



# 2020 ANNUAL REPORT

## NEW YORK STATE SENATE STANDING COMMITTEE ON INVESTIGATIONS AND GOVERNMENT OPERATIONS



**Senator James Skoufis**  
**Chair**



**CHAIR**  
INVESTIGATIONS & GOVERNMENT OPERATIONS

**COMMITTEES**  
AGRICULTURE  
CORPORATIONS, AUTHORITIES & COMMISSIONS  
FINANCE  
INTERNET & TECHNOLOGY  
LOCAL GOVERNMENT  
TRANSPORTATION



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December 21, 2020

The Honorable Andrea Stewart-Cousins  
Temporary President and Majority Leader  
New York State Senate  
Albany, NY 12247

Dear Senator Stewart-Cousins:

I am pleased to transmit the Annual Report of the Senate's Standing Committee on Investigations and Government Operations for the 2020 Legislative Session. As Chair, I am thankful for and proud of the opportunity to continue leading on the issues within the committee's jurisdiction.

During the 2020 session, this committee met seven times in session and reported 61 bills. The committee also held seven hearings this past year and conducted detailed and thorough investigations into several timely and important topics – some of which are ongoing – into discrimination in real estate sales on Long Island, live event ticket sales, and the impact of COVID-19 on hospitals, residential healthcare facilities, and the workforce. Notably, the committee took the rare step of issuing subpoenas to compel testimony of agents and brokers at the second hearing on real estate discrimination.

I thank my colleagues for their support of the work that was done in the committee this year, and I thank you for the continued support from the Majority Conference in the committee's operations.

Sincerely,

A handwritten signature in blue ink, appearing to read "James Skoufis".

James Skoufis,  
Senator, 39<sup>th</sup> District

## 2020 LEGISLATIVE SESSION REPORT

### NEW YORK STATE SENATE STANDING COMMITTEE ON INVESTIGATIONS AND GOVERNMENT OPERATIONS

**Senator James Skoufis, Chairperson**

#### Committee Members

Senator Alessandra Biaggi Senator David Carlucci Senator Todd Kaminsky Senator Luis R. Sepúlveda	Senator Thomas F. O'Mara Senator Andrew J. Lanza
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#### Committee Staff

Sara DiBernardo, Esq., Counsel  
Michael Mazzariello, Chief of Investigations  
Lorraine McNeill, Chief of Investigations

## **COMMITTEE JURISDICTION AND OVERVIEW**

The New York State Senate Standing Committee on Investigations and Government Operations has legislative oversight responsibilities for issues concerning oversight over our state government, including proactively investigating and exposing waste, fraud, and abuse. The Committee's purview covers sections of the Alcohol Beverage Control law, Arts and Cultural Affairs law, Civil Rights law, Executive law, Indian law, Legislative law, Public Authorities law, Public Buildings law, Public Lands law, Public Officers law, State law, Tax law and Office of General Services land transfers in Unconsolidated law.

During the 2020 Legislative Session, 435 bills were referred to the Committee for its review. Of these bills, 61 were reported from the Committee. 35 were passed by the Senate, and 20 passed in both houses. This work was conducted through a series of seven committee meetings. A list of all bills that were reported from the committee is provided at the end of this report.

In addition to its regular meetings, the Committee held seven hearings. Topics of these hearings included code enforcement; the impact of COVID-19 on residential health care facilities, hospitals and the workforce; and alleged racial discrimination in residential real estate sales on Long Island.

## COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2020:

### **S6172 MARTINEZ / A7331 Dilan – Chapter 137 of the Laws of 2020**

*Relates to clarifying that reasonable accommodation to enable a person with a disability to use and enjoy a dwelling includes the use of an animal to alleviate the symptoms or effects of a disability*

This bill would clarify that a person with a disability may demonstrate that a reasonable accommodation is necessary for the use and enjoyment of the premises if appropriate medical and other professional evidence shows that the animal "alleviates the symptoms or effects of a disability."

### **S6220-A BENJAMIN / A8149A O'Donnell – Chapter 311 of the Laws of 2020**

*Requires the disclosure of disabled tenants' rights to reasonable accommodations*

This law requires landlords to inform New York State tenants of their rights to request such reasonable accommodations in housing and of their protections in invoking these rights. The disclosure outlines the rights of tenants to reasonable accommodations and the responsibility of landlords to make their tenants' housing accessible and free from disability discrimination.

### **S6569 JACKSON / A9525 Buchwald – Chapter 236 of the Laws of 2020**

*Relates to providing that, in housing cases only, after a dismissal for lack of probable cause or lack of jurisdiction, a complainant would have the option to appeal the final order, or bring a de novo action in court*

This bill provides a complainant the option of either appealing the final Division determination after investigation to court or filing the case de novo in court.

### **S6653 SKOUFIS / A10066 Woerner – Passed Senate**

*Establishes a temporary New York craft beverage permit*

This bill establishes a temporary for all New York state manufactured liquor, spirits, wine, beer, cider and mead for events located in a municipality with a population of less than one million.

### **S6773 METZGER / A8760 Lupardo – Passed Senate**

*Increases the amount of the farm workforce retention credit*

In an effort to provide relief for farm employers, this legislation seeks to increase a valuable tax credit for farmers. As markets continue to fluctuate and labor costs continue to rise it is important to provide farm employers with certainty. This legislation provides an added measure of certainty by extending the farm workforce retention credit permanently and increasing its value.

### **S6268 GOUNARDES / A8847 Niou – Passed Senate**

*Relates to including the state and all public employers as subject to the human rights law*

This legislation closes the “personal staff” loophole of the 2019 anti-harassment regulations by clarifying that the state is considered an employer of anyone serving in the executive, judiciary, and legislative branches, including the staff of elected officials or judges.

**S7369 METZGER / A9037 Gunther – Passed Senate**

*Relates to allowing brewery supply stores to sell beer for off premises consumption*

This bill expands the types of businesses that qualify to be authorized to sell alcoholic beverages for off-premises consumption to include brewery supply stores. This bill complements the state's ongoing efforts to expand markets and economic opportunities for the growing craft beer industry.

**S8298-B BIAGGI / A10729A Bichotte – Chapter 343 of the Laws of 2020**

*Prohibits the state of New York from selling or displaying symbols of hate*

This bill would limit the display of the Confederate flag, as well as other symbols of hate, on or within the grounds of public property, including fairgrounds. Further, it makes clear that New York State will not tolerate racism, exclusion, oppression, and violence through the display of such antagonistic and deeply hurtful symbols.

**S8491A KAPLAN / A11127 Stirpe – Passed Senate**

*Authorizes the empire state development corporation to develop a public awareness campaign promoting personal protective clothing and equipment manufacturing businesses located in New York state.*

This legislation seeks to take a measured approach to specifically identify and create a searchable directory of PPE manufacturers and their products. This searchable directory would connect manufacturers and those in need of their products to help protect New Yorkers from coronavirus and other communicable diseases.

**S8482 SKOUFIS / A10756 Zebrowski – Passed Senate**

*Allows for the sale of liquor and/or wine for off-premises consumption on Christmas day*

This bill will remove the antiquated prohibition on the sale of liquor and/or wine on Christmas Day, which prevents day-of holiday purchases as customers travel to family gatherings, and does not apply in such an across-the-board fashion to any other industry in the state.



## TWO HOUSE BILLS

In 2020, 20 of the 435 bills referred to the Standing Committee on Investigations and Government Operations passed both houses of the Legislature. Of these bills, the Governor has signed 11 and vetoed 0.

Bill	Sponsor	Summary	Action)
S4717A	Metzger	Relates to allowing for the establishment of an occupancy tax in the city of Port Jervis	Chapter 368 of 2020
S5948	Skoufis	Authorizes the commissioner of general services to transfer and convey certain unappropriated state land to Rockland Recovery Homes, Inc.	Chapter 289 of 2020
S6172	Martinez	Relates to clarifying that reasonable accommodation to enable a person with a disability to use and enjoy a dwelling includes the use of an animal to alleviate the symptoms or effects of a disability	Chapter 137 of 2020
S6220A	Benjamin	Requires the disclosure of disabled tenants' rights to reasonable accommodations	Chapter 311 of 2020
S6569	Jackson	Relates to providing that, in housing cases only, after a dismissal for lack of probable cause or jurisdiction, a complainant would have the option to appeal the final order, or bring a de novo action in court	Chapter 236 of 2020
S6759	Jordan	Relates to qualifications for holding certain offices in the city of Saratoga Springs	Chapter 207 of 2020
S7302A	Skoufis	Authorizes the town of Newburgh, in the county of Orange, to impose a hotel and motel tax; repealer	Chapter 371 of 2020
S7730	Seward	Relates to increasing hotel/motel taxes in Otsego County	Chapter 362 of 2020
S7741	Harckham	Authorizes the town of Mount Pleasant to adopt a local law to impose a 3% hotel/motel occupancy tax	Chapter 372 of 2020



S7778	Seward	Imposes an occupancy tax in the city of Cortland	Chapter 361 of 2020
S7789	May	Relates to imposing an additional two percent occupancy tax in the county of Onondaga	Chapter 360 of 2020
S7790	Amedore	Relates to qualifications for holding the office of corporation counsel in the city of Amsterdam	Chapter 193 of 2020
S7870A	Ortt	Relates to the qualifications for holding the office of assistant district attorney in the county of Orleans	Chapter 176 of 2020
S8064	Metzger	Authorizes the town of Wallkill to adopt hotel or motel tax of up to 5%	Chapter 373 of 2020
S8298B	Biaggi	Prohibits the state of New York from selling or displaying symbols of hate	Chapter 343 of 2020
S8299	Jordan	Relates to qualifications for holding certain offices in the village of South Glens Falls	Chapter 197 of 2020
S8331	O'Mara	Authorizes the city of Ithaca to establish hotel and motel taxes	Chapter 364 of 2020
S8345	O'Mara	Relates to increasing the sales and compensating use taxes for the county of Steuben	Chapter 315 of 2020
S8485	Montgomery	Authorizes the commissioner of general services to sell certain land to TCH Holdings, LLC	Chapter 248 of 2020
S8737	Helming	Relates to licensing restrictions for manufacturers and wholesalers of alcoholic beverages on licensees who sell at retail for on-premises consumption; repealer	Chapter 218 of 2020

### SUMMARY OF COMMITTEE ACTIVITY

Bill	Sponsor	Summary	Significant Action
S435	Hoylman	Eliminates the one-year time requirement for aggregation payments	Passed Senate Only
S983	Breslin	Relates to the authority of the commissioner of general services to lease public buildings	Reported from Committee
S1625	Skoufis	Enacts the integrity in government act	Reported from Committee
S1630B	Skoufis	Relates to publishing records of public interest by agencies and the legislature	Passed Senate Only
S2705	Kennedy	Relates to therapy dogs and cats for persons with a disability	Passed Senate Only
S2959A	Skoufis	Relates to amending the definition of "public body"	Passed Senate Only
S3059	Addabbo	Establishes the hours during which alcoholic beverages may be sold on certain international airport property	Passed Senate Only
S3163	Kaplan	Relates to small business savings accounts	Passed Senate Only
S3790	May	Designates the tugboat Uger as the official tugboat of the state of New York	Reported from Committee
S3836A	Krueger	Provides for the adjustment of the minimum amount of tax delinquency for which the driver's license of a taxpayer may be suspended	Passed Senate Only
S3856	Lanza	Changes the official name of the Staten Island Expressway to the POW-MIA Memorial Highway	Passed Senate Only
S4001A	Krueger	Provides for the appointment of a standing committee on conference to	Passed Senate Only

		resolve differences between similar, but not identical, bills and resolutions	
S4717A	Metzger	Relates to allowing for the establishment of an occupancy tax in the city of Port Jervis	Chapter 368 of 2020
5159A	May	Relates to establishing the "division of research and analysis" which is a separate division of the legislative library	Reported from Committee
S5247	Harckham	Authorizes the commissioner of general services to convey real property in Westchester county to the county of Westchester	Passed Senate Only
S5263	Skoufis	Relates to expanding the definition of agency	Reported from Committee
S5509	Metzger	Relates to allowing brewery supply stores to sell beer for off premises consumption	Passed Senate Only
S5786B	Kaminsky	Establishes a task force to explore the effects of cyber-bullying in New York state and potential measures to address such effects	Passed Senate Only
S5802A	Benjamin	Relates to the unauthorized release of sealed records	Reported from Committee
S5948	Skoufis	Relates to the transfer of unappropriated state land	Chapter 289 of 2020
S6066B	Holyman	Relates to enacting the "hate crimes analysis and review act"	Reported from Committee
S6157	Liu	Relates to providing that there is no exemption from the requirement of nondiscrimination in advertisements and inquiries for the rental of certain apartments	Reported from Committee
S6172	Martinez	Relates to clarifying that reasonable accommodation to enable a person	Chapter 137 of 2020

		with a disability to use and enjoy a dwelling includes the use of an animal to alleviate the symptoms or effects of a disability	
S6181	Metzger	Relates to the operation of other businesses on a licensed farm manufacturing premises	Passed Senate Only
S6220A	Benjamin	Requires the disclosure of disabled tenants' rights to reasonable accommodations	Chapter 311 of 2020
S6569	Jackson	Relates to providing that, in housing cases only, after a dismissal for lack of probable cause or jurisdiction, a complainant would have the option to appeal the final order, or bring a de novo action in court	Chapter 236 of 2020
S6608B	Harckham	Relates to accessing records under the freedom of information law	Reported from Committee
S6653	Skoufis	Establishes a temporary New York craft beverage permit	Passed Senate Only
S6654	Skoufis	Directs the department of state to study, evaluate, and make recommendations concerning studies directed by the legislature to be completed	Reported from Committee
S6713	Holyman	Relates to directing the division of human rights to promulgate a statement regarding housing discrimination that shall be appended to any form of housing assistance	Reported from Committee
S6739	Gaughran	Relates to the creation of vacancies in a public office upon entering a guilty plea in federal court to a felony or crime involving a violation of an oath of office	Passed Senate Only

S6759	Jordan	Relates to qualifications for holding certain offices in the city of Saratoga Springs	Chapter 207 of 2020
S6773	Metzger	Increases the amount of the farm workforce retention credit	Passed Senate Only
S6828	Gounardes	Relates to including the state and all public employers as subject to the human rights law	Passed Senate Only
S6883	Parker	Relates to establishing a two thousand twenty census statewide media campaign	Passed Senate Only
S7054	Kaplan	Includes certain independent contractors in the state directory of new hires to aid in the administration of the child support enforcement program	Reported from Committee
S7201	Kaplan	Establishes a statewide campaign for the acceptance, inclusion, tolerance and understanding of diversity	Reported from Committee
S7302A	Skoufis	Authorizes the town of Newburgh, in the county of Orange, to impose a hotel and motel tax; repealer	Chapter 371 of 2020
S7369	Metzger	Relates to allowing brewery supply stores to sell beer for off premises consumption	Passed Senate Only
S7377	Stewart-Cousins	Relates to establishing an interagency task force on hate crimes and domestic terrorism	Reported from Committee
S7730	Seward	Relates to increasing hotel/motel taxes in Otsego County	Chapter 362 of 2020
S7731	Seward	Authorizes the county of Otsego to impose an additional mortgage recording tax of 25 cents per \$100 of principal debt	Passed Senate Only

S7741	Harckham	Authorizes the town of Mount Pleasant to adopt a local law to impose a 3% hotel/motel occupancy tax	Chapter 372 of 2020
S7778	Seward	Imposes an occupancy tax in the city of Cortland	Chapter 361 of 2020
S7789	May	Relates to imposing an additional two percent occupancy tax in the county of Onondaga	Chapter 360 of 2020
S7790	Amedore	Relates to qualifications for holding the office of corporation counsel in the city of Amsterdam	Chapter 193 of 2020
S7835	Jackson	Relating to permitting assessment of certain fees and costs upon wrongful denial of access to records under the freedom of information law	Reported from Committee
S7842	Felder	Relates to allowing the public to photograph records accessed through a foil request	Reported from Committee
S7856	Biaggi	Prohibits certain agencies from charging for the process of a FOIL request made by state and local agencies or the state legislature	Reported from Committee
S7870A	Ortt	Relates to the qualifications for holding the office of assistant district attorney in the county of Orleans	Chapter 176 of 2020
S7945	Seward	Authorizes the county of Otsego to impose an additional mortgage recording tax of 25 cents per \$100 of principal debt	Passed Senate Only
S8064	Metzger	Authorizes the town of Wallkill to adopt hotel or motel tax of up to 5%	Chapter 373 of 2020
S8087B	Helming	Relates to licensing restrictions for manufacturers and wholesalers of alcoholic beverages on licensees who	Passed Senate Only

		sell at retail for on-premises consumption; repealer	
S8298B	Biaggi	Prohibits the state of New York from selling or displaying symbols of hate	Chapter 343 of 2020
S8299	Jordan	Relates to qualifications for holding certain offices in the village of South Glens Falls	Chapter 197 of 2020
S8331	O'Mara	Authorizes the city of Ithaca to establish hotel and motel taxes	Chapter 364 of 2020
S8345	O'Mara	Relates to increasing the sales and compensating use taxes for the county of Steuben	Chapter 315 of 2020
S8451A	Kaplan	Authorizes the empire state development corporation to develop a public awareness campaign promoting personal protective clothing and equipment manufacturing businesses located in New York state	Passed Senate Only
S8482	Skoufis	Relates to allowing for the sale of liquor and/or wine for off-premises consumption on Christmas day	Passed Senate Only
S8485	Montgomery	Authorizes the commissioner of general services to sell certain land to TCH Holdings, LLC	Chapter 248 of 2020
S8737	Helming	Relates to licensing restrictions for manufacturers and wholesalers of alcoholic beverages on licensees who sell at retail for on-premises consumption; repealer	Chapter 218 of 2020





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OPERATIONS