



Annual Report 2022

New York State Senate Standing Committee on Corporations, Authorities and Commissions

Senator Leroy Comrie

Chair



Senator Andrea Stewart-Cousins
President Pro Tempore
NYS Senate Majority Leader

LEROY COMRIE
14TH SENATE DISTRICT

ALBANY OFFICE
ROOM 612
LEGISLATIVE OFFICE BUILDING
ALBANY, NEW YORK 12247
PHONE: (518) 455-2701
FAX: (518) 455-2816

DISTRICT OFFICE
113-43 FARMERS BLVD.
ST. ALBANS, NEW YORK 11412
PHONE: (718) 765-6359
FAX: (718) 454-0186

E-MAIL: COMRIE@NYSENATE.GOV
WEBSITE: COMRIE.NYSENATE.GOV



THE SENATE
STATE OF NEW YORK
ALBANY

CHAIRMAN
CORPORATIONS, AUTHORITIES AND
COMMISSIONS

COMMITTEES:
AGRICULTURE
FINANCE
PROCUREMENT AND CONTRACTS
RACING, GAMING AND WAGERING
RULES

July 2022

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

Dear Leader Stewart-Cousins:

Thank you for your outstanding leadership, vision and guidance during the historic 2022 Legislative Session. I am still humbled by the trust you placed in me to Chair the New York State Senate Standing Committee on Corporations, Authorities & Commissions and to fashion our work in a way that benefits every corner of the Empire State. Despite ongoing challenges of COVID-19, we had a very productive year- from a policy and legislation standpoint as well as considering and deliberating upon nominations- and conducting public hearings. Consequently, I am pleased to transmit the Annual Report of the Senate Standing Committee on Corporations, Authorities & Commissions for the 2022 Legislative Session.

Throughout the 2022 Legislative Session, the Committee met nine times. We had seven committee meetings to consider legislation; in those meetings, we passed 64 bills- including a number of important reform proposals, mechanisms for increased government transparency, local bills and measures to assist important Authorities that serve New Yorkers in our daily lives. Additionally, we held two committee meetings to consider 14 nominations, including nine nominations to the MTA board.

The committee held a public hearing on the needs of the Penn Station Redevelopment Plan in New York. I was grateful for all the leaders, experts, local officials, and advocates who testified at our hearing.

I extend thanks to Committee members Senators James Gaughran, Shelley B. Mayer, Jessica Ramos, James Skoufis, Ranking Member Senator Mike Martucci and Senator Mario R. Mattera. I look forward to a productive and successful 2023 and in the interim I remain...

Yours in Service,

A handwritten signature in black ink, appearing to read 'L. Comrie', written in a cursive style.

Leroy Comrie
State Senator | District 14

New York State Senate
Standing Committee on Corporations, Authorities & Commissions

Senator Leroy Comrie | Chairman

Committee Members

Senator James Gaughran
Senator Shelley B. Mayer
Senator Jessica Ramos
Senator James Skoufis

Senator Mike Martucci, Ranking Member
Senator Mario R. Mattera

Committee Staff

Mobeen Bhatti, Senior Policy Advisor | NYS Senate Majority Counsel/ Program
Daniel Ranellone, Senior Counsel | NYS Senate Majority Counsel/ Program
David Frazier, Principal Budget Analyst | Senate Finance Committee/ Majority

Derrick Davis | Chief of Staff to Senator Comrie
Ean Fullerton | Communications and Committee Director to Senator Comrie
Matthew Garcia | Legislative Director to Senator Comrie
Avery Aguas | Legislative Liaison to Senator Comrie
Nia James | Legislative Researcher to Senator Comrie

Committee Jurisdiction and Overview

The New York State Senate Standing Committee on Corporations, Authorities & Commissions has legislative oversight responsibilities over a vast range of issue area including the authorities budget office, State and Local authorities such as the Urban Development Corporation, Port Authority of New York/ New Jersey, the Metropolitan Transportation Authority (MTA), Thruway Authority and the Dormitory Authority. In addition, the Committees are the principal originator of bills concerning the following areas of law: Benevolent orders, Business Corporations, Cooperative Corporations, General Associations, Limited Liability Company, Not-For-Profit Corporation, Partnership, Religious Corporations and the Waterfront Commission.

During the 2022 Legislative Session, there were 169 bills referred to the Committee for its review. Of these bills, 64 were reported from the committee- the Senate passed 32, and 12 passed in both houses. Our bill-focused work was conducted through a series of 7 committee meetings. A list of all the bills reported from the committee is provided at the end of this report.

In addition to its regular legislative meetings, the committee held a total of 1 public hearing, and 3 committee meetings to consider nominees for various public offices nominated by Governor Kathy Hochul for the respective Authorities that the committee oversees.



In April 2022 the Metropolitan Transportation Authority announced plans to deploy 60 zero-emissions electric buses at six bus depots in communities disproportionately impacted by asthma; the announcement marked an additional milestone in the commitment, made in 2018, to transition to an all zero-emission bus fleet by 2040.

Committee Highlights

These keys bills were acted upon by the Committee this year and signed into law by Governor Kathy Hochul:

Natural Organic Reduction Facilities

S.5535 (Comrie)/ A.382 (Paulin)

This bill allows for the creation and operation of natural organic reduction facilities as cemetery corporations for the disposal or burial of deceased human beings through the organic decomposition process, also known as human composting. This bill provides for an approval and oversight process for the creation of a natural organic reduction facility through the cemetery board, identical to what is currently in place for crematoria. This bill would make New York the fourth state to allow organic reduction after Washington, Oregon, and Colorado.

Proponents: new York State Association of Cemeteries; Environmental Advocates of New York

Opponents: New York State Funeral Directors Association; New York State Catholic Conference

Senate Vote: 61-2 (Skoufis, Felder)

Assembly Vote: 98-52

12/30/22- Signed into law by Governor Kathy Hochul: ***Approval Memo 98.***

Authorizes ESD to Assist Creation of Workers Cooperatives

S.6394 (Bailey) / A.6286 (Stirpe)

This legislation Authorizes Empire State Development Corporation (ESD) to use the Empire State Economic Development Fund to provide loans, loan guarantees, and interest subsidy grants to subsidize loans from lending institutions to facilitate creation of workers cooperatives for the purpose of continuation of existing micro-businesses (businesses with five or fewer full-time employees).

Proponents: None.

Opponents: None.

Senate Vote: 62-1 (Skoufis)

Assembly Vote: 145-0

12/28/22- Signed into law by Governor Kathy Hochul: ***Signed Chapter 804.***

Public Information Requirements for ESD Community Advisory Committees

S.8419-B (Ramos) / A.9622-C (Solages)

This bill requires the Empire State Development's community advisory committees to publish and maintain a list of all committee members, meeting agendas, materials, and minutes on its website, and to post meeting agenda and details on the website in advance of the meeting. ESD is currently require to create community advisory committees for every development project undertaken through ESD. Such committees are frequently considered by ESD as an alternative to local zoning and land use approvals and are often used in megaprojects involving billions in value capture agreements, though the recommendations of these committees are non-binding. In the past there have been issues with the lack of public access to materials of the advisory committees as currently there are no requirements for meeting agendas, materials, and minutes of these advisory committees to be published on ESD's website.

Proponents: Re-Invent Albany
Opponents: None
Senate Vote: 63-0
Assembly Vote: 148-0

12/30/22- Signed into law by Governor Kathy Hochul: ***Signed Chapter 823.***

**Transit Worker Protection Act
S.9468 (Comrie) / A.10491 (Cook)**

This bill was in response to the over 300 assaults on transit workers during and after the pandemic. Previously, assaults on transit workers were classified as a class A misdemeanor. Station customer assistants, and maintainers employed by a transit agency or authority work with and among the public to help ensure that our trains and busses run on schedule, that their terminals and stations are free of debris, and that passengers can obtain tickets and information: Unfortunately, these employees are easy targets for those who seek to intentionally harm another person. This bill would protect these employees and serve as a deterrent to those who seek to harm them. Often folks guilty of these offenses would present to the court room only to be served a plea deal, inspiring those intrepid souls to commit acts against transit workers without much culpability or deterrence. This bill made assaults on any transit worker a class E felony. Today, if you are on any of the NYC transit system train or bus cars, you will see this bill present in the form of a sticker informing folks of this new change to our laws.

Proponents: MTA, Railroad Unions
Senate Vote: 61-2
Assembly Vote: 148-2

06/27/22- Signed into law by Governor Kathy Hochul: ***Signed Chapter 233.***

The following key bills were acted upon by the Committee this year. They have been vetoed:

**Unmarked Burial Site Protection Act
S.5701 (Comrie)/ A.6724 (Englebright)**

This bill regulates how the discovery of burial grounds, human remains, and funerary objects is treated in New York. New York is only one of four states that do not currently protect indigenous burial sites found on private lands,. This ill would change that. This bill establishes a Native American burial site review committee to determine the lineal descendants and culturally affiliated groups for Native American human remains and funerary objects and provide notice to such descendants or groups, to implement the provisions in this bill. This bill also requires immediate cessation of all ground-disturbing activities upon the discovery of a burial ground. Human remains or funerary objects, and requires the reporting of such discoveries to local coroners. This also establishes criminal penalties to the disturbance of the burial site or failure to report the discovery of any such site, remains or objects, as well as covering attempts to sell the human remains or funerary objects.

Proponents: Allegany reservation, Cattaraugus reservation; Cayuga Nation Oneida nation; Onondaga nation; Saint Regis Mohawk tribe; Seneca nation of Indians; Shinnecock Indian Nation; Tonawanda Seneca Nation; Tuscarora nation; Unbkechaug Indian Nation; Long island Progressive coalition; Nassau county democratic socialists of America; Suffolk county democratic socialists of America; Suffolk progressives; show up LI; northern Manhattan community land trust; Syracuse Peace council
Opponents: None
Senate Vote: 61-0

Assembly Vote: 150-0

12/30/22- Vetoed by Governor Kathy Hochul: **Veto Memo 197.**

**Repeal of PACB Voting Restrictions
S.7337 (Comrie) / A.10157 (Burdick)**

This bill repeals the provisions added to the public authorities' law in the 2019-2020 Enacted Budget that restricted the legal authority of a member of the Public Authorities Control Board (PACB). This bill reverts the PACB member' authority to what was in place prior to the cancellation of Amazon's second headquarters plan in New York.

Proponents; Reinvent Albany

Opponents: None.

Senate Vote: 62-0

Assembly Vote: 139-5

12/30/22- Vetoed by Governor Kathy Hochul: **Veto Memo 187.**



On June 27th Governor Kathy Hochul signed S.9468 into law, protecting a broader range of transit workers by upgrading penalties punishing those who assault and harass these essential public servants; joined by Senator Leroy Comrie, Assembly Member Alicia Hyndman, former NYC Council Member I. Daneek Miller, further colleagues across State and City government, labor leaders, and transit workers, the signing ceremony took place at Jamaica Bus Depot in Queens, New York.

TWO HOUSE BILLS

In 2022, 29 of the 169 bills referred to the Standing Senate Committee on Corporations, Authorities & Commissions passed through both houses of the Legislature. Of these bills, the Governor has signed 21, vetoed 8. Please see the details below.

Bill	Sponsor	Title	Final Action
S.571	Senator Sanders	Allows businesses to use funds received from the minority and women-owned business development and lending program for the purpose of refinancing existing debt	Signed Chapter 568
S.5238	Senator Kaplan	Relates to marketing and expanding export trade	Vetoed Memo.108
S.5261-B	Senator Kennedy	Provides for expanded ownership in design professional corporations by employee stock ownership plans and non-licensed employees	Signed Chapter 439
S.5535	Senator Comrie	Relates to the creation, operation, and duties of natural organic reduction facilities as cemetery corporations	Signed Chapter 817
S.5701	Senator Comrie	Enacts the "unmarked burial site protection act", to regulate the discovery of burial grounds, human remains and funerary objects	Vetoed Memo.197
S.6394	Senator Bailey	Relates to the creation of micro-business worker cooperatives upon transfer of ownership	Signed Chapter 804
S.7089-A	Senator Liu	Relates to providing for the powers and duties of the Colonial Farmhouse Restoration Society of Bellerose, Queens County, New York	Signed Chapter 192
S.7337	Senator Comrie	Repeals certain provisions relating to voting by members of the New York state authorities control board	Vetoed Memo.187
S.7621	Senator Serrano	Relates to the office of chief executive officer of the Roosevelt Island operating corporation	Vetoed Memo.169
S.7622-A	Senator Serrano	Requires certain directors of the Roosevelt Island operating corporation to be residents of Roosevelt Island and to require the appointment of certain vacant board positions within sixty days	Vetoed Memo.36
S.7674	Senator Mannion	Exempts the Camillus Volunteer Fire Department, Inc. from the requirement that the percentage of non-resident fire department members not exceed forty-five percent of the membership	Signed Chapter 327

S.8419-B	Senator Ramos	Relates to community advisory committees	Signed Chapter 675
S.8435	Senator Comrie	Requires certain companies and corporations to report certain data regarding the gender, race and ethnicity of their employees	Vetoed Memo.40
S.8573	Senator Kaplan	Relates to information concerning services for human trafficking victims in Port Authority bus terminals	Signed Chapter 390
S.8663	Senator Mayer	Relates to electronic meetings conducted partially or solely by means of electronic communication; repealer	Signed Chapter 518
S.8736-A	Senator Mannion	Authorizes the Syracuse regional airport authority to provide and maintain an authority police department and a uniformed authority police force	Signed Chapter 425
S.8796	Senator Mattera	Relates to the time period for the Suffolk County water authority to file its annual reports	Signed Chapter 276
S.8852	Senator Comrie	Amends part P of chapter 39 of the laws of 2019, amending the public authorities law relating to the acquisition and disposition of real property, in relation to extending the effectiveness thereof	Signed Chapter 278
S.8907	Senator Cleare	Relates to the operation of a youth services unit within the port authority police department	Vetoed Memo.195
S.8956-C	Senator Mannion	Relates to the Syracuse regional airport authority	Signed Chapter 781
S.9030	Senator Brouk	Exempts the Bushnell's Basin Fire Department from the forty-five percent limit on non-resident members	Signed Chapter 308
S.9031-A	Senator Kavanagh	Relates to the appointment of members of the Battery Park city authority	Vetoed Memo.37
S.9047	Senator Comrie	Modernizes provisions of law relating to members, directors and officers to align with current practices, streamline procedures and eliminate unnecessary regulatory burdens	Signed Chapter 614
S.9048	Senator Comrie	Relates to cemetery operations during emergency declarations	Signed Chapter 527
S.9052	Senator Kavanagh	Relates to increasing the bond and note authorization of the state of New York mortgage agency	Signed Chapter 704
S.9098	Senator Kennedy	Relates to contracts awarded by the Erie County water authority	Signed Chapter 412

S.9272	Senator May	Exempts the Salina Consolidated Fire District #2 from the forty-five percent limit on) non-resident members	Signed, Chapter 312
S.9316-A	Senator Stewart-Cousins	Exempts the Ardsley Volunteer Fire Department, Inc. from the requirement that the percentage of non-resident fire department members not exceed forty-five percent of the membership	Signed Chapter 350
S.9434	Senator Reichlin-Melnick	Expands the Rockland County Solid Waste Authority's purposes, powers, and responsibilities to include providing animal management service	Signed Chapter.553



NYS Senator Leroy Comrie addresses those gathered to mark the signing of upgraded transit worker protections into law, S.9468, remarking that “Transit workers kept our city moving during the height of the pandemic and beyond, at great risk to themselves and their families. These heroes deserve safe workplaces and those who assault transit workers deserve to face penalties commensurate with their crimes. Recent events have made it clear how serious we have to be with regard to transit worker safety and I commend transit leadership, organized labor, and advocates who have all been key partners in making this a priority. I am grateful for their partnership and I am also grateful to my colleagues for their support and Majority Leader Stewart-Cousins and Speaker Heastie for their leadership. We all benefit when transit employees can focus on delivering safe, reliable service.

BILLS THAT PASSED THE SENATE ONLY

In 2022, 32 of the 169 bills referred to the Standing Senate Committee on Corporations, Authorities & Commissions passed the Senate. Please see the details below.

Bill	Sponsor	Title	Final Action
S. 235 A	Senator Mayer	Allows for the examination of industrial development agencies and not-for-profit corporations by county comptrollers	Passed Senate 63-0
S.311 A	Senator Liu	Relates to the perimeter rule at LaGuardia airport	Passed Senate 42-19
S.571	Senator Sanders	Relates to reviews by the authorities budget office	Passed Senate 63-0
S1196	Senator Gianaris	Prohibits confidentiality and non-disclosure provisions from inclusion in certain contracts entered into by the state or a municipality	Passed Senate 61-0
S1207	Senator Kaminsky	Relates to requiring certain reports of public authorities are open for public inspection via the public authorities reporting information system	Passed Senate 63-0
S1267	Senator Gianaris	Exempts the metropolitan transportation authority from the requirement to reimburse the state for services provided to such authority	Passed Senate 44-17
S1275A	Senator Krueger	Establishes a local authorities searchable subsidy and economic development benefits database	Passed Senate 63-0
S2940	Senator Comrie	Relates to extending the amount of time between notice of a project and a public hearing	Passed Senate 58-5
S3257	Senator Comrie	Relates to assistance for certain small businesses	Passed Senate 63-0
S3263	Senator Comrie	Relates to notice to unsuccessful minority- or women-owned business enterprise bidders on state contracts	Passed Senate 63-0
S3264	Senator Comrie	Relates to cemetery trust funds	Passed Senate 62-0
S4339B	Senator Skoufis	Relates to the applicability of open meetings and freedom of information laws to certain not-for-profit corporations	Passed Senate 48-15
S4610	Senator Comrie	Relates to disposals and contracts for disposal of property	Passed Senate 63-0
S4611	Senator Comrie	Relates to requirements for explanatory statements regarding disposal of property	Passed Senate 63-0

S5137A	Senator Mattera	Prohibits the formation of a subsidiary of a public authority without prior approval of the legislature	Passed Senate 63-0
S5261B	Senator Kennedy	Provides for expanded ownership in design professional corporations by employee stock ownership plans and non-licensed employees	Passed Senate 62-0
S5533	Senator Comrie	Provides the New York city water board shall not establish a limit of less than six years to challenge any service charges for the use of or services furnished by the water board	Passed Senate 61-0
S5701	Senator Comrie	Enacts the "unmarked burial site protection act", to regulate the discovery of burial grounds, human remains and funerary objects	Passed Senate 61-0
S6233	Senator Kennedy	Enacts the "food retail establishment subsidization for healthy communities act"	Passed Senate 60-3
S6394	Senator Bailey	Relates to the creation of micro-business worker cooperatives upon transfer of ownership	Passed Senate 62-1
S7621	Senator Serrano	Relates to the office of chief executive officer of the Roosevelt Island operating corporation	Passed Senate 62-0
S7622A	Senator Serrano	Requires certain directors of the Roosevelt Island operating corporation to be residents of Roosevelt Island and to require the appointment of certain vacant board positions within sixty days	Passed Senate 62-0
S7674	Senator Mannion	Exempts the Camillus Volunteer Fire Department, Inc. from the requirement that the percentage of non-resident fire department members not exceed forty-five percent of the membership	Passed Senate 63-0
S8381B	Senator Thomas	Relates to the membership on the Nassau health care corporation board	Passed Senate 48-15
S8862	Senator Cleare	Directs the metropolitan transportation authority to study the transportation and housing needs of Randalls and Wards Islands	Passed Senate 63-0
S8907	Senator Cleare	Relates to the operation of a youth services unit within the port authority police department	Passed Senate 61-0
S8956C	Senator Mannion	Relates to the Syracuse regional airport authority	Passed Senate 50-13
S9011A	Senator Ryan	Relates to the application of provisions of the not-for-profit corporation law and other laws to certain crematoriums located in the town of Tonawanda; repealer	Passed Senate 49-14
S9031A	Senator Kavanaugh	Relates to the appointment of members of the Battery Park city authority	Passed Senate 60-1
S9170A	Senator Comrie	Relates to the maintenance of abandoned cemeteries	Passed Senate 63-0

S9316A	Senator Stewart-Cousins	Exempts the Ardsley Volunteer Fire Department, Inc. from the requirement that the percentage of non-resident fire department members not exceed forty-five percent of the membership	Passed Senate 63-0
S9434	Senator Reichlin-Melnick	Expands the Rockland County Solid Waste Authority's purposes, powers, and responsibilities to include providing animal management service	Passed Senate 63-0

BILLS THAT PASSED THE COMMITTEE ONLY

In 2022, 7 of the 169 bills referred to the Standing Senate Committee on Corporations, Authorities & Commissions passed through the Committee only. Please see the details below.

Bill	Sponsor	Title	Final Action
S.205	Senator Kaplan	Relates to establishing the New York state innovation voucher program	Committed To Rules
S.460A	Senator Biaggi	Relates to gender balance in public authorities, industrial development agencies and local development corporations	Committed To Rules
S.977A	Senator Gaughran	Relates to reviews by the authorities budget office	Committed To Rules
S.3151	Senator Comrie	Relates to the sale or transfer of certain real property by the state or public authorities	Committed To Rules
S.3156A	Senator Comrie	Relates to creating annual reporting obligations by municipal housing authorities to the authorities budget office with respect to state-funded activities of such municipal housing authorities	Committed To Rules
S.7669	Senator Reichlin-Melnick	Enables public authorities to transmit electronic notifications to E-ZPass customers	Committed To Rules
S.8439B	Senator Hoylman	Relates to the disclosure of beneficial owners of limited liability companies and certain other business entities	Committed To Rules



NYS Senator Leroy Comrie serves on a panel convened by Crain's New York Business on Penn Station Redevelopment; the panel focused on what the redevelopment project means for the future of New York City. Senator Comrie emphasized the importance of delivering a future-forward redevelopment plan and ensuring that both neighborhood residents and those residing throughout the region gain value for the multi-billion dollar investment New York, New Jersey, and the United States Department of Transportation will make in Penn Station Redevelopment.



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Corporations, Authorities and Commissions**