide telecommunications services.
- **S. 2755 LAVALLE** – Allows school districts to share transportation services by entering into a joint contract with another school district.
- **S. 3740 LAVALLE** – Provides that a school district vote on a bond resolution vote shall take place on the third Tuesday in May in conjunction with the school budget vote.
- **S. 3803A LANZA** – Requires the Commissioner of Education to reschedule Regent examinations within twenty business days.
- **S. 3882 RITCHIE** – Allows Belleville Henderson central school district to continue phase two of their capital project.

- **S. 5423A LARKIN** – Repeals references to the West Park union free school district at Esopus since this school is no longer active.

Passed Senate Only

- **S. 595 FUSCHILLO** – Allows parents or guardians, who are physically limited by a disability, the ability to obtain bus services for their children.
- **S. 649 SAMPSON** – Provides resources for schools to implement a physical education program.
- **S. 921 MARCELLINO** – Authorizes school districts to enforce and continue in effect the suspension of a pupil ordered by the school district that the pupil previously attended.
- **S. 941 MARCELLINO** – Corrects a ministerial filing error on the part of the Oyster Bay-East Norwich central school district in relation to their eligibility for state aid.
- **S. 1432 SALAND** – Requires that any state mandate imposing a cost upon a school district may not be imposed after the adoption of a school budget.
- **S. 2328A LANZA** – Requires the City of New York to provide transportation to all children residing in the City to and from the school they legally attend.
- **S. 2352 GRISANTI** – Includes grades seven to twelfth grades in the instruction in the understanding and acceptance of people with disabilities.
- **S. 2357B OPPENHEIMER** – Enhances privacy protections to students' personally identifiable student information contained in student education records maintained by schools.
- **S. 2478 GRISANTI** – Provides for the election of members of the board of Education of the Buffalo city school district in November rather than May.
- **S. 2592A LANZA** – Provides for state reimbursement private elementary and secondary schools and colleges for the cost of metropolitan commuter transportation mobility tax payments.
- **S. 3297 DEFRANCISCO** – Authorizes the state library to coordinate the purchase of electronic databases or other information resources for state agencies, libraries and other governmental entities.
- **S. 3501B FLANAGAN** – Creates a default layoff mechanism in New York City in effect unless and until such time as the city of New York and its teachers' union collectively bargain new layoff procedures.
- **S. 3874 LAVALLE** – Validates shared busing transportation contracts between the Greenport public school district and private contractors for school years 2001-2004 that were disapproved through clerical error.
- **S. 3964B LIBOUS** – Requires School District Superintendents be residents of the State.
- **S. 4100 FARLEY** – Allows public libraries to apply for and receive Employment preparation Education (EPE) funds for pre-GED and other adult literacy services authorized under the program.
- **S. 4123 RANZENHOFER** – Allows school districts to enter into cooperative agreements to share contracts for goods or services when the district will realize a savings.
- **S. 4434A MARTINS** – Allows school boards to reduce the number of seats available to pupils on school buses, if there is a consistent three year pattern of eligible pupils not taking the school bus to school provided by the school district.

- **S. 4486 RANZENHOFER** – Reduces the duplicative and onerous requirement of both internal and external annual audits annually, and extends time frame to five years.
- **S. 4556 RANZENHOFER** – Makes internal annual audits optional, unless deficiencies are revealed by the Comptroller.
- **S. 4663A BONACIC** -- Allows school districts and BOCES units to provide administrative services together.
- **S. 4873A SALAND** -- Expands the existing education law reporting requirements related to suspected child abuse in an educational setting, where the abuse is committed by a child upon another child and also where the abuse is witnessed by an employee.
- **S. 4921 SALAND** – Defines and prohibits the bullying of students and others on school property, both conventional and cyber-bullying
- **S. 5031A JOHNSON** – Provides for the expeditious payment of public high cost excess cost aid for the 2008-2009 school year to the Wyandanch union free school district.
- **S. 5184B YOUNG** – Authorizes two or more school districts in certain counties to enter into a contract to establish and operate a regional high school.
- **S. 4663A BONACIC** – Encourages improved economies of scale and cost efficiencies in how administrative services are provided in school districts and BOCES units around New York State.
- **S. 5315A FLANAGAN** – Allows the Smithtown Central School District to continue their capital improvement plan by remedying a ministerial filing error on the part of the school district.
- **S. 5347 VALESKY** – Allows the Tully Central School District to bond the funds in the amount of \$210,000 with a repayment period over 15 years in order to settle pending litigation.
- **S. 5390 FARLEY** – Allows the Schenectady City School District to spread out repayment of excess state aid over three years.
- **S. 5394 MARTINS** – Legalizes certain transportation contracts from the 2008-2009 school year between the New Hyde Park-Garden City Park Union Free School District and Huntington Coach.
- **S. 5513 LARKIN** – Provides that Monroe-Woodbury central school district shall be entitled to full aid notwithstanding the fact that they were in session for only 179 days.
- **S. 5650 FLANAGAN** – Directs the Commissioner of the New York State Education Department to issue a report on early childhood education in children ages zero to five years old in daycare settings.
- **S. 5675A GOLDEN** – Allows the Commissioner of Education to approve a lease submitted for approval after execution upon a showing of good cause for the delay.

Passed Both Houses

- **S. 587A KLEIN** – Requires the Chancellor of the New York City School District to compile an inventory of the outdoor schoolyards in such school district and to prepare a report on such playgrounds. Signed into law, Ch. 544.
- **S. 1313B DIAZ** – Establishes criminal sanctions for prostitution in a school zone and promoting prostitution in a school zone. Signed into law, Ch. 191.
- **S. 2776 YOUNG** – Authorizes the Fredonia Central School District to receive state aid for a certain approved capital funded project. Vetoed, Memo 71.

- **S. 3401 GOLDEN** – Allows certain Tier 3, 4 and 5 vested members of the New York State Teachers' Retirement System who have permanently ceased teaching to withdraw from membership in the System. Signed into law, Ch. 553.
- **S. 3418A FLANAGAN** – Extends, until June 30, 2014, the authority of the Commissioner of Education, to exempt discretionary grants to school districts from Comptroller pre-approval. Signed into law, Ch. 160.
- **S. 3467 OPPENHEIMER** – Ratifies certain acts of the Mamaroneck Union Free School District regarding transportation contract for the 2008-2009 school year. Vetoed, Memo 61.
- **S. 3716 LAVALLE** – Allows the State Education Department to accept Final Cost Reports for seven projects in the Rocky Point UFSD and process the aid applications. Vetoed, Memo 74.
- **S. 3776 VALESKY** – Reauthorizes the Madison Oneida BOCES to provide repair and maintenance services on the fleet of buses owned and operated by the Madison Cortland ARC, as previously approved in 2005, 2007 and 2009. Signed into law, Ch. 32.
- **S. 3859 SEWARD** – Changes the name of Georgetown-South Otselic School District to the Otselic Valley Central School District at Georgetown-South Otselic. Signed into law, Ch. 136.
- **S. 4067A GOLDEN** – Allows school districts the option of amortizing pension payments. Vetoed, Memo 23.
- **S. 4101A FARLEY** – Enables more public libraries to utilize the state construction grant program. Signed into law, Ch. 498.
- **S. 4211 FLANAGAN** – Allows non-public schools to enter into contracts with BOCES schools for the processing of fingerprints in relation to criminal background checks. Signed into law, Ch. 17.
- **S. 4231 GIANARIS** – Provides flexibility in notifying parents of students potentially affected by bedbug infestations in certain school districts. Signed into law, Ch. 300.
- **S. 4248 HASSELL-THOMPSON** – Minimizes the cost factor in school board trustee elections and to provide an easier flow of trustees to the school board. Signed into law, Ch. 18.
- **S. 4564 FARLEY** – Ratifies acts of the Schenectady City School District to ensure that the District receives needed state reimbursement for certain transportation contracts. Vetoed, Memo 76.
- **S. 4723B ZELDIN** – Directs the education department to consider plans submitted for seven specified construction projects to have been submitted in a timely manner and to review such plans and specifications. Vetoed, Memo 64.
- **S. 4935B JOHNSON** – Authorizes the Babylon union free school district to receive state aid for a certain approved capital funded project. Vetoed, Memo 77.
- **S. 5244 MCDONALD** – Requires the state library to be open for at least eight hours each day on five days every week of the year except for specified legal holidays. Signed into law, Ch. 261.
- **S. 5524 FLANAGAN** – Reconciles laws prohibiting corporate practice of certain licensed professions with sanctioned practices of special education schools organized to provide multidisciplinary evaluations and related services recommended on the student's individualized education program, regardless of the profession involved. Signed into law, Ch. 581.

ELECTIONS

Senator Thomas F. O'Mara, Chair

This legislative session there were 15 bills were reported from the Elections Committee, 13 were reported to the Calendar, while two died in a committee of secondary reference. Of the 13 bills reported to the Calendar, three died on the 3rd Reading Calendar, four passed the Senate only and six ultimately passed both houses.

Bills Died in Committee of Secondary Reference

Finance

- **S. 1557 ADDABBO** –Provides for the requirements in absentee ballot applications for village elections to conform to state board of election absentee ballot requirements.
- **S. 4948 GALLIVAN** –Authorizes towns, fire districts, and improvement districts to delegate conduct of certain elections to county boards of elections.

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S. 4379 GALLIVAN** – Provides for the question of whether to hold Constitutional Convention next year shall be placed before the voters.
- **S. 4911 KLEIN** – Corrects the designation of veterans in absentee voting procedures to read as a "resident or patient of a veteran's administration hospital."
- **S. 5071 LAVALLE** – Requires reporting of spending in support of or opposition to certain school district budget proposals.

Passed Senate Only

- **S. 2339A MARTINS** – Allows villages and districts to use mechanical lever voting machines during their elections or paper ballots.
- **S. 4208 GRIFFO** – Commits New York to an interstate agreement to dedicate electoral votes to the candidate that receives a majority of the popular vote cast within all 50 states including the District of Columbia.
- **S. 4744A O'MARA** – Removes the requirement that the address of the candidate be along with the name of the candidate prior to an election.
- **S. 4827 GALLIVAN** – Allows a candidate seeking to fill an office in a general election the opportunity to decline a party designation upon conclusion of the primary election.

Passed Both Houses

- **S. 3500 O'MARA** – Provides county boards of elections additional time prior to special elections in order to allow military ballots to be timely mailed to voters in compliance with the federal Uniformed and Overseas Citizens Absentee Voting Act. Signed into law, Ch. 4.
- **S. 4481A O'MARA** – Renumbers subdivision 7 of section 3-400 of the election law. Signed into law, Ch. 133.

- **S. 4748 O'MARA** – Requires that poll-workers are provided with maps, street finders, or other descriptions of all of the polling places and election districts within the municipality where the polling place is located, rather than of those within the entire county. Signed into law, Ch. 125.
- **S. 5211 O'MARA** – Permits sealed packages of unused ballots to be retained for four months and then may be destroyed provided that a certificate is filed with the balance of the ballots for the balance of the two year retention period. Signed into law, Ch. 282.
- **S. 5385 GALLIVAN** – Updates and clarifies the election law regarding the security of removable memory cards or other similar electronic media used by new voting systems. Signed into law, Ch. 169.
- **S. 5677 LANZA** – Makes technical conforming changes in the law to match previously adopted statutory language in relation to the retention of absentee ballots and the canvass of military and absentee ballots. Signed into law, Ch. 308.

ENERGY AND TELECOMMUNICATIONS

Senator George D. Maziarz, Chair

This legislative session there were 43 bills were reported from the Elections Committee, 11 bills died in a committee of secondary reference. Of the 32 bills reported to the Calendar, eight passed the Senate only, nine died on the 3rd Reading Calendar and 15 passed both houses.

Bills Died in Committee of Secondary Reference

Finance

- **S. 295 DIAZ** –Requires telegraph and telephone corporations to charge religious organizations residential rates.
- **S. 361 ROBACH** –Authorizes the New York state foundation for science, technology and innovation to establish a high-tech employment and training program.
- **S. 1046 PARKER** – Relates to encouraging public-private partnerships to help spread broadband deployment.
- **S. 1054 PARKER** – Exempts low-emission and energy efficient vehicles from retail sales and compensating use taxes.
- **S. 2990 MAZIARZ** – Establishes a biodiesel grant program for the agricultural production of biodiesel.
- **S. 4081B RANZENHOFER** – Repeals subdivision 6 of section 18-a of the public service law, relating to a temporary state energy and utility service conservation assessment.
- **S. 4149 BALL** – Establishes the nodal metering initiative demonstration project.
- **S. 4178A MAZIARZ** – Establishes the New York solar industry development and jobs act of 2011.
- **S. 4747 O’MARA** –Creates a bulk electricity purchasing program.
- **S. 4862 LAVALLE** – Establishes the solar feed-in tariff pilot program.
- **S. 5045 MAZIARZ** –Requires organizations that receive funds for capital improvements use such funds for the purchase of energy star equipment and appliances where available.

Bills Advanced to the Calendar

Died on the 3rd Reading Calendar

- **S. 210 MAZIARZ** –Directs the New York Power Authority to substantially improve and upgrade the Niagara project's power producing capacity.
- **S. 355 ROBACH** – Establishes energy efficiency standards for lighting products in New York State as established by the New York state Energy Research and Development Authority.
- **S. 3203A MAZIARZ** – Exempts the sale and installation of commercial solar energy systems equipment from sales and compensating use taxes.
- **S. 3264 STEWART-COUSINS** – Requires the Office of Technology to develop or acquire a geographic information system and mapping methodology available upon request for use by all municipalities to calculate future development potential under current law.

- **S. 3447 LAVALLE** – Clarifies that the Long Island Power Authority Act does not preempt municipalities from establishing municipal power agencies.
- **S. 3656 GRIFFO** – Allows a municipal corporation hosting at least one wind turbine electric generating facility to establish a wind turbine facility tax stabilization reserve fund.
- **S. 3674 MARCELLINO** – Offers a sales tax exemption on the purchase of energy star qualified appliances.
- **S. 4775 MAZIARZ** – Ensures that Volunteer fire companies are not punished with expensive demand charges, while in the course of performing their most vital functions.
- **S. 5549 MAZIARZ** – Requires Power Authority to conform their annual report and books of account with the ones submitted by electric and gas corporations to the PSC.

Passed Senate Only

- **S. 151 MAZIARZ** – establishes the Empire Propane Education and Research Act (PERC) funded through a voluntary fee of 1/10th of one cent assessed on companies which odorize propane with Ethyl Mercaptan intended for sale in New York State.
- **S. 191 MAZIARZ** – Establishes a process for the siting of electric generating facilities and repowering projects
- **S. 2601 GRISANTI** – Requires one NYPA trustee to be from Niagara and one from St. Lawrence County.
- **S. 3164 MAZIARZ** – Creates a new permanent, 910 megawatt ("MW") Recharge New York power program ("Recharge N.Y.") administered by NYPA.
- **S. 3657 GRIFFO** – Establishes the resultsNY.gov website to be initiated, operated and maintained by the state office for technology.
- **S. 3872B MAZIARZ** – Prepares a tracking system for generation attributes.
- **S. 5085 MAZIARZ** – Requires the Department of Labor to provide analysis and recommendations of how the traditional utility industry is addressing and should address workforce development in the areas of generation and transmission.
- **S. 5407 MAZIARZ** – Relates to establishing the western New York power proceeds allocation board.

Passed Both Houses

- **S. 215 MAZIARZ** – Collects data on the effectiveness of energy efficiency grants awarded by NYSERDA. Signed into law, Ch. 5.
- **S. 511A MAZIARZ** –Directs NYSERDA to collect information during the pre- and post-installation audits of residential properties that have received energy efficiency services. Vetoed, Memo 69.
- **S. 607B MAZIARZ** – Encourages the development of new, clean alternative Electric generation technologies by reducing the regulatory burden on batteries flow batteries and capacitors. Signed into law, Ch. 6.
- **S. 1053 PARKER** – Enacts the accessible electronic information act for blind and disabled persons. Vetoed, Memo 58.

- **S. 1149A PARKER** – Expands the list of electric generating systems eligible for net metering to include micro-hydroelectric systems. Signed into law, Ch. 546.
- **S. 2373A STEWART-COUSINS** – Authorizes recording officers to accept conveyance of real property presented for recording as electronic records. Signed into law, Ch. 549.
- **S. 2581 LAVALLE** – Clarifies the requirement that LIPA rates may not be increased an average of two and one half percent over a twelve month period without the approval of the PSC.
- **S. 3407A MAZIARZ** – Allows farm operations, customers who own land used in agricultural production and non-residential customers of an electric corporation to generate electricity at one location, and, via "remote not metering", apply net metering credit for such electricity generation to meters at other locations on the customer's property in order to offset the customer's total annual energy costs. Signed into law, Ch. 35.
- **S. 3579 BONACIC** – Modifies a limitation on the size of a city or village that may be served by a rural electric cooperative. Signed into law, Ch. 555.
- **S. 3755B MAZIARZ** – Allows independent not-for-profit colleges and universities to access NYPA energy-related projects, programs and services. Signed into law, Ch. 494.
- **S. 3914A MAZIARZ** – Changes the composition of the energy planning board and streamline its operations. Signed into law, Ch. 195.
- **S. 3915 MAZIARZ** – Extends the ability for OGS to make bulk purchases of renewable energy on behalf of state agencies until 2015. Signed into law, Ch. 68.
- **S. 4548 MAZIARZ** – Eliminates any requirement that solar electric generating equipment of less than 25 kilowatts have an external disconnect switch. Signed into law, Ch. 413.
- **S. 4849 MARCELLINO** – Expands the type of energy information compiled by NYSERDA to include energy efficient and environmentally sound outdoor lighting. Signed into law, Ch. 503.
- **S. 5443A MAZIARZ** – Includes fuel cell generating equipment sited by non-residential electrical customers into the state's net electrical metering laws. Signed into law, Ch. 530.

ENVIRONMENTAL CONSERVATION

Senator Mark Grisanti, Chair

This legislative session there were 109 bills were reported from the Environmental Conservation Committee, 102 of which were reported to Calendar, seven died in a committee of secondary reference. Of those bills reported to the Calendar, 14 bills did not ultimately pass, 25 passed the Senate only, and 63 passed both houses.

Bills Died in Committee of Secondary Reference

Finance

- **S. 615 KLEIN** –Allows certain disabled persons to fish without a license.
- **S. 653 VALESKY** –Requires the department of environmental conservation to prepare a report on the economic impact of hunting, fishing, and wildlife-associated activities in New York.
- **S. 2140 BONACIC** –Creates a task force on interagency cooperation within the forestry industry.
- **S. 3495 MARCELLINO** –Relates to the sale of state owned land.
- **S. 3496 GRISANTI** –Defines refillable beverage containers and authorized manufacturers of refillable beverage containers to retain unclaimed deposits.
- **S. 3638 ZELDIN** –Establishes a registration system for saltwater recreational fishing.
- **S. 5228 GRISANTI** –Relates to brownfield site cleanup.
- **S. 5403 GRISANTI** –Authorizes Michael P. Koval to receive retirement service credit for prior service.

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S. 1678 KLEIN** – Ensures that new scientific knowledge is considered, on a regular basis, by the Department of Environmental Conservation (DEC), in relation to environmental impact review.
- **S. 2369C SEWARD** – Extends the period of compliance for retrofitting heavy-duty diesel vehicles pursuant to the Diesel Emission Reduction Act of 2006 (DERA).
- **S. 2418 GRIFFO** – Provides that in a special open season, there would be the taking of antlerless deer only, by the use of a bow and arrow only, by holders of a small and big game, sportsman, or free sportsman license to which a valid bowhunting stamp is affixed or to holders of a junior archery, resident or non-resident super sportsman, or non-resident bow hunting license.
- **S. 2630 MARCELLINO** – Allows for shellfish companies to reimburse DEC for the cost of inspections needed to open shellfish beds for harvest.
- **S. 2641 LAVALLE** – Institutes a cap on the number of licenses issued by DEC to owners of charter vessels limited to six passengers which operate in the State through 2015.
- **S. 2741A AVELLA** – Authorizes DEC to adopt rules and regulations to regulate coastal and marine activities that threaten sea grass.

- **S. 2975 NOZZOLIO** – Allows the hunting of deer and bear through the use of a rifle in Ontario County but restricting within the county to south of Routes 5 and 20.
- **S. 3137A LIBOUS** – Allows non-charter counties to enter into leases for a period exceeding 5 years in order to put them in the same position as charter counties.
- **S. 3459 GRIFFO** – Authorizes a junior small game license for children 12 years of age or older to hunt with a muzzle loader firearm.
- **S. 4287A JOHNSON** – Authorizes DEC to adopt rules and regulations to regulate coastal and marine activities that threaten sea grass.
- **S. 4383 YOUNG** – Directs DEC to adopt regulations for emissions levels in outdoor wood boilers consistent with EPA regulations, and to take effect no sooner than 2012.
- **S. 4522 GRISANTI** – Exempts "minimal risk pesticides" from the registration and certification requirements.
- **S. 4933 BONACIC** – Promotes hunting, fishing and outdoor activities in an educational capacity.

Passed Senate Only

- **S. 193 MAZIARZ** – Allows honorably discharged disabled veterans to purchase a lifetime sportsman license at a reduced rate.
- **S. 553 LITTLE** – Authorizes the DEC forest rangers to establish, direct and maintain a program for the purposes of training and credentialing volunteer, wild land search and rescue personnel.
- **S. 783 YOUNG** – Prevents the owner of a dog from being held liable if the dog becomes temporarily lost or wanders from its owner or trainer while hunting.
- **S. 794 YOUNG** – Allows students of fishing clinics to learn the fundamentals of the sport but also enable them to acquire hands on experience prior to applying for a license.
- **S. 851 YOUNG** – Exempts agricultural land used for production of livestock or livestock products from the prohibition on salt licks.
- **S. 1456A LAVALLE** – Authorizes the catching and possession of up to 5 times the daily limit of fish during any seven day period of time.
- **S. 2351 MCDONALD** – Creates a Historic Hudson-Hoosic Rivers Partnership, to address such matters such as collaborative agriculture and open space protection, tourism development and revitalization of main streets and protection of natural resources.
- **S. 2500 MCDONALD** – Provides for a study of the marine life, amphibians and mammals inhabiting the area known as the Dewey Loeffel Hazardous Waste Site.
- **S. 2648 GRISANTI** – Clarifies that personal information submitted on applications for hunting, fishing and trapping licenses and permits shall not be disclosed.
- **S. 2650 GRISANTI** – Clarifies and eliminates inconsistencies relating to management of pheasants and quails.
- **S. 2775 YOUNG** – Defines integrated pest management to provide a basis of understanding and common understanding of the practice and intention.
- **S. 2839A YOUNG** – Authorizes a public information and education program for soil and water conservation districts.
- **S. 2887A MARCELLINO** – Allows for commercial pesticide applicators in a dosage, concentration or frequency less than that specified on the labeling.

- **S. 2933 LAVALLE** – Grants DEC the flexibility to amend the legal description of the non-preserve lands to be conveyed to the department to avoid minor conflicts of title with adjoining private landowners and still achieve the purpose of the original legislation.
- **S. 2973 NOZZOLIO** – Allows a physically handicapped person to use a crossbow while hunting big and small game, provided that they submit their disability to DEC.
- **S. 3244 FARLEY** – Allows the safe discharge of a longbow over water by a person bow fishing if no dwelling, house, public structure, livestock or person is situated in the line of discharge less than 500 feet from the point of discharge.
- **S. 3919 GRISANTI** – Extends DEC’s authority to regulate the State’s migratory game bird hunting seasons and bag limits.
- **S. 4213 GRISANTI** – Authorize the DEC to allow the use of live restraint cable devices for the trapping of wildlife.
- **S. 4361 YOUNG** – Enhance the ability of farmers and other landowners to selectively harvest timber within a regulated wetland .
- **S. 4604ALAVALLE** – Authorizes the use of mechanical harvesting gear within the entire boundary of a lease issued, regardless of lease size, if a cultivation plan is submitted to and approved by DEC.
- **S. 4762 MCDONALD** –Includes the federal government within the definition of "public body" for purposes of conservation easements.
- **S. 5161 RITCHIE** – Allows for the purchase of gift cards for hunting and fishing licenses in New York state.
- **S. 5318 FUSCHILLO** – Extends until October 1, 2011, the authority of the Health Commissioner of Nassau County, to enforce water pollution control laws.
- **S. 5323B ROBACH** – Amends the formula for the imposition of the fees on hazardous waste and hazardous wastewater to incentivize on-site recycling of such waste.
- **S. 5418A GRISANTI** – Establishes a new allocation scheme under the Navigation Law to enable DEC to fairly allocate responsibility for a cleanup among the dischargers who should share in the remediation costs and establishes a new liability limitation to incentivize parties to remediate contaminated sites.

Passed Both Houses

- **S. 177A MAZIARZ** – Lowers the age from fourteen to twelve required for an individual to obtain a junior archery license. Signed into law, Ch. 25.
- **S. 656A VALESKY** – Allows DEC to designate organized fishing events that provide physical and emotional rehabilitation for current and former Members of the Armed Services. Signed into law, Ch. 46.
- **S. 801A YOUNG** – Allows sportsmen to hunt deer and bear in Chautauqua County with rifles. Signed into law, Ch. 321.
- **S.1683A SEWARD** – Allows hunters to use a rifle during open season for deer in Cortland County. Signed into law, Ch. 323.
- **S. 2324 BONACIC** – Prohibits the taking of northern or lined seahorse for commercial purposes. Signed into law, Ch. 81.
- **S. 2363A SEWARD** – Allows willing members of regional fish and wildlife management boards (FWMBs) to succeed themselves after serving four two-year terms. Signed into law, Ch. 511.

- **S. 2385A GALLIVAN** – Allows the hunting of deer and bear through the use of a rifle in Wyoming County. Signed into law, Ch. 326.
- **S. 2462B LIBOUS** – Authorizes an individual to angle for fish with up to 3 lines in freshwater. Signed into law, Ch. 455.
- **S. 2840A YOUNG** – Gives additional state officials membership on the New York Ocean and Great Lakes Ecosystem Conservation Board. Signed into law, Ch. 363.
- **S. 2877A GRISANTI** – Revises the number of reverse vending machines (RVMs) that are required of certain businesses to redeem empty beverage containers, based on the square footage of the store. Signed into law, Ch. 459.
- **S. 3421 LAVALLE** – Authorizes DEC to make youth-only pheasant hunting opportunities available on Long Island. Signed into law, Ch. 366.
- **S. 3764A BONACIC** – Removes the fee associated with the transfer of a lifetime hunting, fishing or trapping license when the deceased was a member of the armed forces. Signed into law, Ch. 90.
- **S. 3771 LAVALLE** – Amends the Connecticut-New York Bi-State Long Island Sound Committee’s enabling legislation to recognize the threats from impending industrialization and conform to recent changes to Connecticut Law. Signed into law, Ch. 33.
- **S. 3791 GRISANTI** – Promotes safety in and around stormwater retention ponds by amending the conservation law to require modification of the Stormwater Management Design Manual. Signed into law, Ch. 557.
- **S. 3798 GRISANTI** – Authorizes DEC to implement a water withdrawal permitting program to regulate the use of the State's water resources. Signed into law, Ch. 401.
- **S. 3858B GRISANTI** – Restricts and regulates the trade of bear gallbladders and bile, which are often taken from bears killed strictly for those parts, while not impacting legal hunting rights. Signed into law, Ch. 468.
- **S. 3870 LANZA** –Extends the moratorium on placement of facilities and certification of routes to transport liquefied natural or petroleum gas in cities with a population of one million or more until April 1, 2013.Signed into law, Ch. 10.
- **S. 3888 GRISANTI** – Provides a technical amendment to the law restricting the sale of certain mercury-added products. Signed into law, Ch. 20.
- **S. 4056 GRISANTI** – Increase awareness of expenditures from the Environmental Protection Fund (EPF). Signed into law, Ch. 277.
- **S. 4072A ZELDIN** – Makes the harvesting of surf clams and ocean quahogs more economical and sustainable into the future. Signed into law, Ch. 153.
- **S. 4085A GRISANTI** – Limits children's exposure to certain chemicals. Signed into law, Ch. 259.
- **S. 4323 GRISANTI** – Authorizes the sale of metal beverage containers with caps that do not decompose. Signed into law, Ch. 381.
- **S. 4363A GRISANTI** – Amends provisions regarding notice requirements from certain pesticide applicators. Signed into law, Ch. 526.
- **S. 4633 GRISANTI** – Prohibits the taking of striped bass from the Hudson River for commercial purposes. Signed into law, Ch. 435.
- **S. 4964 MARTINS** – Extends DEC’s authority to manage weakfish. Signed into law, Ch. 418.
- **S. 4965 MARTINS** – – Extends DEC’s authority to manage Atlantic herring. Signed into law, Ch. 292.

- **S. 4966 GRISANTI** –Extends DEC’s authority to regulate fish. Signed into law, Ch. 425.
- **S. 4967 GRISANTI**– Extends DEC’s authority to manage deer hunting in the Northern Zone. Signed into law, Ch. 424.
- **S. 4968 MARTINS**– Extends DEC’s authority to manage alewife. Signed into law, Ch. 296.
- **S. 4969 MARTINS** – Extends DEC’s authority to manage American eel. Signed into law, Ch. 290.
- **S. 4970 MARTINS** – Extends DEC’s authority to manage American shad. Signed into law, Ch. 294.
- **S. 4971 MARTINS** – Extends DEC’s authority to manage Atlantic and shortnose sturgeon. Signed into law, Ch. 295.
- **S. 4972 JOHNSON** – Extends DEC’s authority to manage fluke-summer flounder. Signed into law, Ch. 421.
- **S. 4973 JOHNSON** – Extends DEC’s authority to manage fish, shellfish and crustacea. Signed into law, Ch. 86.
- **S. 4974 JOHNSON** – Extends DEC’s authority to manage bluefish. Signed into law, Ch. 429.
- **S. 4975 JOHNSON** – Extends DEC’s authority to manage winter flounder. Signed into law, Ch. 419.
- **S. 4976 JOHNSON** – Extends DEC's authority to manage striped bass. Signed into law, Ch. 87.
- **S. 4977 JOHNSON** – Extends DEC’s authority to manage sharks. Signed into law, Ch. 428.
- **S. 4978 JOHNSON** – Extends DEC’s authority to manage blackfish. Signed into law, Ch. 88.
- **S. 4979 JOHNSON** – Extends DEC’s authority to manage black sea bass. Signed into law, Ch. 422.
- **S. 4980 JOHNSON** – Extends DEC’s authority to manage Atlantic cod. Signed into law, Ch. 293.
- **S. 4981 MARCELLINO** – Extends DEC’s authority to manage hickory shad. Signed into law, Ch. 291.
- **S. 4982 MARCELLINO** – Extends DEC’s authority to manage monkfish. Signed into law, Ch. 423.
- **S. 4983 MARCELLINO** – Extends DEC’s authority to manage scup. Signed into law, Ch. 426.
- **S. 4984 MARCELLINO** – Extends DEC’s authority to manage blueback herring. Signed into law, Ch. 298.
- **S. 5082A VALESKY** – Makes permanent provisions for use of rifles for deer hunting in Madison County. Signed into law, Ch. 173.
- **S. 5086A JOHNSON** – Extends and modifies the eligibility limitations for commercial fishing licenses. Signed into law, Ch. 383.
- **S. 5087 JOHNSON** – Extends DEC’s authority to manage lobsters. Signed into law, Ch. 439.
- **S. 5105 O’MARA** – Permanently allows sportsmen in the county of Schuyler to hunt deer and bear with a rifle. Signed into law, Ch. 202.

- **5106 O'MARA** – Permanently allows sportsmen in the counties of Chemung, Steuben and Yates to hunt deer and bear with a rifle. Signed into law, Ch. 203.
- **S. 5117 GRISANTI** – Extends DEC's authority to manage migratory game birds. Signed into law, Ch. 76.
- **S. 5134 AVELLA** – Extends DEC's authority to manage squid. Signed into law, Ch. 297.
- **S. 5192 ZELDIN** – Extends DEC's authority to manage crabs. Signed into law, Ch. 289.
- **S. 5193 ZELDIN** – Extends DEC's authority to manage scallops. Signed into law, Ch. 427.
- **S. 5194 ZELDIN** – Extends DEC's authority to manage oysters. Signed into law, Ch. 431.
- **S. 5195 ZELDIN** – Extends DEC's authority to manage whelks and conchs. Signed into law, Ch. 420.
- **S. 5196 ZELDIN** – Extends DEC's authority to manage clams. Signed into law, Ch. 481.
- **S. 5332A GRISANTI** – Extends the law allowing for hunting of deer and bear. SIGNED INTO LAW 437.
- **S. 5352 GRISANTI** – Clarifies the provision of law that discusses possession and transportation of wildlife. Signed into law, Ch. 126.
- **S. 5442 MAZIARZ** – Allows children under 14 to acquire a junior archery license. Signed into law, Ch. 178.
- **S.5444 ZELDIN** – Allows municipalities or fire districts who contract with, or control, fire companies to bill transportation companies for reimbursement when they have incurred costs in responding to hazardous material spills. Vetoed, Memo 66.
- **S. 5601 BONACIC** – Expands the yearling buck protection program to a certain wildlife management area. Signed into law, Ch. 486.
- **S. 5663 LAVALLE** – Authorizes additional land preservation in the Long Island Pine Barrens. Signed into law, Ch. 538.

ETHICS

Senator Andrew J. Lanza, Chair

No Bills Reported From Ethics Committee.

FINANCE

Senator John A. DeFrancisco, Chair
Senator Owen H. Johnson, Vice-Chair

The Finance committee is a Senate Committee of Secondary Reference. Our Senate Rules require all bills that contain an appropriation or have an impact on state finances or any budget bills be reported to the Finance Committee for consideration prior to passage if it is not originally committed to the Finance Committee, but to another standing committee. (Rule VI, § 6, Rule VII, § 7) This legislative session 337 bills were referred to Finance for secondary consideration, 86 were committed to the Finance Committee as its committee of original reference and reported to the Calendar. Of the 337 bills considered as a secondary reference, 226 were ultimately reported to the Calendar.

As each individual committee report will list those bills which were referred to Finance and not reported to the Calendar, as well as those ultimately passed the Senate or both Houses, in this section we will treat only those 86 bills which were referred to the Finance Committee as its committee of origin and reported. Similar to the Rules Committee this is only a snapshot of the Committee's work, but intended not to be duplicative of the other reports. Of the 86 bills originally referred to the Finance Committee and reported from Committee 33 bills passed the Senate only, 38 bills passed both Houses, and 14 were reported to the Calendar and not ultimately passed, one bill was referred to the Rules Committee and was not reported to the Calendar.

Bills Died in Committee of Secondary Reference

Rules

- **S.994 KLEIN**- Establishes principles governing the management of state-owned intellectual property.

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S.342 LITTLE** – Creates consistency in regulations between the Adirondack park agency and Department of Health with respect to campgrounds.
- **S.413 KRUEGER** -- Establishes the empire state performance commission which will advise the governor and the legislature on the implementation of a performance-based budgeting system.
- **S.414 KRUEGER** -- Enacts a balanced budget requirement and creates a governmental accounting review board.
- **S.418 KRUEGER** -- Changes the state fiscal year from April first to June first, changes time frames for school district elections and notice of elections and requires submission of a property tax report card.
- **S.468 NOZZOLIO** – Creates a term for the appointment of the superintendent of state police, and requires Senate confirmation of the Governor's appointee.

- **S.584 KLEIN** – Encourages local governments to display the missing in action on our nation flag commonly known as MIA-OON flag near the September 11 anniversary.
- **S.1073A DEFRANCISCO** -- Requires director of the budget to compile and make public a report showing cash disbursements made on behalf of each agency or office during the preceding 6 months.
- **S.1076 LAVALLE** -- Requires the inclusion of a fiscal note with the adoption of resolutions or rules and regulations governing educational institutions, which will serve as an unfunded mandate on such institution.
- **S.2733A GOLDEN** – Creates a preferred source status for the purposes of procurement if the bidding entity has an economic presence in New York State.
- **S.2853 KRUEGER** – Requires DOB and Office for Technology to create a website to show all state expenditures publicly.
- **S.2857B DEFRANCISCO** -- Expands the collection of DNA samples of individuals arrested for various offenses, requires the preservation of the biological evidence and return upon acquittal; establishes the commission of exoneration review.
- **S.3549A LANZA** -- Provides that state taxes, fees, assessments and surcharges shall not be raised, extended, imposed or revived if there is surplus money in the general fund.
- **S.4006A SKELOS** -- Establishes the New York state independent budget office, enacts a balanced budget requirement and requires the enactment performance-based budgets.
- **S.4570 BALL** -- Requires background checks in connection with certain contracted employees and current and transferred employees of the division of homeland security.

Passed Senate Only

- **S.341 LITTLE** – Eliminates use of eminent domain for open space conservation projects.
- **S.345 LITTLE** -- Redefines "campground" for the purposes of the Adirondack park, and permits additional use of ATVs on campgrounds.
- **S.597A FUSCHILLO** -- Prohibits sex offenders from being entitled to licenses as state licensed real estate appraisers.
- **S.716 ROBACH** -- Establishes an annual spending growth cap and increases the maximum capacity of the state's rainy day fund.
- **S.732 ROBACH** – Authorizes the Dept. of Probation to conduct pre-disposition and pre-sentence investigations in family offense cases.
- **S.824 LITTLE** – Requires a permit system to provide disabled veterans access to certain restricted bodies of water through the use of float planes
- **S.899 STAVISKY** – Requires the Comptroller to publish a large-print version of the unclaimed funds list, and to publicize its availability.
- **S.1071 LIBOUS** -- Enacts the "bridge and road investment and dedicated fund guaranteed enforcement (BRIDGE) reform act" and eliminates non-bridge and highway related spending from the dedicated fund.
- **S.1074 BALL** -- Creates the crime of unlawful defilement of a water supply.
- **S.1677 KLEIN** -- Enacts the "improper payments reporting and reduction act" to require state agencies to annually report on programs with a risk of improper payments and to develop protocols seek a reduction thereof
- **S.1727 LARKIN** -- Designates as a day of commemoration, February 14th, to be known as "Congenital Heart Defects Awareness Day"

- **S.1744 GOLDEN** -- Designates the month of May as elder appreciation month
- **S.1891 ALESI** -- Creates the New York jobs tax credit; reduces personal income tax rates and eliminates costly and unnecessary paperwork and regulations for businesses.
- **S.1892 RANZENHOFER** -- Places limitations on the amount of money that the governor may propose to spend in a given fiscal year.
- **S.1919 ZELDIN** -- Requires two-thirds vote of legislature for any change in tax rates, budget bills and appropriations.
- **S.2461 LIBOUS** -- Enacts the "honesty in permit processing act" to require agencies to report on the time taken to process applications and permits.
- **S.2465 LIBOUS** -- Requires public contracts to include a clause authorizing contractors to recover damages for delay for itself as well as on behalf of subcontractors or materialmen.
- **S.2468 LIBOUS** -- Enacts the "buy from the backyard act" to encourage purchase of local products wherever possible.
- **S.2706 SKELOS** -- Establishes a two-percent tax cap on school district and local government tax levies.
- **S.2707 SALAND** -- Requires the state to fund certain programs mandated for municipal corporations and school districts.
- **S.2734 JOHNSON** -- Requires the transfer of certain lands to the Oak Brush Plain State Preserve by December 1, 2011.
- **S.2838 YOUNG** -- Allows soil and water conservation districts to be eligible applicants for the local waterfront revitalization grant program, rather than requiring a municipality to apply on their behalf.
- **S.2899 DEFRANCISCO** -- Requires agency reports to be posted online, allows printed copies to be provided upon request.
- **S.3181 DEFRANCISCO** -- Provides for release of subcontractor's retainage held by a public owner or contractor sixty days after substantial completion of work.
- **S.3414A KLEIN** -- Authorizes contractors or subcontractors to postpone commencing work until proposed changes exceeding 10% of the original contract are approved by the public owner.
- **S.3538A NOZZOLIO** -- Makes the September 11th national remembrance flag the official NYS September 11, 2001 memorial flag.
- **S.3546 LANZA** -- Creates the teen driver safety commission.
- **S.3871 LANZA** -- Prohibits expenditure of state, local or public authority moneys to fund or provide security for federal terrorism trials in the state of New York.
- **S.4818A CARLUCCI** -- Allows distribution of the state register online versus printed copies being provided to each agency and legislator.
- **S.4855 MONTGOMERY** -- Adds a member to the state procurement council which must be a representative of agricultural interests in the state.
- **S.5129 FARLEY** -- Authorizes background checks of the employees of contractors performing services for state agencies.
- **S.5367 MAZIARZ** -- Extends the tax abatements for industrial and commercial properties, and restores eligibility for electric generating facilities to participate in the ICAP program.
- **S.5671 DEFRANCISCO** -- Authorizes an agency to accept a letter of credit as guarantee of performance of a state procurement contract, which shall not exceed 5% of the contract.

Passed Both Houses

- **S.372A MONTGOMERY** -- Requires reports by state agencies relating to certain grants and expenditures made to community based organizations. Vetoed, Memo 68.
- **S.1072 DEFRANCISCO** -- Enacts the "taxpayer advocate act" to permanently create the office of taxpayer advocate. Vetoed, Memo 70.
- **S.1198 GOLDEN** -- Increases property values which are exempt from the satisfaction of a money judgment. Signed into law, Ch. 1.
- **S.2026 FLANAGAN** -- Apportions state aid for libraries, teachers of tomorrow teacher recruitment and retention program and duties of school districts. Signed into law, Ch. 2.
- **S.3182 DEFRANCISCO** – Clarifies when one may commence an action on a bond related to contracts for public works. Signed into law, Ch. 380.
- **S.3293B DEFRANCISCO** -- Creates the missing vulnerable adults clearinghouse to help locate elderly citizens suffering from dementia, similar to an Amber Alert system. Signed into law, Ch. 222.
- **S.3335 LANZA** -- Prohibits state agencies who disseminate advertising material to the public from accepting advertisements from entities regulated by the agency, where it could create confusion with the public. Vetoed, Memo 56.
- **S.3915 MAZIARZ** -- Extends for four years the ability of OGS to make bulk purchases of renewable energy for state agencies. Signed into law, Ch. 68.
- **S.4025A MAZIARZ** -- Establishes the New York state War of 1812 200th anniversary commemoration commission to promote the 200th anniversary of the War of 1812. Vetoed, Memo 57.
- **S.4053A FARLEY** -- Includes public library systems within the definition of entities that are eligible to apply for local government efficiency grants. Signed into law, Ch. 470.
- **S.4165A LITTLE** -- Defines "community housing project" for purposes of the Adirondack Park, in order to expand access to housing. Signed into law, Ch. 135.
- **S.4257C GOLDEN** -- Prohibits diversion of resources from certain dedicated funds that support the MTA, the NYC transit authority and their subsidiaries. Signed into law, Ch. 601.
- **S.4677 LARKIN** -- Adds the Wallkill river to the definition of inland waterways. Signed into law, Ch. 348.
- **S.4763 FARLEY** -- Includes the Sacandaga River within the definition of inland waterways for the purposes of waterfront revitalization. Signed into law, Ch. 166.
- **S.4820 CARLUCCI** – Reduces the number of copies of documents which must accompany a regulation, and exempts from filing those documents which are available online. Signed into law, Ch. 571.
- **S.4876 LANZA** -- Requires any racing corporation to locate any call centers for accepting wagers within the state of New York. Signed into law, Ch. 402.
- **S.4895 SALAND** -- Directs the municipal police training council to establish policies and procedures for training of police officer investigations of sex offenses. Signed into law, Ch. 506.
- **S.5109 MCDONALD** – Provides exemptions from work restrictions for state officers who are laid off due to budgetary restraints. Signed into law, Ch. 574.
- **S.5253B HANNON** -- Creates an educational reform program and a diversionary program for juveniles who are charged with offenses of “sexting.” Signed into law, Ch. 535.

- **S.5293 BALL** -- Establishes an address confidentiality program for domestic violence victims who need to maintain secrecy of their location. Signed into law, Ch. 502.
- **S.5353 LANZA** -- Extends tax abatements for industrial and commercial construction work on properties in certain cities. Signed into law, Ch. 28.
- **S.5537 CARLUCCI** – Pays the remainder of the annual compensation to Helen Morahan, widow of Senator Thomas P. Morahan. Signed into law, Ch. 210.
- **S.5665 DEFRANCISCO** – Makes technical correction to extend authority of DOB to make payments to the STAR Fund. Signed into law, Ch. 94.
- **S.5672A ESPAILLAT** – Requires truth in advertising for notaries public when advertising in a language other than English. Signed into law, Ch. 586.
- **S.5782 ALESI** -- Provides for a new technology seed fund to help emerging technologies grow in New York. Signed into law, Ch. 103.

BUDGET

On March 30, 2011 the Senate enacted the first early budget in decades, becoming only the fourth on-time budget in over 20 years. This budget included historic reforms that redesign state government, create efficiencies through consolidation, cap spending increases for education and Medicaid, and transform the future budgeting process.

The approximately \$132.5 billion budget reduces spending overall by more than 2 percent from the previous year, eliminates 3,700 prison beds, establishes Regional Economic Development Councils, brings performance funding to education, redesigns Medicaid, and caps spending going forward for Medicaid and education.

This budget reaches its fiscal goals with no new taxes and no borrowing, and will also cut the 2012-13 projected budget deficit from \$15 billion to about \$2 billion. The following bills represent the several appropriation bills and accompanying Article VII legislation bills to implement the spending plan:

- **S.2800E BUDGET** -- state operations appropriation bill. Signed into law, Ch. 50.
- **S.2801A BUDGET** -- legislature and judiciary appropriation bill. Signed into law, Ch. 51.
- **S.2802 BUDGET** -- state debt service appropriation bill. Signed into law, Ch. 52.
- **S.2803E BUDGET** -- aid to localities appropriation bill. Signed into law, Ch. 53. Line Items vetoed, memos 1-22.
- **S.2804D BUDGET** -- capital projects appropriation bill. Signed into law, Ch. 54.
- **S.2807C BUDGET** -- Enacts into law major components of legislation necessary to implement the public protection and general government budget for the 2011-2012 state fiscal year Signed into law, Ch. 57.
- **S.2808D BUDGET** -- Enacts into law major components of legislation which are necessary to implement the education, labor and family assistance budget Signed into law, Ch. 58.
- **S.2809D BUDGET** – Enacts into law major components of legislation necessary to implement the health and mental hygiene budget for the 2011-2012 state fiscal plan Signed into law, Ch. 59.

- **S.2810C BUDGET** -- Enacts major components of legislation necessary to implement the transportation, economic development and environmental conservation budget for 2011-2012 Signed into law, Ch. 60.
- **S.2811C BUDGET** -- Enacts into law major components of legislation which are necessary to implement the state fiscal plan for the 2011-2012 state fiscal year Signed into law, Ch. 61.
- **S.2812C BUDGET** -- Enacts into law major components of legislation necessary to implement the state fiscal plan for the 2011-2012 state fiscal year. Signed into law, Ch. 62.

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- **S. 50001 BUDGET** – Makes appropriations for the support of state government, including programs for summer youth employment, ATTAIN lab, child care demonstration, career pathways, displaced homemaker services, foreclosure, prevention, crime prevention and flood recovery grants. Signed into law, Ch. 55.
- **S. 50002 BUDGET** – Relates to enacting into law major components of law necessary to the state. Signed into law, Ch. 56.

HEALTH
Senator Kemp Hannon, Chair

This legislative session there were 96 bills were reported from the Health Committee, 15 were reported to committees of secondary reference. Of those reported to Calendar, 14 died on the 3rd Reading Calendar, 24 passed the Senate only, and 43 ultimately passed both houses. One bill S. 894A, by Senator Krueger Died in Health as its committee of secondary reference. It had previously been reported from Higher Education. This legislation prohibited pharmacists from refusing to dispense medication solely for philosophical, moral, or religious reasons.

Bills Died in Committee of Secondary Reference

Finance

- **S. 122 DIAZ** –Authorizes the panel to adopt policies to exclude certain non-recurring items from income for the program for elderly pharmaceutical insurance coverage.
- **S. 662 VALESKY** –Relates to establishing the New York state telehealth/telemedicine act.
- **S. 1458 LAVALLE** – Authorizes agreements for county, city and town social services departments to access death certificates maintained by the department of public health.
- **S. 1637 SAMPSON** – Authorizes and directs an evaluation of the need for educating barbers on the health and safety aspects of their trade.
- **S. 2470A MAZIARZ** – Enacts the "safe patient handling act."
- **S. 2556 HUNTLEY** – Establishes mandatory minimum Medicaid coverage for hospital confinement for childbirth.
- **S. 3673A HANNON** – Relates to the establishment of convenient care clinics; authorizes the public health and health planning council to adopt/amend rules and regulations.
- **S. 3865 ROBACH** – Provides that persons with clotting protein deficiencies who are otherwise eligible for certain health insurance programs shall have access to reimbursement for certain services.
- **S. 4158 LITTLE** – Provides that depreciation of assets of all self-employed individuals shall not be considered income for purposes of determining eligibility for family health plus.
- **S. 4325 AVELLA** – Provides all blind and visually impaired patients with an audio recording of the discharge plan and preadmission information.
- **S. 4553 HANNON** – Enacts the "safe staffing for quality care act."
- **S. 4755A SALAND** – Creates the well water and water supply education act; requires public education program on the potential hazards of private water supplies.
- **S. 5114 SAVINO** – Creates an education and outreach program for the autoimmune disease known as lupus.
- **S. 5312 DUANE** – Relates to hypodermic syringes.

Bills Advanced to the Calendar

Died on the 3rd Reading Calendar

- **S. 1207 HANNON** – Extends the confidentiality provisions relating to discovery of testimony to statements made by any person in attendance at peer review committees.
- **S. 1577 OPPENHEIMER** – Encourages organ donation awareness in senior high school health classes.
- **S. 2170 GOLDEN** – Allows local enforcement, and injunctive relief for cigarette shipment investigations and sting operations.
- **S. 2590 HANNON** – Requires that an interchange of an anti-epileptic drug or the formulation of an anti-epileptic drug, brand or generic, for the treatment of seizures may not occur without prior notification of and the signed informed consent of the prescribing physician and patient, or patient's parent, legal guardian or spouse of such person.
- **S. 2917 FUSCHILLO** – Prohibits children under eighteen years of age from using an ultraviolet radiation device.
- **S. 3525 HANNON** – Permits the establishment of a pilot program in Nassau County to demonstrate the delivery of free basis primary health care services to uninsured low income individuals by volunteer physicians and other volunteer health care professionals.
- **S. 3737 HANNON** – Allows an adult to make his or her health care proxy become effective even while the adult has capacity, as opposed to only upon determination of incapacity.
- **S. 4401 FLANAGAN** – Prohibits smoking at public playgrounds.
- **S. 4540 BALL** – Provides for clarification of the proper designation of a disposition of human remains.
- **S. 4796B VALESKY** – Requires the commissioner of health to compile a list of contact information for the NY Connects: Choices for Long Term Care program.
- **S. 4798 FLANAGAN** – Authorizes funding of mapping incidence of breast cancer from the Breast Cancer Research and Education Fund.
- **S. 5014A DEFRANCISCO** – Removes the prerequisite of an attending physician determining a patient's decisional incapacity when the patient is outside a hospital, mental hygiene facility or residential health care facility.
- **S. 5069B HANNON** – Directs schools to provide information on meningococcal disease immunization to students and parents of students in seventh grade, and requires such schools to maintain record of immunization.
- **S. 5155A GRISANTI** – Requires individuals employed in the supply of central services to hospitals to be certified and undergo continuing education.

Passed Senate Only

- **S. 379 HANNON** – Provides a more cost effective and efficient method to determine the third party eligibility of Medicaid claims for prescription drugs.
- **S. 594 FUSCHILLO** – Allows for the Office of Medicaid Inspector General to refer suspected fraud or criminality to any prosecutor of competent jurisdiction.
- **S. 960 HANNON** – Directs state agencies which apply for federal medical assistance waivers to post information relating thereto on the agency internet website.
- **S. 961 HANNON** – Directs DOH to post on its website, the state's medical assistance plan and all amendments thereto.

- **S. 1748A GOLDEN** – Clarifies provisions governing the return and redistribution of unused medication provided in certain residential health care facilities, provides a reasonable fee for the costs of such return and redistribution.
- **S. 2147 GOLDEN** – Prohibits the sale of human organs and body parts.
- **S. 2387 SEWARD** – Allows emergency medical technicians to carry an AED in their personal vehicles at the request of the emergency medical service provider and to ensure that they be equipped to act as an emergency first responder to cardiac emergencies.
- **S. 2856A DEFRANCISCO** – Creates an advisory council to the Governor for the purpose of encouraging activities that will improve their health and enhance their quality-of-life.
- **S. 3186A HANNON** – Restores fairness in the contracting process between health care providers and large managed care plans by allowing such providers to join together to negotiate contract provisions.
- **S. 3199 HANNON** – Permits policyholders of the New York State Partnership for Long-Term Care to be eligible for Medicaid asset protection regardless of their state of residence when they apply for long term care Medicaid assistance.
- **S. 3200 HANNON**– Enables survivors of sexual assault who have undergone a forensic rape exam to receive the full course of HIV post exposure prophylaxis (PEP) treatment regardless of ability to pay.
- **S. 3672 HANNON** – Ensures that certain references to "specialized nursing services" in law accurately reflect the nature of the services provided.
- **S. 4055A ALESI** – Establishes requirements for certain substances in children's jewelry, consistent with best available science on protecting children from potential exposure risks, recognizing that total heavy metal content limits by weight are inconsistent with available science.
- **S. 4124 RANZENHOFER** – Provides that a person who is the subject of an Order of Protection protecting a deceased person, or who has been charged with causing the death of such deceased person, shall not be eligible to exercise control of the disposition of the deceased's remains.
- **S. 4255 BONACIC** – Prohibits fundraising activity by (EMS) Emergency Medical Service units to be considered when determining state aid or reimbursement for services.
- **S. 4376B HANNON** – Clarifies New York's statutes governing the practice of physician assistants and specialist assistants.
- **S. 4384B RANZENHOFER** – Establishes the Medicaid Identification and Antifraud Biometric Technology Program.
- **S. 4597A HANNON** – Requires accredited office-based surgery facilities to register and obtain an operating certificate from a nationally recognized accrediting.
- **S. 4665 NOZZOLIO** – Allows public access defibrillation to be available to those who are trained, and will make available such equipment to be carried in their personal motor vehicles.
- **S. 4749 DEFRANCISCO** – Requires patients to pay co-payments for prescription drugs at the point-of-sale under Medicaid and Family Health Plus.
- **S. 5043A HANNON** – Establishes a Medicaid drug rebate remittance demonstration program within DOH for the purpose of working collaboratively with the pharmaceutical industry and third party vendors to validate drug rebate claims.
- **S. 5145 SKELOS** – Allows persons not born in New York State but whose adoptions were finalized in New York State to participate in the New York State adoption registry.

- **S. 5210 YOUNG** – Allows the Commissioner of Health to include dentists in the Doctors Across New York program to provide dental services to under- served areas of the state.
- **S. 5646A HANNON** – Requires medical assistance managed care providers to provide coverage for medically necessary prescription drugs and medical supplies.

Passed Both Houses

- **S. 325 MONTGOMERY** – Authorizes nurse practitioners to sign death certificates in like manner as physicians and imposes upon nurse practitioners the same duties that physicians have. Signed into law, Ch. 153.
- **S. 1408 HANNON** – Ensure that minors in correctional facilities have access to the Hepatitis B vaccine. Signed into law, Ch. 269.
- **S. 1457A LAVALLE** – Allows bathing establishments to keep and maintain a personal watercraft vessel to assist in the rescue of persons in danger of drowning. Signed into law, Ch. 151.
- **S. 1689 LITTLE** – Allows health care professionals to perform services at the Ironman triathlon to be held on July 24, 2011 in Lake Placid, New York. Signed into law, Ch. 12.
- **S. 3102 GALLIVAN** – Restricts the access to retail sale of ipecac. Signed into law, Ch. 127.
- **S. 3111B LARKIN** – Directs the Department of Health to establish a certificate of still birth. Signed into law, Ch. 552.
- **S. 3184A LITTLE** – Provides due process protections for providers and recipients of Medicaid who come under the scrutiny of the Office of the Medicaid Inspector General (OMIG). Vetoed, Memo 72.
- **S. 3252B PERKINS** – Authorizes certain health care professionals to practice in this state with an event sanctioned by New York Road Runners. Signed into law, Ch. 192.
- **S. 3279 HASSELL-THOMPSON** – Requires OASAS to provide and publish educational materials for health care providers regarding screening, assessment, and diagnosis of women for alcoholism and chemical dependency. Signed into law, Ch. 265.
- **S. 3322B GRIFFO** – Prohibits the sale or distribution of any product containing 4-Methylmethcathinone, also known as Mephedrone and ethylenedioxypropyvalerone, also known as MDPV. Signed into law, Ch. 130.
- **S. 3461C FUSCHILLO** -- Prohibits smoking in outdoor areas of ticketing, boarding, or platform areas of railroad stations operated by the Metropolitan Transportation Authority or its subsidiaries. Signed into law, Ch. 389.
- **S. 3470 OPPENHEIMER** – Aligns the maximum civil penalties that may be assessed by local boards of health for violations of the State Sanitary Code with the maximum civil penalties that may be assessed by the State for such violations. Signed into law, Ch. 193.
- **S. 3953B HANNON** – Establishes the "concussion management and awareness act." Signed into law, Ch. 496.
- **S. 4200 HANNON** – Increases the authorization of the Dormitory Authority, pursuant to the Health Care Financing Consolidation Act of 1995, to issue hospital and nursing home project bonds and notes from \$15 billion to \$15.8 billion dollars. Signed into law, Ch. 516.
- **S. 4201 HANNON** – Authorizes the DOH to share information, including identifying information, about environmentally related diseases with local health departments when

DOH deems it necessary to help protect the public health against hazards associated with exposure to such diseases. Signed into law, Ch. 198.

- **S. 4269A GOLDEN** – Prohibits the sale of tobacco products, herbal cigarettes, shishas, rolling paper or smoking paraphernalia to minors. Signed into law, Ch. 131.
- **S. 4563A SAVINO** – Establishes certain requirements for surgical technologists working in health care facilities. Vetoed, Memo 75.
- **S. 4566 FARLEY** – Gives county health officials the flexibility to allow home confinement of animals to determine their rabies status. Signed into law, Ch. 510.
- **S. 4621A YOUNG** –Increases to thirty-one members the state emergency medical advisory committee. Signed into law, Ch. 567.
- **S. 4622A MARCELLINO** –Allows records of bodies of deceased persons to be maintained in an electronic log. Signed into law, Ch. 520.
- **S. 4738A GOLDEN** – Allows continuing care retirement communities to offer either a life care contract or a fee-for-service contract on a per diem or agreed upon rate. Signed into law, Ch. 523.
- **S. 4803 GRIFFO** – Reduces costs and administrative burdens on New York colleges and universities. Vetoed, Memo 30.
- **S. 4830A GALLIVAN** – Requires that individuals applying for medical assistance be provided with a model proxy form. Signed into law, Ch. 512.
- **S. 4875B HANNON** – Affirms that the Fellowship Community can continue to operate as an adult care facility (ACF) and care for people with advanced needs, without having to become an enhanced assisted living residence. Signed into law, Ch. 476.
- **S. 4918A HANNON** – Gives the Commissioner authority to expand the criteria for ALPs to obtain Medicaid reimbursement for real property capital construction costs. Vetoed, Memo 67.
- **S. 4991B HANNON** –Establishes the clinical information resource access program to provide information to medical institutions and facilities. Vetoed, Memo 78.
- **S. 4992A HANNON** – Ensures the state's Certificate of Need (CON) processes are updated and streamlined to promote access to high quality, cost-effective health care services. Signed into law, Ch. 174.
- **S. 5259A HANNON** – Authorizes family members to make decisions regarding hospice care for patients who lack decision-making capacity Signed into law, Ch. 167.
- **S. 5380B GOLDEN** – Allows health care professionals not licensed in the state to perform services at the 2011 World police and Fire Games. Signed into law, Ch. 204.
- **S. 5395 HANNON** – Limits the authority of specialist assistants to act without supervision in the performance of certain radiology services. Signed into law, Ch. 536.
- **S. 5405 HANNON** – Extend a program that allows continuing education recertification for emergency medical services technicians. Signed into law, Ch. 106.
- **S. 5431A YOUNG** – Allows that on and after April 1, 2012, rural hospitals designated as critical access hospitals are paid by Medicaid in the same manner that Medicare pays critical access hospitals, which is on the basis of reasonable costs. Vetoed, Memo 80.
- **S. 5447 YOUNG** – Includes home care agencies among the provider types eligible under a newly created grant initiative "to strengthen and protect continued access to essential health care resources." Signed into law, Ch. 444.

- **S. 5551 HANNON** – Extends the expiration date of a demonstration program established in 1997 to study the cost effectiveness of Medicaid coverage for portable x-ray services until June 30, 2012. Signed into law, Ch. 272.
- **S. 5552 HANNON** – Extends the expiration of operating demonstrations operating a managed long term care plan. Signed into law, Ch. 446.
- **S. 5553 HANNON** – Allows the Commissioner of Health the authority to enter into multi-year HCRA settlement agreements. Signed into law, Ch. 317.
- **S. 5554 HANNON** – Extends the scope of hospice care to people with a life expectancy of twelve months from the current six, and would permit a hospice to employ or contract with licensed health care professionals to provide health care services. Signed into law, Ch. 441.
- **S. 5555 HANNON** – Permits limited liability companies (LLCs), not just corporations, to operate dialysis related treatment centers. Signed into law, Ch. 492.
- **S. 5556 HANNON** - Establishes a program within the Health Department to establish standards for health related legal services programs that serve low-income individuals and families. Signed into law, Ch. 509.
- **S. 5569 MAZIARZ** – Extends for an additional two years the demonstration program to research the effect of safe patient handling programs. Signed into law, Ch. 354.
- **S. 5591 LITTLE** – Authorizes a campground with fifteen or fewer campsites which does not have a dumping station to provide a written list of at least three dumping stations within a thirty mile radius of the campground. Vetoed, Memo 37.
- **S. 5644 HANNON** – Authorizes the social services districts and their public hospitals the option to select either Intergovernmental Transfers or certified public expenditures (CPEs) as a funding mechanism for already authorized Medicaid payments to public general hospitals. Signed into law, Ch. 379.
- **S. 5705 HANNON** – Authorizes the commissioner of health to extend the use of audit findings to subsequent un-audited periods with regard to payments to patient services providers and assessments on covered lives. Signed into law, Ch. 319.

HIGHER EDUCATION
Senator Kenneth P. LaValle, Chair

The Senate Higher Education Committee reported a total of 49 bills this legislative session. Of these 49 bills, seven were reported to the Calendar but not ultimately passed, 18 passed the Senate only and 14 passed both houses. Nine bills were reported to a committee of secondary reference and did not reach the Calendar.

Bills Died in Committee of Secondary Reference

Finance

- **S.59 DIAZ** -- Establishes the office for diversity and educational equity within the state university of New York administration.
- **S.1161 BRESLIN** -- Enables certain members of the New York guard to be eligible to receive benefits under the recruitment incentive and retention program.
- **S.1937 LAVALLE** -- Provides increased penalties and education for hazing, underage drinking and drug use within athletic teams, fraternities and sororities at college campuses.
- **S.2667 LAVALLE** -- Extends provisions of chapter 57 of 2005 relating to the NYS nursing faculty loan forgiveness incentive program and NYS nursing faculty scholarship program.
- **S.3091 LAVALLE** -- Extends the provisions of the physician loan forgiveness program.
- **S.4268A LAVALLE** -- Relates to the licensure of private proprietary schools.²
- **S.4709 SEWARD** -- Relates to tuition and state operating support of the state university of New York.

Health

- **S.894A KRUEGER** -- Prohibits pharmacists from refusing to dispense medication solely for philosophical, moral, or religious reasons.

Insurance

- **S.892 KRUEGER** -- Provides for the dispensing of emergency contraception under certain circumstances and conditions.

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S.1720 LAVALLE** -- Provides that complaints brought against mental health professionals shall be commenced within ten years of the date of the last treatment.
- **S.2406 MARCELLINO** -- Establishes the profession of geology; provides for professional licensing for geologists.
- **S.3699 LAVALLE** -- Creates more flexibility with respect to procurements conducted by state universities.

² S.4268A LAVALLE was reported to the Calendar, where it reached the 3rd Reading Calendar, but was re-committed to Finance and not subsequently reported.

- **S.3881 HANNON** -- Allows nurse practitioners to perform any function in conjunction with the making of a diagnosis of illness or physical condition.
- **S.4357 YOUNG** -- Increases to \$50,000 the cost of the construction of a building, structure or public work, above which an engineer, land surveyor or architect must be utilized.
- **S.4741A JOHNSON** -- Prohibits community colleges from charging the county of residence of a non-resident student for local sponsor costs for more than the costs associated with obtaining an associate degree or certificate.
- **S.5155A GRISANTI** – Authorizes the licensure of central sterile supply personnel in certain healthcare facilities, these professionals prepare, distribute and control the sterile and non-sterile items and equipment used in all clinical areas of a hospital.

Passed Senate Only

- **S.148A MAZIARZ** -- Changes the eligibility dates for a military service recognition scholarship to include certain conflicts occurring on and after June 1, 1982.
- **S.1789 STAVISKY** -- Allows continued access to certain facilities within the state university for graduate students who are in process of completing additional work upon payment of a fee.
- **S.1803B LAVALLE** -- Regulates the practice of naturopathic medicine, and authorizes licensure.
- **S.1809 LAVALLE** -- Mandates attendance by members appointed by the governor at meetings of councils of each SUNY institution.
- **S.1940 LAVALLE** – Makes the unlawful sale of dissertations, theses and term papers applicable to an electronically disseminated paper.
- **S.3059 LIBOUS** -- Provides for the certification of and qualifications for dentists practicing oral and maxillofacial surgery.
- **S.3143A GRISANTI** -- Authorizes tuition increases, and greater autonomy and control over leasing, contracting, and the overall daily operation at the State University of New York at Buffalo.
- **S.3442 LAVALLE** – Requires that out- of-state laboratories licensed and regulated by New York State for the purpose of testing specimens from New York State residents, demonstrate that they meet standards which are substantially similar to our educational requirements, or that they meet other standards established by the education department and Department of Health.
- **S.3642 GRIFFO** – Allows veterans who have been honorably discharged to audit SUNY or CUNY classes tuition-free.
- **S.3758 LIBOUS** -- Expands the definition of podiatry to include conditions of the ankle and all soft tissue structures of the leg below the knee affecting the foot and ankle.
- **S.3880A GRIFFO** – Authorizes the licensure of orientation and mobility specialists and vision rehabilitation therapists.
- **S.3920 O'MARA** -- Authorizes Cornell University to enter into memoranda of understanding with state agencies to provide services and technical assistance as opposed to requiring a contract.
- **S.4630 FLANAGAN** – Authorizes state boards of professional discipline to access patient or client records in the investigation and prosecution of professional licensing and misconduct proceedings.

- **S.4640 DEFRANCISCO** – Authorizes the licensure of perfusionists; who are the professionals who operate the heart and lung bypass machines during complicated surgical procedures.
- **S.4879 BONACIC** – Requires payment for recipients of World trade center memorial scholarships for the full amount of tuition and board, even if the student elects to live off-campus.
- **S.5012A FUSCHILLO** -- Permits doctors of chiropractic to form limited liability companies with medical doctors.
- **S.5343 LAVALLE** -- Creates an option for those submitting applications for professional licensure to submit an affirmation in lieu of an oath, and thereby authorize on-line applications.
- **S.5647 FLANAGAN** -- Continues early college high schools in the state which provide students often underrepresented in higher education with the opportunity and access to college-level courses in high school, by providing for the funding of such programs through tuition assistance program (TAP) funds.

Passed Both Houses

- **S.325 MONTGOMERY** -- Authorizes nurse practitioners to sign death certificates in like manner as physicians. Signed into law, Ch. 153.
- **S.1831B GRISANTI** -- Authorizing polysomnographic technology services, which are the professionals which conduct sleep studies to diagnose disorders such as sleep apnea. Signed into law, Ch. 262.
- **S.1846A OPPENHEIMER** -- Authorizes the lease of lands located at the state university of New York at Purchase for a senior learning community. Signed into law, Ch. 405.
- **S.2410 LAVALLE** -- Increases the membership of the board of trustees of the state university of New York from seventeen to eighteen members. Signed into law, Ch. 268.
- **S.2628A LAVALLE** – Authorizes the practice of accountancy by accountants who are not licensed by New York State. Signed into law, Ch. 456.
- **S.2911A LAVALLE** -- Defines occupational therapy assistant and provides requirements for authorization as an occupational therapy assistant. Signed into law, Ch. 460.
- **S.2923 GOLDEN** -- Requires dental facilities to possess automatic external defibrillators. Signed into law, Ch. 65.
- **S.2985 LAVALLE** -- Authorizes pharmacists to perform collaborative drug therapy management with physicians provided requirements protecting the patient are in place. Signed into law, Ch. 21.
- **S.3469A OPPENHEIMER** -- Requires applicant for a license in physical therapy to complete a master's degree or higher. Signed into law, Ch. 410.
- **S.3536 FUSCHILLO** -- Authorizes SUNY Farmingdale to lease lands. Signed into law, Ch. 13.
- **S.3807A FUSCHILLO** -- Extends the ability for pharmacists to deliver immunizations. Signed into law, Ch. 316.
- **S.3987B LAVALLE** -- Authorizes performance of credit, security clearance and criminal background checks of employees of the New York state higher education services corporation. Signed into law, Ch. 184.

- **S.4245 HANNON** – clarify the means by which physicians and other authorized prescribers should transmit prescriptions electronically, particularly with respect to provisions relating to the prescription of brand name drugs. Signed into law Ch. 590
- **S.5376 LAVALLE** -- Extends effectiveness law allowing deposit of excessive funds in proprietary school tuition reimbursement account into the vocational school supervision account. Signed into law, Ch. 430.

HOUSING, CONSTRUCTION & COMMUNITY DEVELOPMENT

Senator Catharine Young, Chair

The Senate Committee on Housing, Construction & Community Development reported a total of 25 bills this legislative session. Of these 25 bills, 10 were reported to the Calendar but not ultimately passed and 1 died in secondary committee 6 passed the Senate only and 8 passed both houses.

Bills Died in Committee of Secondary Reference

Finance

- **S.1520 KLEIN**- Expands the definition of “tenant” for purposes of notice upon the commencement of an action to foreclose upon the leased residential real property.

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S.3114B ESPAILLAT** – Allows tenant groups the use of common areas in housing authority projects for meetings without the imposition of a fee.
- **S.3117 ESPAILLAT** -- Allows persons 62 years or older in any housing project to keep common household pets provided certain health and safety conditions are met.
- **S.3148 LAVALLE** -- Requires the judgment of sale in a mortgage foreclosure action contain the name of each individual member of a group purchasing the premises.
- **S.4079 BONACIC** – Expands provisions of the law to the entire state, which currently only apply to New York City, and allow a disabled tenant to hold over for up to six months in case of eviction.
- **S.4117A YOUNG** – Implements the *Roberts v. Tishman Speyer, LP* decision, allowing landlords to either repay J-51 benefits and deregulate housing, or provides an orderly mechanism to re-regulate housing.
- **S.4263A GOLDEN** – Protects the ability of an owner or tenant of a Class A multiple dwelling to continue to use such property as a vacation rental.
- **S.4381A YOUNG** -- Establishes an exemption from local taxation in cities having a population of one million or more for newly constructed housing with 3 or less dwelling units.
- **S.4455A SMITH** -- Directs New York City housing authority to give a preference for vacant apartments on the ground floor to mobility impaired tenants living on a higher floor.
- **S.4758B YOUNG** -- Converts the low income housing tax credits and carryovers thereof to a refundable tax credit to help stimulate low income housing investment in the state.
- **S.5047 YOUNG** -- Allows for decontrol of rent regulated housing accommodations when total average annual income over two calendar years exceeds \$175,000.

Passed Senate Only

- **S.478 NOZZOLIO** -- Allows the placement of fresh cut evergreen trees in public buildings and governmental facilities, rather than only plastic or other simulated evergreens.
- **S.755 YOUNG** – Expands the affordable home ownership program benefits to properties that are mixed residential and commercial property.
- **S.3133A GRISANTI** -- Modifies the composition of membership of the Buffalo municipal housing authority to include 2 appointees from the Buffalo Common Council.
- **S.5041 YOUNG** -- Requires that primary residency of rent regulated housing accommodations be based upon the filing of income tax returns and place of voting.
- **S.5208 NOZZOLIO** -- Creates a partial tax exemption for new residential construction or renovation of vacant residential structures in the City of Auburn.
- **S.5484 GOLDEN** -- Grants the commissioner of buildings of New York City the power to waive provisions of the multiple dwelling law with regard to construction or alteration of multiple dwellings, in order to incentivize the fixing of code violations.

Passed Both Houses

- **S.4031 YOUNG** -- Redistributes 2011 bond volume allocations, necessary to continue funding projects in the development pipeline. Signed into law, Ch. 71.
- **S.4032 YOUNG** -- Extends various chapters relating to the powers of the New York state housing finance agency and the New York state mortgage agency. Signed into law, Ch. 100.
- **S.4033 YOUNG** – Eliminates the expiration date for provisions of law establishing flexibility within the Low Income Housing Trust Fund program. Signed into law, Ch. 197.
- **S.4035 GOLDEN** -- Prohibits the interruption of service during the pending review of an application by the loft board, to provide continuity and security for applicants. Signed into law, Ch. 159.
- **S.4845 MAZIARZ** -- Provides for the dissolution of the village of Medina housing authority and the village of Medina urban renewal agency in the county of Orleans. Signed into law, Ch. 311.
- **S.4945 YOUNG** – Makes a technical amendment to the Loft Law, correcting a reference to 47th Street to the correct 47th Avenue. Signed into law, Ch. 139.
- **S.5396 LIBOUS** – Allows HDC and HFA to issue unrated bonds for private placement beyond the provision of financing to entities separately regulated under the Private Housing Finance Law. Signed into law, Ch. 575.
- **S.5649 YOUNG** – Allows NYC HDC to acquire certain mortgage loans made by the city. Signed into law, Ch. 185.

INSURANCE

Senator James L. Seward, Chair

The Senate Committee on Insurance reported 42 bills during the 2011 Senate session. Of these 42 bills, eight were reported to the Calendar and not ultimately passed, 21 passed the Senate only, and 12 passed both houses. One bill was referred to the Insurance Committee as its committee of secondary reference but was not ultimately reported to the Calendar- S.892, allowing the dispensing of emergency contraception in certain circumstances, sponsored by Senator Liz Krueger.

Bills Died in Committee of Secondary Reference

None

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S.1027A KLEIN** -- Directs the special advisory panel on homeowners' insurance/catastrophe coverage to study market forces on insurance rates and procurement in coastal areas.
- **S.2683B SEWARD** – Clarifies effective date of Chapter 277 of the Laws of 2010, in order to ensure that it only applies to accidents occurring on and after June 1, 2011.
- **S.2714B SEWARD** -- Authorizes payments to nonparticipating or nonpreferred providers of ambulance services licensed under article 30 of the public health law.
- **S.3365 SEWARD** -- Authorizes the issuance of contingent deferred annuity contracts in New York State.
- **S.4068A SEWARD** -- Exempts large commercial insureds from certain rate and policy form requirements, in order to reflect modern insurance practices.
- **S.4138 LITTLE** -- Requires reimbursement for surgical first assistant services when performed by a nurse.
- **S.5213 SEWARD** – Allows investments by charitable gift annuity corporations or associations to be invested in the same funds as other funds of the charity.
- **S.5440 DEFRANCISCO** -- Allow medical malpractice carriers to limit the application of contingent liabilities to the financial statements by not requiring them to carry their gross liabilities but only those obligations due within one year.

Passed Senate Only

- **S.1031B KLEIN** -- Requires health insurers to provide victims of domestic violence with the option of providing alternative contact information.
- **S.1883A FLANAGAN** -- Requires health insurance policies to cover comprehensive ultrasound screening and magnetic resonance imaging for breast cancer.
- **S.2557 SEWARD** – Requires the offering of a policy with exclusion for pre-existing condition provisions for group and blanket disability policies.
- **S.2704A SEWARD** – Allows the issuance of licenses by the Superintendent for a period longer than 24-months.

- **S.2874 SEWARD** – Streamlines regulations regarding recordkeeping of co-operative property/casualty insurance companies, as well as board structure and governance to ease administrative burdens.
- **S.2875 SEWARD** -- Permits certain agreements by domestic mutual insurance corporations where an officer or director has only an indirect pecuniary interest in the other corporation.
- **S.3057 SEWARD** -- Establishes the interstate insurance product regulation compact to regulate individual and group annuity, life insurance, disability income and long-term care insurance products among member states.
- **S.3316A DEFRANCISCO** – Requires disclosure to the owners of motorcycles that automobile "no fault" insurance does not apply to motorcycles and that New York State underinsured motorist coverage is available.
- **S.3665A BRESLIN** -- Permits unauthorized foreign or alien insurers to contact nonresident persons, firms, associations or corporations to make insurance contracts, provided a holding company for both entities is domiciled in the state.
- **S.4039 SEWARD** -- Requires life insurance policies that credit additional amounts in accordance with an equity index to credit such amounts at least every five years.
- **S.4040A SEWARD** -- Expands definition of service contracts to include contracts made by a supplier or seller of a service for repair of cracks or chips in a motor vehicle windshield.
- **S.4043A SEWARD** -- Encourages modernization of mutual and cooperative insurance companies' information systems technology.
- **S.4507B GOLDEN** -- Permits an insurer to rescind or retroactively cancel a policy if there is evidence the action was staged by the insured for purposes of fraud.
- **S.4712A RITCHIE** -- Allows private air ambulance service insurance companies to offer membership subscriptions.
- **S.4847 KLEIN** -- Enacts provisions to reduce the incidence of motor vehicle insurance fraud.
- **S.4869 SEWARD** -- Establishes the surplus lines insurance multi-state compliance compact with respect to surplus lines insurance and premium tax allocation.
- **S.4951 SEWARD** -- Authorizes the superintendent of insurance to suspend the risk to capital requirement for writing new mortgage guaranty insurance risks in order to help the housing market recover quickly.
- **S.5028 SEWARD** -- Requires disclosure of settlement options for life insurance policies.
- **S.5040 SEWARD** – Expands participation municipal cooperative health benefit plans to local public authorities.
- **S.5092 SEWARD** – Requires that where a locality has elected to offer coverage to the membership of volunteer fire and volunteer ambulance corps via group or blanket accident and health insurance policies, the insurer must cover them.
- **S.5695 KLEIN** – Allows the Superintendent broad powers to investigate residence of insured motorists, including giving access to DMV data to ensure cars are insured at the address to in which the driver actually lives.

Passed Both Houses

- **S.928 MARCELLINO** -- Prohibits insurance companies from refusing to issue or renew an automobile insurance policy when the motor vehicle to be insured is used for fire fighting. Signed into law, Ch. 408.

- **S.1430 SALAND** – Requires insurance coverage for refills of prescription eye drops, no matter when the refill is sought. Signed into law, Ch. 589.
- **S.2705A SEWARD** -- Permits insurers to make available multiple rating programs for private passenger motor vehicle insurance within the same company. Signed into law, Ch. 457.
- **S.2713A SEWARD** – Provides security for insurers in an insurance insolvency proceeding affecting a domestic, foreign or alien insurer with respect to complex financial instruments, such as derivatives, repurchase agreements, etc. Signed into law, Ch. 600.
- **S.3510B MAZIARZ** -- Prohibits health insurers from requiring that the insured purchase prescribed drugs from mail-order pharmacy. Signed into law, Ch. 597.
- **S.3988B LANZA** – Requires insurers cover orally administered chemotherapy treatments, if available. Signed into law, Ch. 559.
- **S.4005A FUSCHILLO** – Requires insurance coverage for the screening, diagnosis and treatment of autism spectrum disorder. Signed into law, Ch. 595.
- **S.4013C MCDONALD** – Ensures the payment of claims by health insurers to municipalities for early intervention services. Signed into law, Ch. 406.
- **S.4426 SEWARD** -- Extends several important provisions of the Insurance Law that promote the stability of the property/casualty insurance market. Signed into law, Ch. 102.
- **S.5561 SEWARD** – Extends provisions of law which cap rates on health insurance premiums for sole proprietors to 115% of the group rate. Signed into law, Ch. 183.
- **S.5562 SEWARD** -- Amends the definition of insurance fraud to include the activities that currently constitute a "fraudulent health care insurance act" in order to ensure prosecution for unlawful activity. Signed into law, Ch. 211.
- **S.5704 HANNON** – Extends provisions of the insurance law which provide enhanced consumer and provider protections. Signed into law, Ch. 216.

INVESTIGATIONS AND GOVERNMENT OPERATIONS

Senator Carl L. Marcellino, Chair

The Investigations and Government Operations Committee reported 170 bills from committee this session. Of these 170 bills – 30 were referenced to a committee of secondary reference and did not advance further. A total of 140 advanced to the calendar, 18 of which died on the 3rd Reading Calendar, 26 passed the Senate only and 91 passed both houses. Note: Of the 91 bills passed by both houses 68 of them were tax extenders.

Bills Died in Committee of Secondary Reference

Finance

- **S. 22 SQUADRON** - Provides that the income level for the requirement to file a personal income tax return shall be the dollar amount of the New York standard deduction.
- **S. 136 LITTLE** - Establishes the New York state veterans' cemetery operation and maintenance fund to provide moneys for the operation and maintenance of state veterans' cemeteries; establishes the gift for veterans' cemetery operation and maintenance to provide revenue to such fund; such a gift may be made on a taxpayer's personal income tax return in whole dollar amounts.
- **S. 149B MAZIARZ** - Relates to tax credits provided for solar energy system equipment; provides credit for the lease of solar energy equipment and the purchase of power generated by solar equipment.
- **S. 220 MAZIARZ** - Exempts compensation for active military service from inclusion in a resident's adjusted gross income.
- **S. 353 ROBACH** - Allows taxpayers to contribute to the support of the animal population control fund by marking a space on a corporate or personal income tax return.
- **S. 817 LITTLE** - Establishes a tax credit for the removal or permanent enclosure of a residential fuel oil storage tank.
- **S. 835 YOUNG** - Exempts domestic and imported animals harvested at a game hunting preserve from the sales and compensating use tax.
- **S. 1007 LAVALLE** - Exempts from the imposition of sales tax the purchase of military service flags, prisoner of war flags and blue star banners.
- **S. 1436 GOLDEN** - Establishes a credit against personal income taxes for certain tuition expenses for taxpayers who qualify for an earned income tax credit, in the amount of 10% of the EIC, up to \$500 per eligible dependent child; provides for a modification of gross taxable income for elementary and secondary school tuition for personal income tax purposes.
- **S. 1797A VALESKY** - Relates to the tax credits for the rehabilitation of historic properties.
- **S. 3193 RANZENHOFER** - Provides for a tax exemption for commercial horse boarding services when provided by a commercial horse boarding operation; defines terms.
- **S. 3194 RANZENHOFER** - Exempts receipts from the services provided by a farrier in shoeing a horse including reasonable fees for travel and shoeing a horse in a remote location on a farm.
- **S. 3238 MAZIARZ** - Provides for separate personal income tax credits for solar electric, solar thermal and wind energy systems installed upon any residence of a taxpayer.

- **S. 3445 LIBOUS** - Exempts food and beverages sold from vending machines for one dollar and fifty cents or less from the sales and use tax.
- **S. 3848 OPPENHEIMER** - Exempts sale of sanitary napkins and tampons from sales and compensating use taxes.
- **S. 4088 MARCELLINO** - Makes technical corrections to the conservation easement tax credit.
- **S. 4107 ADDABBO** - Establishes a small business tax credit for the employment of disabled persons.
- **S. 4172 ALESI** - Phases out the franchise tax on business corporations that are manufacturers over a two-year period; defines terms "manufacturer" and "principally engaged".
- **S. 4180 RANZENHOFER** - Provides for temporary suspension of sales and compensating use tax on certain services, during governor ordered state of emergency, provided by contractors, subcontractors, repairpersons or property owners for clean-up activities associated with real property, property or land after a natural or manmade disaster.
- **S. 4271 LITTLE** - Grants personal income taxpayers the ability to make a gift to the state parks on their tax returns; establishes the state parks fund to provide monies to the office of parks, recreation and historic preservation for the operation and maintenance of the state parks.
- **S. 4499A MARCELLINO** - Relates to the shipment of alcoholic beverages into the state and requires the completion of a report by the primary source of supply before commencing such sale or shipment.
- **S. 4944 YOUNG** - Establishes a recordkeeping voluntary compliance program with regard to sales tax liability.
- **S. 4962 BALL** - Extends eligibility for the agricultural property tax credit to farmers having a leasehold interest of not fewer than five continuous years in qualified agricultural property; provides for retroactive application in certain cases.
- **S. 5016A DEFRANCISCO** - Relates to the imposition of personal income tax; tax table benefit recapture; New York standard deduction of a resident individual; New York exemptions of a resident individual.
- **S. 5141 MAZIARZ** - Establishes the qualified solar manufacturer facilities and operations credit for businesses which manufacture solar energy equipment.
- **S. 5240A MAZIARZ** - Authorizes the liquor authority to issue temporary permits for certain events and under certain circumstances

Codes

- **S. 498 ROBACH** - Prohibits certain discriminatory practices against victims of domestic violence relating to housing, including but not limited to, the purchase, rent, lease or housing accommodation; defines domestic violence victim to include victims of domestic violence pursuant to the social services law and victims of stalking offenses.

Rules

- **S. 1505 GRIFFO** - Repeals the provision of law that volunteer firefighters and ambulance workers who receive a real property tax exemption for service may not receive the income tax credit for such service.
- **S. 3191 RANZENHOFER** - Creates a small business electric energy tax credit; the term "business related electricity usage" shall refer to electrical power usage to further the economic activity of the taxpayer at the primary business location that is clearly delimited from any shared electrical power usage cost.

Commerce, Economic Development and Small Business

- **S. 4221B KLEIN** - Regulates the retail sale of flavored malt beverages.

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S. 313 DIAZ** - Requires the posting of a sign in all premises licensed to sell alcoholic beverages on the premises which offers to assist patrons in obtaining an alternative means of transportation should their ability to drive be compromised by the consumption of alcohol.
- **S. 628A FUSCHILLO** - Creates a social host law prohibiting the permitting of the consumption of alcoholic beverages by persons under the age of twenty-one years
- **S. 811 LAVALLE** - Relates to the definition of a public body pursuant to the open meetings law; includes any advisory committee to a public body, whether created by such public body or created pursuant to federal, state or local law.
- **S. 2438 ALESI** - Holds a person who willfully fails to collect, account for, and pay tax liable; defines "passive investor" to mean an investor who does not play an active role in the business.
- **S. 2629 MARCELLINO** - Requires the commissioner to implement a recycling program for all state-owned and state-leased properties; requires incentives for adherence and annual reporting to the governor and legislature.
- **S. 2842 KLEIN** - Establishes a class E felony for the sale to a minor of an alcoholic beverage containing a stimulant when such sale is made by a licensee of the state liquor authority.
- **S. 2878 GRISANTI** - Enacts the "city of Buffalo historic preservation tax credit act"; such credit shall be equal to thirty percent of the qualified rehabilitation expenditures made by the taxpayer upon completion of a rehabilitation work and approval of such work.
- **S. 3292 DEFRANCISCO** - Provides for a corporate franchise tax check-off and a personal income tax check-off for taxpayer gifts for diabetes research and education; establishes the diabetes research and education fund.
- **S. 3998A LAVALLE** - Provides that a place of abode will not be deemed permanent if the abode is located more than fifty miles away from the taxpayer's place of employment in this state and the taxpayer spends no more than ninety days at the abode during the taxable year.
- **S. 4113 GRIFFO** - Provides for a special election, at the discretion of the governor, to fill vacancies in the office of comptroller and attorney-general.

- **S. 4204A GRISANTI** - Enacts the "bird-friendly building council act" to establish a council to promote the use of bird-friendly building materials and design features in buildings.
- **S. 4228 ALESI** - Authorizes the trading of existing but unused research and development credits and existing but unused net operating loss deductions to existing corporations and partnerships in return for private assistance; enacts the "Small New York Based High-Technology Business Investment Tax Credit Act".
- **S. 4303B MARCELLINO** - Delegates to the Chairman of the State Liquor Authority exclusive executive authority over the State Liquor Authority and the Alcoholic Beverage Control Division.
- **S. 4623 LAVALLE** - Extends the solar energy system equipment tax credit carryover period from five years to ten years.
- **S. 4809 LANZA** - Relates to filing of an order imposing against revoked premises a proscription against future licensure.
- **S. 4890 GOLDEN** - Relates to the taxation of certain banking corporations; extends for two additional years the provisions of certain laws dealing with the taxation of banks and other financial services firms and the transitional provisions concerning the enactment and implementation of the Federal Gramm-Leach-Bliley Act (GLBA).
- **S. 5408A LIBOUS** - Directs persons licensed for on-premises consumption of alcoholic beverages to have a criminal background history check performed on prospective bouncers and provides for the establishment and certification of bouncer training programs by the state liquor authority.
- **S. 5495 MARCELLINO** - Updates and provide clarity to state laws regarding people with disabilities and service animals.

Passed Senate Only

- **S. 285A DIAZ** - Prohibits use of lottery funds for any purpose other than education and prohibits co-mingling with funds for other purposes.
- **S. 571 KLEIN** - Provides for state reimbursement to all elementary and secondary schools for the cost of metropolitan commuter transportation mobility tax payments.
- **S. 1200 GRIFFO** - Establishes a biodiesel fuel tax exemption.
- **S. 1682 SEWARD** - Designates the quartz variety Herkimer Diamond as the official state mineral.
- **S. 1759 LAVALLE** - Exempts wholesalers from filing annual information returns with the commissioner of taxation and finance for sales made to and from farm wineries.
- **S. 2378 SEWARD** - Authorizes the state liquor authority to issue multiple event caterers' permits.
- **S. 2467A LIBOUS** - Requires the deposit, into the dedicated highway and bridge trust fund, of a portion of the sales tax collected on each gallon of motor fuel sold at retail.
- **S. 2631 MARCELLINO** - Requires the commissioner of taxation and finance to provide for tax refunds within 30 days of the receipt of a taxpayer's tax return, unless there is a discrepancy in such return, in which case the department shall provide written notice to the taxpayer of such discrepancy and a date when the discrepancy will be resolved.
- **S. 2678 LARKIN** - Provides for an exemption from sales and use taxes on the sale of general aviation aircraft.

- **S. 2728B FUSCHILLO** - Subtracts from federal adjusted gross income qualified transportation fringe benefits.
- **S. 2732 GOLDEN** - Establishes an education investment tax credit.
- **S. 2796A KLEIN** - Authorizes the commissioner of general services to sell certain state-owned land to the Montefiore Medical Center.
- **S. 3188 RANZENHOFER** - Authorizes courts to suspend a driver's license where the holder fails to appear before the court, pay a fine, complete an alcohol awareness program or complete community service within the period of time established.
- **S. 3410 GOLDEN** - Relates to implementing a sales tax cap of one dollar on cigars.
- **S. 3889A KLEIN** - Prohibits the sale and delivery of certain caffeinated or stimulant-enhanced alcoholic beverages.
- **S. 4241 LARKIN** - Authorizes licensed roadside farm markets to sell wine from up to two farm or special wineries or micro-wineries located within 20 miles of such licensed roadside farm market.
- **S. 4431 NOZZOLIO** - Designates sweet corn as the state vegetable.
- **S. 4736 GOLDEN** - Increases the presumed "cost of the agent" for purposes of cigarette marketing.
- **S. 4880B BALL** - Provides for the suspension of taxes on gasoline and similar motor fuels for Memorial Day weekend, Fourth of July weekend and Labor Day weekend.
- **S. 4943 YOUNG** - Requires the commissioner, when using external indices to determine sales and compensating use tax due because of failure to file a return or filing of an incorrect return, to use external indices which reflect local economic conditions.
- **S. 5235 MARTINS** - Relates to the tax on receipts derived from removing waste from certain transfer stations or debris processing facilities.
- **S. 5489 LANZA** - Provides the Commissioner of Buildings with authority to have environmental control board judgments of \$25,000 or more enforced as tax liens. It provides for notice to be sent by the department of finance to owners and others with an interest in the property.
- **S. 5295 BALL** - Allows businesses who have clean records in the sale of alcohol for two or more years to obtain a temporary alcohol permit with two weeks of the application.
- **S. 5404 MARTINS** - Authorizes certain wholesalers authorized to sell beer at retail for off premises consumption to also sell certain grocery items.
- **S. 5596A ZELDIN** – Relates to the metropolitan commuter transportation mobility tax.
- **S. 5680A RULES** - Authorizes certain counties, cities and school districts to impose up to a three percent rate of sales and compensating use taxes; preserves the authority of certain counties and a city to impose such taxes at rates in excess of three percent.

Passed Both Houses

- **S. 820 BRESLIN (EXTENDER)** - Extends existing Albany county local sales and compensating use taxes. Signed into law, Ch. 223.
- **S. 1684 SEWARD (EXTENDER)** - Extends existing Schoharie county local sales and compensating use taxes. Signed into law, Ch. 115.
- **S. 1687 SEWARD (EXTENDER)** - Extends existing Schoharie county mortgage recording taxes. Signed into law, Ch. 391.

- **S. 1688 SEWARD (EXTENDER)** - Extends existing Otsego county local sales and compensating use taxes. Signed into law, Ch. 110.
- **S. 2401 LIBOUS (EXTENDER)** - Extends existing Tioga county local sales and compensating use taxes. Signed into law, Ch. 116.
- **S. 2635A JOHNSON** - Authorizes the commissioner of general services to convey an abandoned state armory to the Bay Shore union free school district Signed into law, Ch. 156.
- **S. 2716 SEWARD (EXTENDER)** - Extends existing Greene county local sales and compensating use taxes. Signed into law, Ch. 235.
- **S. 2752 LIBOUS (EXTENDER)** - Extends existing Chenango county local sales and compensating use taxes. Signed into law, Ch. 49.
- **S. 2915 OPPENHEIMER (EXTENDER)** - Extends existing local sales and compensating use taxes for the City of New Rochelle. Signed into law, Ch. 119.
- **S. 2983 STEWART-COUSINS (EXTENDER)** - Extends the existing city of Yonkers mortgage recording tax. Signed into law, Ch. 392.
- **S. 2984 STEWART-COUSINS (EXTENDER)** - Extends the existing city of Yonkers personal income tax surcharge. Signed into law, Ch. 255.
- **S. 3081 LIBOUS (EXTENDER)** - Extends existing Broome county local sales and compensating use taxes. Signed into law, Ch. 85.
- **S. 3241 GALLIVAN** – Adds to list of premises which are exempt from provisions that restrict manufacturers, wholesalers and retailers from sharing an interest in a liquor license. Signed into law, Ch. 22.
- **S. 3255B SALAND** - Requires certain records discussed at open meetings be made available to the public prior to such meeting. Signed into law, Ch. 603.
- **S. 3399 RANZENHOFER (EXTENDER)** - Extends existing Genesee county local sales and compensating use taxes. Signed into law, Ch. 89.
- **S. 3489A SALAND** - Provides that requirements for certain positions do not apply to persons employed by a city with a population of over one million so long as he or she is a resident of New York, Kings, Queens, Bronx, Richmond, Nassau, Westchester, Suffolk, Orange, Rockland or Putnam county. Signed into law, Ch. 404.
- **S. 3649A GALLIVAN** - Discontinues the practice of the government re-selling counterfeit or seized cigarettes. Signed into law, Ch. 556.
- **S.3720 FARLEY (EXTENDER)** - Extends existing Fulton county local sales and compensating use taxes. Signed into law, Ch. 236.
- **S. 3721 FARLEY (EXTENDER)** – Extends existing Fulton County mortgage recording tax. Signed into law, Ch. 393.
- **S. 3757 GALLIVAN (EXTENDER)** - Extends existing Wyoming county local sales and compensating use taxes. Signed into law, Ch. 237.
- **S. 3769 FARLEY (EXTENDER)** - Extends existing Montgomery county local sales and compensating use taxes. Signed into law, Ch. 238.
- **S. 3770 FARLEY (EXTENDER)** - Extends existing Schenectady county local sales and compensating use taxes. Signed into law, Ch. 239.
- **S. 3792 MAZIARZ (EXTENDER)** - Extends existing Niagara county local sales and compensating use taxes. Signed into law, Ch.240.
- **S. 3796 OPPENHEIMER (EXTENDER)** - Extends existing city of White Plains local sales and compensating use taxes. Signed into law, Ch. 30.

- **S. 3944 DEFRANCISCO** - Allows the election to credit a personal income tax or corporate franchise tax overpayment to estimated tax for the succeeding taxable year to be reversed upon good cause shown by the taxpayer. Signed into law, Ch. 521.
- **S. 3945A DEFRANCISCO** - Reforms the offer-in-compromise program of the Tax Department by adopting standards for assisting all deserving taxpayers. Signed into law, Ch. 469.
- **S. 3946 DEFRANCISCO** - Establishes a 20 year time limit to collect tax liability; 20 years from the first date the commissioner of tax could file a warrant for liability; first date a warrant could be filed is the last day specified for payment by notice and demand issued for the tax liability where there is no right to a hearing with respect to such notice and demand. Signed into law, Ch. 432.
- **S. 3986 GALLIVAN (EXTENDER)** - Extends existing Livingston county local sales and compensating use taxes. Signed into law, Ch. 117.
- **S. 3996 LITTLE – (EXTENDER)** - Extends existing Clinton county local sales and compensating use taxes. Signed into law, Ch. 256.
- **S. 3997 O’MARA (EXTENDER)** - Extends existing Schuyler county local sales and compensating use taxes. Signed into law, Ch. 241.
- **S. 4014A MARCELLINO** - Expands the types of agreements that can be used to show control of premises for a license Signed into law, Ch. 196.
- **S. 4021 YOUNG (EXTENDER)** - Extends existing Allegany county local sales and compensating use taxes. Signed into law, Ch. 118.
- **S. 4022 YOUNG (EXTENDER)** - Extends existing hotel and motel tax in the county of Chautauqua. Signed into law, Ch. 142.
- **S. 4030 MARCELLINO** - Extends the effectiveness of value limitations on contracts for public buildings. Signed into law, Ch. 199.
- **S. 4049 LITTLE (EXTENDER)** - Extends existing Essex county local sales and compensating use taxes. Signed into law, Ch. 119.
- **S. 4143A YOUNG** - Streamlines and improves the licensing and regulation of wineries and farm wineries in New York State. Signed into law, Ch. 221.
- **S. 4161 LITTLE** - Establishes local notification requirements for premises for on premises consumption. Signed into law, Ch. 560.
- **S. 4162 O’MARA (EXTENDER)** - Extends existing Tompkins county local sales and compensating use taxes. Signed into law, Ch. 84.
- **S. 4164 RANZENHOFER (EXTENDER)** - Extends existing Genesee county local mortgage recording taxes. Signed into law, Ch. 394.
- **S. 4186 O’MARA (EXTENDER)** - Extends existing Steuben county local sales and compensating use taxes. Signed into law, Ch. 132.
- **S. 4187 O’MARA(EXTENDER)** - Extends existing Chemung county local sales and compensating use taxes. Signed into law, Ch. 120.
- **S. 4188 LITTLE (EXTENDER)** - Extends existing Franklin county local sales and compensating use taxes. Signed into law, Ch. 121.
- **S. 4196 JOHNSON (EXTENDER)** - Extends existing Suffolk county local sales and compensating use taxes. Signed into law, Ch. 122.
- **S. 4216 OPPENHEIMER (EXTENDER)** - Extends laws restricting the disposition of sales and compensating use tax revenue in the county of Westchester. Signed into law, Ch. 199.

- **S. 4232 O'MARA (EXTENDER)** - Extends existing Yates county local sales and compensating use taxes. Signed into law, Ch. 123.
- **S. 4233 O'MARA (EXTENDER)** – Extends existing Steuben county local sales and compensating use taxes. Signed into law, Ch. 74.
- **S. 4300 CARLUCCI (EXTENDER)** - Extends existing Rockland county local sales and compensating use taxes. Signed into law, Ch. 124.
- **S. 4315 GOLDEN** - Allows the hiring and continued employment associate urban park rangers by a city with a population over one million so long as the employee has two years of service with the city and resides in a New York county contiguous with the employing municipality. Signed into law, Ch. 371.
- **S. 4445 MCDONALD (EXTENDER)** - Extends existing Rensselaer county local sales and compensating use taxes. Signed into law, Ch. 224.
- **S. 4482 O'MARA (EXTENDER)** - Extends existing Yates county local mortgage recording taxes. Signed into law, Ch. 395.
- **S. 4493 MARCELLINO** – Extends certain provisions of law relating to the resale of tickets to places of entertainment Signed into law, Ch. 19.
- **S. 4495 MAZIARZ (EXTENDER)** - Extends existing Orleans county local sales and compensating use taxes. Signed into law, Ch. 225.
- **S. 4543 SEWARD (EXTENDER)** - Extends existing Herkimer county local sales and compensating use taxes. Signed into law, Ch. 226.
- **S. 4571 RULES (EXTENDER)** –Extends existing Ontario county local sales and compensating use taxes. Signed into law, Ch. 227.
- **S. 4572 RULES (EXTENDER)** - Extends existing Cayuga county local sales and compensating use taxes. Signed into law, Ch. 92.
- **S. 4573 RULES (EXTENDER)** Extends existing Seneca county local sales and compensating use taxes. Signed into law, Ch. 228.
- **S. 4574 RULES (EXTENDER)** - Extends existing Wayne county local sales and compensating use taxes. Signed into law, Ch. 229.
- **S. 4575 RULES (EXTENDER)** - Extends existing Monroe county local sales and compensating use taxes. Signed into law, Ch. 230.
- **S. 4627 LARKIN (EXTENDER)** - Extends existing Ulster county local sales and compensating use taxes. Signed into law, Ch. 231.
- **S. 4638 DEFRANCISCO (EXTENDER)** - Extends existing Onondaga county local sales and compensating use taxes. Signed into law, Ch. 82.
- **S. 4650 SALAND (EXTENDER)** - Extends existing Dutchess county local sales and compensating use taxes. Signed into law, Ch. 232.
- **S. 4710 SALAND (EXTENDER)** - Extends existing Columbia county local sales and compensating use taxes. Signed into law, Ch. 233.
- **S. 4711 SALAND (EXTENDER)** - Extends existing Columbia county real estate transfer taxes Signed into law, Ch. 474.
- **S.4732 DEFRANCISCO** -- Extends the tax rate reduction under the NYS real estate transfer tax and the NYC real property transfer tax for conveyances of real property to existing REITS. Signed into law, Ch. 493.
- **S.4770 RULES** -- Authorizes the town of Rockland to accept an application for real property tax exemption from the Roscoe-Rockland fire district. Signed into law, Ch. 416.

- **S.4771 RULES (EXTENDER)**-- Extends existing Delaware county local sales and compensating use taxes. Signed into law, Ch. 234.
- **S.4772 MARCELLINO** -- Authorizes motion picture theatres to serve alcoholic beverages Signed into law, Ch. 475.
- **S.4784 YOUNG (EXTENDER)** – Extends existing Cattaraugus county local sales and compensating use taxes. Signed into law, Ch. 242.
- **S.4791 RANZENHOFER (EXTENDER)** -- Extends existing Erie county local sales and compensating use taxes. Signed into law, Ch. 243.
- **S.4792 RULES (EXTENDER)** -Extends existing Orange county local sales and compensating use taxes. Signed into law, Ch. 244.
- **S.4813 FLANAGAN** -- Creates a tax credit for the purchase of new, handicapped-accessible vehicles by transportation companies. Signed into law, Ch. 604.
- **S.4867 RULES (EXTENDER)** – Extends existing Oneida county local sales and compensating use taxes. Signed into law, Ch. 245.
- **S.4871 RULES (EXTENDER)** -- Extends existing Nassau county hotel and motel taxes. Signed into law, Ch. 382.
- **S.4872 RULES (EXTENDER)** -- Extends existing Nassau county local sales and compensating use taxes. Signed into law, Ch. 246.
- **S.4898 GOLDEN** -- Extends the effectiveness of certain provisions of law authorizing the use of binding arbitration as a resolution of labor disputes. Signed into law, Ch. 105.
- **S.4923 VALESKY (EXTENDER)**-- Extends existing Madison county local sales and compensating use taxes. Signed into law, Ch. 247.
- **S.5025 SEWARD (EXTENDER)** – Extends existing Cortland county local sales and compensating use taxes. Signed into law, Ch. 248.
- **S.5026 SEWARD (EXTENDER)** -- Extends existing Cortland county mortgage recording tax. Signed into law, Ch. 396.
- **S.5059 YOUNG (EXTENDER)** -- Extends existing Chautauqua county local sales and compensating use taxes. Signed into law, Ch. 249.
- **S.5075 LITTLE (EXTENDER)**-- Extends existing Warren county mortgage recording tax. Signed into law, Ch. 397.
- **S.5140B FARLEY** -- Establishes the taxpayer refund choice act and affirms the right of state residents to receive personal income tax refunds by paper check rather than electronic deposit or debit card. Signed into law, Ch. 479.
- **S.5158 RITCHIE (EXTENDER)** – Extends existing Jefferson county local sales and compensating use taxes. Signed into law, Ch. 250.
- **S.5261A MARCELLINO** -- Extends provisions of chapter 396 of the laws of 2010 authorizing the state liquor authority to issue temporary retail permits. Signed into law, Ch. 442.
- **S.5308 RULES (EXTENDER)** -- Extends existing Lewis county local sales and compensating use taxes. Signed into law, Ch. 251.
- **S.5320 RITCHIE (EXTENDER)** – Extends existing Oswego county local sales and compensating use taxes. Signed into law, Ch. 252.
- **S.5331 RULES (EXTENDER)** -- Extends existing Putnam county local sales and compensating use taxes. Signed into law, Ch. 113.
- **S.5349 MAZIARZ** -- Extends the clean heating fuel credit to January 1, 2017. Signed into law, Ch. 591.

- **S.5366 RULES (EXTENDER)** -- Extends existing Sullivan county local sales and compensating use taxes. Signed into law, Ch. 253.
- **S.5460A GRIFFO** – Authorizes the Comptroller to have access to the wage reporting system maintained by Tax & Finance in order to root out “double dipping” at the local government level. Signed into law, Ch. 206.
- **S.5527 RULES (EXTENDER)** – Extends existing tax rates and taxes in the city of New York. Signed into law, Ch. 209.
- **S.5547 RITCHIE (EXTENDER)** -- Extends existing city of Oswego local sales and compensating use taxes. Signed into law, Ch. 254.
- **S.5587C ALESI** -- Authorizes the State to license certified capital companies to raise \$150 million in private venture capital from insurance companies, which would then be invested in qualified businesses in exchange for premium tax credits, whose issuance is delayed four years. Vetoed, Memo 83.
- **S.5633B ALESI** -- Extends the qualified emerging technology company facilities, operations and training credit through January 1, 2017. Vetoed, Memo 86.
- **S.5637 DEFRANCISCO** -- Exempts electronic news sources and periodicals from sales and compensating use taxes. Signed into law, Ch. 583.

JUDICIARY
Senator John J. Bonacic, Chair

The Judiciary Committee reported 78 bills this legislative session. 21 of these were reported to the Calendar but did not ultimately pass the Senate. 23 bills passed the Senate only, and 23 also passed both houses. Nine bills were referred to committees of secondary reference but not ultimately reported to the Calendar. One bill, S.3423A by Senator McDonald was reported to Judiciary from the Mental Health and Developmental Disabilities Committee, and not ultimately reported to the Calendar. That bill required the provision of an attorney from the mental hygiene legal service to patients or residents of OMH facilities.

Bills Died in Committee of Secondary Reference

Finance

- **S.127 PERALTA** -- Provides that limited liability for persons held jointly liable shall not apply to parties held liable for failing to provide reasonable security or failing to provide security required by federal, state or local law, rules or regulations.
- **S.429-A KRUEGER** -- Requires access to new homes by persons with disabilities.
- **S.453-A KRUEGER** -- Provides for the establishment of a biennial budgeting system for the state of New York replacing the state annual budget process.
- **S.823 LITTLE** -- Establishes a ten year statute of limitations to enforce violations of rules and regulations of Adirondack park agency committed within the Adirondack Park.
- **S.1202 GRIFFO** -- Relates to the establishment of a pilot program for courts for the treatment of veterans in the city of Utica and New York City; expires after two years.
- **S.2391 LIBOUS** -- Relates to the authorization of debt in times of public emergency; limits the total amount of state debt; establishes a debt management board; relates to the refunding of state debts.
- **S.3266 GRIFFO** -- Provides for special elections for the offices of comptroller and attorney general for vacancies during a term.
- **S.3304-A KLEIN** -- Increases the mileage fees in the city of New York imposed for the services provided by sheriffs.
- **S.4596 BONACIC** -- Increases the number of city court judges in certain cities and sets forth the annual salary for such city court judges.

Commerce Economic Development & Small Business

- **S.3765 BONACIC**- Prohibits contracts that relate to hydraulic fracturing from containing provisions that prohibit the disclosure of the chemicals used.

Bills Advanced to the Calendar

Died 3rd Reading Calendar

- **S.506A LITTLE** -- Authorizes state residents to gather fallen timber from the floor of the state forest preserve when such timber is within 50 feet of a public highway

- **S.1311 LAVALLE** – Allows crediting of additional civil service credit for veterans with disabilities after first appointment.
- **S.2594 FLANAGAN** -- Requires buyers and lessees of residential real property to be given notice of public access to sex offender information.
- **S.2869 GRIFFO** -- Removes constitutional provision that the lieutenant-governor shall act as governor when the governor is absent from the state.
- **S.2870 GRIFFO** -- Allows for the filling of vacancies in the office of lieutenant-governor by appointment of the governor subject to confirmation by the senate and assembly.
- **S.2898 DEFRANCISCO** – Prohibits use of eminent domain for economic development purposes.
- **S.3177A LAVALLE** – Provides a mechanism for recourse for manufactured homeowners in manufactured home parks confronted with unjustifiable rent increases.
- **S.3296A DEFRANCISCO** -- Prohibits a defendant in a personal injury, medical, dental or podiatric malpractice or wrongful death action from conducting ex-parte interviews with the plaintiffs' nonparty treating physicians.
- **S.3348 BONACIC** – Requires a spouse be given a fair and reasonable disclosure of the financial situation of the other spouse before waiving a right of election against the estate.
- **S.3766 BONACIC** -- Provides, in tort cases where one defendant has settled, that remaining defendants must elect prior to trial as to reduction in liability.
- **S.4306 DEFRANCISCO** – Requires the option of a structured settlement for payment of damages.
- **S.4356 LITTLE** -- Prohibits a skier from skiing in any area unless he or she is wearing a protective helmet; applicable to skiers under fourteen years of age.
- **S.4468 O'MARA** – Allows the continuing education courses required for home inspectors and hearing aid dispensers to be conducted online, currently all other licensees may take online continuing education classes except for these two professions.
- **S.4578 BONACIC** – Eliminates requirement that service of papers by mail must be made within the state.
- **S.4580 BONACIC** – Requires that papers filed in civil proceedings be redacted to protect personal and confidential information.
- **S.4585 BONACIC** – Extends the life of a judgment lien on real property in an action upon a money judgment to twenty years from ten, to create parity with money judgments.
- **S.4788 LAVALLE** -- Establishes health care organization or HMO accountability for delay, failure or refusal to approve, provide, arrange or timely pay for certain health care services.
- **S.4852 BONACIC** – Allows former housing judges to serve as judicial hearing officers.
- **S.5212A BONACIC** – Limits TROs to 14 days, with one additional renewal period of 14 days and adopts a method to appeal denials of orders with no adverse party, such as a name change.
- **S.5373 DEFRANCISCO** -- Enacts the "adversarial medical examination procedure act" to ensure that independent medical examinations are conducted in accordance with all fairness and due process.
- **S.5466 MAZIARZ** – Allows a second, full-time city court judge in the city of Lockport.

Passed Senate Only

- **S.709 ROBACH** – Provides a process for the citizens of New York as electors to propose or reject laws and submit amendments to the state constitution.
- **S.1712 SAMPSON** – Requires a nonpartisan quadrennial review of adequacy of judgeships of the unified court system, and to make recommendations for the needs of the various courts.
- **S.1922 HANNON** -- Authorizes a court to order an obligor spouse to purchase or maintain disability insurance to ensure continued payment of court ordered support.
- **S.1998 FUSCHILLO** -- Changes the penalty for practicing or appearing as an attorney-at-law without being admitted and registered to a felony.
- **S.2381 SEWARD** – Allows the legislature to review regulations proposed by agencies and allows the legislature to invalidate regulations that are not consistent with the legislative intent.
- **S.2382A SEWARD** – Proposes a constitutional amendment, guaranteeing the right to hunt, trap and fish.
- **S.2640 LAVALLE** -- Authorizes the comptroller to pay the proceeds of the estate of Howard J. Geyer to certain persons.
- **S.2777 GRIFFO** -- Encourage rank and file citizens to participate in a constitutional convention and to prohibit political party establishment from becoming delegates at constitutional conventions.
- **S.2876 SEWARD** -- Allows a plaintiff to have a small claims court hearing in the municipality in which the claim arose rather than simply residence of defendant.
- **S.2906 DEFRANCISCO** – Requires a bank to issue a mortgagor an assignment of mortgage in lieu of a discharge of mortgage when the mortgagor is refinancing an existing loan, to allow them to save mortgage recording taxes for a refinance.
- **S.3192 RANZENHOFER** -- Creates the short-term military service guardian for care of a service member's children.
- **S.3331 BONACIC** -- Proposes a constitutional amendment to create a non-partisan apportionment commission for purposes of redistricting legislative and congressional districts.
- **S.3406 LARKIN** -- Authorizes veterans and disabled veteran's credits to be added to an individual's civil service examination after the establishment of an eligible list.
- **S.3767C BONACIC** – Authorizes contracts governing debt obligations of foreign states to survive final judgment under the merger doctrine.
- **S.4024 LITTLE** -- Authorizes removal of persons from campgrounds by the owner or operator thereof, or his or her agent.
- **S.4051 GALLIVAN** – Authorizes an action for recoupment of overpayments of child support in family and Supreme Court.
- **S.4225A LANZA** -- Increases number of Supreme Court justices in the thirteenth judicial district to ten and in the second judicial district to fifty-two.
- **S.4587A BONACIC** -- Increases the mandatory retirement age for all judges and justices of the unified court system, except for justices of town and village courts, from 70 to 74.
- **S.4588 BONACIC** – Provides process for appellate review of an ex parte order in which there is no adverse party or applications for provisional remedies.

- **S.4590 BONACIC** -- Authorizes the dismissal of abandoned cases in the civil court of the city of New York after plaintiff's default on a calendar call, similar to powers in other courts.
- **S.4593 BONACIC** – Authorizes court ordered paternity testing and adjudications in child protective proceedings in family court.
- **S.5108A JOHNSON** -- Limits the undertaking (bond) required of tobacco manufacturers and affiliates during appeals of the tobacco master settlement agreement to \$100 million, no matter what the size of the judgment.
- **S.5201 RANZENHOFER** -- Allows automatic renewal of contracts for electronic and life safety alarm services.

Passed Both Houses

- **S.79A SQUADRON** -- Authorizes the incorporation of a new class of corporations-- benefit corporations, which will have as its purpose “general public benefit.” Signed into law, Ch. 599.
- **S.357A ROBACH** -- Allows satisfaction of constitutional requirement that bills be on members desks by distribution of bills in electronically written form. Adopted, Delivered to Secretary of State.³
- **S.1368A DILAN** – Authorizes the City of New York to enter into a contract for transportation of children for pre-kindergarten and early intervention students. Vetoed, Memo 54.
- **S.1846A OPPENHEIMER** -- Authorizes the lease of lands located at the state university of New York at Purchase for a senior learning community. Signed into law, Ch. 405.
- **S.2779 YOUNG** -- Provides for the lapse of oil and gas interests located within Allegany state park if unused for 20 years prior to effective date of act. Signed into law, Ch. 501.
- **S.3179 DEFRANCISCO** -- Allows lien filings for retainage to be filed within 90 days of when the lien was due to be released. Signed into law, Ch. 367.
- **S.3392 LANZA** -- Expands the residency requirements for New York City marshals to Orange, Westchester, Putnam, Nassau, Suffolk, and Rockland. Signed into law, Ch. 23.
- **S.4091B SAVINO** – Expands the powers of the court with respect to conditions contained in orders for child support obligors, i.e., to seek employment or participate in job training, employment counseling or other available programs. Ch. 592
- **S.4302A SAVINO** – Expands the allegations permitted in family offense petitions to certain new crimes recently enacted, such as criminal obstruction of breathing. Signed into law, Ch. 309.
- **S.4415 RITCHIE** -- Expands the residency requirements of stenographers for the county of Jefferson to any county within the 5th judicial district. Signed into law, Ch. 44.
- **S.4530B SALAND** -- Establishes guidelines for information subpoenas for debt collectors who issue more than 50 information subpoenas each month, requiring certain records be maintained. Signed into law, Ch. 342.
- **S.4577A BONACIC** -- Authorizes attorneys' fees to be awarded to any person that the court finds has acted to benefit the class in a class action suit. Signed into law, Ch. 566.

³ As a concurrent resolution, this has no action taken by the Governor, but upon adoption by two subsequent legislatures is referred to the Secretary of State to be put to the voters in the next general election. This is merely first passage for this legislation.

- **S.4581 BONACIC** – Extends the time of service, time in which defect in form must be raised, copy of proposed amended pleading, and the time of voluntary discontinuances Signed into law, Ch. 473.
- **S.4584 BONACIC** -- Provides that the term "disposition" shall include succession to an interest occurring by operation of law by death of a joint tenant or tenant by the entirety. Signed into law, Ch. 285.
- **S.4586A BONACIC** -- Clarifies, that in the absence of a patient's authorization, a trial subpoena duces tecum seeking the production of medical records may be issued by the court. Signed into law, Ch. 307.
- **S.4591A BONACIC** – Authorizes a beneficiary to be deposed in certain actions, where the beneficiary's disposition under the will is conditioned upon the beneficiary not contesting the will. Signed into law, Ch. 286.
- **S.4594 BONACIC** – Grants city court more powers with respect to an application for relief in aid of an arbitration award. Signed into law, Ch. 284.
- **S.4666 NOZZOLIO** -- Extends the judicial hearing officer pilot program in the family courts of the seventh and eighth judicial districts for 3 more years. Signed into law, Ch. 34.
- **S.5203A LIBOUS** -- Prohibits private transfer fee obligations; requires disclosure of existing private transfer fee obligations. Signed into law, Ch. 522.
- **S.5449 DEFRANCISCO** -- Provides that any grant or gift of money to the unified court system shall be disposed of by the chief administrator of the courts without consent from the Senate and Assembly. Signed into law, Ch. 179.
- **S.5519 BONACIC** -- Modifies certain formulas construed to refer to the federal estate and generation-skipping transfer tax on estates of decedents dying during 2010. Signed into law, Ch. 529.
- **S.5635B BONACIC** -- Specifies courts and types of actions in which electronic means may be used to commence an action or special proceeding. Signed into law, Ch. 543.
- **S.5694A SALAND** -- Creates article 10-C of the family court act relating to destitute children in order to address inadequacy of current law.

LABOR
Senator Joseph E. Robach, Chair

This legislative session 21 bills were reported from the Labor Committee. Of these 21 bills, six were reported to the Calendar but not ultimately passed; six passed the Senate only and seven passed both houses. Two bills were referred to committees of secondary reference and did not advance further.

Bills Died in Committee of Secondary Reference

Finance

- **S.2200 KRUEGER** -- Enacts the "New York State fair pay act;" provides that it shall be an unlawful employment practice for an employer to discriminate between employees on the basis of sex, race and/or national origin by paying different wages.
- **S.4112 SAVINO** -- Requires workers' compensation hearings and pre-hearing conferences to be recorded by a stenographer.

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S.2399B MAZIARZ** -- Excludes seasonal fair workers from the definition of employee for purposes of the minimum wage act.
- **S.2600 GRISANTI** -- Repeals requirement that all firefighters be provided ropes and safety harnesses.
- **S.2837 YOUNG** -- Authorizes employers to make deductions from an employee's wages if such deduction is authorized by the employee and is for the convenience of the employee.
- **S.3741 MAZIARZ** -- To ensure that Medical Treatment Guidelines adopted by the Worker's Compensation Board in 2010 will no longer be applied retroactively.
- **S.3966 ROBACH** -- Authorizes the sharing of unemployment insurance information with local government entities for appropriate purposes.
- **S.5149B BONACIC** -- Prohibits the practice of job order contracting in advertisements for bids for public works projects.

Passed Senate Only

- **S.510 MAZIARZ** -- Permits minors to be employed as a referee, umpire or official at a youth sporting event.
- **S.748 YOUNG** -- Provide that the asbestos notification fee for owner occupied one or two family residential structures shall be no more than five hundred dollars.
- **S.767 YOUNG** -- Allows minors who are members of a religious community to engage or assist in employment which minors are otherwise prohibited from performing.
- **S.1247 ADDABBO** -- Establishes sex offender employment act; prohibits sex offenders from working with children.

- **S.2138 SAVINO** -- Eliminates the requirement that copies of the report of independent medical examination must be submitted to all parties in the same manner, allows electronic dissemination.
- **S.4016 GOLDEN** -- Updates powers of the public employment relations board to investigate unfair labor practices, grants authority to issue subpoenas.

Passed Both Houses

- **S.3928 ROBACH** -- Extends unemployment insurance extended benefits. Signed into law, Ch. 7.
- **S.3965 ROBACH** -- Extends the validity of child performer work permits to one year from a current maximum of 6 months. Signed into law, Ch. 172.
- **S.4559B ROBACH** -- Provides for the continuation of reimbursement for certain medical treatments under the workers compensation system in the event the federal government changes the codes associated with such treatments. Signed into law, Ch. 517.
- **S.4940B YOUNG** -- Includes not for profit juvenile justice facilities within New York State under the “Workplace Violence Protection Act.” Signed into law, Ch. 504.
- **S.4953 ALESI** -- Extends the self-employment assistance program. Signed into law, Ch. 134.
- **S.5355 KENNEDY** -- Establishes a green jobs workforce subcommittee of the state workforce investment board. Vetoed, Memo 50.
- **S.5540 SEWARD** -- Requires the state insurance fund to file annual audited financial statements with the office of the state comptroller. Signed into law, Ch. 445.

LOCAL GOVERNMENT
Senator Jack M. Martins, Chair

The Local Government Committee reported 181 bills from committee this session. Of these 181 bills – seven were referenced to a committee of secondary reference and did not advance further. A total of 174 bills advanced to the Calendar, 16 of which died on the 3rd Reading Calendar. 56 passed Senate only and 102 bills passed both houses.

Bills Died in Committee of Secondary Reference

Finance

- **S. 787A YOUNG** Prohibits assessors from increasing the assessments of forestland based on the stumpage value of the trees thereon; establishes the forestland taxation task force to study and make recommendations on the assessment and taxation of privately owned forestlands.
- **S. 2897 DEFRANCISCO** - Authorizes villages, towns and counties to enter into shared procurement contracts to purchase telecommunications and information technology systems with the state education department, local schools and BOCES districts.
- **S. 4189 MARCELLINO** - Establishes the crimes of possession of an unauthorized recording in the first and second degree; requires intent to send such recording.

Commerce, Economic Development, and Small Business

- **S. 559 KLEIN** - Authorizes the county of Nassau to transfer ownership of certain parklands to Conservation Partners, LLC.

Education

- **S. 3320 RITCHIE** - Relates to payments made to the Oswego board of cooperative educational services for costs of a certain capital project.

Banks

- **S. 3942 MARTINS** - Establishes the savings bank, savings and loan association or credit union municipal deposit program.

Rules

- **S. 5630 ROBACH** – Relates to debt payments for Rochester school facilities not affecting the city of Rochester's maintenance of effort requirements.

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S. 150A MAZIARZ** - Provides for the merger of class three and four into a new single class for the special assessing unit of New York city.
- **S. 919 MARCELLINO** - Provides that leases of state park lands require the lessee to make payments in lieu of taxes to school districts within which the lands to be leased are located.
- **S. 2012 STEWARD-COUSINS** - Allows certain not-for-profits to make purchases through use of county contracts.
- **S. 2976C MAZIARZ** - Restricts the use of decabromodiphenyl ether in certain products.
- **S. 2978 LAVALLE** - Relates to criminalizing the possession of an anabolic steroid.
- **S. 3137 LIBOUS** - Authorizes counties to lease county land for natural gas exploration, development and production for five years or as long as gas is produced in paying quantities.
- **S. 3189 RANZENHOFER** - Exempts certain old growth forests from private property taxation.
- **S. 3201A HANNON** - Relates to the taxation of structures and buildings essential to the operation of equine operations in certain towns.
- **S. 3315 MARTINS** - Relates to requiring a local referendum prior to legislative action taken to alienate parkland.
- **S. 3797 OPPENHEIMER** - Establishes the city of White Plains industrial development agency and provides for its functions, powers, and duties.
- **S. 3882 RITCHIE** - Legalizes, validates, ratifies and confirms actions of the Belleville Henderson central school district with respect to certain building aid contracts.
- **S. 4285 MARTINS** - Authorizes on-site inspections of housing in violation of zoning laws for purposes of enforcing illegal housing laws and regulations.
- **S. 4362 YOUNG** - Enacts the "town mergers law"; creates a procedure for the merger of adjoining towns into a single new town; repeals provisions of the town law providing for consolidation of towns.
- **S. 4554B BALL** - Relates to vested rights of property owners relating to the development of their land in the counties of Dutchess, Orange, Putnam, Rockland and Westchester; requires notice by applicant to property owners within 250 feet of land development application; provides for the repeal of such provisions 6 years after they take effect.
- **S. 5521 KLEIN** - Relates to docketing of adjudications of violations of laws enforced by the New York City department of consumer affairs.
- **S. 5546A MARTINS** - Authorizes counties the ability to use lever voting systems at referendum.

Passed Senate Only

- **S. 134 LITTLE** - Relates to allowing a physically disabled surviving spouse who was married to an enhanced STAR qualifying individual to continue to receive the exemption even if the surviving spouse is not sixty-two years of age.
- **S. 186 MAZIARZ** - Provides for notice to municipalities of proposed planning or zoning actions by a neighboring municipality; such notice to be given by the county planning agency or regional planning council having appropriate authority over the proposed action.

- **S. 598 FUSCHILLO** - Allows local tax collectors to send tax statements by electronic mail to an address provided by a homeowner and to opt out of receiving paper statements of taxes.
- **S. 800 YOUNG** - Authorizes local governments to deliver proposed local laws to members of their legislative bodies by means of e-mail.
- **S. 806 LAVALLE** - Authorizes certain towns in the Peconic Bay region to establish community housing opportunity funds to provide community housing or low interest loans for first time home buyers.
- **S. 950 MARCELLINO** - Requires businesses that make payments in lieu of taxes to provide local governments and school districts with notice of their intention to file for a change in assessment.
- **S. 1361 DILAN** - Provides for giving of just compensation upon the taking of any billboard in accordance with the eminent domain procedure law; removes amortization schedules for the removal of billboards in areas other than industrial and manufacturing zones.
- **S. 1462A LAVALLE** - Authorizes a municipal corporation to provide a real property tax exemption for improvements to real property meeting LEED certification standards for green buildings.
- **S. 1465A HANNON** - Grants a real property tax exemption, at the option of the local taxing authority, to nonprofit organizations that purchase real property after the particular municipality's levy of taxes or taxable status date if the organization files an application for exemption with the assessor.
- **S. 1756 LAVALLE** - Permits Suffolk County to refund penalties and interest associated with non-payment of real property taxes where customary payment-due notice was not provided.
- **S. 1824 MARTINS** - Amends the NY government reorganization and citizen empowerment act, relating to the requirements for consolidation or dissolution of certain local government entities.
- **S. 2446 YOUNG** - Authorizes tax increment bonds payable from real property taxes levied by a school district within a blighted project area.
- **S. 2544 BONACIC** - Establishes certain vacant or otherwise unimproved land or real property owned by non-profit organizations from which no revenue is derived shall be exempt from real property taxation only if plans for utilizing the property for exempt purposes within five years are proven and the actual improvements are carried out within seven years.
- **S. 2637 JOHNSON** - Authorizes the West Islip union free school district to file an application with the assessor of the town of Islip for a real property tax exemption.
- **S. 2843 CARLUCCI** - Authorizes municipalities and districts to enter in cooperative agreements for the provision of centralized public employee administrative and personnel services.
- **S. 2998 LAVALLE** - Establishes a capped real property school tax rate for persons seventy years of age or older who meet the eligibility requirements for the enhanced school tax relief exemption.
- **S. 3330 KENNEDY** - Authorizes the town of Cheektowaga, county of Erie, to extend the lease for the operation of Diamond Hawk golf course for an additional ten years.
- **S. 3350 BONACIC** - Creates a process for local disciplinary actions against assessors.

- **S. 3357 LAVALLE** - Provides for the inclusion of one ex officio student member to village boards of trustees.
- **S. 3420 FLANAGAN** - Authorizes the Holy Cross Polish National Church to retroactively apply for a real property tax exemption for property in Smithtown.
- **S. 3441 LAVALLE** - Authorizes the town of Southampton to accept from the Southampton union free school district applications for exemptions for real property taxes.
- **S. 3552 RITCHIE** - Provides that the definition of search and rescue team includes voluntary and municipal wilderness/inland search and rescue teams.
- **S. 3793 MAZIARZ** - Authorizes the town of Carlton, county of Orleans, to provide crushed stone to certain residents for the maintenance of certain stone lanes.
- **S. 3844A ZELDIN** - Authorizes the town of Islip to lease certain lands to a business corporation.
- **S. 3959 LARKIN** - Authorizes the city of Newburgh to establish an administrative tribunal for the adjudication of parking infractions; further authorizes the city of Newburgh to provide for the appointment of hearing examiners.
- **S. 4133A GALLIVAN** – Allows locality the flexibility to take advantage of purchasing through the office of general services.
- **S. 4166 FLANAGAN** - Authorizes the Holy Cross Roman Catholic Church to retroactively apply for real property tax exemptions for certain properties in Smithtown, Suffolk County.
- **S. 4167 FLANAGAN** - Authorizes the Selden fire district in the town of Brookhaven to file an application for a real property tax exemption.
- **S. 4223 LARKIN** - Consolidates the village of Woodbury and town of Woodbury to create the town of Woodbury.
- **S. 4229 MARCELLINO** - Authorizes Suffolk County to sell certain delinquent tax liens on brownfield property to private buyers.
- **S. 4340 LARKIN** - Relates to reducing farm-based taxes, fees and regulatory burdens to help grow the agricultural economy and benefit family farms.
- **S.4254 MARCELLINO** - Authorizes the village of Oyster Bay Cove, town of Oyster Bay, county of Nassau to expend \$995,581 in trust funds for the construction of a village hall and police headquarters.
- **S. 4327 CARLUCCI** - Authorizes the village of Montebello to file an application for exemption from real property taxes.
- **S. 4330 CARLUCCI** - Authorizes the village of Montebello to file an application for exemption from real property taxes for a certain parcel of land located in the town of Ramapo, county of Rockland.
- **S. 4331 CARLUCCI** - Authorizes the town of Ramapo, county of Rockland to discontinue the use of certain lands as parklands.
- **S. 4359 YOUNG** - Authorizes the governing boards of two or more municipalities which have mutually agreed to study the annexation of territory to, by joint resolution, propose the annexation of such territory, as an alternative to annexation solely by petition.
- **S. 4392 FLANAGAN** - Authorizes the CDCLI Housing Development Fund Corporation to retroactively apply for a real property tax exemption for certain property in the town of Brookhaven, county of Suffolk.
- **S. 4416B JOHNSON** - Authorizes the county of Suffolk to discontinue use as parkland, and to sell certain lands to the First Baptist Church of Bay Shore.

- **S. 4442 ZELDIN** - Authorizes Victims Information Bureau of Suffolk, Inc. to file an application for a real property tax exemption.
- **S. 4510B HANNON** - Authorizes Monica's Manor, Inc. to file an application for a retroactive real property tax exemption for certain parcels of land.
- **S. 4514 LIBOUS** - Requires multiple liens on farm property to be paid in chronological order, with the earliest lien being paid off first and the most recent being paid last.
- **S. 4661A BONACIC** - Relates to the income criteria for the use of funds from the greater Catskills flood remediation program.
- **S. 4676 LARKIN** - Removes that portion of the town of Chester in the service area of the Albert Wisner memorial public library from such library service area to end the double taxation of certain town residents.
- **S. 4722 ZELDIN** - Authorizes the assessor of the town of Islip to accept an application for exemption from real property taxes from the Gospel Tabernacle Church of God in Christ.
- **S. 4857A O'MARA** - Establishes assessments for the value of lands that may be used for prospective natural gas or oil development activities.
- **S. 4893B SKELOS** - Authorizes the American Legion Post No. 958 to submit an application for real property tax exemption to the assessor of the county of Nassau.
- **S. 5197 FARLEY** - Authorizes the Schenectady city assessor to accept an application for a historical preservation real property tax exemption from Excelsior Development Partners LLC for rehabilitation of the former Woodlawn School.
- **S. 5227 MARTINS** - Repeals certain sections of the general municipal law, in relation to urban renewal agencies and industrial development agencies; repeals certain sections of the public authorities law, in relation to certain authorities; transfers any books, records and remaining rights of any dissolved facility to an identifiable location.
- **S. 5263 BALL** - Directs the state interoperable and emergency communication board to establish system for advance notification of 911 answering points of developmentally disabled present at certain residences and facilities.
- **S. 5496 BRESLIN** - Authorizes Holding Our Own, Inc.: A Fund for Women to file applications for real property tax exemption with the city of Albany, county of Albany.
- **S. 5504A SALAND** - Creates the LaGrange public library district in the town of LaGrange, county of Dutchess.
- **S. 5523 FARLEY** - Authorizes Schenectady Hindu Temple and Community Services to file applications for real property tax exemptions.
- **S. 5525B LITTLE** - Authorizes municipalities and districts thereof to contract for goods and services jointly with the state or other municipalities.
- **S. 5595 MAZIARZ** - Permits village volunteer fire companies in certain counties to enter into contracts to provide certain emergency services to a town in which the village is located without the consent of the village board or fire commissioners.
- **S.5607 KENNEDY** - Legalizes, validates, ratifies and confirms certain transportation contracts of Hamburg central school district.
- **S. 5698 LAVALLE** - Relates to a proposed electric generating facility in the county of Suffolk.

Passed Both Houses

- **S. 205 MAZIARZ** -- Requires a bulletin board dedicated to veteran's affairs and events to be displayed and maintained in each city or town hall. Signed into law, Ch. 16.
- **S. 397 KRUEGER** - Provides condominium owners with access to the application for the entire building for the tax abatements to verify that such owner's unit was included in the submission. Signed into law, Ch. 453.
- **S. 559 MARCELLINO** – Authorizes the county of Nassau to transfer ownership of certain parklands to Conservation Partners, LLC. Signed into law, Ch. 38.
- **S. 863B YOUNG** - Establishes a residential-commercial real property tax exemption program in certain counties. Signed into law, Ch. 545.
- **S. 1164 BRESLIN** - Authorizes the town of Guilderland, county of Albany, to elect a third town justice. Signed into law, Ch. 190.
- **S. 1737B GRISANTI** - Authorizes the commissioner of general services to release a right of reverter in letters patent conveying certain land located in the city of Buffalo. Signed into law, Ch. 150.
- **S. 1921 HANNON** - Authorizes the Hebrew Academy of Nassau county in the town of Hempstead to file an application for a real property tax exemption. Signed into law, Ch. 274.
- **S. 2131 SKELOS** –Authorizes Bay Park fire district to refund and pay a portion of the existing funds in its capital reserve account to the taxpayers of the district. Signed into law, Ch. 48.
- **S. 2374 STEWART-COUSINS** - Authorizes the county of Westchester to issue serial bonds to finance certain payments over a period of five years for any costs associated with or related to the 2010 Early Retirement Incentive. Signed into law, Ch. 387.
- **S. 2404 CARLUCCI** – Provides that the town of Orangetown, county of Rockland is hereby authorized to permanently discontinue the use of certain town lands as parkland. Signed into law, Ch. 27.
- **S. 2756 LAVALLE** – Authorizes the village of Port Jefferson, town of Brookhaven, county of Suffolk to discontinue the use of certain city lands as parkland. Signed into law, Ch. 39.
- **S. 2778 GRIFFO** – Validates and legalizes certain bond anticipation notes issued by the village of Norwood; authorizes the issuance of obligations of such bond anticipation notes. Signed into law, Ch. 40.
- **S. 2781 RITCHIE** – Legalizes, validates, ratifies and confirms certain actions taken by the village of Black Water, Jefferson County with respect to refunding its low interest loans through the United States department of agriculture and the New York state environmental facilities corporation. Signed into law, Ch. 15.
- **S. 2787 GALLIVAN** – Permits the county of Erie to market serial bonds at private sale through June 30, 2012. Signed into law, Ch. 63.
- **S. 2952B LIBOUS** - Legalizes the dissolution of the town of Sanford fire district by such town. Signed into law, Ch. 329.
- **S. 2982 STEWART-COUSINS** –Relates to bonds and notes of the city of Yonkers. Signed into law, Ch. 66.
- **S. 3036 LAVALLE** - Relates to payments for certain school, fire, fire protection and ambulance districts for lands exempt from real property taxation for purposes which implement the Peconic Bay community preservation fund. Signed into law, Ch. 330.

- **S. 3101 LAVALLE** - Authorizes the removal of fire commissioners for dereliction of duties; such dereliction shall include excessive, unexcused absences from regularly scheduled meetings. Signed into law, Ch. 462.
- **S. 3110 DEFRANCISCO** - Relates to payments of taxes in installments in certain school districts. Signed into law, Ch. 551.
- **S. 3176 LAVALLE** –Extends the date allowable for exemptions for first-time homebuyers of newly constructed homes to on or after December 31, 2016. Signed into law, Ch. 77.
- **S. 3247A FARLEY** - Authorizes Planned Parenthood Mohawk Hudson to file applications for a real property tax exemption with the city of Schenectady for four properties. Signed into law, Ch. 273.
- **S. 3263A JOHNSON** - Includes the Fair Harbor fire district as among those districts that have elections on the second Tuesday in July. Signed into law, Ch. 334.
- **S. 3412B FARLEY** - Authorizes the city of Schenectady to accept an application for real property tax exemption from Schenectady Civic Players, Inc. Signed into law, Ch. 464.
- **S. 3413A FARLEY** - Authorizes State Street Presbyterian Church to file applications for a real property tax exemption with the city of Schenectady. Signed into law, Ch. 335.
- **S. 3499A YOUNG** - Authorizes town justices in the town of Genesee, in the county of Allegany, to reside outside of such town, so long as such person resides in an adjoining town. Signed into law, Ch. 465.
- **S. 3503B HANNON** - Authorizes the Massapequa fire district to apply to the assessor of the county of Nassau for a real property tax exemption for the 2010 tax roll. Signed into law, Ch. 466.
- **S. 3605 CARLUCCI** - Creates the Orangetown public library district; modifies the boundaries; authorizes individual libraries to apply for appropriations on an individual basis. Vetoed, Memo 31.
- **S. 3860A KLEIN** - Extends the expiration of provisions authorizing the imposition of a required fee at the New York Botanical Garden until 2015. Signed into law, Ch. 67.
- **S. 3896 GOLDEN** - Extends until December 31, 2015, the date by which owners rehabilitating single room occupancy housing (SROs) are eligible to receive tax benefits. Signed into law, Ch. 140.
- **S. 3916 GRISANTI** – Extends certain provisions relating to installment loans and obligations evidencing installment loans. Signed into law, Ch. 41.
- **S. 3917 GRISANTI** – Extends, until September 30, 2014, certain provisions of the Local Finance Law which provides for issuance of a single statutory installment bond by a borrower. Signed into law, Ch. 69.
- **S. 3994A GOLDEN** - Increases certain special accidental death benefits paid to widows, widowers or the deceased member's children. Signed into law, Ch. 161.
- **S. 4012 JOHNSON** - Authorizes Breast Cancer Help, Inc. to apply to the assessor of the town of Islip for a real property tax exemption commencing on the date of conveyance of a certain parcel to such organization. Signed into law, Ch. 336.
- **S. 4047 MARTINS** - Dissolves the Westbury community development agency. Signed into law, Ch. 280.
- **S. 4078 BONACIC** - Relates to changing the hours of the library's annual election and the organization of the board of trustees. Signed into law, Ch. 415.

- **S. 4120 RANZENHOFER** – Extends, for an additional three years, the authority of municipalities contained in Local Finance Law (LFL) § 90.00 to sell their refunding bonds to the Environmental Facilities Corporation (EFC). Signed into law, Ch. 72.
- **S. 4151 LITTLE** - Authorizes the town of Malone, in the county of Franklin, to extend the Malone fire protection district into the village of Malone. Signed into law, Ch. 144.
- **S. 4184 MARCELLINO** - Authorizes Family Service League, Inc. to file an application for exemption from real property taxes for a certain parcel of land located in the town of Huntington, county of Suffolk. Signed into law, Ch. 338.
- **S. 4206 LIBOUS** - Authorizes general ambulance services and/or emergency medical services operated jointly by municipalities to be provided within the boundaries of all such municipalities. Signed into law, Ch. 471.
- **S. 4264C SKELOS** - Authorizes Madraigos, Inc. to apply for real property tax exemptions on certain parcels in the county of Nassau. Signed into law, Ch. 340.
- **S. 4290A CARLUCCI** - Authorizes the town of Ramapo to file an application for exemption from real property taxes for a certain parcel of land located in the town of Ramapo, county of Rockland. Signed into law, Ch. 411.
- **S. 4293 CARLUCCI** - Authorizes Congregation Ohr Yitzchok to file an application for exemption from real property taxes for a parcel in the town of Ramapo, county of Rockland. Signed into law, Ch. 267.
- **S. 4294 CARLUCCI** - Authorizes the town of Ramapo to accept an application for real property tax exemption from the Rock Apostolic Church in the village of Spring Valley, town of Ramapo, county of Rockland. Signed into law, Ch. 276.
- **S. 4333A CARLUCCI** - Authorizes Kolllell Shas Keren Hatorah, Inc., to retroactively apply for a real property tax exemption for property situated at 11 Weiner Drive in the town of Ramapo, county of Rockland. Signed into law, Ch. 304.
- **S. 4360 YOUNG** - authorize municipalities to utilize contracts for public works services which have already been let out to bid by the county in which the political subdivision or district is located, or through any county within the State.
- **S. 4404 LAVALLE** - Relates to the conveyance of land formerly used as an armory to the town of Riverhead in the county of Suffolk. Signed into law, Ch. 495.
- **S. 4482 O'MARA** - Extends provisions of law relating to the mortgage recording tax in the county of Yates. Signed into law, Ch. 395.
- **S. 4503 NOZZOLIO** - Enacts the "engineers', architects', landscape architects' and land surveyors' good samaritan act" to protect from liability for personal injury, wrongful death, property damage or other loss professional engineers, architects, landscape architects and land surveyors who render voluntary services, without compensation acting reasonably and in good faith, at the scene of a natural disaster or catastrophe. Signed into law, Ch. 129.
- **S. 4545A ZELDIN** - Authorizes the United Latin American Pentecostal Church to retroactively apply for a real property tax exemption for property in Patchogue. Signed into law, Ch. 343.
- **S. 4546A LAVALLE** - Extends provisions relating to the issuance of land installment purchase obligations. Signed into law, Ch. 200.
- **S. 4600B ZELDIN** - Authorizes the assessor of the county of Suffolk to accept an application for exemption from real property taxes from Plumbers Local Union No. 200 Apprenticeship Training Fund for certain parcels of land located in the town of Islip. Signed into law, Ch. 344.

- **S. 4601B ZELDIN** - Provides for an exemption for real property taxes to St. John's Evangelical Lutheran Church located on 345 Broadway, Sayville, New York 11776. Signed into law, Ch. 345.
- **S. 4607B ZELDIN** - Authorizes the Lighthouse Mission, Inc. to retroactively apply for a real property tax exemption for certain property in the village of Brookhaven in Suffolk County. Signed into law, Ch. 346.
- **S. 4632 GRISANTI** - Extends authorization for private sale of bonds and notes of the city of Buffalo to include serial bonds or notes issued on or before June 30, 2012. Signed into law, Ch. 104.
- **S. 4647A MARTINS** – Relates to the base proportions of approved assessing units in the county of Nassau. Signed into law, Ch. 36.
- **S. 4655 SKELOS** - Provides that volunteer firefighters who die or have died in the line of duty, as determined by an authoritative agency, have their names inscribed on the New York state fallen firefighter memorial. Vetoed, Memo 85.
- **S. 4750 LIBOUS** - Authorizes the county of Chenango to apply to the federal government to establish, operate and maintain foreign trade zones within such county. Signed into law, Ch. 569.
- **S. 4753A RANZENHOFER** - Relates to obtaining the best value for contracts for public work and purchase contracts.
- **S. 4766 FARLEY** - Authorizes Bethel A.M.E. Church to file applications for a real property tax exemption with the city of Schenectady. Signed into law, Ch. 349.
- **S. 4780 GOLDEN** - Relates to the sale of bonds, the down payment for projects financed by bonds, variable rate debt and interest rate exchange agreements of the city of New York. Signed into law, Ch. 141.
- **S. 4807 LANZA** - Extends time period for the conveyance of lands for the establishment of Gateway National Recreation Area until May 1, 2013. Signed into law, Ch. 570.
- **S. 4899 LAVALLE** - Provides for a period of probable usefulness to the payment for separation incentive program by the town of East Hampton, county of Suffolk. Signed into law, Ch. 477.
- **S. 4900 FLANAGAN** - Authorizes Hands Across Long Island, Inc. to retroactively apply for a real property tax exemption for certain property in Ronkonkoma, Suffolk county. Signed into law, Ch. 303.
- **S. 4901 LAVALLE** - Updates various laws to ensure volunteer firefighters are duly elected or approved members of their respective companies. Signed into law, Ch. 373.
- **S. 4928 GRIFFO** - Authorizes the towns of Harrisburg, Montague, and Pinckney in Lewis county to elect a single town justice to preside in the town courts of such towns. Signed into law, Ch. 145.
- **S. 4941C SKELOS** - Authorizes the assessor of Nassau county to accept an application for real property tax exemption from Yeshiva & Mesivta of Greater NY at South Shore. Signed into law, Ch. 351.
- **S. 5002 MARTINS** - Relates to allowing certain special assessing units other than cities to adjust their current base proportions. Signed into law, Ch. 164.
- **S. 5055A MARTINS** - Relates to the types of voting machines used in certain town elections. Signed into law, Ch. 170.
- **S. 5125 CARLUCCI** - Authorizes Congregation Talmud Torah D' Chasidei Bobov Monsey to file an application for a real property tax exemption. Signed into law, Ch. 287.

- **S. 5137 O'MARA** - Authorizes industrial development agencies to finance automobile racing facilities. Signed into law, Ch. 478.
- **S. 5138A MARTINS** - Authorizes the village of North Hills to file applications for real property tax exemptions with the county of Nassau. Signed into law, Ch. 433.
- **S. 5157 RITCHIE** - Relates to the dissolution of the Oswego City Library created on April 15, 1854 and allows for the redistribution of any funds and/or assets held by such library to the Oswego School District Public Library. Signed into law, Ch. 480.
- **S. 5163A RITCHIE** - Permits municipal entities to waive property and other taxes levied against the property of a municipal electric company. Signed into law, Ch. 275.
- **S. 5200 RANZENHOFER** - Authorizes the expenditure of unexpended bond proceeds for alternative intended objects or purposes. Signed into law, Ch. 385.
- **S. 5216C LAVALLE** - Authorizes the town of Brookhaven to accept an application for a real property tax exemption from the Feed My Sheep Church located in the town of Brookhaven, county of Suffolk. Signed into law, Ch. 352.
- **S. 5362 CARLUCCI** - Authorizes the town of Stony Point to amortize the cost of payments to or for the benefit of employees upon separation of service from such town. Signed into law, Ch. 482.
- **S. 5434 GRIFFO** - Allows assessors of the town of Whitestown and village of New York Mills to accept an application for a real property tax exemption from the New York Mills Historical Society for certain parcels of land in such town and village. Signed into law, Ch. 443.
- **S. 5459 SEWARD** - Authorizes the village of Herkimer to finance a litigation settlement regarding amounts owed to the county of Herkimer for workers' compensation costs, by the issuance of serial bonds and/or anticipation notes. Signed into law, Ch. 578.
- **S. 5475 LITTLE** - Authorizes town justices in the town of Benson, in the county of Hamilton, to reside outside of such town. Signed into law, Ch. 314.
- **S. 5479 FARLEY** - Authorizes First Unitarian Society to file applications for real property tax exemptions. Signed into law, Ch. 353.
- **S. 5481A GRIFFO** - Creates the Norwood Public Library, a public library district including the areas of the towns of Potsdam and Stockholm that lie within the Norwood-Norfolk school district. Signed into law, Ch. 533.
- **S. 5486 LANZA** - Extends certain provisions of law relating to temporary investments by local governments. Signed into law, Ch. 107.
- **S. 5492 ZELDIN** - Authorizes Lord-N-Fields Voice of Freedom Bible Church Community Workers International Inc. to file an application for exemption from real property taxes. Signed into law, Ch. 315.
- **S. 5501 STAVISKY** - Authorizes the city of New York to discontinue the use as parkland of a parcel of land that is a part of Lost Battalion Hall park in the borough of Queens and to transfer such land to Alexander's of Rego Park III, Inc. Signed into law, Ch. 207.
- **S. 5507 LIBOUS** - Extends until August 5, 2013, the time period within which the commissioner of transportation is authorized to transfer certain lands to the county of Broome pursuant to chapter 445 of the laws of 2008. Signed into law, Ch. 208.
- **S. 5511B MCDONALD** - Authorizes the city of Rensselaer to discontinue use of certain park land and convey such land in exchange for land to be used for park purposes. Signed into law, Ch. 181.

- **S. 5529A VALESKY** - Authorizes an extension of time to file tentative assessment roll in certain towns. Vetoed, Memo 25.
- **S. 5532A OPPENHEIMER** - Relates to the merger of the courts of the town and the village of Ossining; provides for the abolition of the village court upon a resolution by the board of trustees of the village and for the transfer of non-judicial employees; provides for an additional justice in the town. Signed into law, Ch. 146.
- **S. 5545C FUSCHILLO** - Authorizes the assessor of the county of Nassau to accept an application for exemption from real property taxes from Wantagh Fire District. Signed into law, Ch. 485.
- **S. 5571 OPPENHEIMER** - Creates a second acting police justice in the village of Port Chester. Signed into law, Ch. 355.
- **S. 5608 RANZENHOFER** - Authorizes the town of Amherst to discontinue the use of certain town lands as parkland and to alienate and convey such lands. Signed into law, Ch. 214.
- **S. 5628 MARTINS** - Authorizes the village of Mineola to file an application for exemption from real property taxes for a certain parcel of land located in the town of North Hempstead, county of Nassau. Signed into law, Ch. 287.
- **S. 5638 CARLUCCI** - Provides that the village board of trustees of the incorporated village of Haverstraw, Rockland county, may by resolution, provide that the office of assessor of such village may be held by a person who is not a resident of such village, provided that such person resides in Rockland, Westchester, Orange or Putnam county. Signed into law, Ch. 128.
- **S. 5640 CARLUCCI** - Establishes the Dennis P. McHugh Piermont Public Library as the polling place for library elections and polling hours from 11 a.m. to 8:30 p.m. Signed into law, Ch. 310.
- **S. 5657 SEWARD** - Authorizes the village of Ilion to finance a litigation settlement regarding amounts owed to the county of Herkimer for workers' compensation costs, by the issuance of serial bonds and/or anticipation notes. Signed into law, Ch. 585.
- **S. 5666 LARKIN** - Requires signatures of the chief executive of the town of Chester for payments in lieu of taxes prior to the grant of application or the effectiveness of any such grant for a payment in lieu of taxes by the Orange county industrial development agency or any other agency that affects a municipality; makes related provisions. Vetoed, Memo 55.
- **S. 5667 BONACIC** - Authorizes the disposal of computers through donation to not-for-profit institutions for use by senior citizens or low income individuals. Signed into law, Ch. 390.
- **S. 5683 MCDONALD** - Authorizes True North Tyler Street, LLC to file an application with the assessor of the city of Troy for a real property tax exemption for the 2011 tax roll. Signed into law, Ch. 380.
- **S. 5687 BONACIC** - Authorizes the town of Thompson, Sullivan county to establish a special improvement district to be known as the "Treasure Lake/Davies dam improvement district." Signed into law, Ch. 358.
- **S. 5688 BONACIC** - Authorizes the town of Thompson in Sullivan county to establish a special improvement district to be known as the "Lake Louise Marie dam improvement district." Signed into law, Ch. 359.
- **S. 5701 FLANAGAN** - Relates to actions taken by the Smithtown Central School District regarding capital improvements eligible for state aid. Vetoed, Memo 81.

MENTAL HEALTH
Senator Roy J. McDonald, Chair

The Mental Health and Developmental Disabilities Committee reported 28 bills from committee this session. Of these 28 bills- 12 were referenced to a committee of secondary reference and did not advance further, 11 were referred to the Finance Committee and one to the Judiciary Committee. A total of 16 bills advanced to the calendar, two of which did not pass, seven passed the Senate only and seven passed both houses.

Bills Died in Committee of Secondary Reference

Finance

- **S.58 DIAZ-** “Enacts the Behavioral health and Long-Term Care Act”
- **S.196 MAZIARZ-** Makes provisions regarding safety of certain employees of the office of mental health, including certain staffing ratios and filling of staff vacancies
- **S.308 DIAZ-** Renames and broadens the geriatric service demonstration program to include older adults with mental health disabilities and chemical dependence
- **S.545 KLEIN-** Provides guidelines and aids in locating sites for community residential facilities
- **S.1199 GRIFFO-** Provides additional discharge planning for persons being released from civil confinement
- **S. 2148 MCDONALD-** Defines a bill of rights for persons with autism or autism spectrum disorders
- **S.2201 GOLDEN-** Provides for the reinvestment of funds into community-based services for persons suffering from chemical dependence and for establishment of state interagency council on chemical dependence reinvestment fund utilization
- **S.3067 HUNTLEY-** Increases the frequency that visitation or inspections of facilities operated or licensed by OPWDD must be made each year
- **S.3068 HUNTLEY-** Relates to the training of boards of directors or trustees of certain voluntary not-for-profit facilities or corporations
- **S.3167 HUNTLEY-** Requires OPWDD to submit an updated waitlist and placement report to the senate and assembly
- **S.4132 MCDONALD-** Directs certain commissioners to study and report on the costs to the state of early diagnosis and treatment of autism

Judiciary

- **S.3423A MCDONALD-** Provides mental hygiene legal service attorneys to certain patients or residents of residential healthcare facilities

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S.3262 B JOHNSON-** Adds a new section 33.27 of the MHL to require providers of non-emergency, clinical outpatient treatment to patients on a continuing basis to determine whether they are sex offenders and requires providers take reasonable efforts to avoid the treatment of patients who are not sex offenders with patients who are sex offenders.
- **S. 4525B MCDONALD-** Amends the MHL to allow a nurse practitioner, instead of a physician only, to admit a patient to an inpatient mental health unit on a voluntary or involuntary basis.

Passed Senate Only

- **S.565A ROBACH-** Lengthens the suspension of a driver's license for any person found to have illegally purchased or to have attempted to illegally purchase an alcoholic beverage to six months for a first offense and one year for subsequent offense.
- **S.2135A BONACIC-** Establishes the task force on adults with autism within the office for people with developmental disabilities to study, evaluate and develop recommendations relating to specific actionable measures to support and meet the needs of adults with autism.
- **S.2593 FLANAGAN-** Provides for disclosure of sexual offender information related to a patient or client in a licensed mental health facility. Any information provided would be limited to the information currently provided under the current Sex Offender Registry for those who are housed in correctional facilities or released from the corrections system.
- **S.3016A HUNTLEY-** Expands the current requirements of a criminal history check for employees of community based service providers if they will have regular and substantial unsupervised or unrestricted physical contact with clients.
- **S.3078 HUNTLEY-** Clarifies that the discharge of residents of a community residence shall be governed exclusively by the OPWDD or OMH regulations, and that provides that nothing shall be deemed construed as creating a relationship of landlord and tenant between an operator of a community residence and a resident.

Passed Both Houses

- **S.3251 KLEIN-** add representatives of programs that provide services to individuals diagnosed with a co-occurring mental health disorder or a developmental disability and a substance abuse disorder and consumer representatives of such services to the advisory council of the Office of Alcoholism and Substance Abuse Services (OASAS). Vetoed, Memo 53.
- **S.3745 LANZA-** To prohibit co-mingling of children and adolescent with adult patients in OMH-run residential facilities such as hospitals. Signed into law, Ch. 157.
- **S. 4467 MCDONALD-** This bill, signed by the Governor as Chapter 39, eliminates references in the MHL to the terms "mental retardation" and "mentally retarded," and updates the MHL to reflect the use of more commonly acceptable "person centered language." Signed into law, Ch. 37.
- **S.4582B BALL-** Requires a veterans provider representative and veterans consumer representative be included on the advisory council of the Office of Alcoholism and

Substance Abuse Services (OASAS) to ensure that veteran issues are adequately addressed in OASAS planning. Signed into law, Ch. 499.

- **S.4846 KLEIN-** This bill expands the scope of the advisory council on underage alcohol consumption to address underage substance abuse as well. Signed into law, Ch. 283.
- **S.4864 GRIFFO-** This bill requires the state to reimburse counties for the costs associated with the prosecution of offenses alleged to have been committed by inmate-patients while those inmate-patients were in the custody of OMH, and mirrors the system in place for DOCS. Vetoed, Memo 29.
- **S.5678 LANZA-** Makes technical corrections to S.3745 which passed both houses, and prohibits co-mingling of children and adolescents with adult patients in OMH residential facilities. Signed into law, Ch. 188.

RACING, GAMING AND WAGERING

A total of 11 bills were reported from the Racing, Gaming and Wagering Committee this session. Of these bills, two were reported to committees of secondary reference and not to the Calendar. Of the nine bills reported to the calendar, one passed the Senate only and five passed both houses. Three bills died on the 3rd Reading Calendar.

Bills Died in Committee of Secondary Reference

Finance

- **S.3334A LANZA**- Allows operation of New York City Off-Track Betting Corp. by a private vendor, eliminates outdated statutory payments to tracks, and authorizes the regulation of out of state advanced deposit wagering sites.
Rules
- **S.2662 BONACIC**- Authorizes not for profits to conduct poker tournaments such as Texas Hold ‘Em as a fundraiser provided the event is licensed by the Racing and Wagering Board.

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S.3759A BONACIC**- Creates a NY racing fan advisory board to increase attendance and participation in racing in the state, establishing an I Love NY Racing promotion and creating the Horse Racing Farm of the Year award.
- **S.4150 GRIFFO**- Expands the scope of those authorized to conduct games of chance from members of charitable and fraternal organizations to include also any employee of the charitable or fraternal organization.
- **S.5018 BONACIC**- Extends the authority for the NYS Thoroughbred Breeding and Development Fund to increase payments both for awards, promotion of breeding and also administrative expenses of the fund until VLTs are operating at Aqueduct for one year.

Passed Senate Only

- **S.5583 BONACIC**- Expands the scope of authority for the Division of Lottery to issue licenses and conduct federal background checks on employees of vendors.

Passed Both Houses

- **S.623 KLEIN**- Exempts the practice of fixing race dates among tracks from federal anti-trust acts. Vetoed, Memo 27.
- **S.3828 KLEIN**- Authorizes tracks to issue free and reduced price admission passes in order to promote attendance at the tracks. Signed into law, Ch. 370.
- **S.3949B BONACIC**- Extends the authority for the NYS Thoroughbred Breeding and Development Fund to increase payments both for awards, promotion of breeding and also administrative expenses of the fund until VLTs are operating at Aqueduct for one year, and also for the NY Thoroughbred Horsemen’s Association to receive an additional one percent of purses for one year for its charitable programs. Signed into law, Ch. 175.

- **S.5326 LARKIN-** Authorizes charitable organizations to utilize hybrid forms of the existing authorized games of chance. Signed into law, Ch. 531.
- **S.5482 BONACIC-** Extends the existence of the task force on utilization of retired race horses for two years until December 31, 2013 and requires that the report be issued by December 31, 2011. Vetoed, Memo 24.

RULES

There were 82 bills which were introduced to the Rules Committee. This is a more instructive reference for the Rules Committee as it is often the Senate's custom and practice that bills will be discharged from a committee of original reference to the Rules Committee for passage at the end of session. Therefore, the total number of bills which were referred to Rules prior to passage is actually close to 600. These bills, which were not introduced to the Rules Committee but discharged from its originating committee are captured in the individual committee reports, and not appropriately treated here.

Of the 82 bills which were introduced to the Rules Committee, none were referred to a committee of secondary reference (which is in accordance with Senate Rules and practice), 6 bills died on the third reading calendar, 20 bills passed the Senate only and 56 passed both houses.

Bills Died in Committee of Secondary Reference (none)

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S.5652 SEWARD**- Establishes the New York State Health Benefit exchange
- **S.5709 SKELOS**- Extends provisions of rent control law
- **S.5786 YOUNG**- Relates to permitted deductions from wages
- **S.5489 SEWARD**- Establishes the New York State Health Benefit exchange (Governor's Program Bill)
- **S.5854 GOLDEN**- Relates to the tax on taxicab rides in a city of one million or more located in the metropolitan commuter transportation district

Passed Senate Only

- **S.5576 GOLDEN** -- To clarify and create consistency in the regulation of theatrical employment agencies as opposed to employment agencies generally.
- **S.5577A GOLDEN** -- Extends the empire film production credit for five years.
- **S.5631 GOLDEN** -- Gives a portion of the non-federal share of any recovery of fraudulent Medicaid payments to the prosecuting district attorney's office as an incentive to recover more dollars.
- **S.5711 MCDONALD** – Prohibits OPWDD from employing applicants for employment with criminal history and clarifies that a client of an agency cannot consent to sexual contact with an employee.
- **S.5715 ROBACH** -- Provides that debt service payments on the Rochester school facilities modernization plan shall be the "city amount" for purposes of the school district's estimates.
- **S.5722 RULES** – Makes a technical correction to the law to allow schools to calculate the correct amount of state grants for universal prekindergarten.
- **S.5726 LITTLE** -- Enacts the flood assessment relief act of 2011 to help aid victims of flooding in Northern New York counties.

- **S.5729 BONACIC** -- Authorizes retired judges and justices to serve as justice of supreme court until age 80.
- **S.5732 DEFRANCISCO** -- Relates to facilitating the compliance of room remarketers with their obligation to collect sales tax on their sales of occupancy, makes technical corrections to the law enacted in 2010.
- **S.5736 RANZENHOFER** -- Reduces the total amount that a utility can be assessed from one percent to one-third of one percent.
- **S.5749 FLANAGAN** -- Relates to the effectiveness of certain sections of chapter 58 of the laws of 2011 relating to BOCES payments to school districts.
- **S.5763 YOUNG** -- Provides for the implementation of the *Roberts v. Tishman Speyer Properties, L.P.* decision with regard to rent regulated housing accommodations, to mitigate the impact on certain housing accommodations.
- **S.5765 FARLEY** -- Permits the continued use of a certain outdoor billboard in Montgomery County, which was previously damaged and reconstructed.
- **S.5769 MAZIARZ** -- Clarifies that there is no state regulation of voice over internet protocol services in order to maximize consumer choice and competition.
- **S.5774 GRISANTI** -- Provides chapter amendments to S. 4085-A and A. 6195-A.
- **S.5808 DEFRANCISCO** -- Provides for a reduced rate of reserves required to be carried by certain medical malpractice insurance carriers, consistent with other New York laws.
- **S.5818 O'MARA** -- Adds the Seneca Lake scenic byway into the state scenic byways system
- **S.5819 FLANAGAN** -- Allows the Smithtown central school district to repay excess aid payments to the state gradually over time.
- **S.5821 FLANAGAN** -- Changes penalty structure for a school district failing to file timely reports, to a delay of the award until the report is filed, rather than eliminating the reward entirely.
- **S.5829 GRISANTI** -- Relates to authorizing the liquor authority to issue certain licenses to manufacture and sell alcoholic beverages in a specific location.

Passed Both Houses

- **S.3216 MARTINS** -- This bill allows villages which administer their own elections independent of local boards of election to use lever voting machines in the administration of said elections until December 31, 2012. Signed into law, Ch. 3.
- **S.4489 RULES** -- Provides for health insurance and supplemental benefits to retirees of the New York city off track betting corporation to be paid by the State. Vetoed, Memo 62.
- **S.5564 RULES** -- Increases the bonding authority of the New York State Thruway Authority to finance certain projects in connection with the canal system. Signed into law, Ch. 212.
- **S.5653 RULES** -- Guarantees a pension to any New York City police officer or firefighter who has attained twenty years of creditable service and would have otherwise been eligible for retirement, who was dismissed from employment. Signed into law, Ch. 514.
- **S.5679 SKELOS** -- Enacts the public integrity reform act of 2011. Signed into law, Ch. 399.

- **S.5706A RULES** – Authorizes the United Nations Development Corporation to enter into a plan of reconstruction for its New York property, including the alienation of certain parklands. Signed into law, Ch. 137.
- **S.5713 JOHNSON** -- Extends the deadline by which entities providing certain professional services must apply for a waiver issued by the State Education Department in order to not be precluded from providing collaborative services. Signed into law, Ch. 187.
- **S.5717 GOLDEN** -- Provides a cap on the maximum class growth rate for assessment of real property in New York City at two and one-half percent for fiscal year 2012. Signed into law, Ch. 541.
- **S.5719A LIBOUS** -- Authorizes the county of Broome to offer an optional twenty year retirement plan to deputy sheriffs Richard Merrell and Frederick Akshar. Signed into law, Ch. 586.
- **S.5734A RIVERA** -- Relates to charitable bail organizations and exempts them of certain requirements of for-profit bail organizations. Vetoed, Memo 84.
- **S.5737 MARCELLINO** -- Designates a portion of the Northern state parkway in the counties of Nassau and Suffolk as the "Purple Heart Way." Signed into law, Ch. 360.
- **S.5739A SALAND** -- Criminalizes unauthorized radio transmissions on certain radio frequencies already assigned by the FCC. Signed into law, Ch. 361.
- **S.5742 LARKIN** -- Enables the state dormitory authority to construct and finance dormitories and related facilities for the Medical Missions for Children, Inc. Signed into law, Ch. 409.
- **S.5743A HASSELL-THOMPSON** – Grandfathers the statewide certification program participation by MWBE's previously certified. Vetoed, Memo 87.
- **S.5745 SALAND** – Ensures that destitute children are eligible for kinship guardian assistance payments.
- **S.5746 SAVINO** -- Increases access to records of the differential response program for child protection assessments or investigations which are otherwise confidential. Signed into law, Ch. 377.
- **S.5747 LIBOUS** – Clarifies that disclosures by limited licensees are not the same as those other licensees of the Insurance Department. Vetoed, Memo 39.
- **S.5748 OPPENHEIMER** -- Designates court attendants employed by the town or village of Harrison as peace officers. Vetoed, Memo 32.
- **S.5751 FLANAGAN** -- Authorizes Chabad at Stony Brook, Inc. to file an application for a real property tax exemption with the assessor of the town of Brookhaven. Signed into law, Ch. 271.
- **S.5753 O'MARA** -- Provides for the election of delegates to a national party convention or a national party conference, and allows compliance with the Federal MOVE Act. Signed into law, Ch. 147.
- **S.5755 RULES** -- Extends the effectiveness of the toll plaza air quality task force through April 1, 2012. Signed into law, Ch. 540.
- **S.5756 RULES** -- Permits Triborough bridge and tunnel members of the twenty-year age fifty retirement program who have incurred contribution deficiencies to defer full repayment until 2015. Vetoed, Memo 26.
- **S.5757 SALAND** -- Provides that where the court imposes a revocable sentence of imprisonment the court shall initially determine the fitness of an eligible offender for a certificate. Signed into law, Ch. 488.

- **S.5760 BONACIC** – Clarifies authority of the Division of Lottery to conduct criminal background checks for employees of lottery vendors, such as racino operators, as well as retail vendors of other games. Signed into law, Ch. 217.
- **S.5770 DILAN** -- Makes technical amendments relating to financing and construction of capital facilities for Williamsburg Infant & Early Childhood Development Center, Inc. Signed into law, Ch. 218.
- **S.5775 ROBACH** -- Requires level two sex offenders to register their employment address, current law only requires this of level three offenders. Signed into law, Ch. 532.
- **S.5776 GOLDEN** -- Allows the state prosecution of a separate offense based on the same criminal act with respect to certain tax evasion prosecutions by the federal government. Signed into law, Ch. 186.
- **S.5778 ROBACH** – Ratifies the contract entered into by the SUNY system and its graduate employees union. Signed into law, Ch. 189.
- **S.5784 BALL** -- Provides veterans with information concerning accident prevention courses upon return from combat. Signed into law, Ch. 489.
- **S.5792 MCDONALD** – Designates an ombudsman as an employee of the commissioner on quality of care and advocacy for persons with disabilities. Signed into law, Ch. 542.
- **S.5793 MCDONALD** -- Provides notice of abuse investigations at mental hygiene agencies. Signed into law, Ch. 588.
- **S.5795 MCDONALD** – Strengthens the requirements for reporting of crimes at mental hygiene facilities. Signed into law, Ch. 558.
- **S.5796 MCDONALD** -- Creates an abuse prevention notification system at OMH facilities.
- **S.5799 SKELOS** -- Requires insurance coverage for prescription fertility drugs purchased at non-mail order pharmacies to be the same as for prescription fertility drugs purchased at mail order pharmacies. Signed into law, Ch. 598
- **S.5800 SEWARD** – Makes technical corrections to state law related to implementation of the Affordable Health Care Act. Signed into law, Ch. 219.
- **S.5801 BONACIC**—Clarifies when a trustee may exercise of a power of appointment and authority to invade trust principal. Signed into law, Ch. 451.
- **S.5803 GOLDEN** – Allows an application for exemption from real property taxes from Foundation for Sephardic Studies Inc. Signed into law, Ch. 362.
- **S.5804 O'MARA** -- Enhances service retirement benefits for persons engaged in criminal law enforcement and employed in the office of district attorney in Tompkins county. Vetoed, Memo 48.
- **S.5806 BONACIC** – Expands the list of offenses that merit the disqualification of a person as a school bus driver. Signed into law, Ch. 400.
- **S.5807 SKELOS** -- Extends the provisions of rent control laws for three days. Signed into law, Ch. 78.
- **S.5811 SEWARD** -- Exempts large commercial insureds from certain rate and policy form approval requirements for complex commercial transactions. Signed into law, Ch. 490.
- **S.5825 GOLDEN** -- Increases the amount of taxicabs in New York City designed to foster increased access and mobility to persons with disabilities. Signed into law, Ch. 602.
- **S.5827 BONACIC** -- Authorizes retired supreme court justices to serve as justice of supreme court until age 80. Adopted, Delivered to the Secretary of State.⁴

⁴ As a concurrent resolution, this will have no action taken upon it by the Governor. It is instead ratified by the people at a general election following adoption by two subsequent legislatures.

- **S.5828 BALL** -- Directs the review of the west of Hudson River New York city drinking water supply system program. Vetoed, Memo 51.
- **S.5831 SKELOS** -- Extends the provisions of rent control laws for one day. Signed into law, Ch. 79.
- **S.5833 HANNON** – Makes a technical correction to S.5644 and A. 8306, to direct the commissioner of health to seek federal approvals for use of certified public expenditures for public hospitals. Signed into law, Ch. 386.
- **S.5836 GOLDEN** -- Authorizes members of the New York state and local police and fire retirement system in active service to borrow against contributions, a power other employee unions currently have. Signed into law, Ch. 171.
- **S.5837 GOLDEN** -- Treats member contributions to participation in Tier V of the NYSLERS in accordance with the provisions of the Internal Revenue Code as salary. Signed into law, Ch. 525.
- **S.5840 SKELOS** -- Extends the provisions of rent control laws for one day. Signed into law, Ch. 80.
- **S.5844 MAZIARZ** -- Establishes the "power NY act of 2011" to authorize siting of new power facilities. Signed into law, Ch. 388.
- **S.5845 RULES** – Makes technical corrections to a Chapter of the Laws of 2011 requiring coverage for the screening, diagnosis and treatment of autism spectrum disorder. Signed into law, Ch. 596.
- **S.5846 ROBACH** – Ratifies, upon approval of the membership, a new CSEA contract agreement. Signed into law, Ch. 491.
- **S.5847 SKELOS** -- Extends the provisions of rent control laws for one day. Signed into law, Ch. 93.
- **S.5851 HANNON** -- Eliminates the 20 visits per year limit on medical assistance coverage for speech, physical and occupational therapies to persons with traumatic brain injury. Signed into law, Ch. 220.
- **S.5855 SKELOS** -- Establishes the NY-SUNY 2020 challenge grant program to give more flexibility to university centers of the SUNY system. Signed into law, Ch. 260.
- **S.5856 SKELOS** -- Enacts major components of legislation relating to real property tax levies, rent regulation and control, exemption from local taxation and mandate relief. Signed into law, Ch. 97.

SOCIAL SERVICES
Senator Patrick M. Gallivan, Chair.

A total of nine bills were reported from the Social Services Committee this session. None were committed to a committee of secondary reference and all were reported to the Calendar. Of these nine bills, only one died on the third reading calendar, four passed the Senate only and four passed both houses.

Bills Died in a Committee of Secondary Reference
(None)

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S.1813 RANZENHOFER-** Authorizes a locality to determine which state required Medicaid services to provide as a means of cost-savings.

Passed Senate Only

- **S.452 KRUEGER-** Allows the Office of Temporary and Disability Assistance to restrict the use or retain 5% of the total award of any federal Food Stamp bonuses when distributing such bonuses to local social services district.
- **S.816 LAVALLE-** Requires that the annual service fee of \$25 be evenly paid by the custodial and non custodial parent.
- **S.990A KLEIN-** Prohibits a locality from housing level two or three sex offenders in any emergency housing or shelters used to house families with children.
- **S.4828 GALLIVAN-** Allows the local social services districts to present evidence in electronic format at fair hearings.

Passed Both Houses

- **S.4222 SALAND-** Expands the definition of victim of domestic violence to include more crimes as well as new crime of criminal obstruction of breathing, it also makes conforming changes to include unrelated persons in intimate relationships in the definition of family or household members. Signed into law, Ch. 11.
- **S.4235 VALESKY-** Directs the NYS Office for the Prevention of Domestic Violence (OPDV) to develop domestic violence prevention programs to be utilized by senior centers throughout the state. Signed into law, Ch. 339.
- **S.4498 GALLIVAN-** Extends for two years the exemption for income and resources to ensure that families do not have to divest themselves of certain resources to qualify for public assistance. Signed into law, Ch. 163.
- **S.5339 HANNON-** Extends for three years the program which provides additional health and welfare services to residents of adult homes, enriched housing programs and other residences for adults. Signed into law, Ch. 108.

TRANSPORTATION
Senator Charles J. Fuschillo, Jr., Chair

The Transportation Committee reported a total of 123 bills this legislative session. Three bills were referred to a committee of secondary reference and did not advance further. Sixteen bills were reported to the Calendar but died on 3rd Reading. Eighty bills passed the Senate only and 23 bills passed both houses. One bill was reported to the Calendar, S.3454 Gallivan designating a portion of highway after a state trooper, but later recommitted and had its enacting clause stricken, a way of the sponsor eliminating the bill for possible consideration.

Bills Died in Committee of Secondary Reference

Finance

- **S.539A KLEIN**- Establishes a pilot program authorizing the DMV to include emergency medical information in the drivers' database.
- **S.2901 DEFRANCISCO**- Eliminates any fees associated with the distinctive license plates for purple heart recipients.

Rules

- **S.5445 FUSCHILLO**- Relates to providing innovative infrastructure development

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S.798 YOUNG** – Exempts the owner of an ATV from registration requirements if operated on lands owned by the owner of the ATV or to which the owner of the ATV has certain contractual rights.
- **S.842 STAVISKY** -- Requires police accident reports to indicate whether the use of a mobile phone contributed to such vehicle accident.
- **S.944 MARCELLINO** -- Changes one of the elements of aggravated unlicensed operation of a motor vehicle in the second degree to require two or more suspensions in certain cases.
- **S.948A MARCELLINO** -- Prohibits the use of mobile telephones by operators of motor vehicles who hold learner's permits.
- **S.1337 DILAN** -- Provides that no person sixteen years of age or over shall be a passenger in the back seat of a motor vehicle unless such person is restrained by a safety belt.
- **S.1357B DILAN** -- Defines the term electric assisted bicycle.
- **S.2160A MCDONALD** -- Designates a portion of highway as the "Saratoga County Veterans' Memorial Highway."
- **S.2192A SALAND** -- Prohibits leaving a child under the age of eight unattended in a motor vehicle.
- **S.2429 OPPENHEIMER** -- Provides that towers, including communications towers, may not be erected on special parkway lands without the consent of the local government.

- **S.2863 LAVALLE** -- Increases the penalties for violations relating to the licensing of drivers.
- **S.2988 LAVALLE** -- Extends the north fork wine trail to the eastern terminus of state route 25.
- **S.4069 FUSCHILLO** -- Allows the commissioner of motor vehicles to require an electronic transfer of vehicles and to establish separate fees for paper and electronic transfers.
- **S.4313A GOLDEN** -- Authorizes a bus passenger service permit system in cities having a population of one million or more.
- **S.4673A NOZZOLIO** -- Relates to all terrain vehicles and agricultural use.
- **S.5559 LANZA** -- Relates to mass transit photo device enforcement of owner liability for failure of an operator to comply with bus lane restrictions.
- **S.5567A DILAN** -- Provides that the condition of maintenance and installation of an ignition interlock device shall terminate at the end of six months.

Passed Senate Only

- **S.164C MAZIARZ** – Enacts Abigail's law, which prohibits supervising drivers from acting under the influence of alcohol and/or drugs when vehicle operated by a learning driver.
- **S.343 LITTLE** -- Eliminates requirement for consent of the Adirondack Park Authority when the location of a highway is changed.
- **S.526A FUSCHILLO** – Increases penalties for driving while ability impaired while holding a conditional license.
- **S.547 LITTLE** -- Allows the town board of certain towns may establish maximum speed limits on certain town highways
- **S.600A FUSCHILLO** -- Defines the terms "impaired" and "intoxication" for the purposes of the vehicle and traffic law
- **S.698 SALAND** -- Creates a state trooper highway memorial task force to provide for the recognition of members of the division of state police who have died in the line of duty
- **S.764 YOUNG** -- Permits two or more contiguous towns to jointly purchase highway equipment.
- **S.854 YOUNG** -- Designates the bridge on interstate route 86 over North Main Street in the town of Ellicott as the "Lucille Ball - Desi Arnaz Memorial Bridge."
- **S.855 YOUNG** -- Designates a bridge on interstate route 86 over Strunk Road in the town of Ellicott as the "Robert H. Jackson Memorial Bridge."
- **S.935 MARCELLINO** -- Doubles the fine for a moving violation occurring within a quarter mile radius of a primary or secondary school or 200 yards of a school in N.Y. city.
- **S.938 MARCELLINO** -- Requires the development of a program addressing the problem of wrong way drivers on New York interstate highways.
- **S.939 MARCELLINO** -- Allows the offense of operating a motor vehicle with a suspended driver's license to be enforceable in a parking lot.
- **S.940 MARCELLINO** -- Prohibits the operation of a motor vehicle on a public road, street or highway which is equipped with a display device within the view of the operator.
- **S.945 MARCELLINO** -- Decreases the number of prior suspensions needed to qualify for aggravated unlicensed operation in the first degree from ten to five.

- **S.957 MARCELLINO** -- Prohibits the use of radar and laser blocking devices in all motor vehicles.
- **S.998B MARCELLINO** -- Prohibits the use of portable electronic devices while driving.
- **S.999C MARCELLINO** -- Provides that the maximum vehicle length for special use buses shall be 48 feet and its wall-to-wall turning diameter shall not exceed 90 feet 3 inches.
- **S.1208 JOHNSON** -- Prohibits operation of any motor vehicle equipped with device which affects the operation of traffic-control signals.
- **S.1271 ADDABBO** -- Increases the penalties for driving with a suspended or revoked license from \$500 to \$1,000 with up to 30 days in jail.
- **S.1316 DILAN** – Clarifies law relating to prohibited crossing of official full or partial lane markings on roadway, to exempt reasonable and necessary actions.
- **S.1340 DILAN** – Allows an optometrist to certify the disability for severely disabled persons to obtain certain motor vehicle registrations, plates and permits.
- **S.1348 DILAN** -- Requires distribution of certain mandatory surcharges imposed for alcohol-related traffic convictions to STOP-DWI programs in the County of conviction.
- **S.1362 DILAN** -- Extends the maximum length of single vehicles to forty-five feet.
- **S.1369 DILAN** -- Authorizes county highway superintendents to rent road machinery from any city, town or village.
- **S.1506 LARKIN** -- Designates state route 218, in the county of Orange, as the "General David H. Petraeus Highway."
- **S.1507 LARKIN** -- Requires DOT to defer to town board requests for speed limit, signage and signal changes where safety is at issue.
- **S.1523 KLEIN** – Allows drivers to obtain one non-divisible load permit when traveling through NYC, and NYS.
- **S.2353 GRISANTI** – Eliminates the requirement that the city of Buffalo Traffic Violations Bureau and the State adjudicate traffic infractions, and allow the City to takeover hearings.
- **S.2371 SEWARD** – Allows a school district's website to be printed on school buses at the local option.
- **S.2466A LIBOUS** – Requires the commissioner of transportation and the thruway authority to establish a mileage-based exit numbering system, similar to other states.
- **S.2542 DEFRANCISCO** -- Includes the examination of tinted or shaded windows in the periodic inspection of motor vehicles.
- **S.2580 FUSCHILLO** – Increases the number of red-light cameras as part of the demonstration program in Nassau county.
- **S.2597 FUSCHILLO** – Requires mandatory jail time for more than one driving while intoxicated infraction.
- **S.2751 LIBOUS** -- Designates a portion of state route 434 in the county of Tioga as the "Ronald Reagan Memorial Highway."
- **S.2860A DEFRANCISCO** -- Makes certain convictions for operating ATVS or snowmobiles under the influence predicates for increased penalties for other operating under the influence convictions.
- **S.2903B DEFRANCISCO** -- Requires anyone convicted of a watercraft-related alcohol-related offense to get a boating safety certificate prior to subsequent operation.
- **S.2913C MAZIARZ** – Requires the registration of mobility dealers.
- **S.2918 GOLDEN** -- Increases penalties for leaving the scene of an incident without reporting.

- **S.2938A LANZA** -- Enacts Michelle and Jordan's law, increasing the penalties for a second conviction of participating in drag racing on public streets.
- **S.3022 HUNTLEY** -- Prohibits disruption of a funeral procession by making it illegal for a driver of a motor vehicle to force his/her way into the line of said procession.
- **S.3055 KLEIN** – Describes the area for which the residential parking permit system in the village of Tuckahoe, county of Westchester, may be established.
- **S.3080 SKELOS** -- Authorizes the town of Hempstead to establish a speed limit of less than 30 miles per hour on certain highways in the community of Lido Beach.
- **S.3099A BONACIC** -- Increases the penalties for passing a stopped school bus.
- **S.3100 BONACIC** -- Disqualifies bus drivers for offenses involving children updating to include newly created offenses.
- **S.3138 LIBOUS** -- Designates state route 23 as a state arterial highway in the city of Norwich, county of Chenango.
- **S.3213 NOZZOLIO** -- Provides a one-time fee for the registration of historic motor vehicles, as opposed to an annual registration requirement.
- **S.3225 RANZENHOFER** – Requires a license suspension of 90 days if a restricted license violates the restrictions on that license, i.e. driving after 9 p.m. or exceeding the maximum number of passengers.
- **S.3240 GALLIVAN** – Exempts ambulances owned by non-profits from vehicle registration fees.
- **S.3300 ADDABBO** -- Prohibits the use of digital license plate frames.
- **S.3318 RITCHIE** -- Expands definition of all terrain vehicle or "ATV" to include UTV's up to 1500 lbs.
- **S.3452 FUSCHILLO** -- Establishes the crime of aggravated reckless driving.
- **S.3641A GRIFFO** -- Designates particular town roads as low-volume roads and sets new special standards for maintenance of such roads.
- **S.3768B FUSCHILLO** – Eliminates the ability for a driver to refuse a chemical test where a driver is suspected of operating a vehicle under the influence, a court order must be issued to compel the testing.
- **S.3778B MARTINS** -- Provides for the reimbursement of the ticket price of unused one-way and round trip tickets purchased for use on the Long Island Rail Road.
- **S.3885A CARLUCCI** -- Enacts Lauren's law, and requires mandatory registration or declination of registration in the organ donor registry on license applications.
- **S.4020A YOUNG** -- Designates the West Third Street Bridge over Steele Street and the Chadakoin River in the city of Jamestown, as the "Jamestown Veterans Memorial Bridge."
- **S.4036 GOLDEN** -- Relates to revocation of drivers' licenses and registrations for driving while intoxicated convictions by eliminating renewal for three or more convictions.
- **S.4070 FUSCHILLO** -- Authorizes the dissemination of driver license photos to police agencies for purposes of comparison.
- **S.4177 FUSCHILLO** – Includes violation of a conditional license by driving under the influence as the crime of aggravated unlicensed operation of a motor vehicle in the first degree currently, this is a mere violation.
- **S.4197 JOHNSON** -- Authorizes the county of Suffolk to operate traffic-control signal photo violation-monitoring devices at up to 100 intersections.
- **S.4272A MARCELLINO** – Prohibits issuance commercial driver's licenses to any one required to register as a sex offender.

- **S.4407 ROBACH** -- Creates waiver for intrastate operation for deaf persons in accordance with Federal law.
- **S.4422 FLANAGAN** -- Provides for mandatory testing of breath, blood or urine in the event of a motor vehicle collision resulting in death or injury.
- **S.4488A FUSCHILLO** – Authorizes the use of different types of reflective materials on signs required on school buses.
- **S.4496B GOLDEN** -- Increases the number of traffic light cameras permitted in New York city to 225 and extends the authorization for such program.
- **S.4637 LANZA** -- Directs the metropolitan transportation authority to contract with a certified public accounting firm for the conducting of an independent forensic audit.
- **S.4670 FLANAGAN** -- Increases limitation on certain highway expenses in the town of Brookhaven, Suffolk county to account for increased need and population.
- **S.4686 FLANAGAN** -- Increases the limitation on highway expenses in the town of Smithtown, Suffolk County to account for increased need and population.
- **S.4740C JOHNSON** – Requires completion of a motor vehicle accident prevention course for drivers who are subject to a driver responsibility assessment.
- **S.4765 FLANAGAN** -- Requires the use of seatbelts by volunteer firefighters.
- **S.4825A SALAND** -- Requires the MTA to renegotiate the joint service operating agreement with the state of Connecticut.
- **S.4892 LANZA** -- Provides that the fines for traffic infractions and traffic misdemeanors committed in a school traffic control zone are doubled.
- **S.5060A YOUNG** -- Designates the bridge on state route 76 crossing interstate route 86 in the village of Sherman, county of Chautauqua, as the "Alfred F. Jones Memorial Bridge."
- **S.5132C LIBOUS** -- Authorizes DMV to issue a title free of liens upon submission of proof by dealer of payment of debt on a vehicle, rather than just a bank or loan holder.
- **S.5166 RITCHIE** -- Authorizes DOT to exempt a certain sign in Watertown from highway laws which would otherwise require its removal.
- **S.5171B FUSCHILLO** – Requires all bus drivers to submit to the same criminal history check that is now required of school bus drivers.
- **S.5262 RITCHIE** – Eliminates unnecessary and cumbersome documentation requirements for registration of farm vehicles and conforms requirements to other vehicles.
- **S.5563 SKELOS** -- Authorizes the city of Long Beach, Nassau County to establish speed limits on certain highways below 30 miles per hour.
- **S.5598 FUSCHILLO** -- Includes certain EMS vehicles within the definition of an emergency ambulance service vehicle.
- **S.5693 GRIFFO** – Allows a gold star mother to retain one distinctive license plate upon surrender.

Passed Both Houses

- **S.175 MAZIARZ** -- Prohibits state officers and employees from using the thruway system without paying tolls during non-working hours. Signed into law, Ch. 500.
- **S.864 YOUNG** -- Designates state highway 19 in the town of Hume in the county of Allegany as the "Almond E. Fisher Memorial Highway." Signed into law, Ch. 322.
- **S.1347 DILAN** -- Requires actual consent to participation in franchise programs with auto manufacturers and dealers. Signed into law, Ch. 548.

- **S.1477A BALL** -- Designates state route 119 in the county of Westchester as the "Detective Michael Perry Memorial Highway." Signed into law, Ch. 266.
- **S.2153B MCDONALD** -- Designates a portion of the state highway system the "Rensselaer County Korean War Veterans Memorial Highway." Signed into law, Ch. 325.
- **S.2769B BONACIC** -- Provides standards of care to safely approach an emergency or hazard vehicle parked, stopped or standing on the shoulder of a highway, expanding Ambrose-Searles Move Over Act to other hazardous road conditions. Signed into law, Ch. 458.
- **S.2914A MARCELLINO** -- Designates a portion of the state highway system as the "Charles Varese Memorial Highway." Signed into law, Ch. 328.
- **S.3151 GOLDEN** -- Requires convex mirrors on trucks. Signed into law, Ch. 138.
- **S.3242 GALLIVAN** -- Designates a portion of state route 15A as the "Lima Veterans Memorial Highway." Signed into law, Ch. 333.
- **S.3451B FUSCHILLO** -- Defines offenses of trespasses on and damage to railroad property to update the law to reflect modern practices. Signed into law, Ch. 176.
- **S.3482A OPPENHEIMER** -- Authorizes approval of certain transportation contracts of the Port Chester-Rye union free school district. Vetoed, Memo 52.
- **S.4071 FUSCHILLO** -- Extends certain provisions relating to the enforcement of support through the suspension of driving privileges through June 30, 2013. Signed into law, Ch. 101.
- **S.4385A ZELDIN** -- Designates the bridge crossing the Long Island Expressway in the town of Islip as the "Grace Peshkur Memorial Bridge." Signed into law, Ch. 341.
- **S.4456 SMITH** -- Renames the New York City Transit Authority Track Safety Force to the "Daniel Boggs - Marvin Franklin New York City Transit Track Safety Force." Signed into law, Ch. 505.
- **S.4657 LANZA** – Extends exemptions from procurement law by the New York city transit authority and the metropolitan transportation authority for certain goods and services for four years, which will help save money. Signed into law, Ch. 98.
- **S.4659 LANZA** -- Extends authorization for parkway use by certain construction vehicles during a period of Freshkills, Staten Island landfill remediation. Signed into law, Ch. 347.
- **S.4999 HANNON** – Allows physician assistants to complete the required biennial examination of bus drivers. Signed into law, Ch. 149.
- **S.5234A FUSCHILLO** -- Designates a portion of the state highway system as the "Police Officer Michael J. Califano memorial bridge." Signed into law, Ch. 312.
- **S.5411A FUSCHILLO** -- Enhances safe access to public roads for all users by utilizing complete street design principles, requiring consideration of bicycles, pedestrians and other uses in new construction projects. Signed into law, Ch. 398.
- **S.5474 FUSCHILLO** -- Exempts certain not-for-profit entities from fees charged for searching the records of the department of motor vehicles. Signed into law, Ch. 376.
- **S.5483 MARTINS** – Allows the use of blue lights on ambulances, emergency ambulance service vehicles and county emergency medical services vehicles. Signed into law, Ch. 143.
- **S.5610 YOUNG** -- Designates bridge on state route 19, in the town of Amity, county of Allegany, as the "Corporal Jason Dunham Memorial Bridge." Signed into law, Ch. 356.
- **S.5643 MARCELLINO** – Prohibits texting while driving. Signed into law, Ch. 109.

VETERANS, HOMELAND SECURITY AND MILITARY AFFAIRS

Senator Greg Ball, Chair

A total of 76 bills were reported from the Veterans, Homeland Security and Military Affairs Committee this legislative session. Thirty-eight bills were referred to committees of secondary reference and did not advance to the calendar, 37 to Finance and one to Rules. Of the remaining 38 bills which advanced to the Calendar, 10 advanced to the 3rd Reading Calendar but were not passed, 24 passed the Senate only and four passed both houses.

Bills Died in Committee of Secondary Reference

Finance

- **S.596 FUSCHILLO-** Includes the war on terrorism within the definition of “period of war” for purposes of the veterans alternative property tax exemption.
- **S.878 GOLDEN-** Authorizes granting of school tax exemption to veterans with at least forty percent disability.
- **S.1645 CARLUCCI-** Provides authorization to grant certain exemptions from real property tax for school districts to certain veterans.
- **S.1705 SAMPSON-** Exempts veterans of World War II from any additional fees when they order distinctive WWII Veteran plates.
- **S.1750 GOLDEN-** Relates to a real property tax exemption for property owned by certain person performing active duty in a combat zone.
- **S.1995 GOLDEN-** Extends real property partial tax exemptions for qualified veterans to include school taxes.
- **S.2070 KRUGER-** Authorizes payment of war bonus to members of the merchant marines.
- **S.2422 BALL-** Enacts the NYS Veterans Health Insurance Act.
- **S.2423 BALL-** Provides a preference in state contracts for service-disabled veteran-owned small businesses.
- **S.2902 DEFRANCISCO-** Provides that Afghanistan and Iraq war veterans shall receive up to four years of undergraduate or three years of graduate education at SUNY or CUNY free of tuition.
- **S.3096 BALL-** Establishes the “War on Terror expeditionary medal” for members of the armed forces or organized militia serving abroad during the war on terror.
- **S.3097 BALL-** Establishes the “atomic veterans medal” for members of the armed forces or organized militia exposed to ionizing radiation as a result of atomic weapons tests.
- **S.3098 BALL-** Provides veteran’s exemption for unmarried surviving spouse of qualifying veteran.
- **S.3209 NOZZOLIO-** Establishes the veteran’s memorials preservation act, to ensure adequate funding for veteran’s memorials around the state.
- **S.3214 NOZZOLIO-** Increases the amount of real property tax alternative exemption for veterans.
- **S.3581 BONACIC-** Increases the amount of reimbursement the division of veteran’s affairs shall pay to local veteran’s service agencies.
- **S.4169 FLANAGAN-** Provides an additional exemption from real property taxes levied for school purposes to qualifying residential property owned by veterans.

- **S.4258A LAVALLE-** Provides for development of individual site-specific disaster preparedness plans for nuclear power plants operating within 50 miles of the state's borders.
- **S.4368 LANZA-** Establishes the disaster preparedness first responder recognition program.
- **S.4387 ZELDIN-** Authorizes active members of the military to apply for the alternative veterans property tax exemption.
- **S.4440 LARKIN-** Grants public officers and employees up to 60 total days or 44 working days of paid leave for ordered military duty.
- **S.4699 FLANAGAN-** Authorizes homeland security to establish and implement a statewide planning and mapping system of schools, colleges and universities of the state.
- **S.4783 MCDONALD-** Creates a program for veteran speakers in classrooms to supplement instructional and educational aspects of American military history.
- **S.4789 LAVALLE-** Requires each retail sale of nitric acid be recorded by the seller thereof, creates requirements for the use and storage of nitric acid by retailers, schools and institutions of higher education.
- **S.4985 LAVALLE-** Establishes the pandemic preparedness task force.
- **S.5066 FUSCHILLO-** Creates a course of instruction for mental health providers in veteran-specific mental health issues.
- **S.5265 BALL-** Waives certain fishing and hunting fees for residents of the state who performed military service during a period of war.
- **S.5266 BALL-** Includes acts of terrorism such as biological, chemical or radiological terrorism for purposes of a local disaster preparedness plan.
- **S.5269 BALL-** Directs the division of homeland security to develop rules and regulations relating to truck rental security.
- **S.5272 BALL-** Increases powers of state office of homeland security, establishes a critical infrastructure advisory council.
- **S.5273 BALL-** Alters the procurement process for homeland security goods and services for state and local government, exempting from certain pre-audit and advertisement procedures and requiring purchases be from approved list.
- **S.5275 BALL-** Directs the DHS to conduct a review and analysis of security measures at rail yards and to issue a report and recommendations.
- **S.5290 LANZA-** Increases the amount combat veterans shall be exempt from real property taxation to thirty-five percent.
- **S.5294 BALL-** Prohibits funding of terrorism through donations to a not-for-profit organization.
- **S.5297 BALL-** Requires any city with a population of 500,000 or more to use the best technology available to develop evacuation time estimates.
- **S.5304 BALL-** Restricts the ability of the Port Authority to enter into contracts with foreign persons or corporations.
- **S.5306 BALL-** Authorizes DHS to establish a statewide planning and mapping system of educational institutions in this state.
- **S.5307 BALL-** Relates to the standards and requirements for evacuation plans for weather-related emergencies, establishes a state disaster preparedness fund.

Rules

- **S.5305 BALL-** Creates exemption from civil liability for any person who renders emergency medical care during a state declaration of disaster or emergency.

Bills Advanced to the Calendar

Died on 3rd Reading Calendar

- **S.878 GOLDEN** -- Authorizes granting of school tax exemption to veterans with at least forty percent disability.
- **S.3453 GALLIVAN** -- Changes the definitions of veteran and non-disabled veteran with regard to “additional service credits” to provide parity for all veterans.
- **S.3900A GRIFFO** -- Creates the crimes of criminal interference with a funeral service in the first and second degrees.
- **S.3954 BALL** – Authorizes military personnel to count any time on active duty between September 11, 2001 and the present as active service time for purposes of state and local retirement pension credit.
- **S.4262 ZELDIN** – Provides veterans competitive civil service exam points for receipt of certain military decorations and honors.
- **S.4568 BALL** -- Broadens requirement for the service of the commander of the Air National Guard, and eliminates requirement that he or she be a pilot.
- **S.4769 MCDONALD** -- Directs the division of veterans' affairs to establish and distribute a veterans' bill of rights, and to contract with veterans' services outreach programs.
- **S.5010 MAZIARZ** -- Authorizes assessor of taxing municipality to accept late application for veterans exemption from real property taxes in certain cases.
- **S.5100 MAZIARZ** – Prohibits an increase in real property tax liability of veterans receiving an exemption
- **S.5290 LANZA** -- Increases the amount combat veterans shall be exempt from real property taxation to thirty-five percent.

Passed Senate Only

- **S.932 MARCELLINO** -- Creates the crime of terrorism recruitment, a class C felony
- **S.1431 SALAND** -- Directs the adjutant general to present a United States flag to the person disposing of the body of a member of the organized militia.
- **S.1469 PARKER** – Clarifies what the disposition shall be for unclaimed cremated remains of a veteran, to ensure proper honor and disposition by a not-for-profit veterans organization.
- **S.1504 LARKIN** -- Prohibits the unauthorized sale of veterans' commemorative property by cemeteries such as flag holders, monuments, statues or other items over seventy-five years old.
- **S.2421 BALL** -- Provides that the ballots of deceased military personnel shall be counted toward the election for which they were cast.
- **S.2424A BALL** -- Establishes the New York state veterans cemetery.
- **S.2497 MCDONALD** -- Requires the creation of a list of documentation suitable to verify identity for vets applying for real property tax exemptions.
- **S.2505 MCDONALD** -- Authorizes the state mortgage agency to purchase veterans' assisted forward commitment mortgages from banks within the state.

- **S.2900 DEFRANCISCO** -- Provides for the "campaign medal for service" to be awarded to those who have provided military service during certain wars and conflicts
- **S.3222 RANZENHOFER** – Allows localities to provide additional veteran real property owner exemption for veterans who are otherwise eligible but not discharged from a current combat duty status.
- **S.3484 BALL** -- Extends provisions relating to a recruitment incentive and retention program for certain active members of the New York army national guard, air national guard and naval militia.
- **S.3684 ADAMS** -- Provides that the naval militia shall constitute the naval forces of the state of New York.
- **S.3710 ADAMS** – Increases flexibility of laws relating to state and local deadlines following a state disaster emergency, and when an emergency must be declared.
- **S.3894 GOLDEN** -- Enacts the "New York city health and hospitals corporation military pay act" to extend the Public Servant Soldier Salary Act to employees of the New York City Health and Hospitals Corporation to mirror protections offered to other City workers.
- **S.3955 BALL** -- Eliminates the registration fee for gold star mother and gold star family member distinctive license plates.
- **S.3956 BALL** -- Establishes the "cold war veterans medal" for members of the armed forces or organized militia serving during such war.
- **S.3957 BALL** – Allows the display of the National Honor and Remembrance flag upon the capitol building.
- **S.4569 BALL** -- Extends the effectiveness of the military funds of the organized militia.
- **S.5231 RITCHIE** -- Establishes a real property tax exemption for reservists.
- **S.5267 BALL** -- Creates a uniform identification cards for police and peace officers by the state director of homeland security.
- **S.5270 BALL** – Increases penalties for soliciting or providing support for an act of terrorism.
- **S.5271 BALL** -- Requires local disaster preparedness plans to include a public education component as part of disaster prevention.
- **S.5337 DEFRANCISCO** -- Prohibits the unauthorized use of the names and images of members of the armed forces or organized militia of New York.
- **S.5381A BALL** -- Provides for the establishment of a state veteran's cemetery.

Passed Both Houses

- **S.1753 DIAZ** -- Requires the state office for the aging to review programs addressing the needs of the aging veteran population. Signed into law, Ch. 263.
- **S.3901A ZELDIN** -- Regulates protests at funerals of deceased military members. Signed into law, Ch. 527.
- **S.4583A BALL** – Prohibits the abolition of positions occupied by public employees absent on military duty. Signed into law, Ch. 152.
- **S.5432 BALL** – Clarifies and expands the duties of the women veterans coordinator within the division of military affairs. Signed into law, Ch. 515.

Agreed Upon Chapter Amendments

<i>Bill No.</i>	<i>Sponsor</i>	<i>Chapter Amendment Number</i>	<i>Description of Chapter Amendment</i>
S3510B	Maziarz -- Prohibits health insurers from requiring insureds purchase prescribed drugs from mail order pharmacy	S.6054-A	Chapter 597 of the Laws of 2011 is amended to clarify that such pharmacies must agree in advance by contract that they will accept the same reimbursement amount as well as the same applicable terms and conditions for both types of purchases (mail-order or retail). The bill also makes technical changes.
S5799	Skelos -- Requires insurance coverage for prescription fertility drugs purchased at non-mail order pharmacies to be the same as for prescription fertility drugs purchased at mail order pharmacies	S.6126	Chapter 598 of the Laws of 2011 is amended to clarify that such pharmacies must agree in advance by contract that they will accept the same reimbursement amount as well as the same applicable terms and conditions. The bill also makes technical changes.
S5694 & S5745	Saland -- Creates article 10-C of the family court act relating to destitute children; repealer & Kinship Guardian	S. 6116	The agreed-to chapter amendment addresses OCFS concerns regarding technical language and interplay with Federal regulations, as well as cleaning up sections of law that were affected but overlooked by the original bill. All of the changes proposed in the chapter amendment are approved by OCA, and do not create new services and/or local mandates.
S5796	McDonald -- Creates an abuse prevention notification system	S. 6107	This bill delays the effective date of legislation creating the abuse prevention notification system from January 1, 2012 to 180 days after enactment. This is in response to the Executive's contention that there was insufficient time to establish the system.

S5825	Golden -- Relates to New York city livery permits and increases the amount of taxicabs designed to foster increased access and mobility to persons with disabilities	S. 6118	This legislation authorizes the NYC Taxi and Limousine Commission to sell 2000 new taxi medallions, which are required to be wheelchair accessible. Additionally, the TLC is authorized to issue 18,000 Hail Accessible Inter-Borough Licenses (HAIL Licenses) to allow livery drivers to pick up street hails in certain areas of New York City excluding airports and areas of Manhattan south of East 96 th Street and south of West 110 th Street. Twenty percent of these licenses are required to be handicapped accessible. Provisions also include a New York City grant program to help advance the sale of handicapped accessible licenses, increased penalties and enforcement, and extension of the MTA surcharge placed on current street hail pickups to street hail pick-ups made pursuant to a HAIL license.
S2581	LAVALLE – Authorizes the Long Island power authority to propose certain rate changes to the public service commission	S.6136	This bill gives the PSC the power to conduct, or cause to be conducted by an independent outside entity, a full management and operations audit immediately and on a recurring basis that would look at the full spectrum of LIPA’s operations including finances, organizational structure, service agreements, rates and fuel surcharges.
S2713A	SEWARD – Relates to treatment of qualified financial contracts in an insurance insolvency proceeding affecting a domestic, foreign or alien insurer	S.6131	The chapter amendment expressly excludes financial guarantee insurance from the provisions of the chapter, and to clarify that contracts related to the so-called netting agreements, are covered by the chapter which creates certainty in valuation of assets in the event of an insurer’s insolvency.
S4555A	SEWARD -- Relates to the Montgomery, Otsego, Schoharie county solid waste management authority	S.6128	This bill clarifies the financial terms of the withdrawal of Otsego County so as to make their financial obligations consistent with dissolution agreements they signed back in 2009, and to remove them from the board of the authority.

S4753A	RANZENHOFER -- Relates to obtaining best value for contracts for purchase contracts	S. 6117	This chapter amendment clarifies that local governments including New York City are permitted to award purchase contracts on the basis of “best value”. Counties, cities outside of New York City, towns and villages are required to pass a local law to authorize this type of purchasing. Public works contracts must continue to be awarded on the basis of lowest responsible bidder.
S3988B	LANZA -- Requires coverage of orally administered chemotherapy treatments	S.6055	Chapter 559 of the Laws of 2011 is amended to simplify the chapter’s language and make the statute easier to administer by stipulating that the cost of oral chemotherapy treatment must be at least as favorable to the covered patient as intravenous or injected anticancer medications.
S4038B	SAVINO -- Prohibits home improvement contractors from acting on behalf of mortgage brokers	S.6124	This chapter amendment exempts two Federal Housing Administration (FHA) programs, the FHA 203(k) home improvement loans and FHA Energy Efficient Mortgages, from this legislation which prevents contractors from acting on behalf of mortgage brokers. The two exempted programs have their own consumer protections, and must be exempted to ensure New Yorker's can continue to be eligible to utilize all their benefits.
S4851A	SALAND -- Authorizes the establishment of a long term care community in Columbia county known as Camphill Ghent, Inc.	S.6121	This bill amends legislation that provides statutory exceptions allowing residents of Camphill Ghent to “age in place” by removing provisions providing for rate adjustments and supplemental payments. Additionally, this bill abridges the legislative intent.
S5349	MAZIARZ -- Extends the clean heating fuel credit to January 1, 2017	S.6039	This bill extends the personal income tax credit for clean heating fuel to taxable years beginning before January 1, 2017. The corporate tax credit was extended to the same date in Chapter 591 of the Laws of 2011. Additionally, this bill is necessary to correct technical issues with the effective date.

Updated: January 4, 2012