

NYS Legislation Update 2018

Bill numbers are reset in Jan of odd numbered years.

New York State bills to watch. Full text of Assembly bills can be found at <http://assembly.state.ny.us/leg/> or <http://www.nysenate.gov/legislation> for NYS Senate bills.

See how your NYS Senator & Assembly member voted on Common Core, 2013

SAFE Act. Go to bottom of this page to view the roll call votes and more details.

See the current 2012 District Maps for your Congressman, NYS Senator & Assemblyman at <http://latfor.state.ny.us/maps/>

You can e-mail your Assemblyman at <http://assembly.state.ny.us/mem/> .

You can e-mail NYS Senator at <https://www.nysenate.gov/senators-committees> .

While emails work, if you can call or visit your Senators or Assembly local or Albany office if works better as long as you ask for a written reply so visit or call in noted; the more effort you take to contact them the more they worry about their reelection. If don't get a written reply within two weeks contact them and ask why !

*****These first one may come up for a vote without notice under a message of necessity*****

1. **SAFE ACT 2 Bill** rumored to be in Governor Cuomo office and may come up to a vote without warning **Contact your Senator and Assemblyperson** and let them how you feel. Go to **Pro 2nd Amendment & Gun Control Section** for more details
2. This is the link for the **2018-2019 budget** <https://openbudget.ny.gov/> It contains many new taxes which will not be general felt until after the November election
3. **S03533** Relates to vehicular assault and **vehicular manslaughter Bill would make traveling 31 in 30 mph zone etc** a felony with up to 7 years if someone is hurt or dies.
4. **Repeal Common Core A03702/S03912** – Requires disclosure of testing items in Common Core tests given in New York (50% after the first year the test is given, full disclosure after the second year.) Last action: Assigned to the Assembly Education Committee.
5. **Gun Control** NYS Assembly Bill A2260 2017-2018 Legislative Session Requires owners of firearms to obtain liability insurance <https://www.nysenate.gov/legislation/bills/2017/A2260>
You can fill out a form on link above in order to support or oppose this bill.

Scary Medical Legislation

6. **A03991 (Gottfried), related to Do Not Resuscitate (DNR) orders**
The language of S 4796 would allow physicians to disregard the patients/family wishes in seeking to impose a DNR order. A physician could impose a DNR Further, the standard for physicians is subjective (not objective like a medical malpractice standard.) If two doctors simply claim they have made their judgment a reasonable degree of medical certainty, that claim cannot be successfully challenged by anyone, no matter how clearly inaccurate it is. In this instance, the language used is unacceptably broad and chips away at the rights of the patient and their surrogate.
7. **A04055 Relates to changing the default standard on statutory health proxy forms regarding life-sustaining treatment standards** Current law protects patients who have

completed a health care proxy document appointing a health care agent from being starved or dehydrated to death unless they have specifically authorized it. S 4794 would allow health care agents to decide to starve and dehydrate patients based on judgments by the health care agent even if the agent does not know the patient's wishes. Removing this protection will lead to patients being starved and dehydrated to death, having had no opportunity to express their wishes in that circumstance.

8. **A04055 Relates to changing the default standard on statutory health proxy forms regarding life-sustaining treatment standards** Currently, when a surrogate directs provision of life-preserving treatment, the health care provider must give it pending transfer or judicial review. This bill would allow the provider to deny treatment while the surrogate seeks judicial review. Very possibly, therefore, the patient could die before the surrogate can even get to court. Moreover, the health care provider need only make diligent efforts to notify the surrogate prior to implementing the decision to deny treatment- so the surrogate may not even know of the denial in time to challenge it. A health care provider who contends that the patient had rejected the treatment the surrogate directed may present that evidence to the court, which, if persuaded, can then override the surrogate's direction. A surrogate may well have evidence to offer that the health care provider misinterpreted the patient's direction, or that the patient later expressed a contrary desire for the treatment the surrogate directed. The new language would require only that the physician seeking to deny treatment recall the patient expressing orally (in front of the physician and another witness) or in writing a decision regarding life-sustaining treatment. There is no requirement that a notation be made in the patients file at the time of the conversation. A competent patient who in fact wishes to reject life-saving treatment can do so in a written advance directive, which under NY law has a variety of safeguards such as warning statements and a requirement of witnesses. Health care providers certainly could advise their patients of this option at the time they allegedly state they want to reject treatment. But under the law, any writing rejecting treatment, lacking witnesses or informed consent safeguards is sufficient to let a health care provider override a family health care decision to provide treatment.

2014 Common Core roll call

1. **A8929 -2013 (Keeps Common Core)** Keeps Common Core in Schools suspends testing until after election. **Passed Assembly sent to The NYS Senate killed the bill in committee**

BILL: A08929 DATE: 03/05/2014 MOTION: YEA/NAY: 121/10 (19 absent)

Abbate ER	Cook Y	Gjonaj Y	Lalor NO	Nojay NO	Rosenth Y	Titone Y
Abinant Y	Corwin Y	Glick ER	Lavine Y	Nolan Y	Rozic ER	Titus Y
Arroyo Y	Crespo Y	Goldfed Y	Lentol Y	Oaks Y	Russell Y	Walter Y
Aubry Y	Crouch Y	Goodell Y	Lifton Y	O'Donne Y	Ryan Y	Weinste ER
Barclay Y	Curran Y	Gottfri Y	Lopez Y	Ortiz Y	Saladin Y	Weisenb ER
Barrett Y	Cusick Y	Graf NO	Lupardo Y	Otis Y	Santaba Y	Weprin Y
Benedet Y	Cymbrow Y	Gunther Y	Lupinac Y	Palmesa NO	Scarbor Y	Wright Y
Blanken Y	Davila Y	Hawley Y	Magee Y	Palumbo Y	Schimel Y	Zebrows Y
Borelli Y	DenDekk Y	Heastie Y	Magnare Y	Paulin Y	Schimmi Y	Mr Spkr Y
Boyland AB	Dinowit Y	Henness Y	Malliot Y	Peoples Y	Sepulve Y	
Braunst Y	DiPietr NO	Hevesi Y	Markey Y	Perry Y	Simanow Y	
Brennan Y	Duprey Y	Hikind Y	Mayer Y	Pichard Y	Simotas ER	
Brindis Y	Englebr Y	Hooper Y	McDonal Y	Pretlow Y	Skartad Y	
Bronson Y	Fahy Y	Jacobs Y	McDonou Y	Quart Y	Skoufis Y	

Brook-K Y	Farrell Y	Jaffee Y	McKevit Y	Ra NO	Solages Y
Buchwal Y	Finch Y	Johns Y	McLaugh Y	Raia Y	Stec Y
Butler Y	Fitzpat NO	Katz NO	Miller Y	Ramos ER	Steck Y
Cahill Y	Friend NO	Kavanag Y	Millman Y	Rivera Y	Stirpe Y
Camara Y	Galef Y	Kearns Y	Montesa Y	Roberts Y	Sweeney Y
Ceretto Y	Gantt Y	Kellner AB	Morelle Y	Robinso Y	Tedisco Y
Clark Y	Garbari Y	Kim Y	Mosley Y	Rodrigu ER	Tenney NO
Colton Y	Giglio Y	Kolb Y	Moya Y	Rosa Y	Thiele Y

*****Passed** 2012 Tier VI Pension Reform** took effect April, 1 2012 in addition to raising the state retirement age to 63 for new employees. It increases the amount deducted from their pay from the current 3% to up to 6% for higher earners which reduces the amount local governments must pay for current pensions. This could provide a little tax relief if local governments choose to pass the savings on taxpayers.

*****Information***** There is no bill for this but one is needed. Route 9 & the Northway are nearing their designed max traffic capacity especially at rush hours. The current proposal is to widen the Northway to eight lanes which cost several billion. A much less expensive solution is a Commuter rail over the existing tracks between from south of Albany to Saratoga and/or a new bridge over the Mohawk River between the Northway's twin bridges and the Rexford bridge'

Pro 2nd Amendment & Gun Control Section

2013 (Gun control) NY Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013 Bans certain guns, limits clip size to 7 and other changes. It contains a major typo police are included in the limit

Note: All new gun permits will be limited to 5 years. Pre-existing lifetime permits will now expire on Jan 31, 2018 and have to be renewed for five year terms. If wish to renew online go to

<https://firearms.troopers.ny.gov/pprecert/welcome.faces>

You should talk with your lawyer as to what would happen should you fail file a renewal by the deadline.

2013 Gun Control SAFE Act Vote Roll Call

NYS Senate Roll Call passed 43-18 Ayes (43): Adams, Addabbo, Avella, Boyle, **Breslin**, Carlucci, Diaz, Dilan, Espaillat, Felder, Flanagan, Fuschillo, Gianaris, Gipson, Golden, Grisanti, Hannon, Hassell-Thomps, Hoylman, Kennedy, Klein, Krueger, Lanza, Latimer, LaValle, Marcellino, Martins, Montgomery, O'Brien, Parker, Peralta, Perkins, Rivera, Sampson, Sanders,

Savino, Serrano, Skelos, Smith, Squadron, Stavisky, Stewart-Cousin, Valesky

Nays (18): Ball, Bonacic, DeFrancisco, **Farley**, Gallivan, Griffo, Larkin, Libous, **Little**, **Marchione**, Maziarz, Nozzolio, O'Mara, Ranzenhofer, Ritchie, Robach, **Seward**, Young

Excused (1): Zeldin

Not yet seated (1) Tkaczyk (has stated she would have voted Aye)

NYS Assembly Roll Call passed 104-43 Y-Aye N-Nay E-

Excused:

Abbate	Y	Clark	Y	Gantt	Y	Kavanag	Y	McKevit	Y	Raia	N O	Solages	Y
Abinant	Y	Colton	Y	Garbari	N O	Kearns	N O	McLaugh	N O	Ramos	Y	Stec	N O
Arroyo	Y	Cook	Y	Gibson	Y	Kellner	Y	Miller	Y	Reilich	N O	Steck	Y
Aubry	Y	Corwin	N O	Giglio	N O	Kim	Y	Millman	Y	Rivera	E R	Stevens	Y
Barclay	N O	Crespo	E R	Gjonaj	Y	Kolb	N O	Montesa	N O	Roberts	Y	Stirpe	Y
Barrett	Y	Crouch	N O	Glick	Y	Lalor	N O	Morelle	Y	Robinso	Y	Sweeney	Y
Barron	Y	Curran	Y	Goldfed	Y	Lavine	Y	Mosley	Y	Rodrigu	Y	Tedisco	N O
Benedet	Y	Cusick	Y	Goodell	N O	Lentol	Y	Moya	Y	Rosa	Y	Tenney	N O
Blanken	N O	Cymbrow	Y	Gottfri	Y	Lifton	Y	Nojay	N O	Rosenth	Y	Thiele	Y
Borelli	N O	DenDekk	Y	Graf	N O	Lope PD	N O	Nolan	Y	Rozic	Y	Titone	Y
Boyland	Y	Dinowit	Y	Gunther	N O	Lope VJ	Y	Oaks	N O	Russell	Y	Titus	Y
Braunst	Y	DiPietr	N O	Hawley	N O	Losquad	Y	O'Donne	Y	Ryan	Y	Walter	N O
Brennan	Y	Duprey	N O	Heastie	Y	Lupardo	N O	Ortiz	Y	Saladin	N O	Weinste	Y
Brindis	N O	Englebr	Y	Hennes	Y	Lupinac	Y	Otis	Y	Santaba	Y	Weisenb	Y
Bronson	Y	Espinal	Y	Hevesi	Y	Magee	N O	Palmesa	N O	Scarbor	Y	Weprin	Y

Brook K	Y	Fahy	Y	Hikind	Y	Magnare	Y	Paulin	Y	Schimel	Y	Wright	Y
Buchwal	Y	Farrell	Y	Hooper	Y	Maisel	Y	Peoples	Y	Schimmi	N O	Zebrows	Y
Butler	N O	Finch	N O	Jacobs	Y	Malliot	Y	Perry	Y	Sepulve	Y	Mr Spkr	Y
Cahill	Y	Fitzpat	E R	Jaffee	Y	Markey	Y	Pretlow	Y	Simanow	Y		
Camara	Y	Friend	N O	Johns	N O	Mayer	Y	Quart	Y	Simotas	Y		
Castro	Y	Gabrysz	N O	<u>Jordan</u>	N O	<u>McDonal</u>	Y	Ra	Y	Skartad	Y		
Ceretto	N O	Galef	Y	Katz	N O	McDono u	Y	Rabbitt	N O	Skoufis	N O		

Local Assembly vote

**#106 Barrett Y, #118 Butler No, #115 Duprey No, #106 Fahy Y
#113 Jordan No, #102 Lopez PD No, #108 McDonald Y,
#107 McLaughlin No, #111 SantaBarbara Y, #114 Stec No,
#110 Steck Y, #112 Tedisco No**