APPROVAL #61
CHAPTER #702

December 23, 2019

MEMORANDUM filed with Senate Bill 439-A, entitled:

“AN ACT to amend the executive law, in relation to reducing the use of PFAS chemicals in firefighting activities”

APPROVED

This bill would amend the Executive Law to prohibit the use of firefighting foam containing perfluoroalkyl and polyfluoroalkyl substances (PFAS) for training purposes and to prohibit the manufacturing of firefighting foam containing PFAS within two years of the effective date of the bill.

PFAS is the general name for a category of man-made chemicals used in a variety of products, including carpets, waterproof materials, and food packaging. One substance, perfluorooctane sulfonate, or PFOS, is found in certain firefighting foams and when used for training purposes or to prevent or suppress a fire, PFOS has the potential to contaminate and then persist in the environment.

I fully support the need to reduce the use of PFOS-containing firefighting foams and to encourage the development and use of safer alternatives. As written, the bill would correctly ban the use of firefighting foam containing PFAS for training purposes, but would also ban the use of all PFAS-containing firefighting agents when used to prevent or suppress fires from ignitable liquids as opposed to just flammable liquids. For this type of fire there are not yet effective alternatives to PFAS. Amendments to the bill are necessary to give the relevant state entity the discretion to decide when exceptions to the bill need to be made to allow for effective alterations that will maintain environmental safety. The Executive has secured an agreement with the Legislature to address these changes and on the basis of that agreement, I approve this bill.

This bill is approved.

[Signature]
MEMORANDUM filed with Assembly Bill 2850-A, entitled:

"AN ACT to amend the public health law, in relation to hospital domestic violence policies and procedures"

APPROVED

The bill would require every general hospital to have policies and procedures to identify, assess, and treat cases of domestic violence; train staff regarding domestic violence; designate staff to coordinate services to victims of domestic violence; contact organizations that assist victims of domestic violence; and give patients the option of requesting the presence of an individual who can provide support for a victim of domestic violence.

While I support the objective of this bill, amendments are needed to clarify the hospital’s role related to hospital domestic violence policies and procedures. The Executive has secured an agreement with the Legislature to address this concern. On that basis, I am signing this bill.

This bill is approved.

[Signature]

December 23, 2019
APPROVAL #80
CHAPTER #734
December 23, 2019

MEMORANDUM filed with Senate Bill 1456, entitled:

"AN ACT to amend the labor law, in relation to licenses to purchase, use, or store certain compounds"

APPROVED

This bill would amend the Labor Law to require a person to obtain a certificate from the Commissioner of the New York State Department of Labor to purchase, use, or store any two or more components that are advertised and sold together with instructions on how to combine the components to create any device designed or specially adapted to facilitate a detonation or combustion. This bill would also impose restrictions on granting a certificate and the sale or delivery of these components to individuals under eighteen years of age.

These components can be combined in sufficient quantities to make an explosive that can be used as a dangerous improvised explosive device. There is a significant risk that these commercially available components can be readily purchased together and combined to make an explosive for illicit purposes. Due to the significant public safety concern, the Executive and the Legislature have secured an agreement to classify these components as explosives under the Labor Law. Based on the foregoing reason, I am pleased to sign this bill.

This bill is approved.

[Signature]
MEMORANDUM filed with Senate Bill 2385, entitled:

"AN ACT to amend the environmental conservation law, in relation to establishing a permanent environmental justice advisory group and an environmental justice interagency coordinating council"

APPROVED

This bill would amend the Environmental Conservation Law to create a permanent environmental justice advisory group charged with developing a model environmental justice policy for all state agencies whose actions may have a significant effect on the environment. The bill would also create an interagency environmental justice coordinating council composed of state agency representatives, which would serve as a clearinghouse for agencies and the public on environmental justice matters.

Changes to the bill are needed to ensure the new advisory council’s powers and duties are appropriately tailored and administrative powers normally held by an executive agency are not delegated. The Executive and the Legislature have agreed on changes to the bill that will enable the new advisory group to achieve the important work of developing a model policy in an advisory capacity as well as make other technical changes needed to make the bill more easily implemented. On the basis of this agreement, I am pleased to sign this bill.

This bill is approved.

[Signature]
MEMORANDUM filed with Senate Bill 3631, entitled:

"AN ACT to amend the insurance law, in relation to expanding the availability of meaningful service contracts to protect New Yorkers leasing automobiles for their personal use from unanticipated "lease-end" charges related to excess use or wear and tear of the leased vehicle"

APPROVED

When customers turn in their vehicles at the end of a lease, they can be charged "lease-end" charges, ranging from scratched paint, seat damage, or excessively worn tires. This bill would allow car dealers to offer lessees service contracts to cover lease-end charges when they are incurred.

As drafted, the bill would allow for the sale of open-ended coverage that could involve indemnification for a vast array of vehicle damage. Such coverage is more akin to an insurance product. I have reached an agreement with the Legislature to narrow the focus of the coverage provided for in this bill to ensure this product conforms to the requirements of what is allowed under a service contract, rather than an insurance product. On that basis, I am signing this bill.

This bill is approved.

[Signature]
APPROVAL #83
CHAPTER #737

December 23, 2019

MEMORANDUM filed with Senate Bill 3966-A, entitled:

"AN ACT to amend the executive law, in relation to enacting the "safe way home act"

APPROVED

This bill creates a safe way home transportation program for victims of sexual assault and victim advocates. After such a devastating, traumatic experience, victims should not be forced to bear the worry or the cost of getting home safely. This bill will provide a safe means of transportation home for victims of these heinous acts. Amendments to the legislation were necessary to preserve federal funding for this program.

The Executive has secured an agreement with the Legislature to make those amendments, and therefore, I am signing this bill.

This bill is approved.

[Signature]
APPROVAL #84
CHAPTER #738

December 23, 2019

MEMORANDUM filed with Senate Bill 4173-A, entitled:

"AN ACT to amend the general municipal law, in relation to proof of eligibility for volunteer firefighter enhanced cancer disability benefits; and providing for the repeal of such provisions upon expiration thereof"

APPROVED

This bill would amend the General Municipal Law to allow the New York State Division of Homeland Security & Emergency Services, Office of Fire Prevention and Control to determine alternative documentation that could be used by firefighters to meet the eligibility requirements for the volunteer firefighter enhanced cancer disability benefits program.

Volunteer firefighters perform a crucial job in their communities. In unfortunate circumstances, they may develop cancer as a result of their job functions and may not have health insurance or disability insurance to cover significant costs associated with their illness. This bill would remove an obstacle to access this program. The Executive has secured an agreement with the Legislature to pass legislation in the upcoming session that allows additional alternative documentation to be used to verify their eligibility for the program. Based on that agreement, I am pleased to sign this bill.

This bill is approved.

\[Signature\]
MEMORANDUM filed with Senate Bill 5225-A, entitled:

"AN ACT to amend the vehicle and traffic law, in relation to the licensing of drivers where there is evidence of the loss of consciousness by such person"

APPROVED

This bill would, upon receipt of a report from a law enforcement officer, a medical professional, or a concerned citizen, that a licensed driver who has had a loss of consciousness episode that threatens their ability to safely drive, empower the Commissioner of the Department of Motor Vehicles (the "Department") to immediately suspend the license of the driver and provide for a suspension hearing within thirty days. Currently, upon receipt of such evidence, a driver is given a thirty day grace period to prove to the Department that they are safe to drive, during which time they maintain their driving privileges.

Recent tragedies have shown that allowing drivers who have had a loss of consciousness episode to temporarily maintain their driving privileges carries an unacceptable risk to the driving public. I am therefore signing this bill to ensure that proper investigation on the safety of the subject driver takes place before they are allowed back on the roadways.

The bill as written created an unintentional administrative loophole that would have prevented the Department from enforcing a loss of consciousness suspension or revocation. As a result, there has been an agreement between the Executive and the Legislature to make this bill subject to a chapter amendment which will provide for the effective administration of this provision.

This bill is approved.

[Signature]
MEMORANDUM filed with Senate Bill Number 1864, entitled:

“AN ACT to amend the real property tax law, in relation to the redemption of real property subject to a delinquent tax lien”

APPROVED

This bill seeks to help local governments address the critical problem of vacant and abandoned properties by allowing those taxing districts whose municipal foreclosure process is governed by Article 11 of the Real Property Tax Law to reduce the redemption period for vacant and abandoned residential real property to one year under certain circumstances. The bill would also establish new procedures for determining whether residential property may be considered vacant and abandoned for this purpose.

This bill, which expedites the foreclosure process for these abandoned and unmaintained properties, complements the ongoing efforts of my administration to address the problem of Zombie properties that are plaguing communities across the state. However, some of the bill’s provisions do not fit neatly with our existing in rem foreclosure laws. For example, the bill allows the redemption period to be reduced to one year, but does not make conforming amendments to the provisions of Article 11 that govern other minimum time periods in the foreclosure process. The bill also appears to allow cities, towns and villages to opt into this new expedited foreclosure process even when their delinquent taxes are actually enforced at the county level, as is generally the case. And, because an owner’s only recourse under the new “expedited” process would be judicial review via a CPLR Article 78 proceeding, it could take longer to conclude a foreclosure proceeding under this bill than it does under existing law.

Though this bill would be administered by local government officials at local option, I am concerned that if these legal impediments are not resolved, they will find that this bill does not fully achieve its intended purpose. Accordingly, I am directing my staff to work with the Legislature to address these infirmities in the next Legislative session.

This bill is approved.

[Signature]