



NEW YORK STATE SENATOR
Kenneth P. LaValle

LaValle Legislation Passes Senate

KENNETH P. LAVALLE May 2, 2012

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New York State Senator Kenneth P. LaValle (R,C,I – Port Jefferson) reports that several of his bills were passed in the New York State Senate this week and now await action by the Assembly.

LaValle said the bills passed this week:

- S1076 requires a fiscal note prior to the adoption of a resolution, alteration, or amendment to the rules and regulations by the SUNY Board of Trustees, the CUNY Board of Trustees or the Board of Regents
- S1809 amends section 356 of the education law, which provides for councils of state-operated colleges and universities to establish that council members who do not attend and have not been excused from three of the four meetings shall no longer serve as members of the council and shall notify the governor in writing of such vacancy
- S816 amends the social services law, in relation to evenly distributing a certain annual service fee between a custodial and noncustodial parent.
- S1458 allows county, city and town social services departments to enter into an agreement with the State Department of Health granting access to the official list of death certificates on file with the Department

S1076:

“Under current law, a fiscal note is not required prior to the adoption of a resolution, alteration, or amendment to the rules and regulations by the SUNY Board of Trustees, the CUNY Board of Trustees or the Board of Regents,” Senator LaValle said and there are many instances when these boards have adopted resolutions that require significant increases in state funding in order to implement proposed changes.”

“The public should be made fully aware of the potential costs associated with policy or regulation changes being proposed. In addition, if presented with a realistic assessment of such costs, boards may be more willing to require staff to pursue alternative proposals that may address the particular issue but limit the overall cost to the state.” LaValle added.

“My bill will force these boards to recognize the true costs associated with their proposals and be responsible for their advancement,” LaValle said.

S1458:

This legislation allows county, city and town social services departments to enter into an agreement with the State Department of Health granting access to the official list of death certificates on file with the Department.

“Death certificates are not public records,” LaValle said, “and acquiring them can be an onerous task for social service agencies.”

“Quicker access to these vital records could, in some instances, assist in the prevention of public assistance abuse. This measure would provide social service agencies with a more streamlined and timely procedure to obtain information on reported deaths by submitting a list of clients names and other identifying information and cross-checking it against the Department's official list of deaths,” LaValle said.

S1809:

Under section 356 of the education law each of the state-operated colleges and universities is supervised locally by a college council consistent with the rules established by the SUNY Board of Trustees. The college councils provide local oversight of the institutions operation. They are responsible to review and make recommendations regarding changes in institutional plans, regulations regarding the care and management of buildings and the conduct of students.

Subsection one of the bill amends the law to establish that council members who do not attend and have not been excused from three of the four meetings as required by this section shall no longer serve as members of the council and shall notify the governor in writing of such vacancy.

Subsection 2-a is added to require that one of the four regular meetings be conducted during the fall semester at which time the president of the campus shall report on the state of the college.

Section 4 adds a provision stating that each council may establish subcommittees which would assist the council with duties outlined in Section 3 of this bill.

“This legislation is intended to encourage members to take a more structured and active role in the general operation and governance of the respective college campuses,” LaValle said.

Many of the college council members bring varied experiences and resources to the college and can provide insight and guidance from a local and regional perspective. This legislation supports the expansion of those efforts and provides a structure to encourage members to use their expertise and management to the betterment of the college,” LaValle said.

S816:

In 2005, the federal government enacted the Federal Deficit Reduction Act of 2005 where by a \$25 fee was imposed on child support payments. The fee is collected after the custodial parent has received \$500 in support payments for the year, the federal government keeps two-thirds of the fee and the state and local governments keep the rest. States were given a choice as to how to collect the fee; pay the amount of what each fee would generate in said state or choose which parent, custodial or noncustodial, to recoup the fee from. New York has chosen to collect the fee from the parent who receives the support payments.

“Many single parents across the state rely on child support payments as a means to live. Families, especially in these difficult economic times, are being forced to make hard financial decisions. It is the goal of this legislation to remove the entire financial obligation of this fee on the custodial parent, and divide the collection of the fee between the custodial and noncustodial parent,” LaValle said.