

## NYS Legislation Update Feb 2019

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

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.

Bill numbers are reset in January of odd numbered years so **the numbers of these 2017-18 bills will change in 2019. We will try to get them updated #s ASAP, but some of them may become law before we can update our list !!!**

You should e-mail your Assembly(wo)man at <http://assembly.state.ny.us/mem/> and e-mail NYS Senator at <https://www.nysenate.gov/senators-committees> and let them know how you feel about these bills.

**\*\*\* #1 #2 #3 may come up for a vote without notice under a message of necessity\*\*\***

### **Senate & Assembly Democratic Majorities has started passing anti-Second Amendment bills**

1. [A00021](#) - [S00240](#) - NYS Full-Term Abortion bill  
<https://www.nysenate.gov/legislation/bills/2019/s240> Allows abortion up to nine months  
No care for babies born alive. NOW LAW see roll vote below
2. **SAFE ACT 2 Bills** rumored to be in Governor Cuomo office and some have already come up for a vote and passed without warning **Contact your Senator and Assemblyperson** and let them how you feel. Go to **Pro 2<sup>nd</sup> Amendment & Gun Control Section below** for more details
3. [S01904](#), **Property Tax Cap** <https://www.nysenate.gov/legislation/bills/2019/S1904>  
Eliminates the expiration of and makes permanent provisions of law establishing the property tax cap **which expires July 1<sup>st</sup> without action** PASSED SENATE
4. [S00062](#), [A01687](#) **Provides** for a referendum on the question "Do you support the division of New York into two separate states?" Non-binding vote
5. [S03577](#) , [A05248](#) Creates a **NYS single payer Health insurance private & employer provided health insurance would be banned** for NYS residents. Cancel public retiree insurance The program would require some \$90 billion annually in new tax revenue. This might result in doubling the income tax paid by the average family, a major increase in property ,<https://www.politico.com/states/new-york/city-hall/story/2018/11/29/city-unions-say-they-dread-impact-of-single-payer-proposal-in-albany-717096> **Politics makes unusual partners** Conservatives & Unions both oppose NYS single payer health insurance. <https://www.politico.com/states/new-york/city-hall/story/2018/11/29/city-unions-say-they-dread-impact-of-single-payer-proposal-in-albany-717096> AN ACT to amend the public health law and the state finance law, in relation to enacting the "New York health act" and to establishing New York Health

6. [S01047](#) , [A00747](#) Bathroom Bill? **Gender Expression Non-Discrimination Act** It (**May allow men to use ladies rooms!**) It contains the following clause “facilities or privileges thereof” which the courts may interpret as making it crime to prevent men from using ladies rooms! **NOW LAW**
7. [S02440](#) , [A02683](#) Requires clergy to the report child abuse almost all of the states current require this NYS is among last hold outs; like the other laws nationwide this exempts confession. This also allows lawsuits for child abuse that occurred anytime in the past for one year  
NOW LAW
8. This will be the link for the **2019-2020 FY 2020 budget** <https://openbudget.ny.gov/> It will need to contain many new taxes which to pay for single payer Health insurance if is adopted. Including an increased payroll tax per employee which force businesses to lay off or reduce pay to cover the cost.

## **Gun Control Section**

Since it may **take years** to get property returned after a **false red flag order** is reversed; NEVER keep all your eggs in one basket keep some in storage in a DIFFERENT County than the one you reside.

For **any questions other than your name**; you always have the right to politely tell law enforcement “I will to talk to a lawyer before answering” but you might have to repeat the phrase a hundred times.

For safety never resist or move quickly when encountering law enforcement.

9. [S02451](#) [A02689](#) **Red Flag Law** "Extreme risk protection order" means a court-issued order of protection prohibiting a person from purchasing, **possessing** or attempting to purchase or possess a firearm, rifle or shotgun. Can be obtained by police, schools, family, etc against you or a household member (example your child, spouse etc) **Once granted Police may come and search and seize all firearms, rifles or shotguns at any location that is listed in the order which they are aware of that the person resides at or controls. PASSED BOTH SENATE & ASSEMBLY.**
10. [A00095](#) Requires proof of liability insurance prior to issuing a license to carry a firearm.
11. [S01413](#) **Red Flag Law** Relates to requiring social media reviews prior to the approval of an application for a license to carry or possess a pistol or revolver or to purchase a rifle or shotgun.
12. [S01412](#) Relates to establishing having hunting license and additional requirements to purchase a firearm, shotgun or rifle.

13. [A00293](#) Establishes a municipal gun tip hotline program and municipal gun tip hotline fund
14. [A01724](#) Relates to 120 day limit on the sale of ammunition for rifles.
15. [A00503](#) Nicholas's law Gun owners and other lawful possessors are responsible for keeping their weapons from falling into the hands of children and other unauthorized individuals.
16. [A00506](#) Safe storage of rifles, shotguns, and firearms requires use of a safe storage depository
17. [A00625](#) **Red Flag Law** Establishes the safe homes act When police respond to... family offense ... in the interest of public safety, may take temporary custody of any firearm, etc
18. S.101A, An act to amend the penal law, in relation to limiting educational institutions ability to authorize the possession of a weapon on school grounds Limits guards ability to protect kids!
19. **Three new laws** <https://www.wivb.com/news/local-news/governor-cuomo-proposes-three-new-gun-laws/1698053835>

While emails work, **if you can call or visit** your Senators or Assembly local or Albany office it works better as long as you politely ask for a written reply so visit or call is 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 !

## Pro 2<sup>nd</sup> Amendment

20. [S01174](#) Relates to establishing the civil rights restoration act and amends provisions of law regarding firearm licenses; repealer

## Changes in voting Laws

21. [A00779](#) The Legislature has changed the law and combined the State and Federal primaries and moved the State/local primaries from September to June. **NOW LAW**  
 DESIGNATING PETITIONS FOR JUNE PRIMARY are below:  
 (INDEPENDENT PETITIONS start at later dates)  
**March 5** First day for signing Party designating petitions. §6-134(4)  
**April 8 April 11** Dates for filing designating petitions §6-158(1)  
**April 15** Last day to authorize designations §6-120(3) & §6-158(6)  
**April 15** Last day to accept or decline designation s. §6-158(2)

**April 19** Last day to fill a vacancy after a declination §6-158(3)

**April 23** Last day to file authorization of substitution after declination of a designation. §6-120(3)

22. [A00780](#), AN ACT to amend the election law, in relation to early voting Relates to early voting; provides that beginning the eighth day prior to any election and ending on and including the second day prior to the election a person duly registered and eligible to vote shall be permitted to vote. NOW LAW
23. [A00778](#) Authorizes ballot by mail by removing cause for absentee ballot voting. proposing an Amendment to section 2 of article 2 of the constitution, in relation to authorizing ballot by mail by removing cause for absentee ballot voting
24. (not yet introduced this yr) Since people can already register online the effect of this bill is to allow people to register without proving who they are. Enacts the "Voter Enfranchisement Modernization Act of 2018"; relates to establishing the electronic personal voter registration process; provides for online voter registration. AN ACT to amend the election law, in relation to enacting the Voter Enfranchisement Modernization Act of 2018; in relation to establishing the electronic personal voter registration process

## **Scary Medical Legislation**

25. (not yet introduced this yr) **(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. AN ACT to amend the public health law and the surrogate's court procedure act, in relation to restoring medical futility as a basis for both surrogate consent to a do not resuscitate order and for a do not resuscitate order for a patient without a surrogate
26. [A00730](#) **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. AN ACT to amend the public health law, in relation to the artificial nutrition and hydration decision standard  
Also [A00730](#) **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.

**\*\*\*Information\*\*\*** This is one highway change we think should be supported please Email your **Assemblyman** at <http://assembly.state.ny.us/mem/> and **NYS Senator** at <https://www.nysenate.gov/senators-committees> ask them to request NYS DOT study a new Colonie/Clifton Park bridge across the Mohawk River to be located somewhere between Vly Rd and Albany Shaker Rd on Colonie/Latham side and between Van Vranken Rd and Vischer Ferry Rd on Clifton Park side. This will reduce pressure on US Rte. 9 and Northway which now gridlock whenever there is an accident. Both US Rte. 9 and Northway bridges connect the Town of Colonie with the Town of Halfmoon. The original plan from the 1960s was to have NY Rte. 7 cross the Colonie/Clifton Park bridge and then rejoin its existing route by using either the Rexford bridge or the Thruway exit 26 bridge. Of course, any route number could be used today and the path in Saratoga county is not fixed and it could use existing Saratoga county roads.

FOR THOSE WHO HAVE BEEN ASKING:

A00021 - S240 - NYS Full-Term Abortion bill Roll call Jan 2019

Allows abortion up to nine months No care for babies born alive. NOW LAW

**NYS ASSEMBLY Voting roll call Y supports the bill**

**S00240 Floor Votes:**

DATE: 01/22/2019 Assembly Vote

YEA/NAY: 95/49

Abbate	Y	Crespo	NO	Gantt	ER	LiPetri	NO	Perry	Y	Simon	Y
Abinanti	Y	Crouch	NO	Garbarino	NO	Lupardo	Y	Pheffer Amato	Y	Simotas	Y
Arroyo	Y	Cruz	Y	Giglio	NO	Magnarelli	Y	Pichardo	Y	Smith	NO
Ashby	NO	Cusick	NO	Glick	Y	Malliotakis	NO	Pretlow	Y	Smullen	NO
Aubry	Y	Cymbrowitz	Y	Goodell	NO	Manktelow	NO	Quart	Y	Solages	Y
Barclay	NO	Davila	Y	Gottfried	Y	McDonald	Y	Ra	NO	Stec	NO
Barnwell	ER	De La Rosa	Y	Griffin	Y	McDonough	NO	Raia	NO	Steck	Y
Barrett	Y	DenDekker	Y	Gunther	Y	McMahon	Y	Ramos	Y	Stern	Y
Barron	Y	DeStefano	NO	Hawley	NO	Mikulin	NO	Raynor	Y	Stirpe	Y
Benedetto	Y	Dickens	Y	Hevesi	Y	Mill B	NO	Reilly	NO	Tague	NO
Bichotte	Y	Dilan	Y	Hunter	Y	Mill MG	NO	Reyes	Y	Taylor	NO
Blake	Y	Dinowitz	Y	Hyndman	Y	Mill ML	NO	Richardson	Y	Thiele	Y
Blankenbush	NO	DiPietro	NO	Jacobson	Y	Montesano	NO	Rivera	Y	Titus	Y
Brabenec	NO	D'Urso	Y	Jaffee	Y	Morinello	NO	Rodriguez	Y	Vanel	Y
Braunstein	Y	Eichenstein	NO	Jean-Pierre	Y	Mosley	Y	Romeo	Y	Walczyk	NO
Bronson	Y	Englebright	Y	Johns	NO	Niou	Y	Rose D	Y	Walker	Y
Buchwald	Y	Epstein	Y	Jones	Y	Nolan	Y	Rose L	Y	Wallace	Y
Burke	Y	Fahy	Y	Joyner	Y	Norris	NO	Rozic	Y	Walsh	NO
Buttenschon	NO	Fall	Y	Kim	Y	O'Donnell	Y	Ryan	Y	Weinstein	Y
Byrne	NO	Fernandez	Y	Kolb	NO	Ortiz	Y	Salka	NO	Weprin	Y
Byrnes	NO	Finch	ER	Lalor	NO	Otis	Y	Santabarbara	Y	Williams	Y
Cahill	Y	Fitzpatrick	NO	Lavine	Y	Palmesano	NO	Sayegh	Y	Woerner	Y
Carroll	Y	Friend	NO	Lawrence	NO	Palumbo	NO	Schimminger	ER	Wright	Y
Colton	NO	Frontus	Y	Lentol	ER	Paulin	Y	Schmitt	NO	Zebrowski	Y
Cook	Y	Galef	Y	Lifton	ER	Peoples-Stokes	Y	Seawright	Y	Mr Spkr	Y

See Senate vote below

**Senate roll call Floor Vote: Jan 22, 2019**

**NYS Senate A00021 - S240 Full-Term Abortion bill Aye supports the bill**

<p>aye (38)</p> <ul style="list-style-type: none"> <li><a href="#">Bailey</a></li> <li><a href="#">Benjamin</a></li> <li><a href="#">Biaggi</a></li> <li><a href="#">Breslin</a></li> <li><a href="#">Brooks</a></li> <li><a href="#">Carlucci</a></li> <li><a href="#">Comrie</a></li> <li><a href="#">Gaughran</a></li> <li><a href="#">Gianaris</a></li> <li><a href="#">Gounardes</a></li> <li><a href="#">Harckham</a></li> <li><a href="#">Hoylman</a></li> <li><a href="#">Jackson</a></li> <li><a href="#">Kaminsky</a></li> <li><a href="#">Kaplan</a></li> <li><a href="#">Kavanagh</a></li> <li><a href="#">Kennedy</a></li> <li><a href="#">Krueger</a></li> <li><a href="#">Liu</a></li> <li><a href="#">Martinez</a></li> </ul>	<p>nay (24)</p> <ul style="list-style-type: none"> <li>• <a href="#">Addabbo</a></li> <li>• <a href="#">Akshar</a></li> <li>• <a href="#">Amedore</a></li> <li>• <a href="#">Antonacci</a></li> <li>• <a href="#">Boyle</a></li> <li>• <a href="#">Felder</a></li> <li>• <a href="#">Funke</a></li> <li>• <a href="#">Gallivan</a></li> <li>• <a href="#">Griffo</a></li> <li>• <a href="#">Helming</a></li> <li>• <a href="#">Jacobs</a></li> <li>• <a href="#">Jordan</a></li> <li>• <a href="#">Lanza</a></li> <li>• <a href="#">LaValle</a></li> <li>• <a href="#">Little</a></li> <li>• <a href="#">O'Mara</a></li> <li>• <a href="#">Ortt</a></li> <li>• <a href="#">Ranzenhofer</a></li> <li>• <a href="#">Ritchie</a></li> <li>• <a href="#">Robach</a></li> <li>• <a href="#">Serino</a></li> </ul>
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<a href="#">May</a>	<ul style="list-style-type: none"> <li>• <a href="#">Seward</a></li> <li>• <a href="#">Tedisco</a></li> <li>• <a href="#">Young</a></li> </ul> <p>excused (1)</p> <ul style="list-style-type: none"> <li>• <a href="#">Flanagan</a></li> </ul>
<a href="#">Mayer</a>	
<a href="#">Metzger</a>	
<a href="#">Montgomery</a>	
<a href="#">Myrie</a>	
<a href="#">Parker</a>	
<a href="#">Persaud</a>	
<a href="#">Ramos</a>	
<a href="#">Rivera</a>	
<a href="#">Salazar</a>	
<a href="#">Sanders</a>	
<a href="#">Savino</a>	
<a href="#">Sepúlveda</a>	
<a href="#">Serrano</a>	
<a href="#">Skoufis</a>	
<a href="#">Stavisky</a>	
<a href="#">Stewart-</a>	
<a href="#">Cousins</a>	
<a href="#">Thomas</a>	

### 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