

2017 Report of the New York State Senate Standing Committee on Commerce, Economic Development and Small Business



Senator Phil Boyle, Chairman

January 2018

Honorable John Flanagan
Senate Majority Leader
New York State Senate
Room 330, State Capitol
Albany, NY 12247

Dear Senator Flanagan,

I am pleased to submit to you the 2017 Annual Report for the New York State Senate Standing Committee on Commerce, Economic Development and Small Business. It was a pleasure and an honor to serve as Chairman of this committee, which oversees and develops legislation to assist business owners, generate job growth and foster economic development.

This past legislative session, the Committee held five meetings and reviewed 39 bills. Of the bills originating from this committee, 23 bills passed the Senate and Governor Cuomo signed four bills into law.

Thank you for the opportunity to serve as Chairman of the New York State Senate Standing Committee on Commerce, Economic Development and Small Business. I would also like to extend a thank you to the other members of the committee, particularly Ranking Minority Member, Senator Timothy Kennedy.

Sincerely,

A handwritten signature in black ink that reads "Phil Boyle". The signature is written in a cursive, flowing style.

Phil Boyle
Member of the Senate
4th Senate District

**New York State Senate
Standing Committee on
Commerce, Economic Development, and
Small Business**

Senator Phil Boyle, Chairman

Senator Timothy Kennedy, Ranking Member

Committee Members

Senator Jamaal Bailey

Senator Jesse Hamilton

Senator Simcha Felder

Senator Roxanne J. Persaud

Senator Rich Funke

Senator Joseph E. Robach

Senator Patrick Gallivan

Senator James Sanders Jr.

Senator Joseph Griffo

Committee Staff

Lisa Harris, Majority Counsel & Program

Deanna Schneider, Committee Clerk

814 Legislative Office Building
Albany, NY 12247
518-455-3411

Tuesday, January 31, 2017, at 11:00AM, Room 813
Legislative Office Building

S.244 ORTT/A.341 GUNTHER

Provides that rules that require changes to compliance or billing standards that could result in eventual withholdings or takebacks due to Medicaid auditing and/or self-disclosure obligations shall become effective no sooner than ninety days from the publication of adoption of the rules.

Reported to first reading of calendar

S.327 MURPHY/NO SAME AS

Requires state agencies to review all rules adopted before 1997 over a certain period of time.

Reported to first reading of calendar

S.922-A CROCI/A.5405 ABINANTI

Directs the governor to establish 10 regional economic development councils to provide long-term strategic planning for economic growth for the regions of the state; requires members of regional economic development councils to follow the financial disclosure requirements and the code of ethics in the public officers law.

Reported to first reading of calendar

S.1381 LAVALLE/A.7697 BRINDISI

Establishes the higher education task force on SUNY polytechnic.

Reported and Committed to Finance

S.1643 CARLUCCI/A.5779 SIMOTAS

Relates to providing information and assistance to small businesses to prevent common regulatory violations.

Reported and Committed to Finance

S.1646 CARLUCCI/NO SAME AS

Relates to electronic permit applications and electronic recordkeeping.

Reported and Committed to Finance

S.1753 ORTT/A.6916 HAWLEY

Enacts the "red tape reduction act".

Reported to first reading of calendar

S.2138 SERINO/A.3486 SCHIMMINGER

Requires the department of economic development, job development authority, and urban development corporation to provide preferences to small businesses and entrepreneurs in the administration of their economic development assistance programs; requires annual reports thereon.

Reported to first reading of calendar

**Wednesday, March 1, 2017, at 10:30AM, Room 813
Legislative Office Building**

S.1030 BONACIC/A.6779 MILLER B

Relates to a license to sell liquor at retail for consumption on certain premises.

Reported to first reading of calendar

S.1078-A VALESKY/A.4972-A MAGEE

Expands the items which may be sold by a licensed farm cidery and the licensees to whom a farm cidery may sell its cider for resale.

Reported to first reading of calendar

S.1443 FUNKE/A.4230 MAGEE

Permits the transport or delivery of wine pursuant to a farm winery license in a vehicle owned by an employee of the licensee.

Reported to first reading of calendar

S.2456-A HAMILTON/A.4351-A CYMBROWITZ

Requires notice to the appropriate community board of any application for a liquor store license in a city having a population of one million or more not less than 30 days before submission of such application.

Reported to first reading of calendar

S.4304 ROBACH/A.2787 LAVINE

Relates to the sale of non-food wine or liquor supplies, accessories and/or barware.

Reported to the first reading of calendar

S.4399 DILAN/NO SAME AS

Relates to permits for brewers, manufacturers, and importers to serve small samples of their beer or malt beverages at certain events; includes fees and

definition of small sample; such permit shall include the privilege to sell such beverages for consumption off-premises.

Reported to first reading of calendar

**Tuesday, March 28, 2017, at 10:30AM, Room 813
Legislative Office Building**

S.622 BOYLE/A.6175 SCHIMMINGER

Authorizes the empire state development corporation to develop a public awareness campaign promoting businesses located in New York state; requires the creation of the Buy New York Online Networking Directory to connect purchasers with businesses located in New York.

Reported to first reading of calendar

S.730 RITCHIE/A.7004 JENNE

Exempts a certain property from the prohibition of on-site liquor sales within a certain distance from a church.

Reported to first reading of calendar

S.2332 ALCANTARA/NO SAME AS

Creates the mobile high-technology training facilities program.

Reported and Committed to Finance

S.2481 AMEDORE/A.2994 FAHY

Relates to the tastings of and selling at retail for consumption on or off the premises of New York state labelled beer, cider and wine.

Reported to first reading of calendar

S.2999-A LAVALLE/2348-A THIELE

Relates to financial assistance to small businesses for the purpose of pollution prevention, control and compliance.

Reported and Committed to Finance

S.5063 GOLDEN/A.432 ROSENTHAL L

Creates the lymphedema and lymphatic diseases research grants program; provides such grants, not to exceed \$50,000, would be awarded on a competitive basis to

biomedical research institutions conducting direct research related to lymphedema and lymphatic disease.

Reported to first reading of calendar

**Tuesday, May 9, 2017, at 9:30AM, Room 813
Legislative Office Building**

S.2037 SQUADRON/A.4317 KAVANAGH

Relates to the sale of tonic water, bitters and maraschino cherries at liquor stores.

Reported to first reading of calendar

S.3392 GALLIVAN/A.6105 KOLB

Establishes the GrowNY pilot program, an economic gardening pilot program within the department of economic development to stimulate investment in the state economy by providing technical assistance for expanding businesses in the state.

Reported and Committed to Finance

S.3441 SERRANO/A.8001 THIELE

Enacts the New York State bicycle tourism promotion act; authorizes the issuance of grants for the purchase of equipment and operation of a bicycle tourism kiosk; authorizes the establishment of up to fifteen such kiosks.

Reported and Committed to Finance

S.3751 MURPHY/NO SAME AS

Relates to improving evaluations of the potential impact of rules on jobs and employment opportunities.

Reported to first reading of calendar

S.4343 GALLIVAN/A.7898 BRINDISI

Relates to seven day licenses to sell wine or liquor; permits sales to holders of licenses to sell for on-premises consumption.

Reported to first reading of calendar

S.5330 MURPHY/A.5991 PAULIN

Relates to reciprocal wine shipping privileges.

Reported and Committed to Finance

S.5372 VALESKY/NO SAME AS

Relates to distiller licenses.

Reported to first reading of calendar

S.5381 BOYLE/NO SAME AS

Authorizes roadside farm markets to sell New York state labelled liquor, wine, beer and cider; provides that such a market may be located within 1 mile of the farm operation operated by the permit holder.

Reported to first reading of calendar

S.5385-A LAVALLE/A.6398-A THIELE

Enacts the "New York seafood marketing task force act of 2017"; defines terms; establishes a task force consisting of eighteen members; outlines the powers and duties of such collaborative; requires that the task force provide a report of its findings addressing the research, marketing, expansion and funding opportunities for local seafood; makes related provisions.

Reported to first reading of calendar

S.5401 LARKIN/A.718 GUNTHER

Relates to the issuance of a winery and cidery license for a certain premises in Orange County in order to allow the licensee to conduct tastings of, and sell cider for consumption so long as the licensee keeps food available for sale to its customers on the premises.

Reported to first reading of calendar

S.5636 AKSHAR/A.7391 LUPARDO

Relates to licenses to sell liquor at retail for consumption on certain premises in the city of Binghamton.

Reported to first reading of calendar

**Wednesday, June 7, 2017, at 10:00AM, Room 813
Legislative Office Building**

S.657 KENNEDY/NO SAME AS

Relates to distiller's licenses.

Reported and Committed to Rules

S.2133 GALLIVAN/A.5342 DIPIERTRO

Establishes a task force for the review of the state administrative procedure act.

Reported and Committed to Rules

S.3017-A RITCHIE/A. 7189-A JENNE

Grants eligibility for the economic transformation and facility redevelopment program tax credit to certain state psychiatric centers with decommissioned or surplus land.

Reported and Committed to Rules

S.5581 MURPHY/A.7660 BYRNE

Authorizes a certain restaurant brewer in the town of Southeast, county of Putnam, to also hold a beer wholesalers license.

Reported and Committed to Rules

S.5878 RAZENHOFFER/NO SAME AS

Relates to temporary permits to sell beer and wine not to be consumed on premises; permits effective for periods not to exceed four hours per day on not more than one day each week for not more than twenty weeks per year to any holder of a license to sell liquor at retail for consumption on the premises.

Reported and Committed to Rules

S.5981 ORTT/A. 7878 MORINELLO

Relates to a license to sell liquor at retail for consumption at the Lewiston fire department.

Reported and Committed to Rules

S.5985 BOYLE/A.7427 SCHIMMINGER

Relates to reporting requirements for the START-UP NY program; requires an annual report be prepared and provided to the governor and the legislature including, but not limited to, the number of business applicants, number of businesses approved, benefits distributed and received and the number of net new jobs created per business, including cumulative data that reflects the amount previously recorded and adjusted for net new jobs that have been lost.

Reported and Committed to Rules

S.6276-A FUNKE/A.8479 ZEBROWSKI

Relates to allowing bed and breakfasts to sell cider, liquor, beer and wine on the licensed premises.

Reported and Committed to Rules

**Commerce, Economic Development and Small Business Bills
Advanced to the Committee of Secondary Reference:
Finance**

S.1381 LAVALLE/A.7697 BRINDISI

Establishes the higher education task force on SUNY polytechnic.

S.1643 CARLUCCI/A.5779 SIMOTAS

Relates to providing information and assistance to small businesses to prevent common regulatory violations.

S.1646 CARLUCCI/NO SAME AS

Relates to electronic permit applications and electronic recordkeeping.

S.2999-A LAVALLE/2348-A THIELE

Relates to financial assistance to small businesses for the purpose of pollution prevention, control and compliance.

S.2332 ALCANTARA/NO SAME AS

Creates the mobile high-technology training facilities program.

S.3392 GALLIVAN/A.6105 KOLB

Establishes the GrowNY pilot program, an economic gardening pilot program within the department of economic development to stimulate investment in the state economy by providing technical assistance for expanding businesses in the state.

S.3441 SERRANO/A.8001 THIELE

Enacts the New York State bicycle tourism promotion act; authorizes the issuance of grants for the purchase of equipment and operation of a bicycle tourism kiosk; authorizes the establishment of up to fifteen such kiosks.

S.5330 MURPHY/A.5991 PAULIN

Relates to reciprocal wine shipping privileges.

Commerce, Economic Development and Small Business Bills Passed by the Senate Only

S.244 ORTT/A.341 GUNTHER

Provides that rules that require changes to compliance or billing standards that could result in eventual withholdings or takebacks due to Medicaid auditing and/or self-disclosure obligations shall become effective no sooner than ninety days from the publication of adoption of the rules.

S.622 BOYLE/A.6175 SCHIMMINGER

Authorizes the empire state development corporation to develop a public awareness campaign promoting businesses located in New York state; requires the creation of the Buy New York Online Networking Directory to connect purchasers with businesses located in New York.

S.1030 BONACIC/A.6779 MILLER B

Relates to a license to sell liquor at retail for consumption on certain premises.

S.1237 VALESKY/A.6167 SCHIMMINGER

Authorizes state agencies to publish and transmit certain rule making notices by electronic means; provides for the provision of the state register by electronic means; authorizes the legislative administrative regulations review commission to accept data transmitted by electronic means.

S.1443 FUNKE/A.4230 MAGEE

Permits the transport or delivery of wine pursuant to a farm winery license in a vehicle owned by an employee of the licensee.

S.1646 CARLUCCI/NO SAME AS

Relates to electronic permit applications and electronic recordkeeping.

S.2138 SERINO/A.3486 SCHIMMINGER

Requires the department of economic development, job development authority, and urban development corporation to provide preferences to small businesses and entrepreneurs in the administration of their economic development assistance programs; requires annual reports thereon.

S.2999-A LAVALLE/2348-A THIELE

Relates to financial assistance to small businesses for the purpose of pollution prevention, control and compliance.

S.3270-A PARKER/A.8537 BLAKE

Requires the commissioner of economic development to publicize certain information related to programs for small business enterprises and minority and women-owned business enterprises.

S.3751 MURPHY/NO SAME AS

Relates to improving evaluations of the potential impact of rules on jobs and employment opportunities.

S.4304 ROBACH/A.2787 LAVINE

Relates to the sale of non-food wine or liquor supplies, accessories and/or barware.

S.4399 DILAN/NO SAME AS

Relates to permits for brewers, manufacturers, and importers to serve small samples of their beer or malt beverages at certain events; includes fees and definition of small sample; such permit shall include the privilege to sell such beverages for consumption off-premises.

S.5063 GOLDEN/A.432 ROSENTHAL L

Creates the lymphedema and lymphatic diseases research grants program; provides such grants, not to exceed \$50,000, would be awarded on a competitive basis to biomedical research institutions conducting direct research related to lymphedema and lymphatic disease.

S.5372 VALESKY/NO SAME AS

Relates to distiller licenses.

S.5401 LARKIN/A.718 GUNTHER

Relates to the issuance of a winery and cidery license for a certain premises in Orange County in order to allow the licensee to conduct tastings of, and sell cider for consumption so long as the licensee keeps food available for sale to its customers on the premises.

S.5791 JACOBS/NO SAME AS

Relates to petitions for alternate methods of implementing regulatory mandates.

S.5912B JACOBS/A.8470 SCHIMMINGER

Relates to agencies adopting emergency rules.

S.6276-A FUNKE/A.8479 ZEBROWSKI

Relates to allowing bed and breakfasts to sell cider, liquor, beer and wine on the licensed premises.

Commerce, Economic Development and Small Business Bills Vetoed

S.5719 JACOBS/A.7125 SIMOTAS

Relates to the time needed by small businesses and local governments to comply with new regulations.

Vetoed; Veto Memo 231

Commerce, Economic Development and Small Business Bills Signed into Law

S.730 RITCHIE/A.7004 JENNE

Exempts a certain property from the prohibition of on-site liquor sales within a certain distance from a church.

Signed into Law; Chapter 482 of 2017

S.1643 CARLUCCI/A.5779 SIMOTAS

Relates to providing information and assistance to small businesses to prevent common regulatory violations.

Signed into Law; Chapter 462 of 2017

S.2481 AMEDORE/A.2994 FAHY

Relates to the tastings of and selling at retail for consumption on or off the premises of New York state labelled beer, cider and wine.

Signed into Law; Chapter 103 of 2017

S.5138 MURPHY/A.4889 SCHIMMINGER

Extends the effectiveness of provisions of law relating to temporary retail permits issued by the state liquor authority.

Signed into Law; Chapter 182 of 2017

