

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 May 22, 2017

11 3:30 p.m.

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13
14 REGULAR SESSION

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18 SENATOR THOMAS D. CROCI, Acting President

19 FRANCIS W. PATIENCE, Secretary

1 P R O C E E D I N G S

2 ACTING PRESIDENT CROCI: The
3 Senate will come to order.

4 I ask everyone present to please
5 rise and repeat with me the Pledge of
6 Allegiance.

7 (Whereupon, the assemblage recited
8 the Pledge of Allegiance to the Flag.)

9 ACTING PRESIDENT CROCI: Today we
10 have Pastor Guerschom Joseph, Pool of Bethesda
11 Ministries, from Spring Valley, to deliver our
12 invocation.

13 Pastor.

14 PASTOR JOSEPH: God, first and
15 foremost, we thank You for being God. No one
16 can love us like You. Despite our flaws and
17 shortcomings, You love us unconditionally.

18 God, thank You for each and every
19 elected official that's here in this room. God,
20 I ask You to guide them and provide them Your
21 leadership. God, I ask You that You would
22 provide them the vision of Nehemiah, the insight
23 of Moses, the wisdom of Solomon, and the
24 compassion of Your son, Jesus Christ.

25 Guide them every step of the way as

1 they prepare to carry out the arduous task in
2 front of them. And we will give You all the
3 praise, we will give You all the honor, we will
4 give You all the glory.

5 In the magnificent, wonderful,
6 gracious, beautiful name of Jesus Christ, our
7 Lord and Savior, we pray. Amen.

8 ACTING PRESIDENT CROCI: The
9 reading of the Journal.

10 THE SECRETARY: In Senate, Sunday,
11 May 21st, the Senate met pursuant to
12 adjournment. The Journal of Saturday, May 20th,
13 was read and approved. On motion, Senate
14 adjourned.

15 ACTING PRESIDENT CROCI: Without
16 objection, the Journal stands approved as read.

17 Presentation of petitions.

18 Messages from the Assembly.

19 The Secretary will read.

20 THE SECRETARY: On page 25,
21 Senator Young moves to discharge, from the
22 Committee on Elections, Assembly Bill Number
23 6907A and substitute it for the identical Senate
24 Bill 443A, Third Reading Calendar 311.

25 On page 49, Senator Savino moves to

1 discharge, from the Committee on Elections,
2 Assembly Bill Number 280 and substitute it for
3 the identical Senate Bill 5258, Third Reading
4 Calendar 684.

5 ACTING PRESIDENT CROCI: The
6 substitutions are so ordered.

7 Messages from the Governor.

8 Reports of standing committees.

9 Reports of select committees.

10 Communications and reports from
11 state officers.

12 Motions and resolutions.

13 Senator DeFrancisco.

14 SENATOR DeFRANCISCO: Yes, I move
15 that the following bill, Senate 4531, by Senator
16 Helming, be discharged from its respective
17 committee and be recommitted with instructions
18 to strike the enacting clause.

19 ACTING PRESIDENT CROCI: So
20 ordered.

21 SENATOR DeFRANCISCO: I wish to
22 call up Senator Lanza's bill, Print Number
23 4407A, recalled from the Assembly, which is now
24 at the desk.

25 ACTING PRESIDENT CROCI: The

1 Secretary will read the title of the bill.

2 THE SECRETARY: Calendar Number
3 404, by Senator Lanza, Senate Print 4407A, an act
4 to amend the Domestic Relations Law.

5 SENATOR DeFRANCISCO: I now move to
6 reconsider the vote by which the bill was passed.

7 ACTING PRESIDENT CROCI: Please
8 call the roll on reconsideration.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 45.

11 ACTING PRESIDENT CROCI: The bill
12 is restored to its place on the Third Reading
13 Calendar.

14 SENATOR DeFRANCISCO: I now offer
15 the following amendments.

16 ACTING PRESIDENT CROCI: The
17 amendments are received, and the bill does retain
18 its place on the Third Reading Calendar.

19 SENATOR DeFRANCISCO: Amendments
20 are offered to the following Third Reading
21 Calendar bills:

22 By Senator Funke, page 27, Calendar
23 351, Senate Print 3892;

24 By Senator Lanza, page 29, Calendar
25 369, Senate Print 2629;

1 By Senator Marchione, page 35,
2 Calendar 477, Senate Print 4574;

3 By Senator Golden, page 40, Calendar
4 565, Senate Print 5118A;

5 By Senator Murphy, page 41, Calendar
6 580, Senate Print 5315;

7 By myself, page 44, Calendar 623,
8 Senate Print 3984;

9 By Senator Bonacic, page 45,
10 Calendar 630, Senate Print 4868;

11 By Senator LaValle, page 45,
12 Calendar 633, Senate Print 2487;

13 By Senator Young, page 45,
14 Calendar 636, Senate Print 5462;

15 By Senator Murphy, page 55,
16 Calendar 762, Senate Print 5676;

17 By Senator Marcellino, page 60,
18 Calendar 821, Senate Print 1146.

19 I now move that these bills retain
20 their place on the order of third reading.

21 ACTING PRESIDENT CROCI: The
22 amendments are received, and all the bills shall
23 retain their place on the Third Reading Calendar.

24 SENATOR DeFRANCISCO: Would you
25 please recognize Senator Valesky.

1 ACTING PRESIDENT CROCI: Senator
2 Valesky.

3 SENATOR VALESKY: Thank you,
4 Mr. President.

5 I move that the following bill be
6 discharged from its respective committee and be
7 recommitted with instructions to strike the
8 enacting clause. It's Senator Avella's bill,
9 1872.

10 ACTING PRESIDENT CROCI: So
11 ordered.

12 SENATOR VALESKY: And on behalf of
13 Senator Carlucci, on page 23 I offer the
14 following amendments to Calendar 253, Senate Bill
15 4055A, and ask that said bill retain its place on
16 the Third Reading Calendar.

17 ACTING PRESIDENT CROCI: The
18 amendments are received, and the bill retains its
19 place on the Third Reading Calendar.

20 SENATOR VALESKY: And this is also
21 on behalf of Senator Carlucci. And I wish to
22 call up his bill, Print 4723, recalled from the
23 Assembly, which is now at the desk.

24 ACTING PRESIDENT CROCI: The
25 Secretary will read the title of the bill.

1 THE SECRETARY: Calendar Number
2 461, by Senator Carlucci, Senate Print 4723, an
3 act to amend the Town Law.

4 SENATOR VALESKY: Mr. President, I
5 now move to reconsider the vote by which this
6 bill was passed.

7 ACTING PRESIDENT CROCI: Call the
8 roll on reconsideration.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 52.

11 ACTING PRESIDENT CROCI: The bill
12 is restored to its place on the Third Reading
13 Calendar.

14 SENATOR VALESKY: Thank you. I now
15 offer the following amendments.

16 ACTING PRESIDENT CROCI: The
17 amendments are received, and the bill retains its
18 place on the Third Reading Calendar.

19 Senator DeFrancisco.

20 SENATOR DeFRANCISCO: Would you
21 please take up previously adopted
22 Resolution 1451, by Senator Griffo, read it in
23 its entirety, and call on Senator Griffo to
24 speak.

25 ACTING PRESIDENT CROCI: The

1 Secretary will read.

2 THE SECRETARY: Legislative
3 Resolution Number 1451, by Senator Griffo,
4 congratulating Hunter Richard upon the occasion
5 of capturing the 152-pound Division II Wrestling
6 Title at the New York State Public High School
7 Athletic Association Wrestling Championships.

8 "WHEREAS, Excellence and success in
9 competitive sports can be achieved only through
10 strenuous practice, team play and team spirit,
11 nurtured by dedicated coaching and strategic
12 planning; and

13 "WHEREAS, Athletic competition
14 enhances the moral and physical development of
15 the young people of this state, preparing them
16 for the future by instilling in them the value of
17 teamwork, encouraging a standard of healthy
18 living, imparting a desire for success and
19 developing a sense of fair play and competition;
20 and

21 "WHEREAS, This Legislative Body is
22 justly proud to congratulate Hunter Richard upon
23 the occasion of capturing the 152-pound Division
24 II Wrestling Title at the New York State Public
25 High School Athletic Association Wrestling

1 Championships on Saturday, February 25, 2017, at
2 the Times Union Center in Albany, New York; and

3 "WHEREAS, A senior at Holland Patent
4 High School in Holland Patent, New York, Hunter
5 Richard won his third consecutive state crown
6 with an impressive 4-1 victory over his opponent
7 from Phoenix High School in the Division II
8 final; and

9 "WHEREAS, Hunter Richard finished
10 his season 47-0, with 31 pins, and for his
11 career, 265 wins and 25 loses; and

12 "WHEREAS, The athletic talent
13 displayed by this exceptional young man is due in
14 great part to the efforts of his father and coach
15 John Richard, a skilled and inspirational tutor,
16 respected for his ability to develop potential
17 into excellence; and

18 "WHEREAS, Hunter Richard's overall
19 record is outstanding, and he was loyally and
20 enthusiastically supported by family, fans,
21 friends and the community at large; and

22 "WHEREAS, Athletically and
23 academically, Hunter Richard has proven himself
24 to be an unbeatable combination of talents,
25 reflecting favorably on his school; and

1 "WHEREAS, Coach John Richard has
2 done a superb job in guiding, molding and
3 inspiring this gifted young grappler toward his
4 goals; and

5 "WHEREAS, Sports competition
6 instills the values of teamwork, pride and
7 accomplishment, and Hunter Richard has clearly
8 made a contribution to the spirit of excellence
9 which is a tradition of his school; now,
10 therefore, be it

11 "RESOLVED, That this Legislative
12 Body pause in its deliberations to congratulate
13 Hunter Richard upon the occasion of capturing the
14 152-pound Division II Wrestling Title at the
15 New York State Public High School Athletic
16 Association Wrestling Championships; and be it
17 further

18 "RESOLVED, That copies of this
19 resolution, suitably engrossed, be transmitted to
20 Hunter Richard and Coach John Richard."

21 ACTING PRESIDENT CROCI: Senator
22 Griffo.

23 SENATOR GRIFFO: Thank you,
24 Mr. President.

25 This is quite an impressive young

1 man, and I'm fortunate that Hunter is here with
2 us today, along with his dad and mom.

3 If you look at the -- you heard of
4 all of the great attributes of this young man.
5 Not only is he an outstanding athlete who has won
6 three state championships in three different
7 weight classes, but he is also an exceptional
8 student. In fact, he'll be heading to Cornell
9 this fall.

10 So this is the type of individual I
11 think that can be an excellent role model for so
12 many other young people as we look to what is
13 happening not only in interscholastic sports, but
14 also in the academic world.

15 Hunter's been a very fortunate young
16 man because he was raised in a great family home.
17 His dad and mom really showed him a lot of love
18 and concern and guidance through the years. I
19 know the family. They have an excellent
20 reputation; they are of the highest character and
21 integrity.

22 And Hunter's dad John was his coach.
23 Now, that can't be an easy thing all the time, to
24 be living with dad and then also to go to
25 practice and have dad on you. But I think he

1 instilled -- and his mom Gina will tell the story
2 about how as a young man he set goals, that he
3 would become a state champion. And I think
4 that's so impressive to see that young man who
5 had that type of vision, that type of commitment,
6 and then put together the dedication that is so
7 necessary -- that commitment not only to
8 excellence in athletics, but also in school and
9 also in his community.

10 So today I'm very proud to have
11 Hunter with me as well as his dad and mom, John
12 and Gina Richard. With them also is the
13 principal, Russ Stevener, and also the
14 superintendent of schools, Jason Evangelist.

15 So I would like to ask the chamber
16 today, Mr. President, to recognize and join with
17 me in extending the courtesies of the house to
18 Coach Richard and Gina and most of all to Hunter,
19 who has been an extraordinary student-athlete.

20 Congratulations on three
21 championships and acceptance into Cornell
22 University.

23 (Standing ovation.)

24 ACTING PRESIDENT CROCI: To Hunter,
25 to Mr. and Mrs. Richard, and to your principal

1 and superintendent, we send -- the Senate
2 congratulates you on your great success, and we
3 wish you every success in your collegiate future
4 at Cornell University. Congratulations.

5 Senator DeFrancisco.

6 SENATOR DeFRANCISCO: Can we take
7 up previously adopted Resolution 1811, by
8 Senator Bonacic, read it in its entirety, and
9 call on Senator Bonacic.

10 ACTING PRESIDENT CROCI: The
11 Secretary will read.

12 THE SECRETARY: Legislative
13 Resolution Number 1811, by Senator Bonacic,
14 memorializing Governor Andrew M. Cuomo to
15 proclaim May 21-23, 2017, as the 82nd Annual 4-H
16 Capital Days in the State of New York.

17 "WHEREAS, In the course of the
18 evolving development of this Empire State, if the
19 ingredients of shared concern and responsive
20 endeavor combine in the symmetry of a commitment
21 to governance, there have emerged among the
22 facilities of the State of New York certain dates
23 which warrant commemoration; and

24 "WHEREAS, Attendant to such concern,
25 and in full accord with its long-standing

1 traditions, it is the sense of this Legislative
2 Body to memorialize Governor Andrew M. Cuomo to
3 proclaim May 21-23, 2017, as the 82nd Annual 4-H
4 Capital Days in the State of New York; and

5 "WHEREAS, The event, which is
6 coordinated by the New York State Association of
7 Cornell Cooperative Extension 4-H Youth
8 Development Educators, will involve approximately
9 100 participants representing every county in
10 New York State; and

11 "WHEREAS, The objectives of 4-H
12 Capital Days are: to achieve a better
13 understanding of the public policy process from a
14 state government perspective; to gain a better
15 understanding of state-local government
16 relations; to provide an opportunity for
17 delegates to meet and interact with their
18 legislators; to create an awareness of career
19 opportunities in New York State government; and
20 to meet and exchange experiences with delegates
21 from other counties; and

22 "WHEREAS, The rich history of 4-H
23 Capital Days is recorded in the Cooperative
24 Extension's Archives with photographs of
25 4-H members with past Governors; in the 1940s, a

1 meal at the Governor's Mansion was part of this
2 event and a treasured memory for all those who
3 attended; and

4 "WHEREAS, The 4-H Capital Days
5 program is specifically designed to allow for
6 greater participation in the machinery of
7 governance; this program focuses upon the
8 legislative process, with an explanation of
9 procedures and methods; and

10 "WHEREAS, Through their sustained
11 interest in the method and process of governance,
12 the 2017 participants in the 82nd Annual 4-H
13 Capital Days program will so advance that spirit
14 of united purpose and shared concern which is the
15 unalterable manifestation of our American
16 experience; now, therefore, be it

17 "RESOLVED, That this Legislative
18 Body pause in its deliberations to memorialize
19 Governor Andrew M. Cuomo to proclaim May 21-23,
20 2017, as the 82nd Annual 4-H Capital Days in the
21 State of New York, fully confident that this
22 program is so clearly in accord with our shared
23 commitment to preserve and to enhance the legacy
24 which is our American heritage; and be it further

25 "RESOLVED, That a copy of this

1 resolution, suitably engrossed, be transmitted to
2 the Honorable Andrew M. Cuomo, Governor of the
3 State of New York."

4 ACTING PRESIDENT CROCI: Senator
5 Bonacic.

6 SENATOR BONACIC: Thank you,
7 Mr. President.

8 It's amazing that this is the 82nd
9 year we've been having 4-H Capital Days. And I
10 remember when the 4-H representatives used to
11 come to Albany and we kind of met with you, we
12 took pictures, and we talked about agriculture
13 and you treated us to some breakfast and dairy
14 products.

15 And now, when I looked more deeply
16 into how big this program is, I was amazed. And
17 let me share some statistics, if I can, with the
18 Legislature.

19 First of all, if you look at the
20 gallery behind you, these are representatives of
21 4-H from all the counties throughout the State of
22 New York. And 4-H reaches 6 million young
23 people, with over 100 public universities. Their
24 programs are delivered by 3500 professionals.
25 And are you ready for this? Five hundred

1 thousand volunteers.

2 In addition, as they go through
3 school and community clubs and after-school
4 programs and 4-H camps, they learn about an
5 assortment of things -- health, science,
6 agriculture, citizenship, STEM education, and how
7 government works.

8 So of the 170,000 young people that
9 participate in 4-H, I say thank you. And with
10 that learning experience in 4-H, plus your formal
11 education, I expect you to be the leaders of
12 tomorrow.

13 Thank you, Mr. President. And I'd
14 like to welcome all of our 4-H representatives
15 that are up there in the gallery, if we may.

16 ACTING PRESIDENT CROCI: To all the
17 representatives of 4-H who have joined us today,
18 congratulations on your great success in this
19 program. We welcome you to the Senate, and we
20 extend all of the privileges and courtesies of
21 the house. If you would please rise and be
22 recognized by this house.

23 (Standing ovation.)

24 ACTING PRESIDENT CROCI: This
25 resolution and Senator Griffo's resolution have

1 been opened for cosponsorship. If you would like
2 to be a cosponsor, please notify the desk.

3 Senator DeFrancisco.

4 SENATOR DeFRANCISCO: Yes, can you
5 please call on Senator Carlucci for an
6 introduction of an important group of visitors
7 today.

8 ACTING PRESIDENT CROCI: Senator
9 Carlucci.

10 SENATOR CARLUCCI: Thank you,
11 Mr. President.

12 It's an absolute honor and a
13 privilege to welcome my friends from Rockland
14 County and from throughout New York State to
15 celebrate Haitian Unity Day here in the State of
16 New York --

17 ACTING PRESIDENT CROCI: Excuse me,
18 Senator Carlucci.

19 If we could take any conversations
20 outside and have a little order in the house for
21 Senator Carlucci's introduction.

22 Senator Carlucci.

23 SENATOR CARLUCCI: Thank you,
24 Mr. President.

25 And like I was saying, in New York

1 State we're proud that we have over 400,000
2 Haitian-Americans living here in New York State.
3 That makes us the second most populated state of
4 Haitian-Americans in the country.

5 And in fact where I live, in
6 Rockland County, we are so proud because we have
7 one of the largest Haitian-American populations
8 in the country right in Rockland County. In
9 fact, in the Village of Spring Valley, which is
10 one of the largest villages in the State of
11 New York, over 23 percent of its population are
12 Haitian-Americans.

13 In fact, I was talking to Jawonio
14 today, which is a premier organization that helps
15 people with developmental disabilities. Their
16 workforce is made of up of 7 percent of Haitians
17 that unfortunately right now are concerned about
18 their temporary protective status.

19 And this is something that we've got
20 to push for, to make sure that the people like
21 them and the 58,000 Haitians living in our
22 country today that are here because of the
23 temporary protective status granted by President
24 Obama, that that is reextended. The deadline is
25 July 22nd, and we've got to make sure, for the

1 purposes of our state, that that is extended.

2 The Haitian community in Rockland is
3 robust, and the Haitian community in New York
4 State is so vibrant. It's added so much to our
5 economy, to our culture, to the character of
6 New York State. And we've got to make sure that
7 continues.

8 So we're honored today that we had
9 Pastor Joseph give the invocation. And we're so
10 happy that you're here with us celebrating in the
11 New York State Senate.

12 And I would ask, Mr. President, if
13 you would join me in giving a round of applause
14 for our guests here today. Thank you so much for
15 the indulgence.

16 (Standing ovation.)

17 ACTING PRESIDENT CROCI: Senator
18 Comrie.

19 SENATOR COMRIE: Thank you. I want
20 to join Senator Carlucci in also welcoming the
21 Haitian delegation here today from all over the
22 state.

23 I want to note that I have the
24 second-highest amount of Haitian-American
25 residents in my district, at almost 16,000

1 residents that live in my district, and have the
2 highest rate of single-family homeownership -- I
3 think anywhere in the country -- in the
4 14th Senatorial District.

5 So I want to thank you for coming to
6 Albany today. I want to ask you to come back to
7 Albany so that you can advocate for all of the
8 issues and concerns that you have as homeowners,
9 as businesspeople, as parents. As people that
10 are working to provide to our state, you are
11 entitled to be able to come and lobby us and see
12 us at any time.

13 So on behalf of the residents of the
14 14th Senatorial District in Queen, I welcome you
15 to Albany today. Thank you for being here.

16 (Applause from gallery.)

17 ACTING PRESIDENT CROCI: Senator
18 Sanders.

19 SENATOR SANDERS: Thank you,
20 Mr. President.

21 Since 1804, the Haitians have led
22 the world forward in the cause of liberty, of
23 freedom and fraternity. This is a community that
24 understands that it must seize the political
25 goodwill. It's a community that understands that

1 only by unity will we be able to do many things.

2 Although they've had to pay harsh
3 prices -- they had to defeat the Spaniards, they
4 had to defeat the English, they had to defeat the
5 French, they had to defeat the French again --
6 they kept the unity together, they've kept their
7 independence, and they've paid an incredibly hard
8 price for it.

9 It would be good if the world
10 community recognized them and said that -- and
11 asked France and other nations to give back the
12 money that they had to pay, to give it back and
13 put it into a way that they can build, rebuild
14 the country that was looted so many years ago.

15 So I'm very grateful that my
16 compatriots have shown up. Incidentally, they
17 also fought in the -- the Haitians also fought in
18 the American Revolution.

19 (Applause from gallery.)

20 SENATOR SANDERS: So I'm glad that
21 they're here, but we have so much more of a
22 journey to take, a journey where we ask this
23 government to pressure other governments, give
24 back the money that was taken so Haiti can use it
25 to rebuild itself, and let the sons and daughters

1 of Haiti who live in the Americas today be first
2 among them going back and teaching the folk how
3 to move forward.

4 Thank you very much.

5 (Applause from gallery.)

6 ACTING PRESIDENT CROCI: Senator
7 Parker.

8 SENATOR PARKER: Thank you,
9 Mr. President.

10 I want to add my voice to my
11 colleagues' in this introduction on Haitian Unity
12 Day, within the shadow of dejame {ph}, which is
13 Haitian Flag Day, on the 18th of May, last week.

14 As many of you know, I represent the
15 largest concentration of Haitian people outside
16 of Haiti in the world, in the 21st District in
17 Brooklyn, which is Flatbush and East Flatbush,
18 Midwood, Ditmas Park, Windsor Terrace and
19 Park Slope. I'm sure that many of our folks here
20 from Spring Valley have been in my district and
21 probably eaten at YoYo or have heard me on
22 Radio Soleil or Radio Panou.

23 But I want to welcome them here and
24 just add to how in -- the importance of the
25 Haitian community, you know, not just in my

1 district, but across the State of New York and
2 for the United States. If you don't understand
3 Haitian history, you don't understand the history
4 of the Western Hemisphere. We do not get a free
5 United States without a free Haiti. We don't get
6 a free Caribbean, a free Jamaica, a free
7 Trinidad, a free Guyana, without a free Haiti.

8 And so we want to thank them for
9 their fighting spirit. This is a country and a
10 people who have been under great duress for a
11 very, very long time, and still they rise. And I
12 am standing today not just to recognize them, but
13 to continue to recommit myself to say that their
14 struggles are my struggles. And not just here in
15 New York -- in Spring Valley or Baldwin or
16 Rosemont or all the other places that we find
17 enclaves of Haitian people in the State of
18 New York -- but also in Haiti.

19 We have a number of -- now even a
20 delegation of Haitian representatives here in the
21 State Legislature with Rodneyse Bichotte,
22 representing my area; Clyde Vanel, from Queens;
23 Michaelle Solages, from Long Island; Kimberly
24 Jean-Pierre, also from Long Island -- and I think
25 more to come.

1 So we welcome them. I'm told that
2 we have two esteemed guests who are senators in
3 Haiti who are with us today, so we want to
4 recognize them as well.

5 This is a body in which we don't
6 necessarily deal with a lot of international
7 issues, but I want to add my voice to Senator
8 Carlucci's in asking the federal government to
9 continue the temporary protective status that the
10 Haitian community has now. It's an important
11 thing, not just for that community but for
12 Americans.

13 And so we want to continue to push
14 that, but we also collectively need to be pushing
15 both the World Bank and the IMF to forgive the
16 over a billion dollars in debt that they put
17 Haiti in that continues to keep their economy
18 sluggish.

19 And so there's lots of work to be
20 done. I'm looking forward to our work together.

21 (Applause from gallery.)

22 ACTING PRESIDENT CROCI: Senator
23 DeFrancisco.

24 SENATOR DeFRANCISCO: Yes, can we
25 take up the noncontroversial reading of the

1 calendar.

2 ACTING PRESIDENT CROCI: The
3 Secretary will read.

4 THE SECRETARY: Calendar Number 63,
5 by Senator Marchione, Senate Print 196A, an act
6 to amend the Criminal Procedure Law.

7 ACTING PRESIDENT CROCI: Read the
8 last section.

9 THE SECRETARY: Section 4. This
10 act shall take effect immediately.

11 ACTING PRESIDENT CROCI: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 60.

15 ACTING PRESIDENT CROCI: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 121, by Senator Marcellino, Senate Print 1296B,
19 an act authorizing.

20 ACTING PRESIDENT CROCI: Read the
21 last section.

22 THE SECRETARY: Section 2. This
23 act shall take effect immediately.

24 ACTING PRESIDENT CROCI: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 58. Nays, 2.

3 Senators Akshar and Bonacic recorded in the
4 negative.

5 ACTING PRESIDENT CROCI: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 123, by Senator Avella, Senate Print 1408, an act
9 to amend the Real Property Tax Law.

10 SENATOR GIANARIS: Lay it aside,
11 please.

12 ACTING PRESIDENT CROCI: The bill
13 will be laid aside.

14 THE SECRETARY: Calendar Number
15 131, by Senator Ortt, Senate Print 244, an act to
16 amend the State Administrative Procedure Act.

17 ACTING PRESIDENT CROCI: Read the
18 last section.

19 THE SECRETARY: Section 2. This
20 act shall take effect on the 60th day.

21 ACTING PRESIDENT CROCI: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 60.

25 ACTING PRESIDENT CROCI: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 271, by Senator Golden, Senate Print 3670, an act
4 to amend the Retirement and Social Security Law.

5 ACTING PRESIDENT CROCI: Read the
6 last section.

7 THE SECRETARY: Section 6. This
8 act shall take effect immediately.

9 ACTING PRESIDENT CROCI: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT CROCI: Announce
13 the results.

14 THE SECRETARY: Ayes, 58. Nays, 2.
15 Senators Comrie and Little recorded in the
16 negative.

17 ACTING PRESIDENT CROCI: The bill
18 is passed. (Pause.)

19 Reannounce the result on Calendar
20 271.

21 THE SECRETARY: Ayes, 59. Nays, 1.
22 Senator Little recorded in the negative.

23 ACTING PRESIDENT CROCI: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 289, by Senator Serino, Senate Print 2165, an act
2 to amend the Uniform Justice Court Act.

3 ACTING PRESIDENT CROCI: Read the
4 last section.

5 THE SECRETARY: Section 2. This
6 act shall take effect immediately.

7 ACTING PRESIDENT CROCI: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT CROCI: Announce
11 the result.

12 THE SECRETARY: In relation to
13 Calendar 289, those recorded in the negative are
14 Senators Bailey, Breslin, Comrie, DeFrancisco,
15 Gianaris, Hoylman, Krueger, Montgomery, Rivera,
16 Sanders, Serrano, Squadron and Stavisky.

17 Ayes, 47. Nays, 13.

18 ACTING PRESIDENT CROCI: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 311, substituted earlier by Member of the
22 Assembly Hunter, Assembly Print 6907A, an act to
23 amend the Election Law.

24 ACTING PRESIDENT CROCI: Read the
25 last section.

1 THE SECRETARY: Section 2. This
2 act shall take effect on the 180th day.

3 ACTING PRESIDENT CROCI: Call the
4 roll.

5 THE SECRETARY: Ayes, 60.

6 ACTING PRESIDENT CROCI: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 314, by Senator Avella, Senate Print 1567A, an
10 act to amend the Election Law.

11 ACTING PRESIDENT CROCI: Read the
12 last section.

13 THE SECRETARY: Section 3. This
14 act shall take effect on the first of December.

15 ACTING PRESIDENT CROCI: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 59. Nays, 1.
19 Senator DeFrancisco recorded in the negative.

20 ACTING PRESIDENT CROCI: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 316, by Senator Akshar, Senate Print 2786, an act
24 to amend the Election Law.

25 ACTING PRESIDENT CROCI: Read the

1 last section.

2 THE SECRETARY: Section 2. This
3 act shall take effect immediately.

4 ACTING PRESIDENT CROCI: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT CROCI: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar 316, those recorded in the negative are
11 Senators Alcantara, Avella, Dilan, Hoylman,
12 Ranzenhofer and Squadron.

13 Ayes, 54. Nays, 6.

14 ACTING PRESIDENT CROCI: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 361, by Senator Bonacic, Senate Print 1002 --

18 SENATOR GIANARIS: Lay it aside.

19 ACTING PRESIDENT CROCI: The bill
20 will be laid aside.

21 THE SECRETARY: Calendar Number
22 503, by Senator Ritchie, Senate Print 2125 --

23 SENATOR GIANARIS: Lay it aside.

24 ACTING PRESIDENT CROCI: The bill
25 will be laid aside.

1 THE SECRETARY: Calendar Number
2 615, by Senator Little, Senate Print 2613, an act
3 to amend the Real Property Tax Law.

4 ACTING PRESIDENT CROCI: Read the
5 last section.

6 THE SECRETARY: Section 2. This
7 act shall take effect immediately.

8 ACTING PRESIDENT CROCI: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 60.

12 ACTING PRESIDENT CROCI: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 644, by Senator Hannon, Senate Print 1869A, an
16 act to amend the Public Health Law.

17 ACTING PRESIDENT CROCI: Read the
18 last section.

19 THE SECRETARY: Section 33. This
20 act shall take effect on the 180th day.

21 ACTING PRESIDENT CROCI: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT CROCI: Announce
25 the results.

1 THE SECRETARY: In relation to
2 Calendar 644, those recorded in the negative are
3 Senators Felder, Helming, Kaminsky, Lanza and
4 Ranzenhofer. Also Senator DeFrancisco.

5 (Pause.)

6 ACTING PRESIDENT CROCI: Announce
7 the results on Calendar 644.

8 THE SECRETARY: In relation to
9 Calendar 644, those recorded in the negative are
10 Senators Croci, DeFrancisco, Felder, Helming,
11 Kaminsky, Lanza, Ranzenhofer and Tedisco.

12 Ayes, 52. Nays, 8.

13 ACTING PRESIDENT CROCI: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 682, by Senator Griffo, Senate Print 4757, an act
17 to amend the Election Law.

18 ACTING PRESIDENT CROCI: Read the
19 last section.

20 THE SECRETARY: Section 3. This
21 act shall take effect immediately.

22 ACTING PRESIDENT CROCI: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 60.

1 ACTING PRESIDENT CROCI: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 684, substituted earlier by Member of the
5 Assembly Bichotte, Assembly Print 280, an act to
6 amend the Election Law.

7 ACTING PRESIDENT CROCI: Read the
8 last section.

9 THE SECRETARY: Section 2. This
10 act shall take effect immediately.

11 ACTING PRESIDENT CROCI: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 60.

15 ACTING PRESIDENT CROCI: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 692, by Senator Amedore, Senate Print 889, an act
19 to amend the Vehicle and Traffic Law.

20 ACTING PRESIDENT CROCI: Read the
21 last section.

22 THE SECRETARY: Section 5. This
23 act shall take effect on the first of November.

24 ACTING PRESIDENT CROCI: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 60.

3 ACTING PRESIDENT CROCI: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 706, by Senator DeFrancisco, Senate Print 5631A,
7 an act to amend the Vehicle and Traffic Law.

8 ACTING PRESIDENT CROCI: Read the
9 last section.

10 THE SECRETARY: Section 2. This
11 act shall take effect on the first of November.

12 ACTING PRESIDENT CROCI: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 60.

16 ACTING PRESIDENT CROCI: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 730, by Senator LaValle, Senate Print 2488, an
20 act to amend the Education Law.

21 SENATOR GIANARIS: Lay it aside.

22 ACTING PRESIDENT CROCI: The bill
23 will be laid aside.

24 THE SECRETARY: Calendar Number
25 737, by Senator Young, Senate Print 519, an act

1 to amend the County Law.

2 ACTING PRESIDENT CROCI: Read the
3 last section.

4 THE SECRETARY: Section 4. This
5 act shall take effect immediately.

6 ACTING PRESIDENT CROCI: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 60.

10 ACTING PRESIDENT CROCI: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 767, by Senator Young, Senate Print 4540, an act
14 to amend the Retirement and Social Security Law.

15 ACTING PRESIDENT CROCI: Read the
16 last section.

17 THE SECRETARY: Section 2. This
18 act shall take effect immediately.

19 ACTING PRESIDENT CROCI: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 60.

23 ACTING PRESIDENT CROCI: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 775, by Senator Murphy, Senate Print 2098B, an
2 act to amend the --

3 SENATOR GIANARIS: Lay it aside.

4 ACTING PRESIDENT CROCI: Lay the
5 bill aside.

6 THE SECRETARY: Calendar Number
7 814, by Senator Valesky, Senate Print 5372, an
8 act to amend the Alcoholic Beverage Control Law.

9 SENATOR GIANARIS: Lay it aside.

10 ACTING PRESIDENT CROCI: The bill
11 is laid aside.

12 THE SECRETARY: Calendar Number
13 823, by Senator Marcellino, Senate Print 1313, an
14 act in relation to legalizing, validating and
15 ratifying.

16 SENATOR GIANARIS: Lay it aside.

17 ACTING PRESIDENT CROCI: The bill
18 is laid aside.

19 THE SECRETARY: Calendar Number
20 843, by Senator Lanza, Senate Print 2636A, an act
21 to amend the Vehicle and Traffic Law.

22 SENATOR GIANARIS: Lay it aside.

23 ACTING PRESIDENT CROCI: The bill
24 is laid aside.

25 THE SECRETARY: Calendar Number

1 845, by Senator Gallivan, Senate Print 3393, an
2 act to amend the Vehicle and Traffic Law.

3 SENATOR GIANARIS: Lay it aside.

4 ACTING PRESIDENT CROCI: The bill
5 is laid aside.

6 THE SECRETARY: Calendar Number
7 848, by Senator Tedisco, Senate Print 5369, an
8 act to amend the Vehicle and Traffic Law.

9 SENATOR GIANARIS: Lay it aside.

10 ACTING PRESIDENT CROCI: The bill
11 is laid aside.

12 THE SECRETARY: Calendar Number
13 862, by Senator Gallivan, Senate Print 2923, an
14 act to amend the Environmental Conservation Law.

15 SENATOR GIANARIS: Lay it aside.

16 ACTING PRESIDENT CROCI: The bill
17 is laid aside.

18 THE SECRETARY: Calendar Number
19 897, by Senator Carlucci, Senate Print 4612, an
20 act to direct.

21 SENATOR GIANARIS: Lay it aside.

22 ACTING PRESIDENT CROCI: The bill
23 is laid aside.

24 THE SECRETARY: Calendar Number
25 900, by Senator Marchione, Senate Print 5198, an

1 act authorizing.

2 ACTING PRESIDENT CROCI: There is a
3 home-rule message at the desk.

4 Read the last section.

5 THE SECRETARY: Section 5. This
6 act shall take effect immediately.

7 SENATOR GIANARIS: Lay it aside.

8 ACTING PRESIDENT CROCI: The bill
9 is laid aside.

10 THE SECRETARY: Calendar Number
11 914, by Senator Robach, Senate Print 1007, an act
12 to amend the Penal Law.

13 SENATOR GIANARIS: Lay it aside.

14 ACTING PRESIDENT CROCI: The bill
15 is laid aside.

16 THE SECRETARY: Calendar Number
17 975, by Senator Alcantara, Senate Print 5559, an
18 act to direct.

19 SENATOR GIANARIS: Lay it aside.

20 ACTING PRESIDENT CROCI: The bill
21 is laid aside.

22 Senator DeFrancisco, that completes
23 the reading of the noncontroversial calendar.

24 SENATOR DeFRANCISCO: Before I call
25 a meeting of the Rules Committee, I just wanted

1 to make a comment.

2 So I let it go today, but when we
3 have an introduction, the person that has
4 requested the introduction is supposed to be,
5 according to the rules, allowed to speak. And it
6 kind of got opened up to many other speakers. I
7 let it go today, but it wasn't a resolution. And
8 from now on, I'm going to strictly enforce the
9 rule that if it's an introduction, only the
10 person requesting the introduction will be
11 recognized.

12 With that said, can I please call an
13 immediate meeting of the Rules Committee in
14 Room 332.

15 ACTING PRESIDENT CROCI: There will
16 be an immediate meeting of the Rules Committee in
17 Room 332.

18 The Senate will stand at ease.

19 (Whereupon, the Senate stood at ease
20 at 4:09 p.m.)

21 (Whereupon, the Senate reconvened at
22 4:57 p.m.)

23 ACTING PRESIDENT CROCI: The Senate
24 will come to order.

25 Senator DeFrancisco.

1 SENATOR DeFRANCISCO: Can we return
2 to reports of standing committees.

3 And there's a report of the Rules
4 Committee at the desk. I ask that it be read.

5 ACTING PRESIDENT CROCI: Reports of
6 standing committees.

7 The Secretary will read.

8 THE SECRETARY: Senator Flanagan,
9 from the Committee on Rules, reports the
10 following bills:

11 Senate Print 1115, by Senator
12 Akshar, an act to amend the Election Law;

13 Senate 1171, by Senator Carlucci, an
14 act to amend the Education Law;

15 Senate 2083, by Senator O'Mara, an
16 act to amend the Transportation Law;

17 Senate 2411A, by Senator
18 DeFrancisco, an act to amend the Tax Law;

19 Senate 2836, by Senator Ortt, an act
20 to amend the Mental Hygiene Law;

21 Senate 3307, by Senator Ritchie, an
22 act to amend the State Finance Law;

23 Senate 3671, by Senator Golden, an
24 act to amend the Retirement and Social Security
25 Law;

1 Senate 4023, by Senator Ritchie, an
2 act to amend the Tax Law;

3 Senate 4127, by Senator Larkin, an
4 act to amend the Public Authorities Law;

5 Senate 4770A, by Senator Gallivan,
6 an act to amend the Correction Law;

7 Senate 5016, by Senator Lanza, an
8 act to amend the Executive Law;

9 Senate 5511, by Senator Croci, an
10 act to amend Chapter 435 of the Laws of 2014;

11 Senate 5682, by Senator Hamilton, an
12 act to amend the Correction Law;

13 Senate 5752, by Senator Lanza, an
14 act to require;

15 Senate 5998, by Senator Croci, an
16 act to amend the Executive Law;

17 Senate 6394, by Senator Hannon, an
18 act to amend the Retirement and Social Security
19 Law;

20 Senate 6415, by Senator Helming, an
21 act to amend the General Municipal Law;

22 Senate 6421, by Senator Phillips, an
23 act in relation to authorizing;

24 And Senate 6423, by Senator Helming,
25 an act to establish.

1 All bills reported direct to third
2 reading.

3 ACTING PRESIDENT CROCI: Senator
4 DeFrancisco.

5 SENATOR DeFRANCISCO: I move to
6 accept the report of the Rules Committee.

7 ACTING PRESIDENT CROCI: All in
8 favor of accepting the report of the
9 Rules Committee please signify by saying aye.

10 (Response of "Aye.")

11 ACTING PRESIDENT CROCI: Opposed,
12 nay.

13 (No response.)

14 ACTING PRESIDENT CROCI: The report
15 is accepted.

16 Senator DeFrancisco.

17 SENATOR DeFRANCISCO: There is a
18 Supplemental Calendar Number 46A, which includes
19 the bills that just came out of the Rules
20 Committee.

21 And I just want to call up -- first
22 I'd like to call up Senate 1059. That's Calendar
23 Number 1059, Senate 1115, by Senator Akshar.

24 ACTING PRESIDENT CROCI: The
25 Secretary will read.

1 THE SECRETARY: Calendar Number
2 1059, by Senator Akshar, Senate Print 1115, an
3 act to amend the Election Law.

4 SENATOR GIANARIS: Lay it aside.

5 ACTING PRESIDENT CROCI: The bill
6 will be laid aside.

7 Senator DeFrancisco.

8 SENATOR DeFRANCISCO: Now I'd like
9 to take up, off of that same supplemental
10 calendar, Calendar 1075, Senate 6415.

11 ACTING PRESIDENT CROCI: The
12 Secretary will read.

13 THE SECRETARY: Calendar Number
14 1075, by Senator Helming, Senate Print 6415, an
15 act to amend the General Municipal Law.

16 ACTING PRESIDENT CROCI: Read the
17 last section.

18 THE SECRETARY: Section 2. This
19 act shall take effect immediately.

20 ACTING PRESIDENT CROCI: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 61.

24 ACTING PRESIDENT CROCI: The bill
25 is passed.

1 SENATOR DeFRANCISCO: Off that same
2 calendar, can we please take up Calendar 1076,
3 Senate 6421.

4 ACTING PRESIDENT CROCI: The
5 Secretary will read.

6 THE SECRETARY: Calendar Number
7 1076, by Senator Phillips, Senate Print 6421, an
8 act in relation to authorizing.

9 ACTING PRESIDENT CROCI: Read the
10 last section.

11 THE SECRETARY: Section 2. This
12 act shall take effect immediately.

13 ACTING PRESIDENT CROCI: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT CROCI: Senator
17 Kaminsky to explain your vote.

18 SENATOR KAMINSKY: Thank you,
19 Mr. President.

20 The commuters of Long Island
21 Railroad, over the past few months, have
22 experienced nothing short of misery. I've talked
23 to commuters who have told me from the train that
24 they're sitting in the bathroom because there are
25 no seats. I have another constituent who stops

1 drinking water after lunch for fear of --

2 ACTING PRESIDENT CROCI: Excuse me,
3 Senator Kaminsky.

4 Can we have order in the chamber,
5 please. If there are conversations, could you
6 please take them outside. Thank you.

7 Senator Kaminsky.

8 SENATOR KAMINSKY: Thank you.

9 Mr. President, I am voting aye on
10 this bill because Long Island commuters have had
11 enough. Long Island Railroad commuters have had
12 their lives turned upside down with repeated
13 delays and cancellations. And they're being told
14 that this summer there's going to be 20 to
15 25 percent more cancellations on top of this.

16 My commuters pay about \$300 a month
17 for the dis-privilege, if you will, of being
18 crammed into cars or having cars canceled. They
19 simply do not deserve this. And many of my
20 fellow Senators have commuters who pay even more
21 than that for this mistreatment.

22 Amtrak is telling us that this
23 summer is going to be even worse, and their
24 responses are raising many more questions than
25 there are answers. Penn Station is in disrepair,

1 sewage is leaking from the ceiling -- and at the
2 same time, we are being told that tracks are out
3 of date, that signals are not working, and
4 everything else under the sun. And Amtrak is now
5 trying to cram 20 years' worth of infrastructure
6 repairs into two months. Literally, this is no
7 way to run the railroad.

8 But we as a Senate -- even though
9 I'm proud to vote aye on this, because getting a
10 refund and getting free tickets for our commuters
11 is the least we could do -- we can do more. And
12 I've called for hearings where the leaders of our
13 transportation network should be held to account.

14 Now, the Assembly held a hearing,
15 and it was actually amazing to see the CEO of
16 Amtrak come up and have to answer tough questions
17 about what their plans are for our regional rail
18 system. The Senate has not yet done that. And
19 in fact, I've received a letter from a chair of
20 one of the committees that I wrote to saying
21 another committee should do this. And on and on
22 and on.

23 But we as a Senate have a real
24 opportunity to step up to ask the necessary
25 questions and get the necessary answers, and our

1 commuters on Long Island deserve nothing less.
2 They pay a lot in taxes, they pay a lot in fares,
3 and they're not getting what they deserve. Let's
4 step up and fight for them.

5 Thank you, Senator Phillips. I'm an
6 aye on this. And getting people their money back
7 is the least we can do.

8 ACTING PRESIDENT CROCI: Senator
9 Kaminsky to be recorded in the affirmative.

10 Senator Krueger to explain her vote.

11 SENATOR KRUEGER: Thank you,
12 Mr. President.

13 I completely empathize with my
14 colleagues who are voting yes and empathize with
15 my colleague who spoke about the pain and
16 suffering of Long Island commuters.

17 I come from New York City. I wake
18 up every morning and read the list of the subway
19 trains that actually aren't running or running on
20 time. It's usually longer than the list of those
21 that are.

22 So we have mass transit crises in
23 Long Island, New York City -- and apparently,
24 based on other bills I looked at today, upstate
25 as well.

1 The catch is sending people their
2 money back when the trains aren't working
3 decreases the amount of money you have to try to
4 do the infrastructure work. And the way that
5 Amtrak, MTA, Long Island Railroad interconnect,
6 our taking this money and sending it back to
7 individual riders can translate into Amtrak
8 radically reducing the amount of money they
9 commit to us for LIRR and the MTA.

10 So it's a statement, and I get it.
11 And people are mad as hell. And trust me, I get
12 it, because I represent New York City, where also
13 the trains aren't running on time and also people
14 have to get through Penn Station in and out on a
15 daily basis. And frankly, we're worried that
16 people will be trampled to death given the volume
17 of people without adequate train service.

18 I just don't think that taking money
19 out of the system is the solution. So I have to
20 vote no and hope that we all act like grownups
21 together -- sit down, between the MTA, Amtrak,
22 Long Island Railroad, Metro-North, and figure out
23 how we make the real structural improvements.
24 That is what we are actually being called upon to
25 do.

1 So I vote no, Mr. President.

2 Thank you.

3 ACTING PRESIDENT CROCI: Senator
4 Krueger to be recorded in the negative.

5 Senator Squadron to explain his
6 vote.

7 SENATOR SQUADRON: Yes, I'm going
8 to vote yes, Mr. President.

9 I hear from Senator Kaminsky and
10 Senator Brooks almost every day, certainly every
11 week, just what's happening with Long Island
12 Railroad and what a disaster it is and how much
13 the riders really need some relief here.

14 And I've got to tell you, no one
15 needs to tell me how bad Amtrak is. I use
16 Penn Station, I travel through Penn Station, and
17 I am sorry I do.

18 Often on my way there I'll take the
19 F train. And let me tell you, that is a pretty
20 unpleasant experience a lot of the time. And
21 even days I'm not taking it, my wife is, and
22 that's also an unpleasant experience for all
23 involved, because too often it's breaking down.

24 MTA subway trains are breaking down
25 three times more quickly than they were even five

1 years ago. That means they only run a third as
2 far before they break down. Delays are up --
3 have tripled in those same five years, 70,000
4 delays.

5 The fact that in this house we're
6 helping Long Island Railroad riders is a good
7 thing, and I thank the sponsor for that. The
8 fact that we're finally saying to Amtrak "The way
9 you treat us in New York and the way you treat
10 your system is unacceptable" is a good thing. I
11 appreciate that.

12 But, you know, it always stops
13 there. Too often with our transit system there
14 are just fingers being pointed. The truth is we
15 in the Legislature have the ability to fund a
16 capital plan that got new cars, got better
17 signals, got more dependable commuter service.
18 The truth is we have the ability to fund the
19 MTA's operating so that it's not on the back of
20 commuters whose service is woefully unacceptable.
21 In fact, instead, in the budget that got passed
22 just a month or so ago, we took \$65 million from
23 the MTA.

24 You know, the truth is I'm glad
25 we're doing something for the riders, I'm glad

1 we're saying something to Amtrak. But when are
2 we going to do something so that the system lets
3 people get to work, get to doctor's appointments,
4 visit their family and travel around the region
5 from the Hudson Valley to the eastern end of
6 Long Island, through New York City, in a decent
7 way?

8 You know, in this house there's a
9 lot of press releases about the Transit Authority
10 and Long Island Railroad and the MTA, a lot of
11 complaints, but not a lot of responsibility to
12 fix the system. I wish we would see that.

13 I'm a yes, Mr. President.

14 ACTING PRESIDENT CROCI: Senator
15 Squadron to be recorded in the affirmative.

16 Senator Kennedy.

17 SENATOR KENNEDY: Thank you very
18 much, Mr. President.

19 I rise to support this legislation.
20 I want to thank the sponsor for putting this
21 legislation forward. I think this is extremely
22 important -- yes, to the people of New York City,
23 yes, to the people of Long Island, and yes, to
24 all New Yorkers no matter where you live in
25 New York State. The hundreds of thousands of

1 riders of the MTA that depend upon the service
2 deserve better.

3 And I want to thank my colleagues on
4 both sides of the aisle, including Senator
5 Kaminsky and Senator Brooks, for championing this
6 issue on our side of the aisle. But this is
7 something that has bipartisan support. And, you
8 know, the 50 million visitors to the City of
9 New York each and every year also depend on
10 dependable service of the MTA.

11 And this also lends attention to the
12 fact that Amtrak -- whether we're talking about
13 its relationship with New York City and the MTA
14 or whether we're talking about its relationship
15 with upstate riders out in Western New York and
16 everywhere else -- Amtrak needs to get its act
17 together. Unfortunately, it's woefully behind
18 the times in New York State and across the
19 nation.

20 And I also want to lend credit to
21 the Governor for reaching out to the President of
22 the United States to get federal engagement in
23 this issue. It is far too important. Far too
24 many people are depending on it. And our economy
25 is dependent upon a reliable solution to this

1 issue.

2 So with that, again I want to thank
3 the sponsor for bringing this to the floor, and I
4 vote aye.

5 ACTING PRESIDENT CROCI: Senator
6 Kennedy to be recorded in the affirmative.

7 Senator Hoylman to explain his vote.

8 SENATOR HOYLMAN: I wanted to thank
9 my colleagues, and in particular Senator Kaminsky
10 for raising the issue of having public hearings
11 on this.

12 You know, Penn Station sits just
13 adjacent to my district, and I take the train
14 every week to Albany back and forth. And I can
15 tell you from personal experience that things
16 have to change, as many of our constituents know.

17 But somebody has got to own this
18 problem, and that's been the problem. This has
19 been a slow-moving train wreck for so many of us.
20 We have seen what happens when we don't fund our
21 system, when we don't fund the basic necessities
22 of state of good repair, whether it be the MTA or
23 our infrastructure at Penn Station.

24 So I'm hopeful that this bill is the
25 first of many opportunities for this chamber to

1 actually take this issue head on, own it, as we
2 should as legislators, address the problem, come
3 up with more capital funding, and fight for our
4 commuters.

5 Thank you.

6 ACTING PRESIDENT CROCI: Senator
7 Hoylman to be recorded in the affirmative.

8 Senator Rivera.

9 SENATOR RIVERA: Thank you,
10 Mr. President.

11 About 90 percent of the people in my
12 district use a train or a bus every single day,
13 as only 70 percent of the people in my district
14 own a vehicle, own a car. So mostly they get
15 around by train. So I certainly recognize the
16 importance of making sure that we fund the MTA
17 well.

18 As a matter of fact, it was a
19 surprise to me when I became a Senator back in --
20 when I started serving in 2011, that we started
21 talking about the MTA and how it was funded and I
22 started finding out about these things called
23 dedicated taxes that aren't actually dedicated.
24 They're supposed to go to the funding of the MTA,
25 and yet over the years, we as a Legislature and

1 the different administrations and the Executive
2 have swept money here and there because we
3 figure, you know, we can take a couple of million
4 dollars here, a couple of million dollars
5 there -- and the impact that has been felt over a
6 long period of time impacts riders directly.

7 When you're talking about -- the
8 median income of my district is about \$27,000,
9 \$28,000 a year. And when these folks -- as I
10 said, 97 percent of them use a bus or a train
11 every single day to get to and from work.
12 Without it, they can't get to work. And
13 therefore the entire city would grind to a halt.

14 Which is the reason why having
15 conversations like we're having right now --
16 about the funding that is supposed to go to this
17 institution and the taxes that we should be
18 dedicating, by putting a lockbox on said taxes --
19 is extremely important.

20 So in this piece of legislation I
21 certainly understand the reasoning for it. I
22 have a -- much like Senator Krueger expressed
23 earlier, I do have some concerns about what this
24 would potentially do to the funding that is so
25 necessary.

1 So I encourage all of my colleagues
2 to take what we've said to heart. We need to
3 make sure that we are responsible for this. If
4 we are indeed responsible -- and we should be --
5 then we should hold the MTA accountable, yes, but
6 hold ourselves accountable as well. Over dozens
7 of years, over decades, we have defunded the MTA
8 and made it more difficult every single day for
9 it to provide the services that are essential to
10 the people who live in our districts.

11 So although I do understand the
12 reasoning for this piece of legislation, I'll
13 have to be voting in the negative.

14 Thank you, Mr. President.

15 ACTING PRESIDENT CROCI: Senator
16 Rivera to be recorded in the negative.

17 Seeing no other members wishing to
18 address the house, Senator Phillips to close.

19 SENATOR PHILLIPS: Thank you,
20 Mr. President. I would like to explain my vote.

21 I'd first like to thank my
22 colleagues for supporting this bill, particularly
23 my colleagues on Long Island.

24 For hundreds of thousands of people
25 living on Long Island who rely on the Long Island

1 Railroad for their daily commute in and out of
2 Manhattan, the last couple of weeks have been an
3 absolute nightmare. In my years as a Long Island
4 Railroad commuter, I certainly had my own
5 experiences -- delayed trains, canceled trains,
6 being stuck in tunnels -- but nothing, nothing
7 that compares to the nightmare that the riders
8 have been living with for the last couple of
9 weeks.

10 Penn Station is falling apart, and
11 something has to be done. And it's not like the
12 Long Island Railroad commuters haven't been
13 paying for their share of the maintenance to this
14 point. They've been paying for it in the high
15 cost of their tickets. And they've been paying
16 for it through the investments that this Senate
17 has made in the MTA's capital plan. Repairs just
18 have not gotten done.

19 And with this summer's long-awaited
20 rebuilding project about to begin, things are
21 likely to get much worse. Long Island Railroad
22 commuters deserve better. Simply, if you pay for
23 service, you should expect to receive it. And if
24 you don't, you should be entitled to get your
25 money back.

1 This bill won't solve the problem of
2 long-overdue repair and rebuilding at Penn
3 Station, but what it will do is it will give the
4 Long Island Railroad commuters some long-overdue
5 relief.

6 Once again, I thank my colleagues
7 across the aisle for supporting this bill. And
8 Mr. President, I vote aye.

9 ACTING PRESIDENT CROCI: Senator
10 Phillips to be recorded in the affirmative.

11 Announce the result.

12 THE SECRETARY: In relation to
13 Calendar 1076, those recorded in the negative are
14 Senators Comrie, Gianaris, Krueger, Parker,
15 Rivera and Serrano.

16 Ayes, 55. Nays, 6.

17 ACTING PRESIDENT CROCI: The bill
18 is passed.

19 Senator DeFrancisco.

20 SENATOR DeFRANCISCO: The last one
21 I'd like to take up on the supplemental calendar
22 is Calendar 1077, Senate Print 6423.

23 ACTING PRESIDENT CROCI: The
24 Secretary will read.

25 THE SECRETARY: Calendar Number

1 1077, by Senator Helming, Senate Print 6423, an
2 act to establish.

3 ACTING PRESIDENT CROCI: Read the
4 last section.

5 THE SECRETARY: Section 2. This
6 act shall take effect immediately.

7 ACTING PRESIDENT CROCI: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 61.

11 ACTING PRESIDENT CROCI: The bill
12 is passed.

13 Senator DeFrancisco.

14 SENATOR DeFRANCISCO: Yes, now can
15 we go back to Senator Akshar's bill that was on
16 the supplemental calendar and it was laid aside.

17 ACTING PRESIDENT CROCI: The
18 Secretary will ring the bell.

19 The Secretary will read.

20 THE SECRETARY: Calendar Number
21 1059, by Senator Akshar, Senate Print 1115, an
22 act to amend the Election Law.

23 SENATOR SQUADRON: Explanation.

24 ACTING PRESIDENT CROCI: Senator
25 Stavisky.

1 SENATOR STAVISKY: Explanation,
2 please.

3 ACTING PRESIDENT CROCI: Senator
4 Akshar.

5 SENATOR AKSHAR: Senator, this is
6 the same bill that we dealt with last year.
7 We're trying to consolidate the primaries.

8 And of course we have respectfully
9 disagreed, June versus August. I happen to think
10 that the August date is more important, for a
11 plethora of reasons. Number one, it complies
12 with the MOVE Act. Two, it clearly delineates
13 the political season versus the legislative.

14 The cost savings is relatively
15 robust, from where I sit. Schools are closed,
16 and of course there's a shorter campaign season.

17 So again, it's the same bill that we
18 discussed last year. And I'm supporting the
19 August date for the reasons that I just
20 explained.

21 SENATOR STAVISKY: Mr. President,
22 would the Senator yield for some questions?

23 ACTING PRESIDENT CROCI: Will the
24 Senator yield for a question?

25 SENATOR AKSHAR: Mr. President, I

1 certainly will.

2 ACTING PRESIDENT CROCI: The
3 Senator yields.

4 Senator Stavisky.

5 SENATOR STAVISKY: You just said
6 that it would reduce the number of primaries.
7 Aren't you adding the August date, an additional
8 primary?

9 SENATOR AKSHAR: No, I'm sorry, we
10 would be consolidating the primary dates to an
11 August date.

12 SENATOR STAVISKY: Would the
13 Senator continue to yield?

14 ACTING PRESIDENT CROCI: Does the
15 Senator yield for a question?

16 SENATOR AKSHAR: Yes.

17 ACTING PRESIDENT CROCI: Senator
18 Stavisky.

19 SENATOR STAVISKY: Who is the
20 Assembly sponsor?

21 SENATOR AKSHAR: As you well know,
22 there isn't one.

23 ACTING PRESIDENT CROCI: I'd just
24 remind the members to please address their
25 comments through the chair.

1 SENATOR AKSHAR: Mr. President,
2 there isn't one.

3 SENATOR STAVISKY: Will the Senator
4 continue to yield?

5 SENATOR AKSHAR: Yes.

6 ACTING PRESIDENT CROCI: Does the
7 Senator continue to yield?

8 SENATOR AKSHAR: Yes.

9 ACTING PRESIDENT CROCI: Senator
10 Stavisky.

11 SENATOR STAVISKY: Is there a
12 similar bill in the Assembly with a different
13 date?

14 SENATOR AKSHAR: Mr. President,
15 there certainly is. Assemblyman Cusick is
16 carrying a bill with a June date.

17 And I will say this, that since last
18 year, carrying this bill with the August date,
19 Assemblyman Cusick and I, along with the ranking
20 member of the Elections Committee, have been
21 communicating about the importance of trying to
22 compromise on this particular bill. We continue
23 to have those conversations.

24 However, we are getting towards the
25 latter part of the legislation session, so I

1 thought it important to move this bill.

2 SENATOR STAVISKY: Will the Senator
3 continue to yield?

4 ACTING PRESIDENT CROCI: Will the
5 Senator yield?

6 SENATOR AKSHAR: I certainly do.

7 ACTING PRESIDENT CROCI: Senator
8 Stavisky.

9 SENATOR STAVISKY: Mr. President, I
10 believe there was a court decision by Judge
11 Sharpe five years ago. Can the Senator tell
12 us the date that Judge Sharpe suggested as a
13 consolidation date?

14 SENATOR AKSHAR: He said the date,
15 in that particular decision, of June 26th.

16 But I would note to my esteemed
17 colleague that the judge also said "unless the
18 state takes action to move the date within the
19 guidelines set by the federal law." Furthermore,
20 he said "unless and until New York enacts
21 legislation resetting the non-presidential
22 federal primary election for a date that complies
23 fully with the MOVE Act and is approved by this
24 court."

25 SENATOR STAVISKY: Would the

1 Senator continue to yield?

2 ACTING PRESIDENT CROCI: Does the
3 Senator yield?

4 SENATOR AKSHAR: Yes.

5 ACTING PRESIDENT CROCI: The
6 Senator will yield.

7 SENATOR STAVISKY: So why did he
8 suggest the June date instead of the August date?

9 SENATOR AKSHAR: Mr. President,
10 through you. Because unfortunately at that
11 particular time the people in the Legislature
12 couldn't put their minds together and come up
13 with a date, so he was forced to make a decision.

14 SENATOR STAVISKY: Will the Senator
15 continue to yield?

16 SENATOR AKSHAR: Certainly.

17 ACTING PRESIDENT CROCI: Will he
18 continue to yield?

19 SENATOR AKSHAR: Certainly.

20 ACTING PRESIDENT CROCI: The
21 Senator yields.

22 SENATOR STAVISKY: If the primary
23 were held in August, as your bill provides, how
24 much time would the various boards of elections
25 have to prepare the military ballots?

1 SENATOR AKSHAR: Roughly two weeks,
2 Senator.

3 SENATOR STAVISKY: Will the Senator
4 continue to yield?

5 ACTING PRESIDENT CROCI: Will you
6 yield?

7 SENATOR AKSHAR: I certainly will.

8 ACTING PRESIDENT CROCI: The
9 Senator yields.

10 SENATOR STAVISKY: So if the
11 primary date were in June, how much time would
12 the boards of elections have to prepare the
13 military ballots?

14 SENATOR AKSHAR: Mr. President,
15 more than two weeks.

16 SENATOR STAVISKY: More than two
17 weeks. A lot more than two weeks.

18 Would the Senator continue to yield?

19 ACTING PRESIDENT CROCI: Does the
20 Senator yield?

21 SENATOR AKSHAR: My pleasure.

22 SENATOR STAVISKY: The Election
23 Commissioners Association stated that June would
24 give them more time not only to prepare the
25 military ballots, but to prepare the

1 post-election audit and the canvass, and there
2 would be more time available to do so.

3 Does this bill contradict their
4 position? And can you explain why the August
5 date would be preferable in terms of their
6 concerns with the audits, the canvass, and the
7 military ballots?

8 SENATOR AKSHAR: Mr. President,
9 through you. One of the things I would note is
10 that while there are certainly competing
11 interests on the two particular dates, nearly
12 every outside group that you have discussions
13 with on this particular matter really don't care
14 what date we do it, they just simply want us to
15 consolidate it.

16 Now, I'm not entirely sure what my
17 esteemed colleague is reading. I'm looking at
18 Proposal 1 from the Election Commissioners
19 Association's legislative committee agenda. And
20 specifically, the association supports a unified
21 federal and state primary election that is
22 MOVE Act compliant and urges the Legislature to
23 reach an agreement on such a date as soon as
24 possible. So it didn't say specifically June
25 versus August.

1 Mr. President, I'm just simply
2 making the point.

3 SENATOR STAVISKY: Would the
4 Senator continue to yield?

5 ACTING PRESIDENT CROCI: Does the
6 Senator yield?

7 SENATOR AKSHAR: Certainly.

8 ACTING PRESIDENT CROCI: Senator
9 Stavisky.

10 SENATOR STAVISKY: When do most
11 people go on vacation?

12 SENATOR AKSHAR: Well, I think it
13 all depends, Senator. You may be moved to go on
14 vacation in June. I may be moved to go in
15 August.

16 I can give you some statistics, some
17 old statistics from a 2002 Gallup Poll.
18 Twenty-nine percent of the people go on vacation
19 in June, 35 percent of the people go on vacation
20 in August. That's only 6 percent more people
21 going in August.

22 SENATOR STAVISKY: Would the
23 Senator continue to yield?

24 ACTING PRESIDENT CROCI: Does the
25 Senator yield?

1 SENATOR AKSHAR: Oh, it will be my
2 pleasure.

3 ACTING PRESIDENT CROCI: Senator
4 Stavisky.

5 SENATOR STAVISKY: In other words,
6 people will take their children out of school in
7 June -- when they give the Regents, when they
8 have all kinds of tests, when they have
9 graduation ceremonies -- to go on vacation, and
10 not in August?

11 SENATOR AKSHAR: I don't --
12 Mr. President, I don't know what parents do. I'm
13 just simply giving you statistics from a 2002
14 Gallup Poll.

15 SENATOR STAVISKY: Would the
16 Senator continue to yield?

17 ACTING PRESIDENT CROCI: Does the
18 Senator yield?

19 SENATOR AKSHAR: Certainly.

20 ACTING PRESIDENT CROCI: The
21 Senator yields for a question.

22 SENATOR STAVISKY: In August, July
23 and August, many people go on vacation. They
24 perhaps may work in a more recreational setting.
25 We have seasonal workers who may not be working

1 during the summer months. How do you explain how
2 the August primary would benefit them?

3 SENATOR AKSHAR: Well, we were
4 talking -- Mr. President, through you, we're
5 talking specifically about vacation. Right? And
6 we're having this robust discussion about we
7 certainly can't do it in August, because more
8 people go on vacation, we must do it in June.

9 I would suggest the use of absentee
10 ballots. People can use absentee ballots if they
11 go on vacation, whether they go on vacation in
12 June or August. Right? I mean, we have that
13 option available to us.

14 SENATOR STAVISKY: Would the
15 Senator continue to yield?

16 ACTING PRESIDENT CROCI: Will the
17 Senator yield?

18 SENATOR AKSHAR: Sure.

19 ACTING PRESIDENT CROCI: The
20 Senator yields.

21 SENATOR STAVISKY: In other words,
22 using an absentee ballot would make them not
23 participate in the active political process, is
24 that what you're saying?

25 SENATOR AKSHAR: Mr. President, I

1 couldn't disagree more with my esteemed
2 colleague. They're still voting. They're still
3 casting their vote for their preferred candidate.

4 SENATOR STAVISKY: Will the Senator
5 continue to yield?

6 ACTING PRESIDENT CROCI: Will the
7 Senator yield?

8 SENATOR AKSHAR: I certainly will.

9 SENATOR STAVISKY: I don't know
10 about your area, but we have tremendous
11 difficulty finding poll workers. How would an
12 August primary make it easier to find poll
13 workers, people who are willing to put in those
14 long, long hours at the board of elections?

15 SENATOR AKSHAR: Mr. President,
16 through you. Those long, long poll hours would
17 happen if we were doing this in May, June, July
18 or August. So I'm not entirely sure how it would
19 be easier to find poll workers in June versus
20 August.

21 SENATOR STAVISKY: Would the
22 Senator continue to yield?

23 ACTING PRESIDENT CROCI: Will the
24 Senator yield?

25 SENATOR AKSHAR: I certainly will.

1 ACTING PRESIDENT CROCI: The
2 Senator yields.

3 SENATOR STAVISKY: Many of the poll
4 sites don't have air-conditioning. August can be
5 sweltering. They call it the dog days of summer
6 for a reason -- it's really hot, particularly in
7 a school. And many schools in the City of
8 New York are not air-conditioned. I know the
9 weather is more temperate in other parts of the
10 state, but how do you explain the difficulty in
11 getting poll workers? I repeat the question.

12 SENATOR AKSHAR: Mr. President,
13 does my esteemed colleague want me to talk about
14 the temperature at a polling place in August?
15 Was that the question? I'm sorry.

16 ACTING PRESIDENT CROCI: That was
17 the question.

18 SENATOR STAVISKY: Yes.

19 SENATOR AKSHAR: Mr. President,
20 it's also hot in May. If -- everybody in this
21 room I'm sure remembers last week, it was 80-some
22 degrees, and we all dealt with it just fine.

23 SENATOR STAVISKY: Would the
24 Senator continue to yield?

25 ACTING PRESIDENT CROCI: Will the

1 Senator yield?

2 SENATOR AKSHAR: Yes.

3 ACTING PRESIDENT CROCI: The
4 Senator yields?

5 SENATOR STAVISKY: How much money
6 are we wasting currently by having the four
7 election days?

8 SENATOR AKSHAR: I say \$25 million;
9 I've heard your side of the aisle say
10 \$50 million. All the more reason, Senator, that
11 we should lay our political differences aside and
12 find a way to compromise.

13 SENATOR STAVISKY: I agree.

14 SENATOR AKSHAR: Because it's not
15 our money, it's the people's money that we
16 represent. And I think that that should be a
17 major driving force, again, in setting our
18 political differences aside and having a
19 willingness to compromise on this particular
20 issue.

21 SENATOR STAVISKY: I agree totally,
22 and I think that's why a June --

23 ACTING PRESIDENT CROCI: Senator,
24 are you asking a question?

25 SENATOR STAVISKY: Yeah, let me ask

1 the question.

2 What has been the experience of
3 election turnout in August compared to June?

4 SENATOR AKSHAR: Well, Senator --
5 Mr. President, through you -- I'm extremely glad
6 that you asked that question. I want to talk
7 specifically about four states with August
8 primaries. They made up the top 15 highest voter
9 turnout. Minnesota, 74.5 percent voter turnout,
10 August primary, it just happened to go -- to lean
11 Democrat. The second-highest, Wisconsin,
12 73 percent, happened to lean Democrat, but they
13 have August primaries. Just a couple of
14 examples.

15 SENATOR STAVISKY: Would the
16 Senator continue to yield?

17 ACTING PRESIDENT CROCI: Does the
18 Senator yield?

19 SENATOR AKSHAR: Certainly.

20 ACTING PRESIDENT CROCI: The
21 Senator yields.

22 SENATOR STAVISKY: In other words,
23 you're telling me that there are four states with
24 August primaries. That means that there are
25 46 states that don't have August primaries; is

1 that correct?

2 SENATOR AKSHAR: Through you,
3 Mr. President. No, ma'am, you're putting words
4 in my mouth.

5 There are 14 states in the union
6 that have a June primary, and there are 14 states
7 that have an August primary. I was simply just
8 giving you a statistic of the top two states with
9 the highest voter turnout that happen to have
10 August primaries.

11 SENATOR STAVISKY: Would the
12 Senator yield for --

13 ACTING PRESIDENT CROCI: Does the
14 Senator yield?

15 SENATOR AKSHAR: Yes, ma'am.

16 ACTING PRESIDENT CROCI: The
17 Senator yields.

18 SENATOR STAVISKY: How does
19 New York State rank in terms of voter turnout?

20 SENATOR AKSHAR: Mr. President, as
21 we all know, it's very low. This is a problem
22 that we have to fix. We have to do a better job
23 and do our due diligence to increase voter
24 turnout.

25 SENATOR STAVISKY: And if the

1 Senator would continue to yield.

2 ACTING PRESIDENT CROCI: Does the
3 Senator yield?

4 SENATOR STAVISKY: You think having
5 an election --

6 ACTING PRESIDENT CROCI: Does the
7 Senator yield for a question?

8 SENATOR AKSHAR: Mr. President, I
9 certainly do.

10 ACTING PRESIDENT CROCI: Senator
11 Stavisky.

12 SENATOR STAVISKY: So in the middle
13 of the summer when people are away, when the
14 schools are closed, when we have people perhaps
15 working elsewhere, turnout is going to increase
16 in August?

17 SENATOR AKSHAR: Yeah.

18 SENATOR STAVISKY: One last
19 question.

20 ACTING PRESIDENT CROCI: Will the
21 Senator yield for a last question?

22 SENATOR AKSHAR: I certainly do.

23 ACTING PRESIDENT CROCI: Senator
24 Stavisky.

25 SENATOR STAVISKY: The folks on

1 this side of the aisle have made a number of
2 recommendations on how to improve voter turnout,
3 whether it be early voting, automatic
4 registration of voters. How does the Senator
5 stand on these issues?

6 SENATOR AKSHAR: Well,
7 Mr. President, the matter that we're taking up
8 specifically today is the consolidation of
9 primary elections. So I just want to make one
10 point in regards to your question.

11 We have enjoyed, this legislative
12 session, a very good relationship with the
13 ranking member on Elections as well as the
14 Assemblyman Mike Cusick, and we're having those
15 very good conversations about improving the
16 election system in our state.

17 So this is only one piece, but we
18 are talking or at least having discussions about
19 all of those other pieces in hopes that we can
20 increase voter turnout.

21 SENATOR STAVISKY: Thank you,
22 Mr. President. On the bill.

23 ACTING PRESIDENT CROCI: Senator
24 Stavisky on the bill.

25 SENATOR STAVISKY: On the bill.

1 I intend to vote no for the reasons
2 that I have raised in my questions, because I
3 think the question of Judge Sharpe's decision
4 without doubt emphasizes the need for a June
5 primary.

6 The third or fourth week in June
7 will give the boards of elections more time to
8 send out the military ballots, to conduct their
9 audits, to conduct their canvass. I think voter
10 turnout will improve with a June primary.

11 We used to have June primaries many
12 years ago, including for the Legislature, back in
13 the 1970s. And it didn't make major changes; we
14 dealt with the idea of a June primary.

15 And I urge my colleagues on the
16 other side of the aisle to give serious
17 consideration to a June primary, because it will
18 save us the \$50 million that we spend
19 unnecessarily, it will consolidate the primaries
20 so that the presidential primary, the
21 congressional and the legislative and the
22 general, will be consolidated.

23 And the purpose is to save money for
24 the localities. Primaries and general
25 elections are very expensive, particularly for

1 the localities, and for that reason I will vote
2 no, Mr. President.

3 ACTING PRESIDENT CROCI: Senator
4 Stavisky to be recorded in the negative.

5 Senator Squadron, why do you rise?

6 SENATOR SQUADRON: If the sponsor
7 would yield.

8 ACTING PRESIDENT CROCI: Will the
9 sponsor yield for a question?

10 SENATOR AKSHAR: Of course.

11 ACTING PRESIDENT CROCI: For a
12 question.

13 SENATOR SQUADRON: It may be more
14 than one, warning. But I appreciate as many as
15 the sponsor is willing to. Thank you,
16 Mr. President.

17 Just briefly, I know the sponsor
18 talked about the Minnesota primary turnout, and I
19 think I may have misheard that number here in the
20 corner of the room. Would the sponsor mind
21 repeating that?

22 SENATOR AKSHAR: I'm sorry.
23 Mr. President, through you. He's asking me about
24 the Minnesota primary?

25 SENATOR SQUADRON: Yes.

1 ACTING PRESIDENT CROCI: That was
2 the Senator's question, the turnout.

3 SENATOR AKSHAR: Yes. Senator,
4 74.5 percent.

5 SENATOR SQUADRON: Through you,
6 Mr. President.

7 ACTING PRESIDENT CROCI: Will the
8 sponsor yield?

9 SENATOR AKSHAR: I certainly will.

10 SENATOR SQUADRON: I believe, from
11 what I recall of what I was just looking at, that
12 the turnout was 7.4 percent of eligible voters in
13 the August primary in Minnesota.

14 SENATOR AKSHAR: I'm sorry?

15 SENATOR SQUADRON: I believe that
16 the turnout was 7.4 percent of eligible voters.

17 SENATOR AKSHAR: Mr. President,
18 that's certainly not the statistic that I'm
19 looking at here that I was provided. So I'd love
20 to converse with you after this debate.

21 SENATOR SQUADRON: And I will get
22 the citation for that.

23 If the sponsor would yield for
24 another question.

25 ACTING PRESIDENT CROCI: Will the

1 sponsor yield for a question?

2 SENATOR AKSHAR: Yes.

3 ACTING PRESIDENT CROCI: The
4 sponsor yields.

5 SENATOR SQUADRON: So through all
6 this conversation this year and last year -- and
7 I know the sponsor has had to answer a lot of
8 questions about this bill -- there's sort of a
9 core issue that I continue not to understand,
10 which is why the August date -- and I just want
11 to confirm that this August date is similar to
12 the date in S6604 that the sponsor passed through
13 the Senate March 2nd of last year as well.

14 SENATOR AKSHAR: It is,
15 Mr. President.

16 SENATOR SQUADRON: If the sponsor
17 will continue to yield.

18 ACTING PRESIDENT CROCI: Will the
19 sponsor yield?

20 SENATOR AKSHAR: Yes.

21 ACTING PRESIDENT CROCI: The
22 sponsor yields.

23 SENATOR SQUADRON: And I also want
24 to confirm the sponsor is familiar with -- and I
25 know the sponsor is knowledgeable on this

1 issue -- with S3562, whose companion bill, A3052,
2 sponsored by Assemblymember Cusick, passed the
3 Assembly just recently.

4 SENATOR AKSHAR: Yes.

5 SENATOR SQUADRON: And, sorry, not
6 to belabor it, but if the sponsor would yield for
7 another question in response --

8 ACTING PRESIDENT CROCI: Does the
9 sponsor yield?

10 SENATOR AKSHAR: Yes.

11 ACTING PRESIDENT CROCI: The
12 sponsor yields.

13 SENATOR SQUADRON: -- that the
14 sponsor is aware that that bill that has passed
15 the Assembly this year, and a similar bill passed
16 last year as well, offers the June date for the
17 primary.

18 SENATOR AKSHAR: Yes.

19 SENATOR SQUADRON: So if the
20 sponsor would yield again.

21 ACTING PRESIDENT CROCI: Will the
22 sponsor yield?

23 SENATOR AKSHAR: Yes.

24 ACTING PRESIDENT CROCI: The
25 sponsor yields.

1 SENATOR SQUADRON: If we all agree
2 that wasting between \$25 million and \$50 million
3 every election cycle -- forcing localities to
4 have multiple dates, forcing voters to have
5 multiple dates, which makes it that much harder
6 for working people to participate in the
7 electoral process -- is a problem, and so we
8 agree it's got to be moved and unified, why does
9 the sponsor believe the third week in August is
10 better than June?

11 SENATOR AKSHAR: Look --
12 Mr. President, through you -- we're simply moving
13 the date three weeks. It's a date that is
14 closest to when everybody is, generally speaking,
15 used to voting in the primary election.

16 And as I stated earlier, I think
17 that we in this house have to make a decision.
18 Are we going to do the work that the people
19 elected us to do during a certain period of time,
20 or are we going to be back in our districts
21 campaigning? And I'm simply saying that the
22 August date clearly draws a distinct line between
23 the political process and the legislative
24 process. It's one of the biggest issues that I
25 think June versus August addresses.

1 SENATOR SQUADRON: If the sponsor
2 will continue to yield.

3 ACTING PRESIDENT CROCI: Will the
4 sponsor yield?

5 SENATOR AKSHAR: Yes.

6 ACTING PRESIDENT CROCI: The
7 sponsor yields.

8 SENATOR SQUADRON: Has the sponsor
9 had conversations with the Assembly sponsor about
10 June versus August? And if so, what are the
11 outcomes of that conversation?

12 SENATOR AKSHAR: Well,
13 Mr. President, we find ourselves knowing that the
14 Assembly passed the June date, and here we are
15 debating the August date on the floor of the
16 Senate. So clearly the conversations that we
17 have had to date haven't allowed us to compromise
18 on this particular issue.

19 You know, I am hopeful that -- you
20 know, we have four weeks left, and there may be
21 some room for further discussions and room for
22 compromise. At the end of the day there is a
23 plethora of things that we're trying to do in
24 regards to elections-related issues, and my hope
25 is that we can compromise on this particular

1 issue during those discussions.

2 SENATOR SQUADRON: If the sponsor
3 would continue to yield.

4 ACTING PRESIDENT CROCI: Will the
5 sponsor yield?

6 SENATOR AKSHAR: Yes.

7 ACTING PRESIDENT CROCI: The
8 sponsor yields.

9 SENATOR SQUADRON: Is it fair to
10 say that one of the concerns that the sponsor has
11 heard about an August primary, as compared to a
12 June primary, is the fact that, you know, more
13 than three times as many people, as Senator
14 Hoylman said last year on the floor, are on
15 vacation in August than are on vacation in June,
16 and so therefore there are concerns that an
17 August primary -- whether the sponsor agrees or
18 not, there are concerns that an August primary
19 would reduce turnout?

20 SENATOR AKSHAR: Look, I think
21 turnout is poor overall. I think we can all
22 agree to that. The only thing I would add is
23 that we're having this discussion and this
24 argument about when people take vacation. Do
25 they take vacation in June, do they take it in

1 August? Well, I don't care when they take it.
2 File an absentee ballot, and you can vote. You
3 can cast your vote for whoever you choose.

4 SENATOR SQUADRON: If the sponsor
5 would yield again.

6 ACTING PRESIDENT CROCI: Will the
7 sponsor yield?

8 SENATOR AKSHAR: Yes.

9 ACTING PRESIDENT CROCI: The
10 sponsor yields.

11 SENATOR SQUADRON: So I just want
12 to confirm, the sponsor has not heard the concern
13 that an August date would lead to lower turnout
14 than a June date? That's not a concern the
15 sponsor has heard previously?

16 SENATOR AKSHAR: No, Mr. President,
17 I have definitely heard people make that
18 argument.

19 SENATOR SQUADRON: Thank you.

20 On the bill, Mr. President.

21 ACTING PRESIDENT CROCI: Senator
22 Squadron on the bill.

23 SENATOR SQUADRON: You know,
24 fundamentally, this is not a question about
25 whether everyone agrees that we need to unify the

1 primary or at least talk about unifying the
2 primary. The question is whether we're going to
3 realistically get that done and whether, when we
4 get that done, we're going to make it as easy as
5 possible for voters to vote.

6 Unfortunately, with this bill a date
7 has been chosen, it sounds from the sponsor's
8 description, based more on legislative
9 convenience, which is the concern the sponsor
10 raised, for August than voter turnout, which is
11 the concern raised by Senator Stewart-Cousins,
12 who sponsors the Senate version of the bill that
13 passed the Assembly.

14 And I have to tell you, as between
15 legislator convenience and the ability of voters
16 to vote, for me it's a very easy question. If
17 there is any issue at all about voter turnout, we
18 should allow ourselves to be inconvenienced to
19 increase voter turnout, which is what a June
20 primary would do.

21 And at some point I have to say,
22 seeing the same bill cycle through this chamber
23 that cycled through last year, that did not lead
24 to a unified primary date or to an increase in
25 convenience for the voters of New York, did not

1 reduce the burdens on localities and local boards
2 of elections, you have to wonder whether a
3 unified primary is the goal at all.

4 I have to say, moving the primary
5 date from September to August is not itself a
6 justifiable goal. Its only merit seems to be
7 that it's more convenient for legislators.
8 Moving it from September to June has the benefit
9 of helping voter turnout -- at least there's a
10 good argument for that -- and has the benefit, if
11 this house were willing to do it, of actually
12 unifying the primary.

13 One-house bills do not unify
14 primaries. One-house bills do not relieve
15 pressures on local governments. One-house bills
16 do not increase voter turnout. A two-house bill
17 would.

18 The argument for the June primary is
19 we could comply with the federal government, help
20 active service members have their votes counted
21 in state and local primaries, and actually unify
22 the primary. The argument for this bill is the
23 other option would be inconvenient for
24 legislators.

25 So I'm a no on this bill,

1 Mr. President. And I know the sponsor would love
2 to get to a conclusion here, and in fact after
3 this bill passed last year worked diligently to
4 try and find a compromise and a unified primary
5 date. I would urge the sponsor to do that again.

6 I would say that in the interim I'm
7 not sure that the August one-house bill much
8 helps. But I'd be happy to lend any support I
9 could to the sponsor to find a unified date that
10 maximizes turnout and, most importantly, actually
11 becomes law.

12 Thank you, Mr. President.

13 ACTING PRESIDENT CROCI: Senator
14 Hoylman, why do you rise?

15 SENATOR HOYLMAN: On the bill,
16 Mr. President.

17 ACTING PRESIDENT CROCI: Senator
18 Hoylman on the bill.

19 SENATOR HOYLMAN: I'm not going to
20 debate this bill. I asked questions last year.
21 I think the answers are basically the same. I
22 respect my colleague for his responses.

23 We are two ships passing in the
24 night on this issue, I think it's pretty clear.
25 It's also pretty comical that we can't even agree

1 on how to get hired every two years. The basic
2 requirements of electing this chamber led to this
3 confusion and disagreement.

4 We're citing statistics that are so
5 far from reality -- in fact, the reason Minnesota
6 and Wisconsin have such high voter turnout on
7 general election days, not primary election days,
8 is because they have same-day voter registration.
9 In Wisconsin and Minnesota you can walk in, as
10 many of us on this side of the aisle have
11 proposed, and register that same day and vote.
12 That's why they have up to 70 percent and greater
13 voter participation in general elections, not
14 primaries, as Senator Squadron pointed out.

15 There are so many things we can be
16 doing to increase voter turnout if that's really
17 our goal, as my colleague has suggested. Of
18 course, automatic voter registration, early
19 voting, vote by mail, no-fault absentee voting,
20 instant runoff, putting more money into our
21 boards of elections.

22 But certainly we need to have a
23 conversation about it with our colleagues in the
24 Assembly. We haven't done that yet. We haven't
25 had public hearings. We haven't asked the

1 experts. We don't have definitive statistics on
2 whether August or June would give us the highest
3 voter turnout. We on this side of the aisle say
4 it's June. You say it's August. We have to
5 determine who is right on this issue, and we
6 haven't done our homework, frankly,
7 Mr. President, to do so.

8 So I'll be voting in the negative.
9 It's a sad, sorry, dysfunctional state of affairs
10 when we can't figure out the day to hold our
11 primaries.

12 Thank you, Mr. President.

13 ACTING PRESIDENT CROCI: Senator
14 Comrie, why do you rise?

15 SENATOR COMRIE: On the bill,
16 Mr. President.

17 ACTING PRESIDENT CROCI: Senator
18 Comrie on the bill.

19 SENATOR KAMINSKY: As ranking
20 member on the committee, I want to thank the
21 sponsor for his efforts as chair of the Elections
22 Committee. While we're not at the same place
23 today and we're still at a stall, it's not on the
24 actions of the chairman of the committee. He has
25 been trying to do meetings, he has been talking

1 to Assemblyman Cusick, he has been talking to
2 other people about the merits of this bill. So I
3 want to thank the sponsor for making every effort
4 to find compromise.

5 Clearly this bill is not the bill
6 that we want to see voted on today. I'm not
7 going to be voting in the affirmative on it. My
8 colleagues have articulated the many reasons why
9 we should not have this bill today, because it's
10 not a bill that really works for most of the
11 people in this state.

12 But I don't want anyone to think
13 that the sponsor is not trying. I have a good
14 working relationship with him. I don't want him
15 to think that anyone would think that he's not
16 making every effort that he can within his
17 ability to make that happen. So I don't want
18 anybody to disparage the sponsor for his efforts.
19 We won't cross that line. That's not a line that
20 I'm willing to cross.

21 We will ask everyone, though, to
22 really try to make this happen. We need to make
23 sense of this at some point. We need to have a
24 unified primary. We need to have a date that
25 everybody can agree on. We can save \$25 million

1 to \$50 million, whatever those statistics are.
2 We could make one unified date that all
3 New Yorkers could come up with so that we could
4 have more voter turnout. With all of the other
5 things that we need to have to increase voter
6 turnout, I think it's incumbent upon us to
7 embrace that. When you can have millions of
8 people vote online or on-phone and have an
9 effective and safe election, we need to start
10 thinking about doing those things in New York
11 also.

12 And I hope that we really will have
13 those discussions to make sure that this can
14 happen. And I would hope that everyone here is
15 serious about coming up with a unified date that
16 makes sense for everyone.

17 And I want to thank the sponsor for
18 his efforts to make this happen. I want to
19 encourage all of us on both sides of the aisle to
20 try to make sure that we come up with a
21 coordinated primary date that would ease the
22 burden on all of us, but especially make sure
23 that New Yorkers could have one date that they
24 could depend on instead of four dates now.

25 Thank you, Mr. President.

1 ACTING PRESIDENT CROCI: Senator
2 Rivera, why do you rise?

3 SENATOR RIVERA: On the bill,
4 Mr. President.

5 ACTING PRESIDENT CROCI: Senator
6 Rivera on the bill.

7 SENATOR RIVERA: So I represent
8 about 318,000 folks in the 33rd Senatorial
9 District, but back in 2010 it was about 310,000.
10 Of those, 220,000 were over 18. And of that,
11 150,000 were over 18 and citizens. And of that,
12 143,000 were registered to vote. Of that,
13 123,000 were registered to vote as Democrats.

14 I won my primary with 9,333 total
15 votes cast. It was about 8.5 percent. So
16 certainly when we're talking about turnout even
17 in an election in 2010, my primary, a lot of
18 people were paying attention to it, a lot of
19 money was spent. So certainly we need to do more
20 about making sure that people participate in the
21 process.

22 The fact is that I agree with my
23 colleague Senator Comrie that Senator Akshar is
24 committed to doing all that he can. I disagree
25 that this is the best way to do it. It is why

1 I'm going to be voting in the negative on this
2 particular piece of legislation.

3 But I would encourage both Senator
4 Akshar as well as all of my colleagues to think
5 about the things that -- besides thinking about
6 the consolidation, which we certainly need to get
7 to some sort of agreement with the Assembly on,
8 there's many things that some of my colleagues
9 have mentioned and we have been talking about for
10 years to make sure that we can get more voter
11 turnout. The fact is we want people to
12 participate. I know that, as I tell folks, the
13 best way to make sure that we never become --
14 that we stay as public servants and don't become
15 some of those people when people speak about ---
16 in negative terms about these politicians,
17 right -- and we know some of the folks that
18 they're talking about -- the best way to avert
19 that is to keep in as close contact with your
20 constituency as possible, to make sure that we
21 give them the ability to access the political
22 system.

23 Whether we're talking about same-day
24 registration -- my colleague Senator Hoylman
25 spoke about it -- the fact is that we should

1 sincerely think about how do we establish a
2 system where people can, if they want to
3 participate in the system, are able to get in
4 line the day that the voting is happening and be
5 able to register. Or early voting. That is
6 something that many states have been leading on
7 and being ahead of us for years. Having just one
8 day in the middle of the week -- how about having
9 a week or two weeks?

10 There's a lot of things that we can
11 do. And certainly it would cost some money, but
12 it would be money well spent, because people
13 would actually be able to more fully participate
14 in the system.

15 Whether we're talking about
16 no-excuse absentee ballots -- which is something
17 that we certainly need to look closer into. In
18 the City of New York, there's a lot of hoops
19 that one has to jump through to be able to say, I
20 can't vote on Tuesday. There's a lot of reasons
21 why people might not be able to do it. And
22 again, when you're talking about the 8.5 percent
23 turnout rate in the primary that I won back in
24 2010, it will give you a perfect example.
25 Certainly many people were paying attention, but

1 not many actually could get to the polling booth.

2 So if we give people an ability to
3 vote absentee without -- like no-excuse absentee,
4 that would be a better way to be able to make
5 sure that people participate.

6 And certainly we can have
7 conversations about what each one of these
8 proposals needs to look like. But the overall
9 point is that if we want more people to
10 participate -- and I believe that we do, either
11 on that side of the aisle or this one -- if we're
12 more committed to making sure that people
13 participate in the process, then we need to
14 commit to really putting reforms forward that
15 will achieve those aims.

16 Whether it's professionalizing the
17 boards of elections, which is something that we
18 also need to do -- sometimes I'm concerned that
19 many board of elections tend to be places where
20 not necessarily people that are most
21 knowledgeable about a good -- how to run a system
22 like that go. We need to consider that as well.

23 Bottom line, ladies and gentlemen,
24 if we are truly committed to the idea of
25 expanding democracy and providing access to our

1 constituency, then we need to commit ourselves to
2 real reforms in the election system, to making
3 sure that people can register on the same day, to
4 making sure that people can vote early over a
5 period of time, not just on one day. Whether
6 we're talking about no-excuse absentees. There's
7 a lot of things that we can do.

8 There's a lot of pieces of
9 legislation that folks on this side of the aisle
10 have proposed. There's many proposals that we
11 can talk about. The bottom line is that I
12 believe we should, we need to, and hopefully in
13 the years to come we can come to some sort of
14 agreement.

15 Because the fact is, 8.5 percent,
16 it's anemic. It's crazy, the fact that only --
17 of those -- now let me be clear, I won almost
18 70 percent of the vote on that day so I'm able to
19 say that I kicked somebody's bottom. But the
20 reality is 9300 people, total, voting, when I
21 represent 310,000 -- that number always concerns
22 me. And it should concern all of us. Because
23 I'm sure that many of you in your primaries could
24 speak to similar numbers as well.

25 I'm sure that Senator DeFrancisco

1 probably has a couple of thousand people who
2 came -- well, probably no. He's been there, he's
3 a very popular guy, I'm sure that it's many more
4 thousands came out. Just 9300 for me. What can
5 I tell you. Well, not even for me, 9300 total,
6 and only a couple of thousand for me.

7 SENATOR DeFRANCISCO: What are you
8 talking about?

9 (Laughter.)

10 SENATOR RIVERA: I'm talking
11 about -- I'm sorry about that, Mr. President. I
12 will conclude --

13 ACTING PRESIDENT CROCI: Members --
14 Senator Rivera --

15 SENATOR RIVERA: I will conclude,
16 Mr. President, by again urging all of us to
17 commit ourselves in a real way to reforming the
18 election system. If we're committed to making
19 sure people can participate, let's make sure that
20 we do the right thing.

21 I do not believe that this is the
22 way to do it, Mr. President, so I'll be voting in
23 the negative. Thank you so much.

24 ACTING PRESIDENT CROCI: Seeing no
25 other members wishing to be heard, the debate is

1 now closed and the Secretary will ring the bell.

2 Read the last section.

3 THE SECRETARY: Section 18. This
4 act shall take effect immediately.

5 ACTING PRESIDENT CROCI: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT CROCI: Senator
9 Tedisco to explain his vote.

10 SENATOR TEDISCO: Thank you,
11 Mr. President and my colleagues.

12 First of all, let me thank the good
13 Senator, Senator Akshar, for all his work on this
14 piece of legislation. He has done a tremendous
15 job. He's reached out to everybody about it.
16 And he understands the importance of our job to
17 protect taxpayers' dollars, to consolidate these
18 primaries to save \$25 million to \$50 million of
19 our taxpayers' hard-earned money. Extremely
20 important.

21 There's a time, ladies and
22 gentlemen, for governing, and then there's a time
23 for politicking. And every two years that takes
24 place when we have to go out and get a number of
25 petitions. It's not only petitions for our

1 party, it's petitions for the secondary parties.
2 I think it's a terrible idea to suggest that the
3 June date is the appropriate time to start that
4 political -- not to start it, to finish that
5 political process. Because the number-one effort
6 we have to contribute to, really 24/7, is to pass
7 the budget.

8 And the budget deadline is, as you
9 know, April first. That means in the first or
10 second week of March, as we lead into the most
11 important and significant time when we're
12 discussing, debating, and there's competing
13 forces and we're trying to do the best job we
14 possibly can for the single probably most
15 important aspect of our job, and that's pass a
16 good, balanced, on-time budget which protects and
17 enhances the quality of life of the constituents
18 that are out there in all our Senate and our
19 Assembly districts, we're going to be out there
20 in the streets leading up to those two or three
21 or four weeks to the finality of the April 1st
22 deadline, when we should be concentrating
23 100 percent for getting that good, on-time
24 budget.

25 And as you know, this is the first

1 year in several years we went nine days past the
2 deadline. And our full efforts were here working
3 on that budget. All of us, all 63 of us, were
4 doing our job. Ladies and gentlemen, for three
5 or four weeks leading up to the budget process --
6 and we know infinitely, it always happens right
7 at the end when we close it down, and people are
8 working very hard to make sure we're doing the
9 best we possibly can, standing up for our Senate
10 districts and their best interests as it relates
11 to a whole bunch and a whole variety of issues in
12 the budget. Now you're going to have to be out
13 there those three or four weeks if you want to
14 get reelected so you can do that good job on
15 behalf of your constituents every two years, in
16 those two or three or four weeks leading up to
17 the finality of the budget.

18 I think your constituents are going
19 to question, when you're out there ringing their
20 doorbell, why aren't you working on behalf of the
21 issue that's important to me? Why aren't you
22 spending 24/7 to make sure I'm represented on the
23 single most important thing you're to do, and
24 that's stand up for your constituents on the most
25 important issues on a \$153 billion budget this

1 year. We don't know what the amount is going to
2 be next year. But at that period of time --

3 ACTING PRESIDENT CROCI: Senator.

4 SENATOR TEDISCO: -- you're talking
5 about spending those three or four weeks --

6 ACTING PRESIDENT CROCI: Senator.

7 SENATOR TEDISCO: -- on the
8 finality leading up to that deadline --

9 ACTING PRESIDENT CROCI: How are
10 you voting, Senator?

11 SENATOR TEDISCO: -- campaigning
12 and getting petitions. I think that's an
13 extremely bad idea.

14 So I think this is an important bill
15 to pass, and I'm going to support it. Thank you,
16 Mr. President.

17 ACTING PRESIDENT CROCI: Senator
18 Tedisco to be recorded in the affirmative.

19 Senator Stavisky to explain her
20 vote.

21 SENATOR STAVISKY: Thank you,
22 Mr. President.

23 I just want to thank the sponsor for
24 being responsive and answering the questions.
25 And I look forward to a compromise which I think

1 is in everybody's interest.

2 Thank you.

3 ACTING PRESIDENT CROCI: Senator,
4 how will you be voting?

5 SENATOR STAVISKY: No.

6 ACTING PRESIDENT CROCI: Senator
7 Stavisky to be recorded in the negative.

8 Announce the result.

9 THE SECRETARY: In relation to
10 Calendar 1059, those recorded in the negative are
11 Senators Addabbo, Bailey, Breslin, Brooks,
12 Comrie, Díaz, Dilan, Gianaris, Hoylman, Kaminsky,
13 Kennedy, Krueger, Latimer, Montgomery, Parker,
14 Peralta, Persaud, Rivera, Sanders, Savino,
15 Serrano, Squadron, Stavisky and Stewart-Cousins.
16 Also Senator Alcantara. Also Senator Hamilton.

17 Ayes, 35. Nays, 26.

18 ACTING PRESIDENT CROCI: The bill
19 is passed.

20 Senator DeFrancisco.

21 SENATOR DeFRANCISCO: By unanimous
22 consent, we're going to go back to today's
23 calendar. And those bills that were laid aside
24 will be now taken up on a noncontroversial
25 reading.

1 ACTING PRESIDENT CROCI: The
2 Secretary will read.

3 THE SECRETARY: Calendar Number
4 123, by Senator Avella, Senate Print 1408, an act
5 to amend the Real Property Tax Law.

6 ACTING PRESIDENT CROCI: Read the
7 last section.

8 THE SECRETARY: Section --

9 SENATOR SERRANO: Lay it aside.

10 SENATOR DeFRANCISCO: Lay it aside
11 for the day.

12 ACTING PRESIDENT CROCI: The bill
13 is laid aside for the day.

14 THE SECRETARY: Calendar Number
15 361, by Senator Bonacic, Senate Print 1002, an
16 act to amend the Education Law.

17 SENATOR SERRANO: Lay it aside.

18 SENATOR DeFRANCISCO: Lay it aside
19 for the day.

20 ACTING PRESIDENT CROCI: The bill
21 will be laid aside for the day.

22 THE SECRETARY: Calendar Number
23 503, by Senator Ritchie, Senate Print 2125, an
24 act to amend the Correction Law.

25 SENATOR SERRANO: Lay it aside.

1 SENATOR DeFRANCISCO: For the day.

2 ACTING PRESIDENT CROCI: The bill
3 will be laid aside for the day.

4 THE SECRETARY: Calendar Number
5 730, by Senator LaValle, Senate Print 2488, an
6 act to amend the Education Law.

7 SENATOR SERRANO: Lay the bill
8 aside, please.

9 SENATOR DeFRANCISCO: Lay it aside
10 for the day.

11 ACTING PRESIDENT CROCI: The bill
12 will be laid aside for the day.

13 THE SECRETARY: Calendar Number
14 775, by Senator Murphy, Senate Print 2098B, an
15 act to amend the Agriculture and Markets law.

16 SENATOR SERRANO: Lay it aside.

17 SENATOR DeFRANCISCO: Lay it aside
18 for the day.

19 ACTING PRESIDENT CROCI: The bill
20 will be laid aside for the day.

21 THE SECRETARY: Calendar Number
22 814, by Senator Valesky, Senate Print 5372, an
23 act to amend the Alcoholic Beverage Control Law.

24 ACTING PRESIDENT CROCI: Read the
25 last section.

1 THE SECRETARY: Section 3. This
2 act shall take effect immediately.

3 ACTING PRESIDENT CROCI: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 61.

7 ACTING PRESIDENT CROCI: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 823, by Senator Marcellino, Senate Print 1313, an
11 act in relation to legalizing, validating and
12 ratifying.

13 ACTING PRESIDENT CROCI: Read the
14 last section.

15 THE SECRETARY: Section 3. This
16 act shall take effect immediately.

17 ACTING PRESIDENT CROCI: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 61.

21 ACTING PRESIDENT CROCI: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 843, by Senator Lanza, Senate Print 2636A, an act
25 to amend the Vehicle and Traffic Law.

1 ACTING PRESIDENT CROCI: Read the
2 last section.

3 THE SECRETARY: Section 3. This
4 act shall take effect immediately.

5 ACTING PRESIDENT CROCI: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 61.

9 ACTING PRESIDENT CROCI: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 845, by Senator Gallivan, Senate Print 3393, an
13 act to amend the Vehicle and Traffic Law.

14 ACTING PRESIDENT CROCI: Read the
15 last section.

16 THE SECRETARY: Section 3. This
17 act shall take effect immediately.

18 ACTING PRESIDENT CROCI: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 61.

22 ACTING PRESIDENT CROCI: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 848, by Senator Tedisco, Senate Print 5369, an

1 act to amend the Vehicle and Traffic Law.

2 ACTING PRESIDENT CROCI: Read the
3 last section.

4 THE SECRETARY: Section 2. This
5 act shall take effect immediately.

6 ACTING PRESIDENT CROCI: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 61.

10 ACTING PRESIDENT CROCI: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 862, by Senator Gallivan, Senate Print 2923, an
14 act to amend the Environmental Conservation Law.

15 SENATOR SERRANO: Lay it aside.

16 SENATOR DeFRANCISCO: Lay it aside
17 for the day.

18 ACTING PRESIDENT CROCI: The bill
19 is laid aside for the day.

20 THE SECRETARY: Calendar Number
21 897, by Senator Carlucci, Senate Print 4612, an
22 act to direct.

23 ACTING PRESIDENT CROCI: Read the
24 last section.

25 THE SECRETARY: Section 4. This

1 act shall take effect immediately.

2 ACTING PRESIDENT CROCI: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 61.

6 ACTING PRESIDENT CROCI: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 900, by Senator Marchione, Senate Print 5198, an
10 act authorizing.

11 SENATOR SERRANO: Lay it aside.

12 SENATOR DeFRANCISCO: Lay it aside
13 for the day.

14 ACTING PRESIDENT CROCI: The bill
15 is laid aside for the day.

16 THE SECRETARY: Calendar Number
17 914, by Senator Robach, Senate Print 1007, an act
18 to amend the Penal Law.

19 ACTING PRESIDENT CROCI: Read the
20 last section.

21 THE SECRETARY: Section 2. This
22 act shall take effect immediately.

23 ACTING PRESIDENT CROCI: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT CROCI: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 975, by Senator Alcantara, Senate Print 5559, an
6 act to direct.

7 ACTING PRESIDENT CROCI: Read the
8 last section.

9 THE SECRETARY: Section 3. This
10 act shall take effect on the 120th day.

11 ACTING PRESIDENT CROCI: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 61.

15 ACTING PRESIDENT CROCI: The bill
16 is passed.

17 Senator DeFrancisco, that completes
18 the noncontroversial calendar.

19 SENATOR DeFRANCISCO: Can we now go
20 to motions and resolutions.

21 ACTING PRESIDENT CROCI: Motions
22 and resolutions.

23 SENATOR DeFRANCISCO: I'd like to
24 call up Senator Little's bill, Senate Print
25 1379B, recalled from the Assembly, which is now

1 at the desk.

2 ACTING PRESIDENT CROCI: The
3 Secretary will read the title of the bill.

4 THE SECRETARY: Calendar Number 55,
5 by Senator Little, Senate Print 1379B, an act to
6 establish.

7 SENATOR DeFRANCISCO: I now move to
8 reconsider the vote by which the bill was passed.

9 ACTING PRESIDENT CROCI: Call the
10 roll on reconsideration.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 61.

13 ACTING PRESIDENT CROCI: The bill
14 is restored to its place on the Third Reading
15 Calendar.

16 SENATOR DeFRANCISCO: I now offer
17 the following amendments.

18 ACTING PRESIDENT CROCI: The
19 amendments are received at the desk, and the bill
20 retains its place on the Third Reading Calendar.

21 Senator DeFrancisco.

22 SENATOR DeFRANCISCO: Is there any
23 further business at the desk?

24 ACTING PRESIDENT CROCI: There is
25 no further business at the desk.

1 SENATOR DeFRANCISCO: There being
2 none, I move to adjourn until Tuesday, May 23rd,
3 at 3:00 p.m.

4 ACTING PRESIDENT CROCI: On motion,
5 the Senate stands adjourned until Tuesday,
6 May 23rd, at 3:00 p.m.

7 (Whereupon, at 6:06 p.m., the Senate
8 adjourned.)

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