

1 NEW YORK STATE SENATE

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3  
4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 April 30, 2018

11 2:01 p.m.

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14 REGULAR SESSION

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18 LIEUTENANT GOVERNOR KATHLEEN C. HOCHUL, President

19 FRANCIS W. PATIENCE, Secretary

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

2 THE PRESIDENT: The Senate will  
3 come to order.

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

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

8 THE PRESIDENT: Today we have  
9 Reverend Peter G. Young, of the Mother Teresa  
10 Community Center in Albany.

11 Reverend Young?

12 REVEREND YOUNG: Thank you,  
13 Governor.

14 May we join together today and  
15 welcome Senator Mayer and Senator Sepúlveda. We  
16 welcome them and we pray, too, for the good  
17 people that have been here to fulfill their  
18 commitment for public service as Senate members.

19 We ask You, O God, to bless all of  
20 the dedicated people who have been here to be  
21 committed in leadership for the citizens of our  
22 great state.

23 May we thank You for all of our  
24 vetted people and the people that have been  
25 sacrificing their time and family and personal

1 obligations to work here as a public servant and  
2 for the pride and joy of being a New York State  
3 citizen.

4 We ask You to bless them and their  
5 good work. Amen.

6 THE PRESIDENT: Thank you,  
7 Reverend.

8 The reading of the Journal.

9 THE SECRETARY: In Senate, Sunday,  
10 April 29th, the Senate met pursuant to  
11 adjournment. The Journal of Saturday,  
12 April 28th, was read and approved. On motion,  
13 Senate adjourned.

14 THE PRESIDENT: Without objection,  
15 the Journal stands approved as read.

16 Presentation of petitions.

17 Messages from the Assembly.

18 The Secretary will read.

19 THE SECRETARY: On page 7, Senator  
20 Griffo moves to discharge, from the Committee on  
21 Energy and Telecommunications, Assembly Bill  
22 Number 8288B and substitute it for the identical  
23 Senate Bill 6335C, Third Reading Calendar 96.

24 On page 10, Senator Murphy moves to  
25 discharge, from the Committee on Investigations

1 and Government Operations, Assembly Bill Number  
2 7178 and substitute it for the identical Senate  
3 Bill 6128, Third Reading Calendar 152.

4 On page 20, Senator Bonacic moves to  
5 discharge, from the Committee on Judiciary,  
6 Assembly Bill Number 8003 and substitute it for  
7 the identical Senate Bill 6137, Third Reading  
8 Calendar 324.

9 On page 30, Senator Lanza moves to  
10 discharge, from the Committee on Agriculture,  
11 Assembly Bill Number 62A and substitute it for  
12 the identical Senate Bill 4796A, Third Reading  
13 Calendar 494.

14 And on page 32, Senator Serrano  
15 moves to discharge, from the Committee on Health,  
16 Assembly Bill Number 10065 and substitute it for  
17 the identical Senate Bill 7625, Third Reading  
18 Calendar 532.

19 THE PRESIDENT: The substitutions  
20 are ordered.

21 Messages from the Governor.

22 Reports of standing committees.

23 Reports of select committees.

24 Communications and reports from  
25 state officers.

1                   Motions and resolutions.

2                   Senator DeFrancisco.

3                   SENATOR DeFRANCISCO:     Madam  
4   President, I wish to call up Senator Bonacic's  
5   bill, Print 1064, recalled from the Assembly,  
6   which is now at the desk.

7                   THE PRESIDENT:     The Secretary will  
8   read.

9                   THE SECRETARY:     Calendar Number  
10   142, by Senator Bonacic, Senate Print 1064, an  
11   act to amend the Vehicle and Traffic Law.

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

14                  THE PRESIDENT:     Call the roll on  
15   reconsideration.

16                  (The Secretary called the roll.)

17                  THE SECRETARY:     Ayes, 50.

18                  SENATOR DeFRANCISCO:   I now offer  
19   the following amendments.

20                  THE PRESIDENT:     The amendments are  
21   received.

22                  SENATOR DeFRANCISCO:   I also move  
23   to amend Senate Bill 1115A, on behalf of Senator  
24   Akshar, by striking out the amendments made on  
25   January 12, 2018, and restoring it to its

1 original print number, namely 1115.

2 THE PRESIDENT: So ordered, and the  
3 bill shall retain its place on the Third Reading  
4 Calendar.

5 SENATOR DeFRANCISCO: On page 7, I  
6 offer the following amendments to Calendar 101,  
7 Senate Print 5912B, by Senator Jacobs, and ask  
8 that said bill retain its place on the Third  
9 Reading Calendar.

10 THE PRESIDENT: So ordered, and the  
11 bill shall retain its place on the Third Reading  
12 Calendar.

13 SENATOR DeFRANCISCO: On page 43, I  
14 offer the following amendments to Calendar 686,  
15 Senate Print 1297A, by Senator Marcellino, and  
16 ask that said bill retain its place on the  
17 Third Reading Calendar.

18 THE PRESIDENT: So ordered.

19 SENATOR DeFRANCISCO: Finally, on  
20 page 52, I offer the following amendments to  
21 Calendar 796, Senate Print 6072A, by  
22 Senator LaValle, and ask that said bill retain  
23 its place on the Third Reading Calendar.

24 THE PRESIDENT: So ordered.

25 SENATOR DeFRANCISCO: Could you now

1 please -- would you now please recognize Senator  
2 Klein.

3 THE PRESIDENT: Senator Klein.

4 SENATOR KLEIN: Thank you, Madam  
5 President.

6 On behalf of Senator Hamilton, I  
7 move that the following bill be discharged from  
8 its respective committee and be recommitted with  
9 instructions to strike the enacting clause:  
10 Senate Bill 8263.

11 THE PRESIDENT: So ordered.

12 SENATOR DeFRANCISCO: Madam  
13 President, could we please take up previously  
14 adopted Resolution 4126, by Senator Comrie, read  
15 it in its entirety, and call on Senator Comrie to  
16 speak, please.

17 THE PRESIDENT: The Secretary will  
18 read.

19 THE SECRETARY: Legislative  
20 Resolution Number 4126, by Senator Comrie,  
21 congratulating Cayla D. Kumar upon the occasion  
22 of being crowned Miss New York's Outstanding  
23 Teen.

24 "WHEREAS, It is the sense of this  
25 Legislative Body to act to honor today's young

1 people, the leaders of tomorrow, whose character  
2 and achievements exemplify the ideals and values  
3 cherished by this great state and nation; and

4 "WHEREAS, Attendant to such concern,  
5 and in full accord with its long-standing  
6 traditions, this Legislative Body is justly proud  
7 to congratulate Cayla D. Kumar upon the occasion  
8 of being crowned Miss New York's Outstanding Teen  
9 on Saturday, April 7, 2018; prior to this  
10 competition, she won the Miss Bronx's Outstanding  
11 Teen Pageant; and

12 "WHEREAS, With this monumental win,  
13 Cayla D. Kumar will represent New York State in  
14 the Miss America's Outstanding Teen competition  
15 in July, to be held in Orlando, Florida; and

16 "WHEREAS, The Miss New York's  
17 Outstanding Teen Organization recognizes young  
18 women around the Empire State for their talents,  
19 scholastic achievement and community service; by  
20 the young age of 15, Cayla D. Kumar has already  
21 donated more than 4,100 hours of her precious  
22 time and energy to serving others; and

23 "WHEREAS, Cayla D. Kumar also cooks  
24 meals for families of sick children at the Ronald  
25 McDonald House Charities of Long Island, and



1 raises funds for children's cancer research  
2 through her Gold Ribbon Project: Curing Pediatric  
3 Cancer initiative; and

4 "WHEREAS, Cayla D. Kumar finds time  
5 in her busy schedule to participate in various  
6 pageants on the local, state, national, and  
7 international levels, where she takes great pride  
8 in serving as an advocate for pediatric cancer  
9 research; classically trained in Indian dances  
10 from the Sadhanalaya School of Dance and the  
11 Natraj Center for the Performing Arts, she  
12 performs Bollywood dances for the audience; and

13 "WHEREAS, Cayla courageously decided  
14 to channel grief into action after she witnessed  
15 first-hand the heartbreaking reach of cancer when  
16 she lost her great-grandmother to breast cancer;  
17 and

18 "WHEREAS, Following her victory in  
19 the inaugural Young Voice of New York City talent  
20 competition, Cayla was crowned as the first-ever  
21 youth ambassador to St. Jude Children's Research  
22 Hospital, an institution dedicated to defeating  
23 the scourge of pediatric cancer, where she found  
24 kindred dreamers and leaders in her pursuit of  
25 the same goal; and

1                   "WHEREAS, By the age of 13, Cayla  
2 Kumar had raised \$25,000 for St. Jude Hospital,  
3 and, possessing a heart and soul eternally  
4 restless in endeavoring to triumph in the long  
5 march toward a cure and a more hopeful tomorrow  
6 for the youngest and sickest among us, has  
7 dedicated herself to raising a total of  
8 \$2.7 million for that same hospital, which  
9 shines, like she does, as a beacon of hope for  
10 countless families forced to find hope when it is  
11 scarce; and

12                   "WHEREAS, Currently, Cayla D. Kumar  
13 is a student at Archbishop Molloy High School, in  
14 Briarwood, New York; after she graduates in 2020,  
15 she plans to attend Johns Hopkins University  
16 School of Medicine in Maryland, in hopes of  
17 becoming a pediatric oncologist; and

18                   "WHEREAS, Cayla's fortitude and  
19 resolve in working indefatigably to eradicate  
20 this increasingly rampant disease was further  
21 bolstered after her seven-year-old cousin was  
22 recently diagnosed with a brain tumor; and

23                   "WHEREAS, For her steadfast and  
24 unremitting commitment to her community and her  
25 passion for eradicating pediatric cancer, Cayla

1 D. Kumar is the recipient of five Presidential  
2 Volunteer Service Awards; in 2015, she received  
3 the New York State Governor's Recognition Award,  
4 3C Award, and Public Advocate of New York City  
5 Award; and

6 "WHEREAS, Cayla D. Kumar is an  
7 exemplary young woman who will undoubtedly leave  
8 her mark on the lives of those she has touched  
9 personally through her promotion, leadership, and  
10 passion for her community and fellow New Yorkers,  
11 and it is clear that in the many years she has  
12 left she will do all she can to shape our  
13 collective humanity to be more compassionate,  
14 loving, and responsive to the needs of those who  
15 suffer; and

16 "WHEREAS, The children of New York's  
17 immigrants and the young women of New York State  
18 have both contributed greatly to the cause of  
19 history's progress, breaking down traditional  
20 barriers and beating expectations, and Cayla  
21 Kumar, being both a young woman and a  
22 first-generation American, carries on this long  
23 tradition of activism and leadership into the  
24 newest generation of those for whom future  
25 successes are all but inevitable; and

1               "WHEREAS, Cayla D. Kumar exemplifies  
2     the potential inherent in our young women; she is  
3     an outstanding role model for her peers and for  
4     the young people with whom she works and stands  
5     with poise and purpose to face the challenges of  
6     new experiences; now, therefore, be it

7               "RESOLVED, That this Legislative  
8     Body pause in its deliberations to congratulate  
9     Cayla D. Kumar upon the occasion of being crowned  
10    Miss New York's Outstanding Teen, with the  
11    anticipation of her continued exemplary  
12    representation of the people of this great  
13    Empire State; and be it further

14              "RESOLVED, That a copy of this  
15    resolution, suitably engrossed, be transmitted to  
16    Cayla D. Kumar."

17              THE PRESIDENT:     Senator Comrie on  
18    the resolution.

19              SENATOR COMRIE:     Thank you, Madam  
20    President. Thank you, Floor Leader, for allowing  
21    this resolution to be read in total.

22              I want to commend to all of my  
23    members today that we have a young woman that is  
24    gracing our chamber who is an exceptional young  
25    lady. As it has been said, she has already, at

1 15 years old, put in more than 4,000 hours of  
2 volunteer community service, focusing on her idea  
3 and her desire to deal with children with  
4 cancer -- already focusing on a career path  
5 because of the tragedies that have happened in  
6 her family, already working to make sure that she  
7 does volunteer work not just for cancer victims,  
8 but people throughout this state on various needs  
9 and concerns.

10 Cayla Kumar has been working to try  
11 to find herself and become an independent and  
12 resourceful person, and decided to focus on  
13 winning a pageant. And in winning this pageant  
14 that she is now the representative for New York  
15 State for the Miss New York's Outstanding Teen  
16 competition, and will be going to Orlando,  
17 Florida, later this year to compete on a national  
18 level, she has taken herself from a person that  
19 was shy, that was introspective, to a person that  
20 if you have a chance to talk to her -- and I  
21 would invite you to talk to her today -- she is  
22 bright, she is active, she is a person that will  
23 engage you and shows you her positivity, shows  
24 you her radiance.

25 She has worked hard to change

1 herself and make herself competition-worthy, a  
2 person with high self-esteem and with high moral  
3 values.

4 I want to thank her mother, Romeena  
5 Kumar, for all the things that she's doing today.

6 We are also joined by Mr. Rik  
7 Darmstadt, the president of Miss New York's  
8 Outstanding Teen, which is a program that is  
9 focusing on making children whole -- not giving  
10 them an opportunity just to participate in  
11 competition but to understand that they can be  
12 people that are worthy, people that are looking  
13 for causes. They're focusing on giving them a  
14 focus on volunteer activities, honing their  
15 skills, creating opportunities for them to become  
16 better orators, better people.

17 Cayla has also, unfortunately, been  
18 harassed her entire -- up to today, she's still  
19 being bullied over the Internet because she is a  
20 successful young lady, because she desired to go  
21 and be in a pageant, because she desired to try  
22 to make something of herself, because she desired  
23 to want to focus on volunteerism.

24 We have to make sure that young  
25 people like Cayla that have a vision, that have a

1 drive, that have a desire to do something, are  
2 nourished by the entire community and not be  
3 bullied over the Internet, not be picked on by  
4 their peers because they're being successful.

5 Because they are a bright star that  
6 wants to shine and help our community, because  
7 they are a young lady or a young person that  
8 wants to do something to make a difference in  
9 this world, she should be complimented and  
10 applauded at every stage.

11 So I ask you today to please give  
12 her the privileges of the house. She has done a  
13 lot of work to do the things that she has to get  
14 her to this point where she's Miss New York's  
15 Outstanding Teen, where she has the time to be a  
16 person that is not just trained in classical  
17 dance, but she's even had time to go to the  
18 White House to fight for more pediatric cancer  
19 research funding. She's not just a varsity  
20 swimmer and a member of her high school's  
21 broadcast and newspaper club, but she's a student  
22 and a daughter.

23 I want to again just say that, you  
24 know, Cayla represents what all New Yorkers  
25 should be -- someone that wants to strive to make

1 a difference, someone that wants to take an  
2 opportunity and give that opportunity to many  
3 other people.

4 So I want to thank you, Madam  
5 President. I ask you to extend the privileges of  
6 the house to Miss Cayla Kumar. This is not the  
7 last time that we will hear great things about  
8 Cayla, because I'm sure that Cayla is a change  
9 agent that we all need to embrace and watch as  
10 her star continues to rise.

11 Thank you.

12 THE PRESIDENT: Mr. Floor Leader.

13 SENATOR DeFRANCISCO: I would like  
14 to congratulate Cayla as well.

15 If you've done all of this in  
16 15 years, I can't imagine what you're going to do  
17 during your lifetime. It's an incredible,  
18 incredible set of accomplishments.

19 I can tell you Senator Comrie is  
20 breathing a sigh of relief because you're too  
21 young to run against him.

22 (Laughter.)

23 SENATOR DeFRANCISCO: And that  
24 would be a very difficult race.

25 One other thing I wanted to mention,



1 when Senator Comrie mentioned about the bullying.  
2 You know, it's amazing that you would have to go  
3 through anything like that. But let me tell you  
4 what I think of whenever that happens to me. You  
5 can't imagine that I get bullied.

6 But in any event, when someone is  
7 criticizing me, I always take the position that  
8 the people that are doing the nonconstructive  
9 criticism are really the people that don't do a  
10 damn thing. Okay? They're the ones that just  
11 complain. You're the one doing. You're the one  
12 doing great things. And always remember that,  
13 because you've got a great future and we wish you  
14 the best.

15 Thank you.

16 THE PRESIDENT: Senator Little on  
17 the resolution.

18 SENATOR LITTLE: Thank you, Madam  
19 President.

20 And I would like to just join my  
21 colleagues in thanking you for what you have done  
22 and what you have become. There's a saying that  
23 it's not what happens to you, but it's how you  
24 deal with it. And you've certainly dealt with it  
25 better than many, many people will. And you are

1 a great example to other teenagers.

2 So congratulations. And as Senator  
3 DeFrancisco said, I know you're going to go on to  
4 great things in your lifetime. So well done.

5 Thank you.

6 THE PRESIDENT: Mr. Floor Leader.

7 SENATOR DeFRANCISCO: That  
8 resolution is open for cosponsorship. If you'd  
9 like to cosponsor, please notify the desk.

10 THE PRESIDENT: The resolution is  
11 open for cosponsorship. If you'd like to  
12 cosponsor, please notify the desk.

13 (Standing ovation.)

14 THE PRESIDENT: Mr. Floor Leader.

15 SENATOR DeFRANCISCO: Madam  
16 President, could you now please recognize Senator  
17 Stewart-Cousins for some introductions.

18 THE PRESIDENT: Senator  
19 Stewart-Cousins.

20 SENATOR STEWART-COUSINS: Thank  
21 you, Madam President.

22 It is really an honor to have you  
23 here presiding and certainly celebrating a lot of  
24 greatness in the chamber, including our Miss Teen  
25 New York. But one of the things that you did

1 earlier, an honor for our two new members, you  
2 swore them in. So thank you so much for that.

3 And I'd like to introduce these  
4 extraordinary new Senators to the house. And  
5 give you an opportunity to really celebrate some  
6 of the best that the Assembly has to offer. And  
7 I was told that by Assemblymembers that came over  
8 to watch the swearing-in -- they said "You got  
9 two of our best," and I know that we did.

10 These two new Senators actually have  
11 traveled the road together. They came in in  
12 2013. So it is wonderful that they are now able  
13 to come to the, quote, unquote, upper house  
14 together in 2018.

15 They are both attorneys. They are  
16 both activists. They are both people who find no  
17 more pleasure than in public service and serving  
18 their communities.

19 Senator Sepúlveda, as I said, is an  
20 attorney. His passion is criminal justice. His  
21 passion is advocacy in the mental health area.  
22 His passion is making sure that New Yorkers get  
23 everything we have to offer them.

24 Senator Sepulve -- Sulp -- you know  
25 what, I'm being trained on this. I grew up in

1 the Bronx, and the emphasis was on another  
2 syllable.

3 (Laughter.)

4 SENATOR STEWART-COUSINS: So  
5 Senator Luis Sepúlveda is joined here by his wife  
6 Elizabeth, his two sons, Julian and Luis, and his  
7 mother-in-law, Barbara. And I just want to say  
8 that again -- and I've said it before -- they  
9 don't have to come over. It's a little bit  
10 tougher here. But we get the toughest, and we  
11 get the best, and we extend our gratitude for  
12 what you are going to bring to this house.

13 So welcome, Senator Sepúlveda.

14 (Standing ovation.)

15 SENATOR STEWART-COUSINS: Our  
16 second new Senator is Senator Shelley Mayer.  
17 Shelley is no stranger to this chamber. Many of  
18 you remember her when she was counsel to the  
19 Democrats some years back. Prior to that, she  
20 worked with Attorney General Robert Abrams.

21 But as I said, she's been in the  
22 Assembly. And she has distinguished herself as a  
23 champion, as a partner in all things good for me,  
24 because we share a district in Westchester  
25 County -- she has the east side, I have the west

1 side. And there has not been a greater advocate,  
2 again, for justice, for working people and  
3 families, and for education.

4 So I know that Senator Mayer will  
5 again bring her tremendous expertise and energy  
6 to make this a better place and to make New York  
7 State a better state.

8 Welcome, Senator Shelley Mayer.

9 (Standing ovation.)

10 SENATOR STEWART-COUSINS: And I  
11 just wanted to say, because he will kill me after  
12 all the work that he's done, that she is joined  
13 here by her wonderful husband Lee, wherever Lee  
14 is.

15 (Applause.)

16 THE PRESIDENT: Senator Flanagan.

17 SENATOR DeFRANCISCO: Yes, would  
18 you now please recognize Senator Flanagan.

19 THE PRESIDENT: I'd be honored.

20 Senator Flanagan.

21 (Laughter.)

22 SENATOR FLANAGAN: We were just  
23 talking for a second. Sorry for the delay.

24 Madam President, it's nice to see  
25 you here today. We have that big burly strapping

1 young man next to you, for whatever kind of  
2 protection you may need up there today.

3 (Laughter.)

4 SENATOR FLANAGAN: I'm not sure if  
5 we should give you a step stool up or make him  
6 take a step down, but nonetheless, it's nice  
7 to --

8 (Laughter.)

9 SENATOR FLANAGAN: All right, good  
10 job, James. Good job.

11 Before I recognize, in conjunction  
12 with Senator Stewart-Cousins, our two newest  
13 colleagues, I just want to add my voice quickly.  
14 This is one of the things about our jobs that I  
15 still really like, when we get to see an  
16 outstanding young woman -- really, in reality,  
17 she's still a girl -- but she's a young woman.  
18 And this, for me, it's a renewal of faith. You  
19 know, you come in, you get to listen to a long  
20 resolution talk about her accomplishments --  
21 4,000 hours of community service. We're lucky.  
22 We're lucky and we're blessed because she's  
23 already one of our leaders and will be a future  
24 leader.

25 So not only do you look spectacular,

1 but you've obviously served with distinction  
2 already. So please just let me congratulate you  
3 as well and add my voice to the chorus of  
4 applause that you so richly deserve. All the  
5 best to you.

6 To our colleagues. I have been  
7 repetitious, but not to a fault. I have been  
8 repetitious in talking about the value of public  
9 service, the nobility of public service, the  
10 value of being an elected official, and we should  
11 all be proud for that.

12 Senator Stewart-Cousins spoke  
13 glowingly of her new colleagues and our new  
14 colleagues. And it is pretty interesting because  
15 I can look around the room, there are so many  
16 members who are seated here who did serve in the  
17 Assembly.

18 I -- just a little bit different.  
19 Senator Seward and I got elected the same year.  
20 But I'm at a juncture in my career where I have  
21 fifty-fifty: 16 years in the Assembly and now  
22 16 years in the Senate.

23 So to Senator Shelley Mayer, to  
24 Senator Luis Sepúlveda, bienvenido --

25 SENATOR STEWART-COUSINS:

1 Sepúlveda.

2 SENATOR FLANAGAN: Sepúlveda,  
3 right.

4 (Laughter.)

5 SENATOR FLANAGAN: All right,  
6 here's the safest thing we can do. I'm just  
7 going to say "Hey, Senator, good to see you.  
8 Good luck."

9 (Laughter.)

10 SENATOR FLANAGAN: We'll work on  
11 the verbiage after.

12 But we are at a juncture now, as you  
13 all well know, we have six or seven weeks and we  
14 have to go about the people's business. So I  
15 know we're going to do that and to have two new  
16 fresh voices with experience. Let's continue to  
17 serve with distinction. You will cut your own  
18 path, as you already have. I wish you Godspeed,  
19 and let's make sure that we get the people's  
20 business done in a way and shape and form that  
21 makes all of us proud, including our  
22 constituents.

23 Welcome to both you.

24 (Applause.)

25 THE PRESIDENT: If I could just



1 take a second to add my voice in congratulation  
2 to Senator Sepúlveda, Senator Mayer -- that has a  
3 nice sound to it.

4 And I want to welcome you to join us  
5 here in a place where people do the work of the  
6 people every single day. And while you may hear  
7 controversy outside these doors, inside this room  
8 there is a strong sense of a calling that each  
9 one of us has this unique opportunity to serve  
10 the people of our districts and the people of our  
11 state.

12 So it is a great honor of mine to be  
13 able to have sworn you in and to welcome you as  
14 our newest Senators. Thank you.

15 Senator DeFrancisco.

16 SENATOR DeFRANCISCO: Yes, Madam  
17 President, Senator Stewart-Cousins hands up the  
18 following Democrat Conference committee  
19 assignments.

20 THE PRESIDENT: The committee  
21 assignments are received and filed with the  
22 Journal Clerk.

23 SENATOR DeFRANCISCO: Okay, there  
24 will now be an immediate meeting of the  
25 Rules Committee in Room 332.

1                   THE PRESIDENT:    Immediate meeting  
2 of the Rules Committee in Room 332 of the  
3 Capitol.

4                   The Senate will stand at ease.

5                   (Whereupon, the Senate stood at ease  
6 at 2:27 p.m.)

7                   (Whereupon, the Senate reconvened at  
8 2:46 p.m.)

9                   ACTING PRESIDENT GRIFFO:    The  
10 Senate will return to order.

11                   Senator DeFrancisco.

12                   SENATOR DeFRANCISCO:    Yes, is there  
13 a report of the Rules Committee at the desk?

14                   ACTING PRESIDENT GRIFFO:    There is  
15 a report of the Rules Committee at the desk, and  
16 the Secretary will read.

17                   THE SECRETARY:    Senator Flanagan,  
18 from the Committee on Rules, reports the  
19 following bills:

20                   Senate Print 623, by Senator Boyle,  
21 an act to amend the Penal Law;

22                   Senate 638, by Senator Boyle, an act  
23 to amend the Penal Law;

24                   Senate 816, by Senator Funke, an act  
25 to amend the Public Health Law;

1                   Senate 880, by Senator Ortt, an act  
2 to amend the Penal Law;

3                   Senate 933B, by Senator Croci, an  
4 act to amend the Public Health Law;

5                   Senate 1127, by Senator Akshar, an  
6 act to amend the Penal Law;

7                   Senate 1211, by Senator Ortt, an act  
8 to amend the Penal Law;

9                   Senate 2639, by Senator Lanza, an  
10 act to amend the Public Health Law;

11                   Senate 2730, by Senator Griffo, an  
12 act to amend the Penal Law;

13                   Senate 2814, by Senator Hannon, an  
14 act to amend the Penal Law;

15                   Senate 2819, by Senator Lanza, an  
16 act to amend the Executive Law;

17                   Senate 2997A, by Senator LaValle, an  
18 act to amend the Executive Law;

19                   Senate 3845, by Senator Marchione,  
20 an act to amend the Penal Law;

21                   Senate 4036, by Senator Tedisco, an  
22 act to amend the Penal Law;

23                   Senate 4821, by Senator LaValle, an  
24 act to amend the Executive Law;

25                   Senate 5399A, by Senator Golden, an

1 act to amend the Penal Law;

2 Senate 5884A, by Senator Jacobs, an

3 act to amend the Public Health Law;

4 Senate 5949, by Senator Akshar, an

5 act to amend the Public Health Law;

6 Senate 6200A, by Senator Lanza, an

7 act to amend the Criminal Procedure Law;

8 Senate 6348, by Senator Robach, an

9 act to amend the State Finance Law;

10 Senate 6846, by Senator Golden, an

11 act to amend the Criminal Procedure Law;

12 Senate 7370, by Senator Little, an

13 act to amend the Penal Law;

14 Senate 7531B, by Senator Ritchie, an

15 act to amend the Executive Law; and

16 Senate 7976, by Senator Murphy, an

17 act to amend the Penal Law.

18 All bills reported direct to third  
19 reading.

20 ACTING PRESIDENT GRIFFO: Senator  
21 DeFrancisco.

22 SENATOR DeFRANCISCO: I move to  
23 accept the report of the Rules Committee.

24 ACTING PRESIDENT GRIFFO: All in  
25 favor of accepting the Committee on Rules report

1 signify by saying aye.

2 (Response of "Aye.")

3 ACTING PRESIDENT GRIFFO: Opposed?

4 (No response.)

5 ACTING PRESIDENT GRIFFO: The  
6 Rules Committee report is accepted and before the  
7 house.

8 Senator DeFrancisco.

9 SENATOR DeFRANCISCO: Yes, can we  
10 now take up the noncontroversial reading of the  
11 calendar.

12 ACTING PRESIDENT GRIFFO: The  
13 Secretary will read.

14 THE SECRETARY: Calendar Number 96,  
15 substituted earlier by Member of the Assembly  
16 Paulin, Assembly Print 8288B, an act to amend the  
17 Public Service Law.

18 ACTING PRESIDENT GRIFFO: Read the  
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the  
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT GRIFFO: Senator

1 Krueger to explain her vote.

2 SENATOR KRUEGER: Thank you,  
3 Mr. President.

4 So some people might see this bill  
5 as an anti-environmental bill, but I don't agree.  
6 I am voting for this bill because I support  
7 transparency in almost anything imaginable,  
8 including understanding our utility bills.

9 The reason I say some people might  
10 incorrectly think this is somehow  
11 anti-environmental is I think because they think  
12 it's going to show that moving to REV-standard  
13 sustainable energy will actually increase the  
14 cost for people. But in fact I'm quite sure,  
15 based on the science and even the financial  
16 institutions analysis, that the expense and costs  
17 of environmentally sound sustainable energy are  
18 plummeting as we speak. And as we expand it, it  
19 even decreases the prices for moving to renewable  
20 energy standards.

21 So I actually think that ultimately,  
22 and pretty quickly, this bill will show  
23 ratepayers that because we're moving to  
24 sustainable energy, their utility costs are going  
25 down, and that is a win. And so we'll have

1 transparency and then we'll be able to see that  
2 moving as quickly as possible to environmentally  
3 sustainable energy is good public policy and good  
4 for our pocketbooks.

5 I vote yes. Thank you,  
6 Mr. President.

7 ACTING PRESIDENT GRIFFO: Senator  
8 Krueger to be recorded in the affirmative.

9 Announce the results.

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT GRIFFO: The bill  
12 is passed.

13 THE SECRETARY: Calendar Number  
14 152, substituted earlier by Member of the  
15 Assembly Englebright, Assembly Print 7178, an act  
16 to amend the Executive Law.

17 ACTING PRESIDENT GRIFFO: Read the  
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the  
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 62.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number  
3 247, by Senator Amedore, Senate Print 898A, an  
4 act to amend the Mental Hygiene Law.

5 ACTING PRESIDENT GRIFFO: Read the  
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the  
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT GRIFFO: Senator  
13 Krueger to explain her vote.

14 SENATOR KRUEGER: Thank you,  
15 Mr. President.

16 I'm voting no on this bill. I went  
17 back and forth until someone pointed out to me  
18 that this bill, which would provide for OASAS to  
19 be able to contract with for-profit substance  
20 abuse providers -- that in this bill language it  
21 actually removes language that is required of  
22 not-for-profit substance abuse providers, where  
23 they would have the right to turn people away and  
24 they would not actually have to meet the same  
25 standards as are required in other OASAS



1 contracts for non-for-profit providers.

2 So while I'm not ultimately opposed  
3 to a bill that would treat for-profit substance  
4 abuse providers on the same playing fields as we  
5 have for not-for-profit providers, this bill  
6 actually would allow them some special exemptions  
7 from existing law that I don't think are good  
8 public policy.

9 So somebody hands me a different  
10 bill at a different time, I might change my vote,  
11 but I'm no for today.

12 Thank you, Mr. President.

13 ACTING PRESIDENT GRIFFO: Senator  
14 Krueger to be recorded in the negative.

15 Announce the results.

16 THE SECRETARY: In relation to  
17 Calendar 247, those recorded in the negative are  
18 Senators Alcantara, Brooks, Hamilton, Hoylman,  
19 Krueger, Montgomery, Persaud, Sanders and Savino.  
20 Also Senator Bailey. Also Senator Rivera.

21 Ayes, 51. Nays, 11.

22 ACTING PRESIDENT GRIFFO: The bill  
23 is passed.

24 THE SECRETARY: Calendar Number  
25 273, by Senator Comrie, Senate Print 6497A, an

1 act to authorizing.

2 ACTING PRESIDENT GRIFFO: Read the  
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the  
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: In relation to  
10 Calendar 273, those recorded in the negative are  
11 Senators Akshar, Bonacic, Helming, O'Mara, Ortt  
12 and Ranzenhofer.

13 Ayes, 56. Nays, 6.

14 ACTING PRESIDENT GRIFFO: The bill  
15 is passed.

16 THE SECRETARY: Calendar Number  
17 307, by Senator Ranzenhofer, Senate Print 3025,  
18 an act to amend the Environmental Conservation  
19 Law.

20 ACTING PRESIDENT GRIFFO: Read the  
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the  
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: In relation to  
3 Calendar 307, those recorded in the negative are  
4 Senators Hoylman, Krueger, Rivera and Serrano.

5 Ayes, 58. Nays, 4.

6 ACTING PRESIDENT GRIFFO: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 313, by Senator DeFrancisco, Senate Print 6853A,  
10 an act --

11 SENATOR KLEIN: Lay the bill aside.

12 ACTING PRESIDENT GRIFFO: Lay it  
13 aside.

14 THE SECRETARY: Calendar Number  
15 324, substituted earlier by Member of the  
16 Assembly Braunstein, Assembly Print 8003, an act  
17 to amend the Estates, Powers and Trusts Law.

18 ACTING PRESIDENT GRIFFO: Read the  
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the  
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 62.

1                   ACTING PRESIDENT GRIFFO:    The bill  
2   is passed.

3                   THE SECRETARY:    Calendar Number  
4   392, by Senator Little, Senate Print 1672, an act  
5   to amend the Real Property Tax Law.

6                   ACTING PRESIDENT GRIFFO:    Read the  
7   last section.

8                   THE SECRETARY:    Section 2.   This  
9   act shall take effect on the first of January.

10                  ACTING PRESIDENT GRIFFO:    Call the  
11   roll.

12                  (The Secretary called the roll.)

13                  THE SECRETARY:    Ayes, 62.

14                  ACTING PRESIDENT GRIFFO:    The bill  
15   is passed.

16                  THE SECRETARY:    Calendar Number  
17   482, by Senator Serino, Senate Print 6083A, an  
18   act to amend the Tax Law.

19                  ACTING PRESIDENT GRIFFO:    Read the  
20   last section.

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

23                  ACTING PRESIDENT GRIFFO:    Call the  
24   roll.

25                  (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 62.

2 ACTING PRESIDENT GRIFFO: The bill  
3 is passed.

4 THE SECRETARY: Calendar Number  
5 494, substituted earlier by Member of the  
6 Assembly Paulin, Assembly Print 62A, an act to  
7 amend the Agriculture and Markets Law.

8 ACTING PRESIDENT GRIFFO: Read the  
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the  
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT GRIFFO: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 515, by Senator Addabbo, Senate Print 3072, an  
20 act to amend the General Business Law.

21 ACTING PRESIDENT GRIFFO: Read the  
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 62.

4 ACTING PRESIDENT GRIFFO: The bill  
5 is passed.

6 THE SECRETARY: Calendar Number  
7 532, substituted earlier by Member of the  
8 Assembly Glick, Assembly Print 10065, an act to  
9 amend Chapter 192 of the Laws of 2011.

10 ACTING PRESIDENT GRIFFO: Read the  
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the  
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 62.

18 ACTING PRESIDENT GRIFFO: The bill  
19 is passed.

20 THE SECRETARY: Calendar Number  
21 600, by Senator Griffo, Senate Print 6756A, an  
22 act to amend the General Business Law.

23 ACTING PRESIDENT GRIFFO: Read the  
24 last section.

25 THE SECRETARY: Section 9. This

1 act shall take effect on the 180th day.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 62.

6 ACTING PRESIDENT GRIFFO: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 615, by Senator Murphy, Senate Print 7737, an act  
10 to amend the Public Buildings Law.

11 ACTING PRESIDENT GRIFFO: Read the  
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the  
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT GRIFFO: The bill  
20 is passed.

21 THE SECRETARY: Calendar Number  
22 757, by Senator Larkin, Senate Print 2389, an act  
23 to amend the Vehicle and Traffic Law.

24 ACTING PRESIDENT GRIFFO: Read the  
25 last section.

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

3           ACTING PRESIDENT GRIFFO:   Call the  
4   roll.

5           (The Secretary called the roll.)

6           THE SECRETARY:   Ayes, 62.

7           ACTING PRESIDENT GRIFFO:   The bill  
8   is passed.

9           THE SECRETARY:   Calendar Number  
10   789, by Senator Funke, Senate Print 4007A, an act  
11   to amend the State Finance Law.

12          ACTING PRESIDENT GRIFFO:   Read the  
13   last section.

14          THE SECRETARY:   Section 4.  This  
15   act shall take effect on the 180th day.

16          ACTING PRESIDENT GRIFFO:   Call the  
17   roll.

18          THE SECRETARY:   Ayes, 62.

19          ACTING PRESIDENT GRIFFO:   The bill  
20   is passed.

21          THE SECRETARY:   Calendar Number  
22   801, by Senator Golden, Senate Print 7440A, an  
23   act in relation to.

24          ACTING PRESIDENT GRIFFO:   Read the  
25   last section.



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

3           ACTING PRESIDENT GRIFFO:   Call the  
4   roll.

5           (The Secretary called the roll.)

6           THE SECRETARY:   Ayes, 62.

7           ACTING PRESIDENT GRIFFO:   The bill  
8   is passed.

9           THE SECRETARY:   Calendar Number  
10   803, by Senator Bonacic, Senate Print 7715, an  
11   act in relation to.

12          ACTING PRESIDENT GRIFFO:   Read the  
13   last section.

14          THE SECRETARY:   Section 7.  This  
15   act shall take effect immediately.

16          ACTING PRESIDENT GRIFFO:   Call the  
17   roll.

18          (The Secretary called the roll.)

19          THE SECRETARY:   Ayes, 62.

20          ACTING PRESIDENT GRIFFO:   The bill  
21   is passed.

22          Senator DeFrancisco, that completes  
23   the noncontroversial reading of today's  
24   active-list calendar.

25          SENATOR DeFRANCISCO:   Would you

1 please take up the controversial reading.

2 ACTING PRESIDENT GRIFFO: The  
3 Secretary will ring the bell.

4 The Secretary will read.

5 THE SECRETARY: Calendar Number  
6 313, by Senator DeFrancisco, Senate Print 6853A,  
7 an act to amend the Environmental Conservation  
8 Law.

9 ACTING PRESIDENT GRIFFO: Senator  
10 Krueger.

11 SENATOR KRUEGER: Thank you.

12 If through you, Mr. President, the  
13 sponsor would please yield for some questions.

14 ACTING PRESIDENT GRIFFO: Senator  
15 DeFrancisco, do you yield?

16 SENATOR DeFRANCISCO: Yes.

17 SENATOR KRUEGER: Thank you.

18 So my understanding is this bill  
19 would allow the Department of Environmental  
20 Conservation to permit certain people to hunt  
21 certain animals when it's not officially hunting  
22 season. Could you clarify for me under what  
23 circumstances DEC would be approving these  
24 people?

25 SENATOR DeFRANCISCO: This has

1 nothing to do with a hunting permit. This  
2 happens to be a bill that's trying to rectify a  
3 situation, primarily in the rural areas, where  
4 the deer population is so extensive that it is  
5 causing accidents, both causing personal injury  
6 and property damage.

7 This is not to try to get people  
8 with hunting licenses outside of the specific  
9 hunting seasons. Basically, it's a way to cull  
10 the deer population where needed.

11 Now, Senator Persaud is an expert on  
12 this, because she learned the other day in Bible  
13 class that one of our members that shows up has  
14 actually hit six deer. And that's in a much more  
15 rural area than our area in Central New York.

16 But even in the City of Syracuse --  
17 a sanctuary city, the City of Syracuse -- people  
18 in the City of Syracuse are calling for culling  
19 of the deer population.

20 So what this bill does, what this  
21 bill does is in the past the DEC was authorizing  
22 these permits, but someone read the statute more  
23 carefully and found that they couldn't authorize  
24 these type of permits. So we're putting the  
25 authority back to the DEC legally to issue the

1 permits they were doing before.

2 SENATOR KRUEGER: Through you,  
3 Mr. President, if the sponsor would continue to  
4 yield.

5 SENATOR DeFRANCISCO: Yes.

6 ACTING PRESIDENT GRIFFO: The  
7 sponsor yields.

8 SENATOR KRUEGER: Thank you. I  
9 appreciate the sponsor's answer.

10 And yes, I don't think I was  
11 confused about giving permits; rather, expanding  
12 who could take wildlife in nonhunting season.  
13 And he clarified the reasons DEC would want to do  
14 this.

15 But in addition, this bill expands  
16 certain activities that are not currently allowed  
17 hunters I think anywhere.

18 So through you, Mr. President, if  
19 the sponsor would explain why his bill would  
20 allow you to shoot across a highway.

21 SENATOR DeFRANCISCO: Where does it  
22 say that?

23 SENATOR KRUEGER: One second.

24 Section 4, paragraph 2 -- no, excuse  
25 me, Section 4, paragraph 1. "Discharge of

1 firearm, crossbow or longbow in such a way as  
2 will result in the load, bolt or arrow thereof  
3 passing over a public highway."

4 SENATOR DeFRANCISCO: This is a  
5 process by which the applicant would have to get  
6 authority from the DEC, and would only have the  
7 authority as was issued by the permit.

8 If it was a high-populated area or  
9 if you're not in some county that no one passes  
10 the highway during hours from 3:00 in the morning  
11 to 6:00 in the morning, it gives the DEC the  
12 authority to do it. But obviously we would  
13 assume that the DEC has enough sense that it only  
14 would give the authority to provide -- to cull  
15 the deer under circumstances that would be safe  
16 to the public.

17 SENATOR KRUEGER: Through you,  
18 Mr. President, if the sponsor would continue to  
19 yield.

20 SENATOR DeFRANCISCO: Yes.

21 ACTING PRESIDENT GRIFFO: The  
22 sponsor yields.

23 SENATOR KRUEGER: So this bill  
24 would give authority by DEC to individuals, and  
25 then the individuals would be allowed to do

1       whatever is allowed under this bill.

2                       So it would not be DEC says to John  
3       DeFrancisco, you're a sharpshooter; you can shoot  
4       across highways. Liz Krueger, you're a lousy  
5       shot, you can't shoot across highways.

6                       Am I reading that correct, that we  
7       would both get about the same authority whether  
8       or not either of us had proved we were pretty  
9       good at not shooting at cars as we were shooting  
10      across a highway?

11                      SENATOR DeFRANCISCO:   Well, first  
12      of all, to clarify that point, when I got my  
13      carry permit I went with my son to a target range  
14      and he discharged his handgun all in the chest  
15      area. When I got my turn, I discharged my gun,  
16      and when you looked at the target it was all in  
17      the groin area.

18                      (Laughter.)

19                      SENATOR DeFRANCISCO:   Even though  
20      that hurts -- and that's a true story -- it  
21      doesn't show that I'm a sharpshooter at all. The  
22      DEC is going to have to make the determinations  
23      as to each person who should be given that  
24      responsibility.

25                      And it's not like individuals are

1 going to the DEC. For example, in my county, the  
2 Town of DeWitt has been trying like crazy to get  
3 a permit to get professional sharpshooters to  
4 cull the deer so that they're not traveling over  
5 city highways and highways just outside of the  
6 city.

7 So the DEC, I have full faith in  
8 them. And it's not to create any harm to others,  
9 and that they would restrict the permits  
10 depending upon who they gave the authority.

11 SENATOR KRUEGER: Through you,  
12 Mr. President, if the sponsor would continue to  
13 yield.

14 SENATOR DeFRANCISCO: Yes.

15 ACTING PRESIDENT GRIFFO: The  
16 sponsor yields.

17 SENATOR KRUEGER: This bill does  
18 not apply to New York City. Why is that?

19 SENATOR DeFRANCISCO: Because you  
20 would oppose it.

21 (Laughter.)

22 SENATOR KRUEGER: Through you,  
23 Mr. President, the sponsor is indeed correct.  
24 But I'm opposing it everywhere else also.

25 Through you, Mr. President, if the

1 sponsor would continue to yield.

2 SENATOR DeFRANCISCO: No, the  
3 serious answer is that the upstate counties were  
4 asking for this authority, and the DEC was  
5 previously giving this authority but then they  
6 found the language wasn't right in the bill, so  
7 we're correcting that.

8 The original regulations did not say  
9 anything about New York City.

10 ACTING PRESIDENT GRIFFO: The  
11 sponsor continues to yield.

12 SENATOR KRUEGER: Thank you.

13 There's also a section of the  
14 bill -- Section 4, paragraph 2 -- which actually  
15 defines the distance from structures where people  
16 might be -- homes, schools, churches, other  
17 public structures. And it shortens the distance  
18 you can be from those structures compared to  
19 other hunting bills.

20 Again, why would we feel a need to  
21 allow hunting closer to buildings and structures  
22 where we know people are?

23 SENATOR DeFRANCISCO: Again, this  
24 is not hunting. This is an activity to try to  
25 make the communities safe and not hit deer and



1 not have people veering off the highway to miss a  
2 deer and end up killing themselves.

3 So this isn't hunting, this is a  
4 necessary activity that is being done. And in  
5 the past, as I said, the DEC was routinely  
6 providing these permits until they found out that  
7 it wasn't broad enough and they needed more  
8 flexibility.

9 So this has been vetted with the  
10 DEC, and we believe it's a reasonable bill to  
11 balance the safety of individuals, whether  
12 they're in the line of a shot going to a deer or  
13 just trying to avoid a deer, and to provide safer  
14 roads as well.

15 SENATOR KRUEGER: Through you,  
16 Mr. President, on the bill.

17 ACTING PRESIDENT GRIFFO: Senator  
18 Krueger on the bill.

19 SENATOR KRUEGER: Thank you.

20 I appreciate the sponsor's answers.

21 I'm not actually opposed to DEC  
22 saying because of overpopulation there may be  
23 public health reasons or public vehicle or  
24 private vehicle reasons to want to cull the  
25 quantity of animals. I certainly hear about

1 those issues on behalf of farmers and other  
2 people who have come in contact with deer and  
3 other large animals on the highways.

4 What I specifically object to is  
5 this bill incorporates into it proposals I've  
6 seen in other bills that have come on this floor  
7 which expand the places and the ways that people  
8 can hunt beyond existing law.

9 So yes, it's not hunting as a sport,  
10 it's hunting for DEC purposes. I get that, and  
11 don't have a problem.

12 Yes, it's not an expanded season for  
13 permits. Rather, it's DEC saying: X, Y and Z,  
14 you can help us reduce the population in certain  
15 areas certain times of the year. I get that.

16 What I can't support and I don't  
17 think this state should allow to become law in  
18 the state is the concept where you can shoot  
19 across a highway to hit an animal. Because  
20 frankly, being confident that cars aren't coming  
21 and going in either or both directions,  
22 particularly referencing the sponsor's answer --  
23 but it could be very early in the morning or late  
24 in the evening, where your likelihood of actually  
25 seeing vehicles, particularly at dusk, are the

1     worst time to possibly be near a highway shooting  
2     across it.

3                 While it's terrible when somebody  
4     hits a deer with their car and does damage, it  
5     would also be terrible to be shot by someone who  
6     thought they were aiming at a deer but you were  
7     driving through between them and the deer.

8                 The same response from me as to why  
9     I'll vote no on this bill is there's common sense  
10    about how close hunters should be allowed to  
11    shoot dangerous guns and crossbows and other  
12    weapons near where people live and work and play.  
13    And the concept that a small child not wearing  
14    any kind of I.D. and perhaps being the height of  
15    a deer could be running around in the backyard --  
16    which might be wooded in, so the DEC person would  
17    be there thinking they were culling animals, but  
18    it's that close to a home or a school where  
19    children are playing or someone's going and  
20    chopping down the tree in their backyard. I do  
21    not think it is good public policy to reduce the  
22    distance.

23                And I think if you're culling herds,  
24    somebody can -- excuse me -- urge the deer to  
25    move 500 feet away before they shoot them. Or

1 across the highway to shoot at the deer rather  
2 than across the highway.

3 So those are the reasons that I urge  
4 a no vote. It's for human safety, which I think  
5 should actually rate higher than the DEC's goal  
6 of being able to take control of perhaps  
7 overproduction of certain animals in certain  
8 parts of the state.

9 So I would urge DEC to revise this  
10 bill and bring it back to the Legislature. And  
11 I'll be voting no.

12 Thank you, Mr. President.

13 ACTING PRESIDENT GRIFFO: Seeing  
14 and hearing no other Senator that wishes to be  
15 heard, debate is closed -- Senator Funke.

16 SENATOR FUNKE: Thank you,  
17 Mr. President. On the bill.

18 I want to thank Senator DeFrancisco  
19 for bringing this legislation forward.

20 Those of us who live upstate have  
21 seen an explosion in the deer population of  
22 incredible magnitude. I live in a typical  
23 suburban house in Perinton, New York, and counted  
24 12 deer in my front yard just yesterday.

25 They eat everything, including the

1 shingles on your house. It's becoming a  
2 problem -- not only a problem for homeowners, but  
3 it's becoming a safety issue for sure for young  
4 people who drive in the neighborhood and so on.

5 For the DEC, we're talking about  
6 professionals here. We're not talking about your  
7 average run-of-the-mill hunter, we're talking  
8 about hiring professionals to cull the deer  
9 population. It's absolutely something that needs  
10 to happen in upstate New York in particular.

11 And I just want to thank Senator  
12 DeFrancisco for recognizing the problem, as so  
13 many other communities have. And I vote aye.

14 Thank you, Mr. President.

15 ACTING PRESIDENT GRIFFO: Seeing  
16 and hearing no other Senator that wishes to be  
17 heard, debate is -- Senator Lanza.

18 SENATOR LANZA: I'm sorry,  
19 Mr. President, I couldn't let the moment pass.

20 So New York City has a very  
21 interesting and creative solution to this  
22 problem, which ignores a lot of the safety  
23 concerns that I just heard from my colleague  
24 Senator Krueger.

25 So on Staten Island, the upstate of

1 New York City, we have a deer problem. We have a  
2 lot of deer. But it's not as open and as  
3 expansive as the rest of New York State. In  
4 fact, we have 550,000 people crammed in on  
5 Staten Island. We have some open spaces, sure,  
6 but they're never too far from schools and young,  
7 short children.

8                   And so here's New York City's  
9 wonderful solution to the deer so-called problem  
10 on Staten Island -- the only place really that  
11 still has open spaces and green areas, because we  
12 on Staten Island really love the environment and  
13 protect it I think in a way that is better than  
14 most other places around the city.

15                   So here's what they're doing.  
16 They've spent \$4 million to date. They have  
17 people with high-powered rifles going into  
18 neighborhoods on Staten Island. They bait the  
19 deer -- they put these huge piles of corn and  
20 they lure the deer in. And then they shoot the  
21 deer -- never more than a few hundred feet from  
22 young children running around without tags and  
23 without signs on them saying "I'm a young child,  
24 don't shoot me."

25                   And they dart these deer, they put

1       them under, and they give them a vasectomy.

2                       (Laughter.)

3                       SENATOR LANZA:     That's what  
4       New York City has spent \$4 million doing over the  
5       last two years.   They give these deer  
6       vasectomies.

7                       Now, sadly, what ends up happening  
8       is about 30 percent of these deer, after this  
9       procedure -- because I'm sure they hired the  
10      best, in New York City, vasectomy-ologists --

11                      (Laughter.)

12                      SENATOR LANZA:     -- about 30 percent  
13      of them are soon found to be dead.   And it's sad,  
14      and it's tragic.   And none of that meat goes to  
15      soup kitchens, goes to the needy, it's just  
16      wasted.   In fact, they litter the sides of the  
17      road minutes after they're given these  
18      vasectomies.

19                      So to my colleagues upstate, you  
20      might want to consider something like that -- or  
21      not, because it's ridiculous.

22                      I vote aye.

23                      ACTING PRESIDENT GRIFFO:   Now  
24      seeing no one that wishes -- Senator Savino.

25                      SENATOR SAVINO:     Thank you,

1 Mr. President.

2 I just want to add to the insanity  
3 of the New York City plan. Thank you, Senator  
4 Lanza, for describing just how ridiculous it is.

5 Not only are they shooting them,  
6 they are tranquilizing them, they are performing  
7 vasectomies on them. But the problem with the  
8 vasectomies is even if they survive this, it  
9 doesn't prevent the female deer from going into  
10 heat. And so they are running around now in  
11 heat, and the stags are still rutting, although  
12 they're not able to impregnate the deer. And so  
13 we have deer running around, in heat, crazy and  
14 frustrated.

15 (Laughter.)

16 SENATOR SAVINO: So I don't know  
17 what the solution is, but I can tell you this:  
18 The Department of Environmental Conservation  
19 doesn't know either. So I'm going to vote for  
20 this bill --

21 ACTING PRESIDENT GRIFFO: Senator  
22 DeFrancisco, why do you rise?

23 SENATOR DeFRANCISCO: Would Senator  
24 Savino --

25 SENATOR SAVINO: -- I'm voting for



1       this bill because we certainly need solutions.

2       Thank you.

3                   SENATOR DeFRANCISCO:     Would Senator  
4       Savino suffer a question?

5                   SENATOR SAVINO:     Sure.

6                   SENATOR DeFRANCISCO:     I'm wondering  
7       whether Staten Island would be interested if the  
8       state distributed condoms.

9                   (Laughter.)

10                  SENATOR SAVINO:     At this point I  
11       think we would try just about anything to deal  
12       with our deer problem.

13                  Thank you, Mr. President.

14                  ACTING PRESIDENT GRIFFO:     The  
15       debate is closed.

16                  The Secretary will ring the bell.

17                  Read the last section.

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

20                  ACTING PRESIDENT GRIFFO:     Call the  
21       roll.

22                  (The Secretary called the roll.)

23                  ACTING PRESIDENT GRIFFO:     Senator  
24       Hoylman to explain his vote.

25                  SENATOR HOYLMAN:     Thank you,

1 Mr. President.

2 I just wanted to point out that just  
3 last month we voted on a bill -- and passed --  
4 S7813A, that would define discharging a firearm  
5 within a thousand feet of a school as a  
6 terroristic threat. And now today, with this  
7 bill, we are eliminating the 500-foot rule when  
8 it comes to public schools and the discharge of  
9 firearms altogether.

10 I think that is sending a bad  
11 message, and I'll be voting in the negative.

12 ACTING PRESIDENT GRIFFO: Senator  
13 Hoylman to be recorded in the negative.

14 Senator DeFrancisco to explain his  
15 vote.

16 SENATOR DeFRANCISCO: Yes, I just  
17 want to mention another point that I forgot. The  
18 sponsor in the Assembly is Pamela Hunter, who  
19 lives in the City of Syracuse, on the east side  
20 of the City of Syracuse, and they're having a  
21 huge problem with the deer population.

22 We had a little fun with this bill,  
23 but on the other hand, this is an important thing  
24 that has to be done in order to provide safety to  
25 the residents of the state.

1           Again, this is not a willy-nilly  
2           situation where you're just -- anybody can go  
3           around and shoot a gun anywhere they want to  
4           or -- they've got to have approval from the DEC.

5           And as Senator Funke mentioned,  
6           these are people that are professionals that are  
7           doing this. It's a necessary thing that has to  
8           be done in certain communities.

9           So I vote aye.

10          ACTING PRESIDENT GRIFFO:    Senator  
11          DeFrancisco to be recorded in the affirmative.

12          Announce the results.

13          THE SECRETARY:    In relation to  
14          Calendar 313, those recorded in the negative are  
15          Senators Addabbo, Alcantara, Avella, Benjamin,  
16          Boyle, Brooks, Gianaris, Hamilton, Hoylman,  
17          Kaminsky, Kavanagh, Kennedy, Krueger, Mayer,  
18          Montgomery, Parker, Rivera, Sepúlveda, Serrano,  
19          Stavisky, Stewart-Cousins. Also Senator Bailey.  
20          Also Senator Persaud. Also Senator Sanders.

21          Ayes, 39. Nays, 24.

22          ACTING PRESIDENT GRIFFO:    The bill  
23          is passed.

24          Senator DeFrancisco, that completes  
25          the controversial reading of today's active list.

1                   SENATOR DeFRANCISCO:    There's a  
2   Senate supplemental calendar which are some of  
3   the bills that were the subject of the  
4   Rules Committee meeting.  It's Calendar Number  
5   36A.  Could we have the noncontroversial reading  
6   of that calendar.

7                   ACTING PRESIDENT GRIFFO:   The  
8   Secretary will take up the noncontroversial  
9   reading of Senate Calendar 36A.

10                  Senator DeFrancisco.

11                  SENATOR DeFRANCISCO:    Yes, can we  
12   take them up one at a time.

13                  The first will be -- please call up  
14   857.

15                  ACTING PRESIDENT GRIFFO:   The  
16   Secretary will read.

17                  THE SECRETARY:   Calendar Number  
18   857, by Senator Boyle, Senate Print 623, an act  
19   to amend the Penal Law.

20                  ACTING PRESIDENT GRIFFO:   Read the  
21   last section.

22                  THE SECRETARY:   Section 3.  This  
23   act shall take effect on the first of November.

24                  ACTING PRESIDENT GRIFFO:   Call the  
25   roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT GRIFFO: Announce  
3 the results.

4 THE SECRETARY: In relation to  
5 Calendar 857, those recorded in the negative are  
6 Senators Benjamin, Hamilton, Hoylman, Kavanagh,  
7 Krueger, Montgomery, Parker and Sanders. Also  
8 Senators Alcantara and Sepúlveda. Also  
9 Senator Rivera.

10 Ayes, 52. Nays, 11.

11 ACTING PRESIDENT GRIFFO: The bill  
12 is passed.

13 Senator DeFrancisco.

14 SENATOR DeFRANCISCO: Can we now  
15 take up 858, please.

16 ACTING PRESIDENT GRIFFO: The  
17 Secretary will read.

18 THE SECRETARY: Calendar Number  
19 858, by Senator Boyle, Senate Print 638, an act  
20 to amend the Penal Law.

21 ACTING PRESIDENT GRIFFO: Read the  
22 last section.

23 THE SECRETARY: Section 2. This  
24 act shall take effect on the 90th day.

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT GRIFFO: Announce  
4 the results.

5 THE SECRETARY: In relation to  
6 Calendar 858, those recorded in the negative are  
7 Senators Alcantara, Bailey, Benjamin, Comrie,  
8 Dilan, Gianaris, Hoylman, Kavanagh, Krueger,  
9 Montgomery, Parker, Persaud, Rivera, Sanders,  
10 Sepúlveda and Serrano.

11 Ayes, 47. Nays, 16.

12 ACTING PRESIDENT GRIFFO: The bill  
13 is passed.

14 Senator DeFrancisco.

15 SENATOR DeFRANCISCO: Will you  
16 please take up Calendar 859, please.

17 ACTING PRESIDENT GRIFFO: The  
18 Secretary will read.

19 THE SECRETARY: Calendar Number  
20 859, by Senator Funke, Senate Print 816, an act  
21 to amend the Public Health Law.

22 ACTING PRESIDENT GRIFFO: Read the  
23 last section.

24 THE SECRETARY: Section 2. This  
25 act shall take effect on the 90th day.

1                   ACTING PRESIDENT GRIFFO:    Call the  
2   roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:    Ayes, 63.

5                   ACTING PRESIDENT GRIFFO:    The bill  
6   is passed.

7                   Senator DeFrancisco.

8                   SENATOR DeFRANCISCO:    Please take  
9   up 860.

10                  ACTING PRESIDENT GRIFFO:    The  
11   Secretary will read.

12                  THE SECRETARY:    Calendar Number  
13   860, by Senator Ortt, Senate Print 880, an act to  
14   amend the Penal Law.

15                  ACTING PRESIDENT GRIFFO:    Read the  
16   last section.

17                  THE SECRETARY:    Section 6.   This  
18   act shall take effect on the first of November.

19                  ACTING PRESIDENT GRIFFO:    Call the  
20   roll.

21                  (The Secretary called the roll.)

22                  ACTING PRESIDENT GRIFFO:    Announce  
23   the results.

24                  THE SECRETARY:    In relation to  
25   Calendar 860, those recorded in the negative are

1 Senators Alcantara, Bailey, Benjamin, Comrie,  
2 Dilan, Gianaris, Hoylman, Kavanagh, Krueger,  
3 Montgomery, Parker, Persaud, Rivera, Sanders,  
4 Sepúlveda and Serrano. Also Senator Hamilton.  
5 Also Senator Stavisky.

6 Ayes, 45. Nays, 18.

7 ACTING PRESIDENT GRIFFO: The bill  
8 is passed.

9 Senator DeFrancisco.

10 SENATOR DeFRANCISCO: Please take  
11 up Calendar 862.

12 ACTING PRESIDENT GRIFFO: The  
13 Secretary will read.

14 THE SECRETARY: Calendar Number  
15 862, by Senator Akshar, Senate Print 1127, an act  
16 to amend the Penal Law.

17 ACTING PRESIDENT GRIFFO: Read the  
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the  
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT GRIFFO: Senator  
25 Akshar to explain his vote.



1                   SENATOR AKSHAR:    Mr. President,  
2    thank you for your indulgence.  I rise to explain  
3    my vote.

4                   We're taking up a series of bills  
5    related to the heroin and opioid epidemic.  And  
6    I'm sitting here scratching my head watching some  
7    of my esteemed colleagues.

8                   I would remind everybody that the  
9    Department of Health recently reported that over  
10   the last five years, overdose deaths have doubled  
11   across this great state.  So just for a moment --  
12   everybody stay with me -- let's agree that we  
13   have to do something and this is probably one of  
14   the most pervasive issues plaguing communities  
15   across this great state, whether you are in  
16   Binghamton, Buffalo or Brooklyn.

17                  I have said this since the moment I  
18   walked into this city, that dealing with this  
19   particular issue is a nonpartisan issue.  We  
20   should truly be acting, and we should be acting  
21   now.

22                  Today, as we have in the past, we're  
23   putting forth a comprehensive package of bills  
24   that deals with this issue.  And I would note  
25   that the bills that we're putting forth, we

1 didn't arrive at these bills by a bunch of  
2 bureaucrats sitting in a room collectively  
3 together. We traveled this state, and we  
4 listened to the people who were fighting this  
5 epidemic on the front line.

6           We're taking a comprehensive  
7 approach, dealing with education, prevention,  
8 treatment, recovery and yes, my friends,  
9 enforcement. Enforcement is an important piece  
10 in all of this.

11           And I say this with the utmost  
12 respect. We really need leaders in this house  
13 and in the other house to wake up. I would  
14 respectfully offer that we should stop playing  
15 politics with people's lives, and we should all  
16 collectively be helping drive drug dealers out of  
17 our communities. Collectively we should be  
18 helping make access to poison harder, not easier.

19           Our constituents depend on us to  
20 show a little leadership on this particular  
21 issue. It would benefit everybody that we  
22 represent.

23           So as we move forward in dealing  
24 with these bills today and in the days that come,  
25 I would challenge both our friends in the

1 Assembly and all of us in this house to put  
2 people before politics when we deal with this  
3 particular issue.

4 If you can't do that, if you can't  
5 put the people of this great state before  
6 politics, then I have another challenge for you.  
7 I challenge you to all go back to your district,  
8 look your constituents in the eyes and tell them  
9 that you had a chance to do more, but you chose  
10 not to. You chose to put people who side with  
11 the peddlers of poison before protecting our  
12 children.

13 Mr. President, I vote aye.

14 ACTING PRESIDENT GRIFFO: Senator  
15 Akshar to be recorded in the affirmative.

16 Senator Krueger to explain her vote.

17 SENATOR KRUEGER: Thank you,  
18 Mr. President.

19 I'm voting no on this bill for  
20 specific reasons, but I voted no on quite a few  
21 of the others and I think I have several other  
22 nos to go.

23 People who lived in this state  
24 through drug epidemics in the past and the  
25 creation of the Rockefeller Drug Laws learned

1     that there seemed to be no correlation between  
2     people abusing dangerous drugs and the numbers of  
3     years that you were throwing people in prison  
4     because they had a drug problem themselves that  
5     also overlapped perhaps with selling the drug.  
6     All it did was fill our prisons up and leave us  
7     with peoples's lives ruined forever, when perhaps  
8     what they needed was the education and the  
9     treatment and an alternative.

10                 I don't think it's politics that  
11     have some of us voting yes and some of us voting  
12     no. We all don't want anyone to be addicted to  
13     drugs that do them damage, that end up killing  
14     themselves. We also should all recognize the  
15     correlation between having the drug addiction and  
16     ending up potentially involved in the sale of  
17     drugs.

18                 And hopefully, if we go back and  
19     revisit the 35 years of studies and data and  
20     analysis of what we wasted during the Rockefeller  
21     drug era, we might recognize that repeating the  
22     mistakes of the past won't solve today's  
23     problems, won't save lives, but may put us back  
24     to having a discussion again, 30 years into the  
25     future, why did we do in 2018 that which we knew

1       didn't work in the '80s, '90s and '00s?

2                       So yes, I'm voting no. I can go  
3       home and explain that. We all don't want anyone  
4       dying of drugs, addicted to drugs. But we also,  
5       as my colleague just said, we need to be smart  
6       about the policies we put in place and not  
7       knee-jerk assume just increasing penalties and  
8       putting people in jail with no judicial  
9       discretion for 15, 18, 25 years to life, without  
10      thinking through cause and effect -- that those  
11      are not the right answers for the State of  
12      New York, and they won't solve the problem.

13                     Mr. President, I vote no.

14                     ACTING PRESIDENT GRIFFO:    Senator  
15      Krueger to be recorded in the negative.

16                     Senator Robach to explain his vote.

17                     SENATOR ROBACH:    You can go -- go  
18      with Bailey.

19                     ACTING PRESIDENT GRIFFO:    Senator  
20      Bailey to explain his vote.

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

23                     This is an interesting conversation  
24      we're having today, or isn't it. On Saturday, at  
25      oddly enough my opioid awareness event, my

1 constituents asked me where was the state for the  
2 last 25 years when people in my community were  
3 dying. Where were they? Where was this passion  
4 that it was a health problem when I was going to  
5 school, walking around people that were called  
6 junkies and dope fiends?

7 Now they're called addicts. And it  
8 should be a health awareness problem,  
9 Mr. President. And to my colleagues, that's what  
10 it always should have been. But let's be very  
11 clear and let's be fair about what's happening  
12 now and what wasn't happening back then.

13 So I can and I will go proudly back  
14 to my community and say, This is what I'm doing  
15 for you. This is how I represent you.

16 And oddly enough, I'm actually up on  
17 this bill. This isn't a bill that I have a  
18 problem with. But the idea that this opioid  
19 crisis all of a sudden just popped up is  
20 something I have a problem with.

21 And -- anticlimactic, but I do vote  
22 aye, Mr. President.

23 ACTING PRESIDENT GRIFFO: Senator  
24 Bailey to be recorded in the affirmative.

25 Senator Robach. Senator Robach

1 would like to explain his vote.

2 SENATOR ROBACH: Yeah,  
3 Mr. President, I vote to support this bill. This  
4 is an interesting one. And much of what  
5 everybody's saying is true.

6 Though I would applaud everybody in  
7 the chamber, because we've done a lot of bills  
8 over the time or through the budget to add more  
9 money for treatment, to cover long-term care, to  
10 do Narcan, to do I-STOP, to do things.

11 So it isn't new. I guess I'm going  
12 to date myself as one of the older people in the  
13 chamber, and I remember fairly early in my career  
14 when I started working for the Department of  
15 Public Safety -- again, if you found heroin on  
16 the street that was 15 percent, it was high.  
17 What people are selling now, and who they're  
18 preying on, they're not users. They're making  
19 money.

20 We have a gentleman, again, who's  
21 selling straight carfentanil for \$18. He knows  
22 he's probably going to kill you. Yet he's out  
23 there doing it and preying on this.

24 So I happen to think -- I support  
25 Senator Akshar's bill, I supported Senator

1 Amedore's bill. I do think we have to continue  
2 the multipronged approach of treating the people  
3 that need it. But I think this is very different  
4 than users supporting their habit. I think we  
5 have people literally selling death who need to  
6 have the penalty fit the crime.

7           So I wholeheartedly support  
8 Senator Akshar's bill and hope that we'll all  
9 continue to look at the wide range of ways we can  
10 stop this. Because with all the work and the  
11 money we've spent, we almost seem to be going in  
12 the wrong direction. Without Narcan, the amount  
13 of people being killed in every one of our  
14 communities would be astronomically high, and  
15 probably higher than any other disease.

16           So I want to applaud Senator Akshar,  
17 and I vote in the affirmative.

18           ACTING PRESIDENT GRIFFO: Senator  
19 Robach to be recorded in the affirmative.

20           Announce the results.

21           THE SECRETARY: In relation to  
22 Calendar 862, those recorded in the negative are  
23 Senators Hoylman, Kavanagh, Krueger, Montgomery,  
24 Parker, Rivera, Sanders and Sepúlveda.

25           Ayes, 55. Nays, 8.



1           ACTING PRESIDENT GRIFFO:    The bill  
2   is passed.

3           Senator DeFrancisco.

4           SENATOR DeFRANCISCO:    Please take  
5   up Calendar 864.

6           ACTING PRESIDENT GRIFFO:    The  
7   Secretary will read.

8           THE SECRETARY:    Calendar Number  
9   864, by Senator Lanza, Senate Print 2639, an act  
10  to amend the Public Health Law.

11          ACTING PRESIDENT GRIFFO:    Read the  
12  last section.

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

15          ACTING PRESIDENT GRIFFO:    Call the  
16  roll.

17          (The Secretary called the roll.)

18          THE SECRETARY:    Ayes, 63.

19          ACTING PRESIDENT GRIFFO:    The bill  
20  is passed.

21          Senator DeFrancisco.

22          SENATOR DeFRANCISCO:    Please take  
23  up Calendar Number 866.

24          ACTING PRESIDENT GRIFFO:    The  
25  Secretary will read.

1                   THE SECRETARY:   Calendar Number  
2   866, by Senator Hannon, Senate Print 2814, an act  
3   to amend the Penal Law.

4                   ACTING PRESIDENT GRIFFO:   Read the  
5   last section.

6                   THE SECRETARY:   Section 10.  This  
7   act shall take effect on the 90th day.

8                   ACTING PRESIDENT GRIFFO:   Call the  
9   roll.

10                   (The Secretary called the roll.)

11                   THE SECRETARY:   Ayes, 63.

12                   ACTING PRESIDENT GRIFFO:   The bill  
13   is passed.

14                   Senator DeFrancisco.

15                   SENATOR DeFRANCISCO:   Please take  
16   up 869.

17                   ACTING PRESIDENT GRIFFO:   The  
18   Secretary will read.

19                   THE SECRETARY:   Calendar Number  
20   869, by Senator Marchione, Senate Print 3845, an  
21   act to amend the Penal Law.

22                   ACTING PRESIDENT GRIFFO:   Read the  
23   last section.

24                   THE SECRETARY:   Section 3.  This  
25   act shall take effect on the 180th day.

1                   ACTING PRESIDENT GRIFFO:    Call the  
2   roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:    Ayes, 60.   Nays, 3.  
5   Senators Hoylman, Kavanaugh and Krueger recorded  
6   in the negative.

7                   ACTING PRESIDENT GRIFFO:    The bill  
8   is passed.

9                   Senator DeFrancisco.

10                  SENATOR DeFRANCISCO:    And the last  
11   bill that we'll take up on the calendar is  
12   Calendar 874.

13                  ACTING PRESIDENT GRIFFO:    The  
14   Secretary will read.

15                  THE SECRETARY:    Calendar Number  
16   874, by Senator Akshar, Senate Print 5949, an act  
17   to amend the Public Health Law.

18                  ACTING PRESIDENT GRIFFO:    Read the  
19   last section.

20                  THE SECRETARY:    Section 2.   This  
21   act shall take effect on the 90th day.

22                  ACTING PRESIDENT GRIFFO:    Call the  
23   roll.

24                  (The Secretary called the roll.)

25                  THE SECRETARY:    Ayes, 63.

1                   ACTING PRESIDENT GRIFFO:    The bill  
2   is passed.

3                   Senator DeFrancisco, that completes  
4   the noncontroversial reading of today's  
5   supplemental active-list calendar.

6                   SENATOR DeFRANCISCO:    Would you  
7   please take up previously adopted Resolution  
8   3531, by Senator Hannon.  And momentarily, would  
9   you read the title only.

10                   (Pause.)

11                   ACTING PRESIDENT GRIFFO:    The  
12   Secretary will read.

13                   THE SECRETARY:    Legislative  
14   Resolution Number 3531, by Senator Hannon,  
15   memorializing Governor Andrew M. Cuomo to  
16   proclaim April 2018 as Organ and Tissue Donor  
17   Awareness Month in the State of New York, in  
18   conjunction with the observance of National  
19   Donate Life Month.

20                   ACTING PRESIDENT GRIFFO:    Senator  
21   Hannon on the resolution.

22                   SENATOR HANNON:    Thank you,  
23   Mr. President.

24                   Part of the balancing of interests  
25   in dealing with the healthcare system is dealing

1 with so many different aspects of it at once.  
2 One of the most important is why we're doing this  
3 resolution today, so that we would further  
4 encourage people to do transplantation to save  
5 lives, to continue lives, to have a sense of  
6 purpose for their own life -- living donation,  
7 donation from cadavers. That's why we pause  
8 today.

9 We have all acted in this chamber to  
10 advance it by virtue of applications for driver's  
11 licenses and other things to make it permanent,  
12 all sides of the aisle. And so I just urge the  
13 adoption of this resolution today.

14 ACTING PRESIDENT GRIFFO: Thank  
15 you.

16 Senator Carlucci.

17 SENATOR CARLUCCI: Thank you,  
18 Mr. President.

19 I want to thank Senator Hannon and  
20 everyone for supporting this important resolution  
21 to proclaim April as Organ Donor Awareness Month.

22 Thanks to the advances in modern  
23 medicine, organ transplants can be performed at a  
24 level of safety and precision that just has never  
25 been possible until now.

1                   And with that said, unfortunately in  
2                   the United States over 100,000 people are  
3                   currently waiting for an organ donation. And  
4                   unfortunately, about 20 people pass away every  
5                   day waiting. In fact, every 10 minutes, a new  
6                   person is added to the waiting list.

7                   And what's worse is that in New York  
8                   State, historically, we have lagged behind almost  
9                   every other state in the nation when it comes to  
10                  the percentage of people enrolled in the Organ  
11                  Donor Program. And like Senator Hannon said,  
12                  this chamber and advocates in New York State have  
13                  started to turn that number around.

14                 A few years ago I worked with a  
15                 young lady named Lauren Shields, who was only  
16                 9 years old when she received a heart transplant  
17                 that saved her life. We worked together, and we  
18                 passed what we call Lauren's Law that requires  
19                 people, when they're getting a driver's license  
20                 or a nondriver I.D., to be asked the question  
21                 "Would you like to be an organ donor, yes or skip  
22                 the question."

23                 I have another friend in Rockland  
24                 County, Roxanne Watson, she lives in Nanuet. She  
25                 received a heart transplant a few years back.

1 And since that time she has enrolled personally  
2 over 10,000 people to become organ donors.

3 I mention these things because we  
4 have made a difference. And in fact, in New York  
5 State we have doubled -- since that time that  
6 Lauren's Law was passed, we have doubled the  
7 percentage of people enrolled in the Organ Donor  
8 Program. We've gone from 14 percent to  
9 28 percent. We now have over 5 million people in  
10 New York State enrolled to be an organ donor.

11 That means that we will save  
12 people's lives. And that means that we have to  
13 continue to do everything that we can by speaking  
14 up about this important issue, but also by  
15 implementing important policy that will save  
16 people's lives.

17 We're making a difference. Let's  
18 continue to do that. I want to thank everyone  
19 across this state and nation that has stepped up  
20 and has made a difference by signing people up to  
21 become organ donors.

22 Thank you, Mr. President.

23 ACTING PRESIDENT GRIFFO: As  
24 indicated, the resolution was previously adopted  
25 in January of this year.

1           Senator Hannon would like to open  
2 the resolution up for cosponsorship. Should you  
3 choose to be a cosponsor, please notify the desk.

4           Senator DeFrancisco.

5           SENATOR DeFRANCISCO: Yes. Is  
6 there any further business at the desk?

7           ACTING PRESIDENT GRIFFO: There is  
8 no further business at the desk.

9           SENATOR DeFRANCISCO: There being  
10 none, I move to adjourn until Tuesday, May 1st,  
11 at 3:00 p.m.

12           ACTING PRESIDENT GRIFFO: On  
13 motion, the Senate will stand adjourned until  
14 Tuesday, May 1st, at 3:00 p.m.

15           The Senate stands adjourned.

16           (Whereupon, at 3:43 p.m., the Senate  
17 adjourned.)

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