NEW YORK STATE SENATE

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REGULAR SESSION

SENATOR JOSEPH GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT GRIFFO: The Senate will come to order.

I ask everyone present to please rise and join with me as we recite the Pledge of Allegiance to our Flag.

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

ACTING PRESIDENT GRIFFO: Today's invocation will be offered by the Reverend Nathaniel Demosthene, leader pastor of First Timothy Christian Church in Spring Valley.

Reverend?

REVEREND DEMOSTHENE: Thank you.

Almighty God and Father, You desire that all might be one. Not the same, but one. Not one party, not one race, not one singular interest, for You are glorified in diversity.

Nevertheless, You want us to be one -- one heart, one mind, one desire to serve You and love our neighbors as much if not more than we serve ourselves.

Help us to realize this day that in serving other people, we are serving You. Help us to serve the disabled and those who are most

vulnerable among us, in need of our protection and concern. Help us to serve our young, who are searching for identity and security, especially in our schools. Help us serve our elderly, who are searching for care and comfort; serve the homeless and downtrodden, who long for shelter; serve the confused, who are longing for clarity, mental health and rehabilitation; serve the marginalized; serve those who are addicted, who need help; serve the incarcerated, who need rehabilitation.

Never let the opinions of others nor the social trends of the day allow us to abandon Your law, Your will, just for popular votes.

On Haitian Unity Day today, we thank you especially for the unity among Haitians and Americans, as we are a people joined at the hip since the days of the Revolutionary War, the Battle of Savannah in Georgia and the Louisiana Purchase. The blood of liberty thankfully flows through the veins of both our peoples, as we have chosen to work together as pioneering republics and democracies in this world.

We pray for our elected officials, that You inspire them as they work for us, guard

us and guide us through legislation. We would ask that You protect their families and give them the courage of their convictions, never let political expediency replace their moral compass in doing their jobs.

In this together we ask that we make and continually make our state the Empire State -- not a state of injustice, prejudice or disenfranchisement, but a place where Your law is upheld, Your people are given the dignity of being called Your children.

Forget not our armed forces, and strengthen our resolve to care for our veterans, especially those who have been wounded protecting our freedom.

This we pray through our example of martyr martyr {ph}, who lives and reigns forever. Amen.

ACTING PRESIDENT GRIFFO: The reading of the Journal.

THE SECRETARY: In Senate, Sunday, May 6th, the Senate met pursuant to adjournment. The Journal of Saturday, May 5th, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT GRIFFO: Without

objection, the Journal will stand approved as read.

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 39, Senator Ortt moves to discharge, from the Committee on Veterans, Homeland Security and Military Affairs, Assembly Bill Number 4538A and substitute it for the identical Senate Bill 723A, Third Reading Calendar 507.

On page 49, Senator DeFrancisco moves to discharge, from the Committee on Local Government, Assembly Bill Number 8457 and substitute it for the identical Senate Bill 6677, Third Reading Calendar 682.

ACTING PRESIDENT GRIFFO: The substitutions are so ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports of state officers.

Motions and resolutions.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, on page 53 I offer the following amendments to Calendar 750, Senate Print 419, by Senator Golden, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT GRIFFO: The amendments are received. The bill shall retain its place on third reading.

SENATOR DeFRANCISCO: On page 59, I offer the following amendments to Calendar 813, Senate Print 7935, by Senator Helming, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT GRIFFO: The amendments are received. The bill shall retain its place on third reading.

SENATOR DeFRANCISCO: I move that the following bills be discharged from their respective committees and be recommitted with instructions to strike the enacting clause, both bills by Senator Tedisco: Senate Print 8240 and 8241.

ACTING PRESIDENT GRIFFO: So ordered.

SENATOR DeFRANCISCO: I wish to

call up Senator Little's bill, Print Number 367A, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 387, by Senator Little, Senate Print 367A, an act to amend the General Municipal Law.

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

ACTING PRESIDENT GRIFFO: The Secretary will call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR DeFRANCISCO: I'd like to take up previously adopted Resolution 4788, by Senator Carlucci, title only, and call on Senator Carlucci to speak.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative

Resolution Number 4788, by Senator Carlucci, celebrating Haitian Unity Day on May 7, 2018, in conjunction with the observance of Haitian Heritage Month.

ACTING PRESIDENT GRIFFO: Senator Carlucci.

SENATOR CARLUCCI: Thank you, Mr. President.

It's an absolute honor and a privilege to rise and to pass this resolution to proclaim today as Haitian Unity Day in the State of New York, and to pay tribute and celebrate the Haitian community throughout New York.

And right now we have over 200,000 Haitians in New York State, making us in New York the second largest Haitian population in the nation. And in fact right in my home county in Rockland County, we have one of the largest Haitian populations in the nation. And in the village of Spring Valley, we have 23 percent of the population of Spring Valley -- which is one of the largest villages in the State of New York -- with 23 percent of the population being Haitian.

We have with us today a trustee from

the Village of Spring Valley, Eudson Tyson Francois, who's with us. Thank you for being with us.

You heard from our Pastor Demosthene, who is not just a pastor in the Village of Spring Valley but also a teacher, a professor, a mentor for so many in our community. It's an honor for you to have given us the invocation today.

And we're fortunate that we have in the gallery with us members of the community throughout the State of New York. The Assembly is still doing their proclamation as well.

But we also have someone that we honored today in the Well, Karine Jean-Pierre, who is a Haitian-American who has really done so much good in our community and throughout the State of New York, responsible for helping reelect and elect President Barack Obama, and then also contributing to share her history and her Haitian roots through a documentary that everybody should check out and appreciate that.

But whether it's the cuisine, culture, music, dance, the contributions to law or medicine, Haitians are right there building

our state and our country.

As the pastor had mentioned, the Louisiana Purchase was -- the Haitians are responsible for that. The soldiers who fought in the Revolutionary War against Britain to proclaim our freedom are responsible for that as well.

So I'm just honored and privileged to be here to give this resolution, and I want to thank my colleagues for supporting this, another successful Haitian Unity Day.

But I think we all have to remember when we say the word "unity," we mean it; that together we are strong, we're the strongest together, and we've got to continue to do that, to rise -- to raise all boats, to make sure that we're working to build, continue to build the Empire State, and that's going to be done with all of us working together.

Thank you so much, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Carlucci.

Senator Parker.

SENATOR PARKER: Thank you, Mr. President. On the resolution.

First let me thank Senator Carlucci

for his leadership in honoring and bringing forth this resolution on Haitian Unity Day.

I represent the 21st Senatorial District in Brooklyn, which is Flatbush and East Flatbush, Midwood, Ditmas Park, Windsor Terrace and Park Slope. And in that community I represent the largest population of Caribbean immigrants outside the Caribbean in the world, including the largest concentration of Haitian people outside of Haiti in the world. So a larger number in Florida; a larger concentration in my community.

And so it's been really a pleasure and an honor for me to represent that community over the past 15 years and learn so much about the history and the culture of Haiti.

Back in November, I had an opportunity to take my second trip to Haiti, in which we met with the Council of Deputies, we met with the Minister of Foreign Affairs, visited some schools as well as met with some of the business owners.

And there's so much that Haiti has offered and given to the world. Nothing more important, though, than the spirit of

independence and the longing for freedom. And what we've found, you know, in our history is Haiti as the first and the best example of resistance to political oppression.

And I remind us on this Haitian Unity Day for all of us to study and understand the history of Haiti. I think that it serves some really important examples of how we should be striving to make our democracy better every single day.

In my community I have a lot of really important leaders. You know, everything from, you know, Assemblywoman Rodneyse Bichotte to people like Ricot Dupuy, who runs Radio Soleil. Those of you in the Haitian community know how important radio is. And I've had an opportunity to visit a number of the stations, from Radio Soleil to Radio Panou, Radio Tropical, Radio Flatbush, all of which are important instruments in our community.

I met just last week a good friend, Garry Pierre-Pierre, who runs the Haitian Times.

And so, you know, you find in the Haitian community just a very vibrant sense of all aspects of life, everything from business to

politics to social. You know, people like Jackson Rockingster, who runs the Haitian business organization in our community, who's also a good friend, as well as a number of the pastors like we heard today and who have been this very, very important -- and my good friend Sam Nicolas, I want to acknowledge him today, and his father Philius Nicolas, who have been a staple in the religious life of our very vibrant Haitian community.

And afterwards, if we weren't so far, I would take you all to YOYO Fritaille for griot and -- as we have -- but, you know, next time we have to do it in Brooklyn.

I wanted to recognize one of my good friends, a young lady who I went to high school with who served almost 30 years in the police force. And -- and so she's here, she doesn't want me to mention her, but -- because she's too afraid to think that we're the same age, even though I'm, you know -- but I'm just very proud of her and her family and all of the folks who are doing important work in our community.

So on the one hand she was a police officer for a number of years, and her brother is

a big-time investment banker. And that's the kind of opportunities that you see America has afforded folks from the Haitian community. It's really some of the best of what we see in terms of immigrant contributions to American society.

When we talk about this Unity Day, we really should understand that and understand that, you know, people who were strangers yesterday become important parts of the fabric that makes up this great nation and makes up this great state.

And so here on Haitian Unity Day, I want to congratulate everyone who has come here to celebrate with us. I look forward to the continuing work that we have to do together. And I'm looking forward to just a lot more success as we build our community through our Little Haiti project and make sure that the cultural contributions of the Haitian community in Flatbush and East Flatbush are properly documented and properly preserved.

Thank you very much, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Parker.

(Applause from gallery.)

ACTING PRESIDENT GRIFFO: Senator Comrie.

SENATOR COMRIE: Thank you, Mr. President.

I rise today to join in thanking Senator Carlucci for bringing forth this annual, now, resolution for Haitian Unity Day.

I want to thank all of the people that came from all over the state here. I want to thank those members in the Assembly -- Assemblymember Clyde Vanel, who was the first Haitian-American elected official in Queens, and Assemblymember Rodneyse Bichotte for continuing this resolution. I want to thank all of those people that came from all over the state to Albany to be represented today and to celebrate Haitian unity.

My district has the second-largest homeowner Haitian population in the state, much less the country. We have amazing groups that are in my district such as Haitian-Americans United for Progress, and other groups which are focusing on not just helping individuals in Haiti, but also doing plenty of work here in the state as well to help people with their status

and making sure that their status is protected and working hard to deal with the issues that are coming from the federal government.

Today Haiti is still recovering from natural and economic disaster. But this administration in Washington is telling the people that came here -- after a disaster in 2010, almost 60,000 Haitians came to the U.S. under temporary protective status -- 60,000 lives that are here in the country, people that are working, with families, people that are holding jobs, people that are doing things necessary to be part of the American fabric, are being told that they have to be gone by July 2019 to a country that is not ready to handle 60,000 people coming back, because we've done a terrible job at repairing the infrastructure in Haiti.

So I want to encourage all the people that are here today, all the groups that are here, to please come back, to please be active, to please do everything you can to exercise your right to be heard in government. As homeowners, as entrepreneurs, as taxpayers and as New Yorkers, you deserve to be respected.

We are here today to celebrate you

as Haitian Unity Day, but we're also here to encourage you, as people that are New Yorkers, that if you pay taxes, you have a right to services. If you live here and you're working in a job, you have a right to be heard. Please make sure that your voices are heard. Please make sure that you do everything you can to be represented.

I'm proud, as a State Senator, to represent those communities, those people that want to try to make this city and state a better place. And I want to encourage all of us to do everything we can to push back on what the administration is trying to do to the Haitian community, and also to empower the Haitian community to be part of the full fabric of American society.

Thank you, Mr. President.

(Applause from gallery.)

ACTING PRESIDENT GRIFFO: Thank you, Senator Comrie.

Senator Sanders.

SENATOR SANDERS: Thank you, Mr. President. On the resolution.

I want to thank the sponsors, they

are many -- Carlucci, Parker, Bichotte, Vanel, and others, including myself -- for making sure that we have such a splendid day.

To our visitors near and far, I greet you in the spirit of the Toussaint L'Ouverture. His last name, of course, was not L'Ouverture. His enemies actually named him that. They said wherever this man goes, he creates an opening. They could not stop him. They could not figure out how to stop him, although the French tried, the Spanish tried, the English tried, the French tried again. The armies of Napoleon Bonaparte, known as the strongest, best armies in the world, were defeated by armies of the enslaved led by Toussaint and others -- defeated time and time again.

This is the spirit, I would argue, of the Haitian population. This is the spirit that Haitians bring that no matter where they go and no matter what the problem that they are confronted with, they create an opening. They seize it and make it happen, in American jargon.

The children of 1804 are still with us. And they have given to the world community a

spirit of freedom -- not just the freedom of America, but the spirit of freedom there that was more democratic, I would argue, that more people were able to join in.

However, we must never miss an opportunity to say the French need to pay reparations. They need to pay back what was insisted on being taken from them.

(Applause from gallery.)

SENATOR SANDERS: If the French just paid reparations, we could solve many of the problems of Haiti today. We want it with interest, of course.

(Laughter.)

SENATOR SANDERS: This more than ever the economy needs.

(Applause from gallery.)

SENATOR SANDERS: I want to thank all of the people who are honored, of course. But I would be less of a person if I did not take the opportunity to thank one, and let her be reflective of my great esteem for all: Karine Jean-Pierre. I think I met her once before on a journey somewhere.

We used to work together in Queens.

She was trying to keep me out of trouble, which is a full time job.

(Laughter.)

SENATOR SANDERS: She was -- I either helped her so, or in spite of it -- but she outgrew Queens, and she decided to move on to other places and ended up down in some weird place, some strange small hick town they call D.C., I believe.

I do see, I get a chance to see her often, though, on TV, like the rest of everyone. When she is debating people, I've seen people quake with fear just seeing you come before them. And after hearing you speak, I understand their fear. And I applaud you and continue to do -- but if you ever got a chance to debate up one or two people, I could slip you some points now. Not that she would ever need my point.

And that's the point -- what's that, that's called a transition -- and that's the point that I'm making again, Mr. President, in commending the children of 1804, the spirit of Toussaint, Dessalines -- we could go further. Well, but I'll be kind. The spirit still runs through them, and the spirit is alive today.

I am here to hail the unity with our Haitian fellow believers in democracy. And by doing this, I shall say no more.

Thank you, Mr. President.

(Applause from gallery.)

ACTING PRESIDENT GRIFFO: Thank you, Senator Sanders.

Senator Alcantara.

SENATOR ALCANTARA: On the resolution.

I want to thank my colleague Senator Carlucci, my colleagues in the Assembly, Rodneyse and Clyde, for bringing this resolution.

I come -- I share the Island of Hispaniola with my brothers and sisters from Haiti. My family is from a border town in the Dominican Republic where every Thursday we open up the markets to exchange with the Haitian community. So I am proud to stand here in solidarity with my brothers and sisters from Ayiti, celebrating Haitian Unity Day.

And what a proper day to celebrate this when just last week we had Kanye West saying that slavery was a choice. Well, we are here today celebrating a nation, the first black

nation in the Americas to free itself. Haiti gave us the opportunity for places such as Venezuela, Colombia, Panama and Mexico to declare their independence from their colonial power. Haiti is a demonstration of 500 years of resistance by people of African descent, fighting against European colonial power, and being invaded at various times by the United States.

So for Kanye West and all those that don't read history and don't know history, please look up Haiti as a symbol of a group of African slaves that said enough was enough. Today is a day for all of us to say thank you to the nation of Haiti for teaching the rest of us to fight for our independence, for our humanity, and for our dignity.

Again, thank you, Brother Carlucci and Rodneyse and Clyde for celebrating Haitian Unity Day. Y que vive Ayiti. And we're going to fight and we're going to be in solidarity with the 60,000 TPS Haitians that the Trump administration is trying to take that away from Haiti. And we are sitting here in solidarity not only with Haitians but with Salvadorians, Hondurans, and any other country that our

president feels that they don't have a right to be in this country.

And we appreciate the contributions that the Haitian community has made in the fields of medicine, agriculture and the arts, to the United States and to the entire planet. Que vive Ayiti.

(Applause from gallery.)

ACTING PRESIDENT GRIFFO: As indicated, the resolution has been previously adopted.

We extend a very warm welcome to our special Haitian guests on the floor today, as well as all of our guests in the gallery who are celebrating Haitian Unity Day. We extend to you all the privileges and the benefits of being in this great chamber today.

God bless you all, and let's acknowledge everyone who's here today.

(Standing ovation.)

ACTING PRESIDENT GRIFFO: The resolution is open for cosponsorship. Should you choose to be a cosponsor, please notify the desk.

Senator DeFrancisco.

SENATOR DeFRANCISCO: I was just

going to say the same thing.

Could we now take up the noncontroversial reading of the calendar.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 81, by Senator Golden, Senate Print 2744, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Can I have -- I know that we have some special guests in the chamber, but we still have to conduct some business. So I would ask to try to be as quiet as possible.

Read the last section.

THE SECRETARY: Section 14. This act shall take effect on the first of November.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 81, those recorded in the negative are Senators Alcantara, Bailey, Benjamin, Comrie, Dilan, Gianaris, Hoylman, Kavanagh, Krueger,

Montgomery, Parker, Persaud, Rivera, Sanders and Serrano.

Ayes, 46. Nays, 15.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 145, by Senator Dilan, Senate Print 4193A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 164, by Senator Little, Senate Print 136 --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 166, by Senator Serrano, Senate Print 3053, an

act to amend the Parks, Recreation and Historic Preservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 176, by Senator Ortt, Senate Print 6583A, an act to amend the Social Services Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 221, by Senator Lanza, Senate Print 5282, an act to amend the General Business Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 221, those recorded in the negative are Senators Krueger, Montgomery, Parker, Persaud, Rivera and Sanders.

Ayes, 55. Nays, 6.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 230, by Senator Seward, Senate Print 7393, an act to amend the Insurance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 276, by Senator Marchione, Senate Print 6906, an act to allow.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 334, by Senator Marcellino, Senate Print 6862A, an act to amend the Public Service Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 507, substituted earlier by Member of the Assembly Ortiz, Assembly Print 4538A, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator Serrano recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 559, by Senator LaValle, Senate Print 3002, an

act to amend the County Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 568, by Senator Ritchie, Senate Print 7274, an act to amend Chapter 85 of the Laws of 2017.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator Krueger recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 572, by Senator Funke, Senate Print 1021, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 572, those recorded in the negative are Senators Hoylman, Kavanagh, Krueger and Parker.

Ayes, 57. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 642, by Senator Griffo, Senate Print 7139, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 666, by Senator Comrie, Senate Print 3588A, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 682, substituted earlier by Member of the Assembly Magee, Assembly Print 8457, an act to amend Chapter 254 of the Laws of 2013.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 783, by Senator Murphy, Senate Print --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 871, by Senator LaValle --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 911, by Senator Akshar, Senate Print --

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 920, by Senator Addabbo, Senate Print 3059A, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

THE SECRETARY: Section 2. This act shall take effect January 1, 2019.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator Krueger recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 931, by Senator Little, Senate Print 7384, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco, that completes the noncontroversial reading of today's

active-list calendar of May 7th.

SENATOR DeFRANCISCO: There will be an immediate meeting of the Rules Committee in Room 332.

ACTING PRESIDENT GRIFFO: There will be an immediate meeting of the Rules Committee in Room 332.

The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 3:50 p.m.)

(Whereupon, the Senate reconvened at 4:06 p.m.)

ACTING PRESIDENT GRIFFO: The Senate will return to order.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, Mr. President, can we go back to motions and resolutions.

ACTING PRESIDENT GRIFFO: We will return to motions and resolutions.

SENATOR DeFRANCISCO: Is there a report of the Rules Committee at the desk?

ACTING PRESIDENT GRIFFO: There is a Rules Committee report, and the Secretary will read.

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

Senate Print 414A, by Senator Felder, an act to amend the Tax Law --

ACTING PRESIDENT GRIFFO: Excuse me, can I have some order in the chamber, please? Thank you.

The Secretary will continue.

THE SECRETARY: -- Senate 715A, by Senator Ortt, an act to amend the Tax Law;

Senate 1199A, by Senator Persaud, an act to amend the Penal Law;

Senate 1832, by Senator Kennedy, an act to amend the Highway Law;

Senate 3067A, by Senator Addabbo, an act in relation to;

Senate 3195, by Senator LaValle, an act to amend the Real Property Tax Law;

Senate 3522, by Senator Flanagan, an act to amend the Highway Law;

Senate 4174, by Senator Stavisky, an act to amend the General Municipal Law;

Senate 4812, by Senator LaValle, an act to amend the Environmental Conservation Law;

Senate 6535A, by Senator Ortt, an act to amend the Environmental Conservation Law;

Senate 6638, by Senator Helming, an act to amend the Workers' Compensation Law;

Senate 6655, by Senator Hannon, an act to amend the Public Health Law;

Senate 6760, by the Senate Committee on Rules, an act to amend the Multiple Dwelling Law;

Senate 7065, by Senator Kavanagh, an act to amend the Penal Law;

Senate 7752, by Senator Murphy, an act to amend the Legislative Law;

Senate 7783A, by Senator Golden, an act to amend the Education Law;

Senate 8014, by Senator Little, an act to amend the Emergency Housing Rent Control Law;

Senate 8162, by Senator Breslin, an act to amend Chapter 141 of the Laws of 2014;

Senate 8181, by Senator Helming, an act to amend the Military Law;

Senate 8182, by Senator Helming, an act to amend the Environmental Conservation Law;

Senate 8343, by Senator Seward, an

act authorizing;

Senate 8398, by Senator Phillips, an act to amend the Tax Law;

Senate 8399, by Senator Griffo, an act to amend the Tax Law;

Senate 8400, by Senator Jacobs, Concurrent Resolution of the Senate and Assembly;

Senate 8401, by Senator Serino, an act to amend the Legislative Law;

Senate 8402, by Senator Serino, Concurrent Resolution of the Senate and Assembly;

Senate 8406, by Senator LaValle, an act to amend the Real Property Tax Law;

Senate 8407, by Senator Griffo, an act to amend the Public Service Law;

Senate 8408, by Senator Hannon, an act directing;

Senate 8411, by Senator Young, an act to amend Chapter 58 of the Laws of 2005;

And Senate 8412, by Senator Young, an act to amend the Chapter 58 of the Laws of 2005.

All bills reported direct to third reading.

ACTING PRESIDENT GRIFFO: Senator

DeFrancisco.

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

ACTING PRESIDENT GRIFFO: All in favor of accepting the Committee on Rules report signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

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

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, we have Calendar Number 39A, a supplemental calendar. And we're going to take some of those bills off to vote on now that were in the Rules Committee, but not all. So we'll do it one at a time, please.

ACTING PRESIDENT GRIFFO: The Secretary will begin a reading of Supplemental Calendar 39A, Senate Supplemental Calendar 39A.

Which bill would you like us to take up?

SENATOR DeFRANCISCO: Would you

please take up Calendar 1018.

ACTING PRESIDENT GRIFFO: Calendar Number 1018, the Secretary will read.

THE SECRETARY: Calendar Number 1018, by Senator Felder, Senate Print 414A, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator Krueger recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

SENATOR DeFRANCISCO: Now would you please take up Calendar 1023.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 1023, by Senator LaValle, Senate Print 3195, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

SENATOR DeFRANCISCO: Now please take up 1026.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: In relation to Calendar Number 1026, Senator LaValle moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 6314 and substitute it for the identical Senate Bill 4812, Third Reading Calendar 1026.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1026, by Member of the Assembly Thiele, Assembly Print 6314, an act to amend the

Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

SENATOR DeFRANCISCO: Now please take up 1028.

ACTING PRESIDENT GRIFFO: Calendar Number 1028. The Secretary will read.

THE SECRETARY: Calendar Number 1028, by Senator Ortt, Senate Print 6535A, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

SENATOR DeFRANCISCO: Next please take up 1030.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 1030, by Senator Hannon, Senate Print 6655, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

SENATOR DeFRANCISCO: Next, 1033.

ACTING PRESIDENT GRIFFO: The Secretary will read Calendar 1033.

THE SECRETARY: Calendar Number 1033, by Senator Murphy, Senate Print 7752, an

act to amend the Legislative Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 10. This act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

SENATOR DeFRANCISCO: Please take up 1034.

ACTING PRESIDENT GRIFFO: Calendar 1034, the Secretary will read.

THE SECRETARY: Calendar Number 1034, by Senator Golden, Senate Print 7783A, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

This is a bill that apparently we are allowed to implement under a new federal law, but many people have highlighted, in addition to the estimated cost of $200 million a year, that it appears to be almost a back door into vouchers for private education, which many of us feel strongly opposed to.

So I think that some of us are voting no because we see it as a voucher program. Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1034, those recorded in the negative are Senators Alcantara, Avella, Bailey, Benjamin, Brooks, Carlucci, Comrie, Gianaris, Krueger, Mayer, Montgomery, Parker, Peralta, Rivera and Stavisky. Also Senator Sanders.

Ayes, 45. Nays, 16.

ACTING PRESIDENT GRIFFO: The bill

is passed.

SENATOR DeFRANCISCO: Can we take up Calendar 1037 and the balance of the calendar, please.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 1037, by Senator Helming, Senate Print 8181, an act to amend the Military Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1038, by Senator Helming, Senate Print 8182, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1041, by Senator Phillips --

SENATOR DeFRANCISCO: Lay it aside for the day, please.

ACTING PRESIDENT GRIFFO: Lay it aside for the day.

SENATOR DeFRANCISCO: Excuse me, Mr. President.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, could we -- can we just lay aside the Senator Seward bill for the day, 1040.

ACTING PRESIDENT GRIFFO: Calendar Number 1040, by Senator Seward, will be laid aside for the day.

SENATOR DeFRANCISCO: That is correct.

Now if you'd continue going forward.

ACTING PRESIDENT GRIFFO: Okay. 1041 has been laid aside for the day.

Senator DeFrancisco, we will take up -- do you want to remove that lay-aside-for-the-day on 1041?

SENATOR DeFRANCISCO: No. There's been a list, and it says we don't take it up.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco, Calendar 1040, by Senator Seward, has been laid aside for the day.

There's a question on 1041, by Senator Phillips, which originally someone had indicated should be laid aside for the day.

SENATOR DeFRANCISCO: Okay. Well, that should not be. Just the Seward bill, as I was saying before.

So if we could take up 1041 and complete the calendar, please.

ACTING PRESIDENT GRIFFO: So Senator Seward's Calendar Number 1040 has been laid aside for the day, for all the members.

The lay-aside on 1041, by Senator Phillips, has been lifted, and the Secretary will read.

THE SECRETARY: Calendar Number 1041, by Senator Phillips, Senate Print 8398, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

I am voting no for this bill because it would cost the state $331 million.

There is a group of bills on Rules, some of which may or may not all be taken up today -- there seems to be a little confusion -- but if you add them up, they would cost the State of New York $1.638 billion. Our doing bills with this much revenue loss outside of the budget, and even outside of the Finance Committee discussion, seems unacceptable.

And then there's some other bills

that we may or may not take up that would limit our ability to increase new revenue without a two-thirds majority of the Legislature. So I'm very confused about how we're going to pass all these bills putting new costs on ourselves, but prevent us from ever increasing revenue again. It's a sort of up and down topsy-turvy day.

So I'm voting no, Mr. President. Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1041, those recorded in the negative are Senators Krueger, Parker, Rivera and Sanders. Also Senator Comrie. Also Senator Hoylman.

Ayes, 55. Nays, 6.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1042, by Senator Griffo, Senate Print 8399, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator Krueger recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1043, by Senator Jacobs, Senate Print 8400, Concurrent Resolution of the Senate and Assembly.

ACTING PRESIDENT GRIFFO: Call the roll on the resolution.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1043, those recorded in the negative are Senators Avella, Comrie, Gianaris, Hoylman, Krueger, Parker, Rivera and Sanders.

Ayes, 53. Nays, 8.

ACTING PRESIDENT GRIFFO: The resolution is adopted.

THE SECRETARY: Calendar Number 1044, by Senator Serino, Senate Print 8401, an

act to amend the Legislative Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

To continue, I mentioned earlier that I thought we would perhaps pass one or two bills that would shift us to be requiring a supermajority, two-thirds of a legislative body, to pass any new increases in revenue, taxes, fees -- pretty much a guarantee for preventing anything from getting done in a legislative body.

So I'll be voting no on this, and perhaps the next bill if we take that one up as well.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1044, those recorded in the negative are Senators Addabbo, Avella, Bailey, Benjamin, Comrie, Dilan, Gianaris, Kaminsky, Krueger, Mayer, Montgomery, Parker, Peralta, Rivera, Sanders, and Serrano. Also Senator Alcantara.

ACTING PRESIDENT GRIFFO: Could I have a show of hands of the negatives.

THE SECRETARY: In relation to Calendar 1044, those recorded in the negative are Senators Addabbo, Alcantara, Avella, Bailey, Benjamin, Comrie, Dilan, Gianaris, Hoylman, Kavanagh, Krueger, Mayer, Montgomery, Parker, Peralta, Persaud, Rivera, Sanders, Serrano, Stavisky and Stewart-Cousins.

Ayes, 40. Nays, 21.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1045, by Senator Serino, Senate Print 8402, Concurrent Resolution of the Senate and Assembly.

ACTING PRESIDENT GRIFFO: Call the roll on the resolution.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1045, those recorded in the negative are Senators Addabbo, Alcantara, Avella, Bailey, Benjamin, Comrie, Dilan, Gianaris, Hoylman, Kavanagh, Krueger, Montgomery, Parker, Peralta, Persaud, Rivera, Sanders, Savino, Serrano and Stavisky.

Ayes, 41. Nays, 20.

ACTING PRESIDENT GRIFFO: The resolution is adopted.

THE SECRETARY: Calendar Number 1046, by Senator LaValle, Senate Print 8406, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first of January, 2021.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Hoylman to explain his vote.

SENATOR HOYLMAN: Thank you, Mr. President.

I'll be supporting this.

I do want to point out that in the first section of the bill it refers to eligibility among residents who are married, only one person has to be over 70, property owned and occupied by husband and wife.

Here it is 2018, it's been seven years with marriage equality, and yet we have this drafting error. Maybe it's because of the rush of bills today to the floor for some unexplained reason.

But I'll be supporting a chapter amendment to ensure that legislation coming forward refers to spouses, not husbands and wives.

Thank you.

ACTING PRESIDENT GRIFFO: Senator Hoylman in the affirmative.

Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you.

So I'm voting against the bill -- but that's a good reason, Senator Hoylman. But I also, again, do not necessarily oppose the

proposal, but its $556 million cost to the State of New York when implemented. And again, this is being rushed through on the floor -- not going through the Finance Committee, not being done within the context of a budget.

And again, since many people here just voted for bills that will require supermajorities to increase revenue for the state, I just want to highlight you put all these together and if you're voting for this kind of bill and you want to implement it, you'd better be able to figure out what we're cutting out of our existing spending. Because again, the bills coming through Rules today would require the state to come up with an additional $1.638 billion, perhaps with no ability to ever increase our revenue.

So I'm just worried about what we'd be cutting in order to do bills like this, and so I vote no, Mr. President.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to

Calendar 1046, those recorded in the negative are Senators Kavanagh, Krueger, Parker, Rivera and Sanders.

Ayes, 56. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1047, by Senator Griffo, Senate Print 8407, an act to amend the Public Service Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1047, those recorded in the negative are Senators Comrie, Hoylman, Kavanagh and Rivera.

Ayes, 57. Nays, 4.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1048, by Senator Hannon, Senate Print 8408, an act directing.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1049, by Senator Young, Senate Print 8411, an act to amend Chapter 58 of the Laws of 2005.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

Wow. So just in one short period of

time, after all these other bills rushing through, we're going to redesign the funding stream for Medicaid.

Someone's phone is ringing.

I support state takeover of Medicaid, but I can't support this bill. One, it doesn't include New York City, which I find disturbing. Two, it doesn't explain how we're paying for this.

And as I have reiterated multiple times, we're tying our own hands to ever come up with new revenue, even though we are taking on greater and greater responsibilities from the counties and localities in this package of bills.

I don't see how, as grown-up legislators, we could justify all these contrary proposals, so I'm no.

And to avoid having to stand up on the next bill, while that one does include New York City in a certain way on the same topic, Medicaid takeover, it limits how much it would take over and then it adds in a cap on the local property taxes as well for the City of New York, which I am on record as being against.

So it's no on this and an

explanation on the next no as well.

Thank you, Mr. President.

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

Senator Akshar to explain his vote.

SENATOR AKSHAR: I thank Senator Young for putting forth this piece of legislation.

As I travel throughout this state, whether I'm in my home district or in Western New York or in the North Country, property taxes are something that everybody is talking about.

And to Senator Krueger's point -- we kind of spoke about this last week -- this particular bill comes with a very high price tag, around $2.3 billion. I'm just going to make a suggestion to everybody in this house. Maybe we should consider taking some of the failed economic development dollars that we put in programs around this state and invest in something like this.

Medicaid, as I said last week, is incredibly important to everybody in this room for those that need it. I would suggest that we use some of the $8 billion a year that we're

investing -- with no clawback, no transparency -- let's take some of that money and invest in something like this, pass on the savings to the counties so they can reduce people's property taxes throughout the state.

And we should be doing it in the five boroughs as well. Because that's what, after all, the people we represent want. They want lower property taxes. And by way of this legislation and the next bill that we're going to take up, we could do just that.

I vote aye.

ACTING PRESIDENT GRIFFO: Senator Akshar in the affirmative.

Senator Young to explain her vote.

SENATOR YOUNG: Thank you, Mr. President.

I stand to let everyone know how critical this piece of legislation actually is. Every single day we hear impassioned pleas from people across the state who are suffocating, they're drowning in property taxes. We have an obligation to do something about it.

We've made progress -- we've passed a property tax cap, we have the STAR program --

but there's more that needs to be done. This bill actually mandates that any savings to the counties would have to be passed along to the property taxpayers. And we would phase out the property taxes from the very, very expensive Medicaid program, but we would ensure that people get relief.

This would stimulate our local economies, make it more affordable to live and work and do business in New York State. This is really a crucial action. It's a wonderful thing that so many members are in support of it, because they understand what people go through every single day. People oftentimes have to make decisions, very tough decisions, about whether I pay my medical bills, whether I'm able to afford my mortgage or do I have enough money to pay my property taxes.

We need to do something. This is a very strong action to take, and I commend everyone who supports it.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Young in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1049, those recorded in the negative are Senators Benjamin, Comrie, Dilan, Gianaris, Hoylman, Kavanagh, Krueger, Montgomery, Parker, Persaud, Sanders. Also Senator Alcantara. Also Senator Stavisky. Also Senator Rivera.

Ayes, 47. Nays, 14.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1050, by Senator Young, Senate Print 8412, an act to amend Chapter 58 of the Laws of 2005.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Young to explain her vote.

SENATOR YOUNG: Thank you, Mr. President.

This is a different version of the bill that we just passed, but this actually

includes New York City and New York City taxpayers. It would phase out the Medicaid burden locally to the tune of $2.3 billion, totaling $4.6 billion statewide.

And in New York City oftentimes I hear, during budget hearings especially, when we have our budget hearings after the Governor releases his budget proposal, I hear from people in the city that they too are drowning in taxes and that there's something -- they are desperately asking us to do something about it.

This bill actually would have $2.3 billion of Medicaid takeover from outside of New York City and in New York City. And in the New York City piece, we would impose a property tax cap, which people have been begging for for years, Senator Lanza has carried legislation on that issue. And it would stop these heavy tax hikes that have been ongoing.

The mayor likes to say that he hasn't raised taxes. But what he's done is he's raised assessments. And it's a shell game. It's a shell game because when the levy changes, people's tax rate goes up.

And so we need to do everything that

we can to make sure that New York State is affordable so we can grow our economy. This bill would do that. And it mandates that any savings would be passed along to the taxpayers through a personal income tax, and that would help people enormously.

We have an obligation as a legislative body to do everything that we can to not only help the taxpayers, but grow the economy and make sure that we have opportunities for our young people so that they can succeed after they graduate. This is something that is crucial not only now, but I believe to the future of New York State. And I would urge all of my colleagues to vote aye.

ACTING PRESIDENT GRIFFO: Senator Young in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1050, those recorded in the negative are Senators Alcantara, Benjamin, Dilan, Gianaris, Kavanagh, Krueger, Montgomery, Parker, Persaud, and Rivera. Also Senator Comrie. Also Senator Bailey. Also Senator Stavisky. Also Senator Sanders.

Ayes, 48. Nays, 14.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco, that completes the noncontroversial reading of today's Senate Supplemental Calendar 39A.

SENATOR DeFRANCISCO: Can we now go to the controversial reading of the initial active list, starting with Calendar Number 164.

ACTING PRESIDENT GRIFFO: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 164, by Senator Little, Senate Print 136, an act to amend the Parks, Recreation and Historic Preservation Law.

ACTING PRESIDENT GRIFFO: Senator Krueger.

SENATOR KRUEGER: If the sponsor would please yield for some questions.

ACTING PRESIDENT GRIFFO: Senator Little, do you yield?

SENATOR LITTLE: Yes, I'll yield.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR KRUEGER: Thank you very much.

So we've actually -- through you, Mr. President -- debated this bill a few times before. Or at least once before; I'm not sure if it's a few times.

So as I understand this, currently in New York State law -- excuse me, let me rephrase it as a question. Under existing law, how old do you have to be to participate in some kind of racing event or competition with snowmobiles?

SENATOR LITTLE: Thank you, Mr. President.

This is about families who go to a snowmobile racing event in the wintertime. Many of our Snow Belt states have these laws and have these races -- for instance, Colorado, Michigan, Minnesota. And like people and families in many sports, the whole family goes.

This would allow -- currently, you can race under 18, 14 and down. And I will read that they -- even a person 10 years of age or older, but less than 14 years of age, who holds a valid snowmobile safety certificate issued by the

commissioner may operate a snowmobile in any lands upon which snowmobiling is allowed, if accompanied by a person over 18 years of age. For the purpose of this section, accompanied shall mean within 500 feet of the person over 18 years of age.

If we are at a snowcross event and they would like to have a race and allow 10-year-olds to race, someone between the ages of 10 and 14, that do not have that eight-hour snowmobile certificate but are capable of driving one of these smaller snowmobiles that they ride at home, which they can ride on their own property under the supervision of their parents.

The Office of Parks, Recreation and Historic Preservation has to give the organization a permit. The organization has to abide by the International Snowmobile Racing, Inc., rules. They also, in this 8-to-12-year-old under the age of 14, they would be restricted in the form of a throttle-back that will only allow 50 percent of the throttle to be used. They have a rev limiter restriction built in to limit the RPMs to 6,000 RPMs maximum. These are smaller snowmobiles.

The parents or guardians are there. They have to sign off the permission on it. These are not kids who have never been on a snowmobile, they have grown up with snowmobiles, you know, on their own property where they can ride them. They have to have all of the equipment that is required. They have to have the helmets, the chest protectors, gloves.

And it's really -- it's for families where snowmobiling is a family sport. And all the children are in it, and the families race and they go to these events, sometimes they're two- and three-day events. So it's kind of a sporting event for the family.

This would allow those children under the age of 14, 10 years old and up, to be able to participate in one of the races. These are not, you know, 10-mile races by any means. They're in view of everyone. And the Snowmobiling Association is in favor of this, would like to see it allowed in New York State, as it is allowed in other states.

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

SENATOR LITTLE: Yes, I would.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: So under your new law, where does it require that it be smaller snowmobiles, special small snowmobiles for children?

SENATOR LITTLE: Well, they have to be at a -- first of all, a child 10 to 12 years old could not, on some of the big snowmobiles, actually reach any of the equipment to drive them.

What we're talking about is it can only be at 50 percent of a throttle and it has to be restricted, it has to have a small RPM of 6,000. I'm not sure how that relates to the total, but it certainly is not as fast as the others.

And these are not, you know, gigantic things, but they do race them. And they go around a track. They sometimes have obstacles that they steer around, very much like many of the other vehicle racing things that kids do, young kids.

SENATOR KRUEGER: Through you

again, Mr. President. Perhaps the sponsor didn't quite understand.

Where in the bill does it explicitly state that children of these ages would have to ride smaller, specially designed, slower and lighter-weight vehicles than other vehicles defined as snowmobiles?

SENATOR LITTLE: Well, they have to abide by the International Snowmobile Racing, Inc., provisions, which do limit the power of snowmobiles for youth riders and, as I said, have a throttle-back of 50 percent on it so that it can't go any faster than that. And they also have exhaust valves on the motor that will severely limit engine horsepower. And high-output engines are also banned from the youth competition class.

So they are the ones who make those rules. It's not listed in the bill. The bill just says you have to abide by the rules of the International Snowmobile Association.

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

SENATOR LITTLE: Yes, I will.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Okay. So children below, what, age 10 could only ride snowmobiles if they were in one of these activities that was not licensed necessarily but operated by this national group? Is that what you're saying?

SENATOR LITTLE: They also, in order to have one of these races -- they can go and do these in other states. But in order to have one of these races in New York State, you have to have a permit from the New York State Office of Parks and Recreation to have it. You have to abide by International Snowmobile Racing, Inc., with these limitations on what they can ride.

And figuring that that's what you're doing, then they also have to have -- they also utilize -- they have to utilize the same rules and be sanctioned to have these races when it comes to track design, classes, safety rules, and youth restrictions, along with the International Snowmobile Racing Association-certified insurance companies.

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

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR LITTLE: Yes, I will.

SENATOR KRUEGER: So according to the Eastcoastsnocross.com, there have been multiple events in New York State already, such as Lake George, Salamanca, Clymer, involving snowmobile operators as young as age seven. Are you aware of these events, which do not seem to be operated on privately owned lands of parents or guardians and seem to violate what you say are the rules of snowcross organizations?

So since they're already doing it for children as young as seven, why would I imagine believing they would follow the rules if we changed the law?

SENATOR LITTLE: Well, I cannot vouch for anyone to follow the rules all the time. And if these are being held, are they being approved by the New York State Parks and Recreation, and are they following the rules of the Snowmobile Racing Association that are

required? And I'm not aware that they are.

So there are things apparently -- you know, if it's at one of these events and they have a small race that children are allowed on -- they even have very small snowmobiles for these kids to ride on -- not very small, but much smaller than the big snowmobiles.

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

ACTING PRESIDENT GRIFFO: Senator Krueger on the bill.

SENATOR KRUEGER: So I always get accused of not wanting anybody to have any fun in New York State, but I approach this and the ATV and the hunting and some of the other bills from the question of what's in the best interests of children and are we protecting them from things that they might think are really fun but also can be very, very dangerous for young children.

And the American Pediatric Association recommends that children should not be driving snowmobiles until age 16. And they go into details about how there are -- the shaking and the movement and the speed can be dangerous to the development of undeveloped bones and

muscles. They go into details about injury data for children on snowmobiles.

And of course as most of us know, children don't always show the same judgment as adults when it comes to don't ride too fast, don't break the rules, stay on the course.

So I am concerned that despite the sponsor's belief that these are well-organized activities with a national association, they already apparently are operating in violation of the law in New York State, going even younger than the sponsor would support allowing.

The fact is, there is no way for us to actually regulate what is happening at each of these events. But I think that we send the right message to parents when we point out that certain activities are not in the best interests of children below certain ages. When parents take their children to amusement parks in this state and they line up for certain rides, they hold them up against a measure and if they're not of a certain height, they say, Sorry, you can't go on.

To some degree my objection to this kind of legislation is the equivalent of holding a yardstick up and saying, Sorry, some of you are

too small to be on by yourself or racing these machines that can be quite heavy, go quite fast.

And also in a racing situation, the adrenaline even of children gets going and they're not so great at following the rules. And the research shows that the damage to children, particularly in injuries, relates to crashes. So children -- just like we don't let people drive cars until they're 17 because they're more likely to crash them, there's an argument to be made for a similar discussion when it comes to racing snowmobiles.

So I continue to oppose this bill on grounds of child safety, and I'm urging a no vote.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Krueger.

Senator DeFrancisco.

SENATOR DeFRANCISCO: If you haven't lived in the snow country very long, you don't realize that this snowmobiling is a huge activity for the people in those areas.

And rather than having the nanny state determine what should be done at these

events that are well-supervised, and with the parents' consent, we'd rather have the actual nanny, the mother and the father, make these decisions, rather than the State of New York, which seems to want to make every decision about someone's life. And so I believe that the parent's point of view is very important, especially in an activity that promotes family life and inclusion of children in family activities.

And as long as it's sanctioned by a group that's serious about keeping things safe, as long as the parents are involved and consenting, I think this is a good thing to do, and I vote aye.

ACTING PRESIDENT GRIFFO: Senator Hoylman.

SENATOR HOYLMAN: Would the sponsor yield for one or two questions?

ACTING PRESIDENT GRIFFO: Senator Little, do you yield?

SENATOR LITTLE: Yes, I'd be glad to.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR HOYLMAN: Through you, Mr. President, I'm just baffled because I don't understand what the problem with requiring a 10-year-old to take a safety course is. Is there something onerous about the safety course, something -- that it doesn't represent the accuracy of snowmobiling? Or do we have an issue with safety courses when it pertains to racing snowmobiles?

SENATOR LITTLE: No.

Perhaps I wasn't clear enough. At these family events and these snowmobile races, it's kind of like when a family takes one or two of their children or an adult to a horse show. But the whole family is there, and they try to have activities for the younger children to at least entertain them and have them participate in some way through the day.

So at these snowmobile weekends and snowcross races, they have age groups 14 to 15, 12 to 13, and those are required to have the snowmobile safety eight-hour course.

The 8-to-12-year-olds, what we're asking is they not be required to have it for this racing because their race is so limited and

so restricted and basically for their entertainment, to show that they can ride. They would not quite understand all the workings that the older children and adults take in an eight-hour snowmobile safety course.

So the bill is actually just saying, for the purposes of these races, that those children under the age of 14 would be able to participate in a race not having taken the safety class. They would not have taken the eight-hour one. They would have to show that they know how to drive it, their parents have to say they know how to drive one. The Parks and Recreation has to agree that they can have one of these races. They abide by all the restrictions that the International Snowmobile Racing says.

And all -- the only difference here is they would not be required to have taken the eight-hour snowmobile safety. They're along with their family, they're allowed to participate in one or two of the small races that they have there. That's all. They are most likely riding a snowmobile at home, on the land and on the trails around their house, and that kind of thing.

SENATOR HOYLMAN: On the bill, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Hoylman on the bill.

SENATOR HOYLMAN: Thank you to the sponsor and to my colleagues.

It would be different if we were talking about a sport that wasn't dangerous. But I'm really perplexed. I mean, we're talking about a sport where one of the most famous members of the sport, the husband of Sarah Palin, nearly died in a snowmobile accident recently.

And in 2016, in the 2016-2017 season, in New York alone there were 183 reported snowmobile accidents, 183. And to show you how dangerous those accidents were, 24 of those people actually died.

So this is perplexing to me that we are suggesting that someone as young as eight, 10 years old can hop on one of these vehicles and race them, no less, without any type of instruction as mandated by the State of New York.

I think we are absolving our responsibility, not just as legislators but as parents. As the parent of a 7-year-old, I'm

voting no.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Little on the bill.

SENATOR LITTLE: Thank you, on the bill.

I just want to make sure that everyone understands. We are not talking about a 10-, 11-, 12-, 13-year-old child going out and riding a snowmobile for miles through the woods or anyplace else.

And you are correct, despite the snowmobile safety eight-hour course, many people are injured on snowmobiles every year, and it's a tragedy.

But in my area, people ride snowmobiles, you know, frequently. As long as we can get the snow, we're very happy to have it and have those.

This is a very contained race for the children to participate in. Their parents certify that they know how to run a snowmobile. The snowmobiles are restricted, they can't go very fast, they don't go out of sight. There are all kinds of rules and regulations. According to

the International Snowmobile Racing group, they have to have all the equipment. It's to allow them to participate.

But at that age, they feel they probably would not understand all the implications of an eight-hour course with the throttles and the amps and whatever they have to do. I don't understand a lot of that myself.

So they are -- no parent would let their child just get on a snowmobile and be in a race without knowing how to run one.

So I vote aye.

ACTING PRESIDENT GRIFFO: Senator Stavisky.

SENATOR STAVISKY: Thank you.

Would the sponsor yield for a question?

SENATOR LITTLE: Yes, certainly.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR STAVISKY: Do the parents or do the owners of the snowmobiles carry insurance?

SENATOR LITTLE: Of course they do. And they have to have insurance to have these

races, according to the International Snowmobiling Racing Association.

SENATOR STAVISKY: I'm not talking about the owners or the operators of the snowmobile tracks, I'm --

SENATOR LITTLE: Do they have health insurance? I don't know.

SENATOR STAVISKY: I'm asking whether -- when you have a drive a car, you have to have insurance. Obviously let's hope we don't have legislation to have 8-year-olds drive cars.

But would the families have to carry any kind of liability insurance?

SENATOR LITTLE: No more than if they were riding bicycles or whatever. Even motorized bicycles, kids ride and they don't have to have special insurance for that. I don't believe that.

SENATOR STAVISKY: Thank you. On the bill.

ACTING PRESIDENT GRIFFO: Senator Stavisky on the bill.

SENATOR STAVISKY: If it is too onerous or too difficult for an 8-year-old to take the class, then it seems to me that it's

also too difficult to expect the 8-year-old to drive responsibly.

And I plan to vote no, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Lanza?

SENATOR LANZA: On the bill, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Lanza on the bill.

SENATOR LANZA: I want to thank my colleague Senator Little for bringing this legislation to the floor.

You know, one of the beauties of this state is not only the diversity of its people but the diversity of its geography. You've got the skyline of Manhattan, all the way through the Adirondacks, the mountains, and the Finger Lakes. It really is a gorgeous state. And, you know, growing up in New York City, sadly, I didn't really get to appreciate how diverse this state is from one end to the other.

And, you know, it just seems to me -- I always hear how people from one part of the state shouldn't tell the people of New York

City what to do. And I feel like that's what's happening here. You know, you want to talk about a sport that's dangerous, as if that's the concern here -- and I'm sure it is. There's always risk in any sport.

My daughter, Abigail Elizabeth, a starting player -- just bragging right now -- on her high school varsity basketball team, you know what I learned? Basketball is one of the most dangerous sports there is for young people. Traveled around New York City from one high school gym to the other, invariably there was always at least two or three players sitting on the bench with a cast on an arm, a cast on the ankle, a cast on the leg.

Soccer? You want to talk about broken ankles and torn ligaments, concussions, safety of 10-year-old kids. Every time a 10-year-old kid gets on a bicycle in New York City, let me tell you, it's really dangerous. We encourage kids to get on bicycles in New York City.

Every time a 10-year-old crosses a busy street in New York City, it's pretty darn dangerous. We don't ask kids to take a course --

maybe we should have an eight-hour course on crossing streets, riding bicycles. But we leave it to parents.

Some might think that's wrong. Because I know there's a lot of snickering -- oh, these parents upstate, what do they know? They're a bunch of hicks. I'm sure people say that about parents in New York City: What do they know? They let their kids run amuck.

But that is what's happening. It's this intolerance for different approaches to life. It's an intolerance to the notion that parents care about their kids. And if parents out in the Adirondacks, where they actually have trails and open spaces -- there used to be trails and open spaces in New York City, but they've been covered over by concrete, and the trees have been taken down. So it's tough to ride a snowmobile in New York City. Be great if you could, but you can't. It's really dangerous there because we've made it really dangerous in New York City to do things like the kinds of things that you can do upstate.

I know as a kid growing up on Staten Island, we used to go upstate all the time

to do these sorts of things, to ride quads, to go outside, to hike and to do a lot of the things you can't do in New York City anymore.

So we've got to recognize and appreciate how lucky and fortunate we are to live in this great state where you can ride snowmobiles upstate and enjoy the hustle and bustle of New York City. This is a good bill. This allows kids to get out there, enjoy the environment, engage in something that's healthy and positive as opposed to some of the negative things that kids can get involved in.

So I want to thank Senator Little. I vote aye.

ACTING PRESIDENT GRIFFO: Seeing and hearing no other Senator wishing to speak, debate is closed.

The Secretary will ring the bell.

Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator

Bonacic to explain his vote.

SENATOR BONACIC: Thank you, Mr. President.

I identify myself with Senator Lanza, Senator DeFrancisco.

But there's something else that I'd like to share. I don't know how many of you have ever been on a snowmobile in the city. Good, I see one hand. And I'm from New York City, but I've been up there and I've done it.

But there's something more when you start a child early in an activity that you think, as a parent, is safe for the child. You love your child, you never want your child to get hurt, but you think it's in the child's best interest to try this particular sport. And every parent, whether they're a helicopter parent and are overly protective and don't want their child to try it -- that's the parent's choice. And they may not want their child to do that.

But it's shown when you start a young child early on any sport that's competitive, you develop character, you develop self-esteem, you develop a feeling of competitiveness. And you know what? And you

develop someone that's independent.

And you know in life, to get ahead, you need those qualities. You're making that child or you're hoping that child would develop these qualities so they can compete better in life.

So I want to congratulate Senator Little. And this is -- you know, upstate there isn't as much activity to do as in New York City. So this is fun for the family. I don't have to talk about the bonding of the child and the parent, which also helps with the child's development.

I vote aye. It's a very good bill.

Thank you, Senator Little.

ACTING PRESIDENT GRIFFO: Senator Bonacic in the affirmative.

Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you.

So I'm a little confused how this became a regional difference in views.

Again, I'm voting no on this bill because American physicians who specialize in pediatrics point out the dangers to children. And I don't think children have developmental

differences whether they're north of Poughkeepsie or south of Poughkeepsie. But when you read the data on nonfatal injuries, they often involve ejection from the snowmobile, 26 percent. Striking a stationary object was the most common mechanism in fatal crashes. Few states correctly regulate this. Forty-three percent of pediatric snowmobile-related injuries actually occur on private lands where the parents are there.

And so doctors -- and I don't think it matters whether the doctor is in New York City or in the Adirondacks. But doctors who specialize in treating children recommend that children not be riding snowmobiles before the age of 16.

And so I don't think it's really a New York City versus upstate kind of debate. And certainly we all want to keep our children safe and to help them develop and grow, and we all want them to participate in outdoor activities and bond with their parents. And I just suspect, no matter where we live in the State of New York, we can all play that role between ourselves and our children, perhaps without putting them at risk.

So I continue to be no, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 164, those recorded in the negative are Senators Alcantara, Avella, Bailey, Comrie, Hamilton, Hoylman, Krueger, LaValle, Rivera, Sanders, Serrano and Stavisky. Also Senator Kavanagh.

Ayes, 49. Nays, 13.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Can we now take up Calendar 783 on the controversial calendar.

ACTING PRESIDENT GRIFFO: The bell has been rung, and the Secretary will read.

THE SECRETARY: Calendar Number 783, by Senator Murphy, Senate Print 2364, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Senator Klein.

SENATOR KLEIN: Mr. President, I believe there's an amendment at the desk. I ask that the reading of the amendment be waived and that we may be heard on the amendment.

ACTING PRESIDENT GRIFFO: Senator Klein, I have reviewed the amendment here at the desk and pursuant to the Rule VII, Section 4B, I am ruling the bill to be nongermane and therefore out of order.

SENATOR KLEIN: I appeal the decision of the chair, Mr. President, and ask that Senator Kavanagh be heard on the appeal.

ACTING PRESIDENT GRIFFO: Your appeal is so noted.

And Senator Kavanagh, you may be heard.

SENATOR KAVANAGH: Thank you, Mr. President.

I rise to speak today on -- I believe several of my colleagues may be speaking on this. I rise as the sponsor of one of the key provisions of this bill to enact and fund early voting, and also as the ranker on the Election Law Committee.

But more than that, on behalf of

New Yorkers across this state that are frankly fed up with the fact that we continue to put obstacles in the way as they try to exercise one of their most fundamental rights, the right to the vote and participate in our democracy.

We often speak on both sides of the aisle about the importance of New Yorkers participating in elections, of the importance of people voting and casting their ballots, and of our pride in our American tradition of democracy. And yet our rhetoric is far ahead of the reality in our state.

Most states have one or more of the provisions that are -- that our conference is calling for in this amendment today. States like Louisiana have 99 more hours where people have an opportunity to vote in each election. Many states have other provisions that we're calling for in this bill, such as the ability to get an absentee ballot without explaining a specific reason why you're going to be absent from your jurisdiction.

Many, many states have found, on a bipartisan basis, that allowing people to preregister, allowing people to register during

the course of their business with other government agencies, enhances the process of democracy. And yet again and again and again, this house has rejected these provisions.

Mr. President, it's time that we move forward with these provisions. It's time that we stand up and say that we want to remove the unnecessary obstacles that our Election Law puts in the way of people voting. It's time that we bring this amendment to this floor for a vote.

ACTING PRESIDENT GRIFFO: Thank you, Senator Kavanagh.

Upon request, and in concurrence with the chair, we will have additional members speak on the appeal of the chair.

Senator Valesky.

SENATOR VALESKY: Thank you, Mr. President.

In looking at this issue, the very important topic of voter reform, I thought it was important to include a bill that I have introduced and sponsored this year as a way to expand the opportunity for citizens across the state to vote on Primary Day.

You know, as we look through state

law there are many examples where people from different counties, different regions of the state are for some reason or another treated differently. And the issue of voting hours is one of those issues.

There are eight counties plus the City of New York where on Primary Day you have an opportunity to vote at any point in time between 6:00 in the morning and 9:00 in the evening. All of the other counties across the state, noon until 9:00. What is it about those six hours that are so important? Are people who live in certain areas of the state busier than others, need an additional opportunity to go and exercise their civic duty?

I doubt that's the case. This is probably an issue that has been in statute for a long time, and we haven't looked at it and updated the law to the degree that we should.

In fact, as I was researching this issue, just last year we did modify the statute. And I want to acknowledge and thank my colleague and friend Senator Serino, who on behalf of her constituents in Dutchess County advanced legislation, passed unanimously in the Senate and

the Assembly, the Governor signed it into law, Chapter 367 of the Laws of 2017. So thanks to Senator Serino, her constituents in Dutchess County have the opportunity to vote from 6:00 in the morning to 9:00 in the evening on Primary Day.

It seems to me that we should not go county by county across the state. Let's do it all at once. It's the right thing to do. Let's come together and support this important piece of legislation. Thank you.

ACTING PRESIDENT GRIFFO: Senator Comrie.

SENATOR COMRIE: Thank you, Mr. President.

I wanted to speak today also. I want to thank you for the opportunity to talk about the fact that we don't have no-fault absentee voting in New York State.

In the 15 hours that people are trying to vote on Election Day, for those counties that do have 15 hours -- as Senator Valesky just stated, there are some counties that don't -- people are working, people are trying to get things done, people are trying to pick up

their kids from school or daycare, they're trying to attend to relatives, they're trying to get to work, sometimes they get caught in traffic.

We need to have no-excuse absentee voting in this state because it right-sizes the scope of the franchise to reflect the realities of working people who have to plan in advance to make these things happen.

Under current New York election law, an absentee ballot can only be submitted by a voter for a primary, general or special election for the following reasons: Number one, absence from the county or the city on Election Day; permanent illness or physical disability; primary care duties of a disabled person; patient or resident of a veterans hospital; or awaiting a criminal proceeding or incarcerated for a misdemeanor.

None of these existing statutory reasons to be eligible for an absentee ballot includes childcare, caring for a family member or work obligations, yet a large number of surveyed New Yorkers cited these reasons as barriers to their ability to vote.

In addition, although permanent

illness or physical disability is an allowable reason to currently vote absentee, a voter being temporarily sick on Election Day is not a sufficient reason to vote under New York State's Election Law. Yet over 14 percent of respondents to a recent survey said they missed the opportunity to vote solely because of temporary or mild illness on Election Day -- meaning that a bad flu season could be suppressing thousands of voters every year.

Currently 27 states plus the District of Columbia have enacted no-excuse absentee voting, in which an absentee ballot can be cast for any reason.

In addition, voting by mail is the only method of voting in many states. These states have substantially higher rates of turnout than New York; indeed, they're in the top 12 nationwide. The state with the greatest voter turnout in the 2016 general election was Minnesota, with 74 percent turnout. And this state has notably broader access to the ballot with both early voting and no-excuse absentee balloting.

This amendment is germane because

many New Yorkers are barred from absentee balloting under the current law who would otherwise be eligible to vote and who would otherwise choose to vote if they could.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Savino.

SENATOR SAVINO: Thank you, Mr. President.

I'm happy to join my colleagues here as we focus on some of the important advances that we can take here in New York State to improve voting for all of our constituents, upstate and down.

You know, New York State continues to be a beacon for people all over the world who want to come here and become Americans. In New York City, one of the problems that we have is only 51 percent of the population speaks English in their home. Approximately 25 percent of New York City residents speak Spanish. Hundreds of thousands of residents speak Chinese, Korean, Russian, Haitian, Creole or an Indian language.

While the City of New York has

voluntarily improved access to language, some documentation, including ballots, are still not available in many languages that are spoken throughout New York City.

I currently represent the largest Russian-speaking community in the State of New York, some say in the United States, the communities of Brighton Beach and Coney Island. I've had the privilege of attending many citizenship swearing-ins of my constituents, who were so excited to become Americans and take their place and be able to vote.

The problem, though, is, you know, learning English as an adult is difficult. I struggle with English myself, and I was born here. Reading and writing in English is a quite different experience for people who have had to learn it much later in life.

The New York City Board of Elections and the New York State Board of Elections refuse to provide Russian-language voting materials, let alone Russian-language ballots. My bill would require the New York State and New York City Boards of Elections to provide Russian-language ballots so that our Russian-language-speaking

constituents can take full advantage of their rights and their opportunities as new citizens.

And that is one of the things that we can do to improve voting for all of our constituents, whether they were born here or whether they've chosen to come here and become new Americans. Simple solutions that will make a world of difference for people who are excited about voting. And that's really what we should be doing, finding ways to make voting exciting for all of our constituents.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Parker.

SENATOR PARKER: Thank you, Mr. President. On the amendment.

First I'd like to state that I believe that this amendment is both germane and in order exactly because I believe that it speaks not just to the specific bill that we're trying to amend, but more importantly to the foundations of our democracy. There is literally nothing more important that we espouse as a common value in the State of New York, or in this country, than the process and the activity of voting.

Under New York law, a person must fill out and submit a voter registration form to the Board of Elections and indicate their intent to vote through an application to the Department of Motor Vehicles. Thirteen states plus the District of Columbia have enacted automatic voter registration, which would register a voter whenever he or she interacts with a state agency.

Modernizing the voter registration system would increase efficiency of voter registration for the state and its constituent governmental units. It will save hundreds of thousands of dollars each year, increase the completeness and the accuracy of the state voter registration lists, prevent erroneous disenfranchisement of eligible citizens, promote greater participation of eligible voters in elections, and reduce the incidence of voter registration fraud and voting fraud.

A modern voter registration system that electronically transmits voter registration information will reduce costs involved in processing voter registrations and maintaining complete and accurate voter registration lists, making it easier to transfer registration when a

person moves around the state. And allowing minors to preregister to vote will help make New York one of the most voter-friendly states in the country.

The Modernized Voter Registration Act of New York would automatically register voters who interact with most state and local agencies unless they affirmatively opt not to do so.

So New York's antiquated system is really in need of dire repair. It's time now for New York to join states like Oregon in making registration automatic, removing one major impediment to citizen participation in the political process. Currently, voters moving across county lines must reregister at their new addresses. When combined with voter registration and party enrollment deadlines, requiring people who move to reregister can cause disruption in voter access to the polls.

Making it easier to transfer registrations when a person moves around the state and allowing minors to preregister to vote will make New York, again, one of the most voter-friendly states in the country, and

certainly making us worthy of the title of the Empire State.

The Voter Empowerment Act of New York would automatically transfer the registrations of voters who move within the state, and we ask my colleagues to find this amendment both germane and in order.

ACTING PRESIDENT GRIFFO: Senator Benjamin.

SENATOR BENJAMIN: Thank you, Mr. President.

I rise to talk about the fact that in the State of New York, under current law, the Board of Elections must notify voters of any primary or general election. However, in the case of a special election, there is no such notification required.

As we know, on April 24th we had 11 special election races in the State of New York, representing 2 million New Yorkers and 1.1 million registered voters. None of these voters were required to receive any notification that there was an election happening. How can we be a state that moves from 41st in the nation on voter turnout if we have a classification of

elections that are happening more and more frequently that do not require there to be notification to voters?

As we know, this amendment is germane to this bill because ensuring that we have an informed electorate is our duty. Knowing the date of an election is as fundamental to getting someone to the polling sites as anything else.

I mean, if you decided to come out and vote for the first time in a special election, you'd have no idea where to go. And you'd have to trust -- maybe some candidates might have advertised, maybe some candidates don't. You'd have to trust, you know, an interested party in understanding where to go to vote. It doesn't make any sense.

And I think what we need to do as a state is to address this issue. We did a survey, found out that 18 percent or the respondents said that they didn't vote because, guess what, they didn't know the date of the election. We can do better as a state.

In 2016, we had four actual elections that year. We had to go to the polls

four times. I remember it like it was yesterday. There was a possibility that there could have been a special election that was thrown into that, which means we would have had to go to the polls five times.

That is a lot on a family. That's a lot on those who have busy lives. And to imagine that one of those elections, they would not even have known about it because there was no notification that came.

We've got to do better as a state. I call on our colleagues to come together and let's make sure that any special election in the state, similar to our primary and general elections, we actually notify voters that there's an election.

Thank you.

ACTING PRESIDENT GRIFFO: Senator Montgomery.

SENATOR MONTGOMERY: Thank you, Mr. President.

I rise to support the amendment. I think it's certainly relevant to our discussion.

I was so impressed with the most recent march on Washington by young people, many,

many thousands of them younger than 14. They were middle school young people, high school young people, and up.

So I think that it's time for us in our state to recognize that young people have a lot more knowledge and certainly energy and interest, and they stand to inherit whatever we leave for them in terms of our government, our environment, and et cetera.

So I have a bill that I've introduced which would just lower the age where young people are allowed to register and vote, so that every 16-year-old in our state would be eligible to register and vote. I think the sooner we start, the more responsibility at an earlier age young people feel.

And I hope that the young people in our state are as alert, as sophisticated, as educated and as determined to protect their own interests and their future, because indeed it is theirs. And so my bill would allow them to register, be able to register at 16 as opposed to 17, as we have now. Any young person in our state can register to vote, and they can vote in the year that they turn 18.

So this just opens that a little bit wider and brings young people into the system sooner. And I think it's about time we recognize that our young people have a lot more savvy than we get give them credit for.

Thank you, Mr. President. I think this is a very important part of our attempt to open up our voting process. Thank you.

ACTING PRESIDENT GRIFFO: Senator Klein.

SENATOR KLEIN: Thank you, Mr. President.

The genesis of these bills before us today was a study that was put out last week by the Senate Democratic Conference, which of course we all know, unfortunately, that New York State ranks 41st in the country for voter turnout. That's certainly not something we should be proud of.

We actually surveyed over a thousand voters all over the State of New York, and we found that 28 percent of respondents missed voting because of work or school obligations, 14 percent missed an election due to illness or disability. Barriers to voting included

childcare, caring for a family member, and work obligations.

So when the question was posed to them whether or not they would actually support legislation which made voting easier -- early day voting, no excuse-absentee voting -- 79 percent of survey respondents said they would be more likely to vote if an election were held earlier or early voting was enacted. Almost 76 percent of respondents said they would be more likely to vote if they could vote by mail in a non-excuse absentee ballot program.

Senator Valesky's amendment, actually making a uniform system for voting, 81 percent of respondents who live in counties with voting hours from 12:00 p.m. to 9:00 p.m. would actually vote if they had an extended day of voting.

So I believe that these are commonsense approaches. I think we all know, if we're going to do something in a bipartisan fashion, I think we want to encourage Democrats, Republicans, conservatives, independents, anyone who is registered to vote in any party to come out to vote. I think it strengthens our

democracy and certainly strengthens our election process.

So of course, Mr. President, we stand here today with 31 in the Democratic Conference ready to vote for voting reform. And of course I urge a yes vote.

ACTING PRESIDENT GRIFFO: So the question before the house is on the procedures of the house and the ruling of the chair. All those in favor of overruling the ruling of the chair signify by saying aye.

SENATOR KLEIN: A show of hands, please.

ACTING PRESIDENT GRIFFO: A show of hands has been requested and is so directed.

Announce the results.

THE SECRETARY: Ayes, 29.

ACTING PRESIDENT GRIFFO: The ruling of the chair stands.

The bill-in-chief is before the house.

SENATOR DeFRANCISCO: Last section.

ACTING PRESIDENT GRIFFO: Seeing and hearing no Senator that wishes to debate, the debate is closed. And the Secretary will ring

the bell.

Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first of April.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Murphy to explain his vote.

SENATOR MURPHY: Thank you, Mr. President.

This bill has nothing to do with voting. This bill has everything to do with the honesty in permitting process for restaurants like in New York City that have a window of opportunity to catch them on the street where they set up a few tables and have a few extra chairs, to allow the permitting process to be expedited.

So the window of opportunity for that to happen, you can't wait nine months for that to -- to get your permit. And then at the opportunity you get this, we have an expeditious process in order for you to get your permit in order for you to promote your business, employ

other people to come up and help you with your business.

So this bill right here really has to do with the permitting process, Mr. President, and I'll be voting aye. Thank you.

ACTING PRESIDENT GRIFFO: Senator Murphy to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 783, those recorded in the negative are Senators Bailey, Comrie, Hoylman, Kavanagh, Krueger, Montgomery, Rivera and Serrano.

Ayes, 54. Nays, 8.

ACTING PRESIDENT GRIFFO: The bill is passed.

The Secretary will read.

Senator DeFrancisco.

SENATOR DeFRANCISCO: May I ask what you're reading?

ACTING PRESIDENT GRIFFO: The remaining bills that were laid aside for the day?

SENATOR DeFRANCISCO: Okay, I move -- at this point I'd like to lay the last two bills aside for the day.

ACTING PRESIDENT GRIFFO: The

remaining two bills, Calendar 871 and 911, will be laid aside for the day.

SENATOR DeFRANCISCO: And is there any further business at the desk?

ACTING PRESIDENT GRIFFO: There is no further business before the desk.

SENATOR DeFRANCISCO: In that case, I move to adjourn until -- no, I don't.

There's an Insurance Committee meeting in Room 124 of the Capitol.

ACTING PRESIDENT GRIFFO: There will be an Insurance Committee meeting in Room 124 of the Capitol immediately following session.

SENATOR DeFRANCISCO: And now I move to adjourn until Tuesday, May 8th, at 12:00 p.m., 12:00 p.m.

ACTING PRESIDENT GRIFFO: On motion, the Senate will stand adjourned until Tuesday, May 8th, at noon.

The Senate stands adjourned.

(Whereupon, at 5:37 p.m., the Senate adjourned.)