

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 May 7, 2018

11 3:17 p.m.

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13
14 REGULAR SESSION

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18 SENATOR JOSEPH GRIFFO, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

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

13 Reverend?

14 REVEREND DEMOSTHENE: Thank you.

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

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

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

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

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

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

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

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

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

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

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

19 ACTING PRESIDENT GRIFFO: The
20 reading of the Journal.

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

25 ACTING PRESIDENT GRIFFO: Without

1 objection, the Journal will stand approved as
2 read.

3 Presentation of petitions.

4 Messages from the Assembly.

5 The Secretary will read.

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

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

17 ACTING PRESIDENT GRIFFO: The
18 substitutions are so ordered.

19 Messages from the Governor.

20 Reports of standing committees.

21 Reports of select committees.

22 Communications and reports of state
23 officers.

24 Motions and resolutions.

25 Senator DeFrancisco.

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

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

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

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

17 SENATOR DeFRANCISCO: I move that
18 the following bills be discharged from their
19 respective committees and be recommitted with
20 instructions to strike the enacting clause, both
21 bills by Senator Tedisco: Senate Print 8240 and
22 8241.

23 ACTING PRESIDENT GRIFFO: So
24 ordered.

25 SENATOR DeFRANCISCO: I wish to

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

4 ACTING PRESIDENT GRIFFO: The
5 Secretary will read.

6 THE SECRETARY: Calendar Number
7 387, by Senator Little, Senate Print 367A, an act
8 to amend the General Municipal Law.

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

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

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 56.

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

17 ACTING PRESIDENT GRIFFO: The
18 amendments are received.

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

23 ACTING PRESIDENT GRIFFO: The
24 Secretary will read.

25 THE SECRETARY: Legislative

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

5 ACTING PRESIDENT GRIFFO: Senator
6 Carlucci.

7 SENATOR CARLUCCI: Thank you,
8 Mr. President.

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

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

25 We have with us today a trustee from

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

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

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

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

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

1 our state and our country.

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

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

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

19 Thank you so much, Mr. President.

20 ACTING PRESIDENT GRIFFO: Thank
21 you, Senator Carlucci.

22 Senator Parker.

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

25 First let me thank Senator Carlucci

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 Thank you very much, Mr. President.

23 ACTING PRESIDENT GRIFFO: Thank
24 you, Senator Parker.

25 (Applause from gallery.)

1 ACTING PRESIDENT GRIFFO: Senator
2 Comrie.

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

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

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

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

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

4 Today Haiti is still recovering from
5 natural and economic disaster. But this
6 administration in Washington is telling the
7 people that came here -- after a disaster in
8 2010, almost 60,000 Haitians came to the U.S.
9 under temporary protective status -- 60,000 lives
10 that are here in the country, people that are
11 working, with families, people that are holding
12 jobs, people that are doing things necessary to
13 be part of the American fabric, are being told
14 that they have to be gone by July 2019 to a
15 country that is not ready to handle 60,000 people
16 coming back, because we've done a terrible job at
17 repairing the infrastructure in Haiti.

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

25 We are here today to celebrate you

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

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

18 Thank you, Mr. President.

19 (Applause from gallery.)

20 ACTING PRESIDENT GRIFFO: Thank
21 you, Senator Comrie.

22 Senator Sanders.

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

25 I want to thank the sponsors, they

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

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

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

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

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

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

9 (Applause from gallery.)

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

14 (Laughter.)

15 SENATOR SANDERS: This more than
16 ever the economy needs.

17 (Applause from gallery.)

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

25 We used to work together in Queens.

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

3 (Laughter.)

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

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

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

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

4 Thank you, Mr. President.

5 (Appause from gallery.)

6 ACTING PRESIDENT GRIFFO: Thank
7 you, Senator Sanders.

8 Senator Alcantara.

9 SENATOR ALCANTARA: On the
10 resolution.

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

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

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

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

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

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

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

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

8 (Applause from gallery.)

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

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

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

20 (Standing ovation.)

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

24 Senator DeFrancisco.

25 SENATOR DeFRANCISCO: I was just

1 going to say the same thing.

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

4 ACTING PRESIDENT GRIFFO: The
5 Secretary will read.

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

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

14 Read the last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT GRIFFO: Announce
21 the results.

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

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

3 Ayes, 46. Nays, 15.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 145, by Senator Dilan, Senate Print 4193A, an act
8 to amend the Vehicle and Traffic Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 61.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 164, by Senator Little, Senate Print 136 --

21 SENATOR KLEIN: Lay it aside.

22 ACTING PRESIDENT GRIFFO: Lay it
23 aside.

24 THE SECRETARY: Calendar Number
25 166, by Senator Serrano, Senate Print 3053, an

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

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 61.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 176, by Senator Ortt, Senate Print 6583A, an act
15 to amend the Social Services Law.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 61.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 221, by Senator Lanza, Senate Print 5282, an act
3 to amend the General Business Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT GRIFFO: Announce
12 the results.

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

17 Ayes, 55. Nays, 6.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 230, by Senator Seward, Senate Print 7393, an act
22 to amend the Insurance Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 61.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 276, by Senator Marchione, Senate Print 6906, an
10 act to allow.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 334, by Senator Marcellino, Senate Print 6862A,
23 an act to amend the Public Service Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 61.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 507, substituted earlier by Member of the
11 Assembly Ortiz, Assembly Print 4538A, an act to
12 amend the Environmental Conservation Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

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

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 559, by Senator LaValle, Senate Print 3002, an

1 act to amend the County Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 61.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 568, by Senator Ritchie, Senate Print 7274, an
14 act to amend Chapter 85 of the Laws of 2017.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

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

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 572, by Senator Funke, Senate Print 1021, an act
3 to amend the Education Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

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

14 Ayes, 57. Nays, 4.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 642, by Senator Griffio, Senate Print 7139, an act
19 to amend the Real Property Tax Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 61.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 666, by Senator Comrie, Senate Print 3588A, an
7 act to amend the Agriculture and Markets Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 61.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 682, substituted earlier by Member of the
20 Assembly Magee, Assembly Print 8457, an act to
21 amend Chapter 254 of the Laws of 2013.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 61.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 783, by Senator Murphy, Senate Print --

9 SENATOR KLEIN: Lay it aside.

10 ACTING PRESIDENT GRIFFO: Lay it
11 aside.

12 THE SECRETARY: Calendar Number
13 871, by Senator LaValle --

14 SENATOR KLEIN: Lay it aside.

15 ACTING PRESIDENT GRIFFO: Lay it
16 aside.

17 THE SECRETARY: Calendar Number
18 911, by Senator Akshar, Senate Print --

19 SENATOR KLEIN: Lay it aside.

20 ACTING PRESIDENT GRIFFO: Lay it
21 aside.

22 THE SECRETARY: Calendar Number
23 920, by Senator Addabbo, Senate Print 3059A, an
24 act to amend the Tax Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

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

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 931, by Senator Little, Senate Print 7384, an act
13 to amend the Tax Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 61.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

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

1 active-list calendar of May 7th.

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

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

8 The Senate will stand at ease.

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

11 (Whereupon, the Senate reconvened at
12 4:06 p.m.)

13 ACTING PRESIDENT GRIFFO: The
14 Senate will return to order.

15 Senator DeFrancisco.

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

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

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

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

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

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

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

9 The Secretary will continue.

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

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

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

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

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

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

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

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

1 Senate 6535A, by Senator Ortt, an
2 act to amend the Environmental Conservation Law;
3 Senate 6638, by Senator Helming, an
4 act to amend the Workers' Compensation Law;
5 Senate 6655, by Senator Hannon, an
6 act to amend the Public Health Law;
7 Senate 6760, by the Senate Committee
8 on Rules, an act to amend the Multiple Dwelling
9 Law;
10 Senate 7065, by Senator Kavanagh, an
11 act to amend the Penal Law;
12 Senate 7752, by Senator Murphy, an
13 act to amend the Legislative Law;
14 Senate 7783A, by Senator Golden, an
15 act to amend the Education Law;
16 Senate 8014, by Senator Little, an
17 act to amend the Emergency Housing Rent Control
18 Law;
19 Senate 8162, by Senator Breslin, an
20 act to amend Chapter 141 of the Laws of 2014;
21 Senate 8181, by Senator Helming, an
22 act to amend the Military Law;
23 Senate 8182, by Senator Helming, an
24 act to amend the Environmental Conservation Law;
25 Senate 8343, by Senator Seward, an

1 act authorizing;

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

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

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

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

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

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

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

16 Senate 8408, by Senator Hannon, an
17 act directing;

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

20 And Senate 8412, by Senator Young,
21 an act to amend the Chapter 58 of the Laws of
22 2005.

23 All bills reported direct to third
24 reading.

25 ACTING PRESIDENT GRIFFO: Senator

1 DeFrancisco.

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

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

7 (Response of "Aye.")

8 ACTING PRESIDENT GRIFFO: Opposed?

9 (No response.)

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

13 Senator DeFrancisco.

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

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

23 Which bill would you like us to take
24 up?

25 SENATOR DeFRANCISCO: Would you

1 please take up Calendar 1018.

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

4 THE SECRETARY: Calendar Number
5 1018, by Senator Felder, Senate Print 414A, an
6 act to amend the Tax Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

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

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

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

20 ACTING PRESIDENT GRIFFO: The
21 Secretary will read.

22 THE SECRETARY: Calendar Number
23 1023, by Senator LaValle, Senate Print 3195, an
24 act to amend the Real Property Tax Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 SENATOR DeFRANCISCO: Now please
11 take up 1026.

12 ACTING PRESIDENT GRIFFO: The
13 Secretary will read.

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

20 ACTING PRESIDENT GRIFFO: The
21 substitution is so ordered.

22 The Secretary will read.

23 THE SECRETARY: Calendar Number
24 1026, by Member of the Assembly Thiele,
25 Assembly Print 6314, an act to amend the

1 Environmental Conservation Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 61.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 SENATOR DeFRANCISCO: Now please
13 take up 1028.

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

16 THE SECRETARY: Calendar Number
17 1028, by Senator Ortt, Senate Print 6535A, an act
18 to amend the Environmental Conservation Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 SENATOR DeFRANCISCO: Next please
5 take up 1030.

6 ACTING PRESIDENT GRIFFO: The
7 Secretary will read.

8 THE SECRETARY: Calendar Number
9 1030, by Senator Hannon, Senate Print 6655, an
10 act to amend the Public Health Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 SENATOR DeFRANCISCO: Next, 1033.

22 ACTING PRESIDENT GRIFFO: The
23 Secretary will read Calendar 1033.

24 THE SECRETARY: Calendar Number
25 1033, by Senator Murphy, Senate Print 7752, an

1 act to amend the Legislative Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 61.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 SENATOR DeFRANCISCO: Please take
13 up 1034.

14 ACTING PRESIDENT GRIFFO: Calendar
15 1034, the Secretary will read.

16 THE SECRETARY: Calendar Number
17 1034, by Senator Golden, Senate Print 7783A, an
18 act to amend the Education Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT GRIFFO: Senator
2 Krueger to explain her vote.

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

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

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

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

17 Announce the results.

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

24 Ayes, 45. Nays, 16.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

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

5 ACTING PRESIDENT GRIFFO: The
6 Secretary will read.

7 THE SECRETARY: Calendar Number
8 1037, by Senator Helming, Senate Print 8181, an
9 act to amend the Military Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1038, by Senator Helming, Senate Print 8182, an
22 act to amend the Environmental Conservation Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 61.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1041, by Senator Phillips --

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

12 ACTING PRESIDENT GRIFFO: Lay it
13 aside for the day.

14 SENATOR DeFRANCISCO: Excuse me,
15 Mr. President.

16 ACTING PRESIDENT GRIFFO: Senator
17 DeFrancisco.

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

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

24 SENATOR DeFRANCISCO: That is
25 correct.

1 Now if you'd continue going forward.

2 ACTING PRESIDENT GRIFFO: Okay.

3 1041 has been laid aside for the day.

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

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

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

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

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

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

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

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

1 THE SECRETARY: Calendar Number
2 1041, by Senator Phillips, Senate Print 8398, an
3 act to amend the Tax Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

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

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

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

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

25 And then there's some other bills

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

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

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

12 Announce the results.

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

17 Ayes, 55. Nays, 6.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1042, by Senator Griffo, Senate Print 8399, an
22 act to amend the Tax Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

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

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1043, by Senator Jacobs, Senate Print 8400,
11 Concurrent Resolution of the Senate and Assembly.

12 ACTING PRESIDENT GRIFFO: Call the
13 roll on the resolution.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT GRIFFO: Announce
16 the results.

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

21 Ayes, 53. Nays, 8.

22 ACTING PRESIDENT GRIFFO: The
23 resolution is adopted.

24 THE SECRETARY: Calendar Number
25 1044, by Senator Serino, Senate Print 8401, an

1 act to amend the Legislative Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT GRIFFO: Senator
10 Krueger to explain her vote.

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

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

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

23 Thank you, Mr. President.

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

1 Announce the results.

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

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

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

17 Ayes, 40. Nays, 21.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1045, by Senator Serino, Senate Print 8402,
22 Concurrent Resolution of the Senate and Assembly.

23 ACTING PRESIDENT GRIFFO: Call the
24 roll on the resolution.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT GRIFFO: Announce
2 the results.

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

10 Ayes, 41. Nays, 20.

11 ACTING PRESIDENT GRIFFO: The
12 resolution is adopted.

13 THE SECRETARY: Calendar Number
14 1046, by Senator LaValle, Senate Print 8406, an
15 act to amend the Real Property Tax Law.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

18 THE SECRETARY: Section 2. This
19 act shall take effect on the first of January,
20 2021.

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

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

1 SENATOR HOYLMAN: Thank you,
2 Mr. President.

3 I'll be supporting this.

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

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

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

18 Thank you.

19 ACTING PRESIDENT GRIFFO: Senator
20 Hoylman in the affirmative.

21 Senator Krueger to explain her vote.

22 SENATOR KRUEGER: Thank you.

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

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

6 And again, since many people here
7 just voted for bills that will require
8 supermajorities to increase revenue for the
9 state, I just want to highlight you put all these
10 together and if you're voting for this kind of
11 bill and you want to implement it, you'd better
12 be able to figure out what we're cutting out of
13 our existing spending. Because again, the bills
14 coming through Rules today would require the
15 state to come up with an additional
16 \$1.638 billion, perhaps with no ability to ever
17 increase our revenue.

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

21 Thank you.

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

24 Announce the results.

25 THE SECRETARY: In relation to

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

4 Ayes, 56. Nays, 5.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1047, by Senator Griffo, Senate Print 8407, an
9 act to amend the Public Service Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

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

20 Ayes, 57. Nays, 4.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1048, by Senator Hannon, Senate Print 8408, an
25 act directing.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 61.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1049, by Senator Young, Senate Print 8411, an act
13 to amend Chapter 58 of the Laws of 2005.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT GRIFFO: Senator
22 Krueger to explain her vote.

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

25 Wow. So just in one short period of

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

4 Someone's phone is ringing.

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

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

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

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

25 So it's no on this and an

1 explanation on the next no as well.

2 Thank you, Mr. President.

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

5 Senator Akshar to explain his vote.

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

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

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

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

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

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

12 I vote aye.

13 ACTING PRESIDENT GRIFFO: Senator
14 Akshar in the affirmative.

15 Senator Young to explain her vote.

16 SENATOR YOUNG: Thank you,
17 Mr. President.

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

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

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

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

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

22 Thank you, Mr. President.

23 ACTING PRESIDENT GRIFFO: Senator
24 Young in the affirmative.

25 Announce the results.

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

7 Ayes, 47. Nays, 14.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1050, by Senator Young, Senate Print 8412, an act
12 to amend Chapter 58 of the Laws of 2005.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT GRIFFO: Senator
21 Young to explain her vote.

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

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

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

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

12 This bill actually would have
13 \$2.3 billion of Medicaid takeover from outside of
14 New York City and in New York City. And in the
15 New York City piece, we would impose a property
16 tax cap, which people have been begging for for
17 years, Senator Lanza has carried legislation on
18 that issue. And it would stop these heavy tax
19 hikes that have been ongoing.

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

25 And so we need to do everything that

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

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

16 ACTING PRESIDENT GRIFFO: Senator
17 Young in the affirmative.

18 Announce the results.

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

1 Ayes, 48. Nays, 14.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

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

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

10 ACTING PRESIDENT GRIFFO: The
11 Secretary will ring the bell.

12 The Secretary will read.

13 THE SECRETARY: Calendar Number
14 164, by Senator Little, Senate Print 136, an act
15 to amend the Parks, Recreation and Historic
16 Preservation Law.

17 ACTING PRESIDENT GRIFFO: Senator
18 Krueger.

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

21 ACTING PRESIDENT GRIFFO: Senator
22 Little, do you yield?

23 SENATOR LITTLE: Yes, I'll yield.

24 ACTING PRESIDENT GRIFFO: The
25 Senator yields.

1 SENATOR KRUEGER: Thank you very
2 much.

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

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

13 SENATOR LITTLE: Thank you,
14 Mr. President.

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

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

1 commissioner may operate a snowmobile in any
2 lands upon which snowmobiling is allowed, if
3 accompanied by a person over 18 years of age.
4 For the purpose of this section, accompanied
5 shall mean within 500 feet of the person over
6 18 years of age.

7 If we are at a snowcross event and
8 they would like to have a race and allow
9 10-year-olds to race, someone between the ages of
10 10 and 14, that do not have that eight-hour
11 snowmobile certificate but are capable of driving
12 one of these smaller snowmobiles that they ride
13 at home, which they can ride on their own
14 property under the supervision of their parents.

15 The Office of Parks, Recreation and
16 Historic Preservation has to give the
17 organization a permit. The organization has to
18 abide by the International Snowmobile Racing,
19 Inc., rules. They also, in this 8-to-12-year-old
20 under the age of 14, they would be restricted in
21 the form of a throttle-back that will only allow
22 50 percent of the throttle to be used. They have
23 a rev limiter restriction built in to limit the
24 RPMs to 6,000 RPMs maximum. These are smaller
25 snowmobiles.

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

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

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

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

1 SENATOR LITTLE: Yes, I would.

2 ACTING PRESIDENT GRIFFO: The
3 sponsor yields.

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

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

13 What we're talking about is it can
14 only be at 50 percent of a throttle and it has to
15 be restricted, it has to have a small RPM of
16 6,000. I'm not sure how that relates to the
17 total, but it certainly is not as fast as the
18 others.

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

25 SENATOR KRUEGER: Through you

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

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

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

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

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

25 SENATOR LITTLE: Yes, I will.

1 ACTING PRESIDENT GRIFFO: The
2 sponsor yields.

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

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

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

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

4 ACTING PRESIDENT GRIFFO: The
5 sponsor yields.

6 SENATOR LITTLE: Yes, I will.

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

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

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

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

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

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

10 ACTING PRESIDENT GRIFFO: Senator
11 Krueger on the bill.

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

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

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

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

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

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

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

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

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

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

16 Thank you, Mr. President.

17 ACTING PRESIDENT GRIFFO: Thank
18 you, Senator Krueger.

19 Senator DeFrancisco.

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

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

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

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

16 ACTING PRESIDENT GRIFFO: Senator
17 Hoylman.

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

20 ACTING PRESIDENT GRIFFO: Senator
21 Little, do you yield?

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

24 ACTING PRESIDENT GRIFFO: The
25 Senator yields.

1 SENATOR HOYLMAN: Through you,
2 Mr. President, I'm just baffled because I don't
3 understand what the problem with requiring a
4 10-year-old to take a safety course is. Is there
5 something onerous about the safety course,
6 something -- that it doesn't represent the
7 accuracy of snowmobiling? Or do we have an issue
8 with safety courses when it pertains to racing
9 snowmobiles?

10 SENATOR LITTLE: No.

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

19 So at these snowmobile weekends and
20 snowcross races, they have age groups 14 to 15,
21 12 to 13, and those are required to have the
22 snowmobile safety eight-hour course.

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

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

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

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

1 SENATOR HOYLMAN: On the bill,
2 Mr. President.

3 ACTING PRESIDENT GRIFFO: Senator
4 Hoylman on the bill.

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

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

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

18 So this is perplexing to me that we
19 are suggesting that someone as young as eight,
20 10 years old can hop on one of these vehicles and
21 race them, no less, without any type of
22 instruction as mandated by the State of New York.

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

1 voting no.

2 Thank you, Mr. President.

3 ACTING PRESIDENT GRIFFO: Senator
4 Little on the bill.

5 SENATOR LITTLE: Thank you, on the
6 bill.

7 I just want to make sure that
8 everyone understands. We are not talking about a
9 10-, 11-, 12-, 13-year-old child going out and
10 riding a snowmobile for miles through the woods
11 or anyplace else.

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

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

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

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

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

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

12 So I vote aye.

13 ACTING PRESIDENT GRIFFO: Senator
14 Stavisky.

15 SENATOR STAVISKY: Thank you.

16 Would the sponsor yield for a
17 question?

18 SENATOR LITTLE: Yes, certainly.

19 ACTING PRESIDENT GRIFFO: The
20 sponsor yields.

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

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

1 races, according to the International
2 Snowmobiling Racing Association.

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

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

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

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

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

19 SENATOR STAVISKY: Thank you. On
20 the bill.

21 ACTING PRESIDENT GRIFFO: Senator
22 Stavisky on the bill.

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

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

3 And I plan to vote no,
4 Mr. President.

5 ACTING PRESIDENT GRIFFO: Senator
6 Lanza?

7 SENATOR LANZA: On the bill,
8 Mr. President.

9 ACTING PRESIDENT GRIFFO: Senator
10 Lanza on the bill.

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

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

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

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

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

16 Soccer? You want to talk about
17 broken ankles and torn ligaments, concussions,
18 safety of 10-year-old kids. Every time a
19 10-year-old kid gets on a bicycle in New York
20 City, let me tell you, it's really dangerous. We
21 encourage kids to get on bicycles in New York
22 City.

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

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

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

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

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

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

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

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

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

18 The Secretary will ring the bell.

19 Read the last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT GRIFFO: Senator

1 Bonacic to explain his vote.

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

4 I identify myself with Senator
5 Lanza, Senator DeFrancisco.

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

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

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

1 develop someone that's independent.

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

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

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

15 Thank you, Senator Little.

16 ACTING PRESIDENT GRIFFO: Senator
17 Bonacic in the affirmative.

18 Senator Krueger to explain her vote.

19 SENATOR KRUEGER: Thank you.

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

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

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

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

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

1 So I continue to be no,
2 Mr. President.

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

5 Announce the results.

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

12 Ayes, 49. Nays, 13.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 Senator DeFrancisco.

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

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

21 THE SECRETARY: Calendar Number
22 783, by Senator Murphy, Senate Print 2364, an act
23 to amend the Executive Law.

24 ACTING PRESIDENT GRIFFO: Senator
25 Klein.

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

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

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

13 ACTING PRESIDENT GRIFFO: Your
14 appeal is so noted.

15 And Senator Kavanaugh, you may be
16 heard.

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

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

25 But more than that, on behalf of

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

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

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

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

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

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

11 ACTING PRESIDENT GRIFFO: Thank
12 you, Senator Kavanaugh.

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

16 Senator Valesky.

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

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

25 You know, as we look through state

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

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

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

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

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

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

12 ACTING PRESIDENT GRIFFO: Senator
13 Comrie.

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

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

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

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

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

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

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

25 In addition, although permanent

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

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

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

25 This amendment is germane because

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

5 Thank you, Mr. President.

6 ACTING PRESIDENT GRIFFO: Senator
7 Savino.

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

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

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

25 While the City of New York has

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

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

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

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

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

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

12 Thank you, Mr. President.

13 ACTING PRESIDENT GRIFFO: Senator
14 Parker.

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

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

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

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

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

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

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

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

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

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

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

8 ACTING PRESIDENT GRIFFO: Senator
9 Benjamin.

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

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

18 As we know, on April 24th we had
19 11 special election races in the State of
20 New York, representing 2 million New Yorkers and
21 1.1 million registered voters. None of these
22 voters were required to receive any notification
23 that there was an election happening. How can we
24 be a state that moves from 41st in the nation on
25 voter turnout if we have a classification of

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

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

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

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

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

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

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

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

17 Thank you.

18 ACTING PRESIDENT GRIFFO: Senator
19 Montgomery.

20 SENATOR MONTGOMERY: Thank you,
21 Mr. President.

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

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

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

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

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

17 And I hope that the young people in
18 our state are as alert, as sophisticated, as
19 educated and as determined to protect their own
20 interests and their future, because indeed it is
21 theirs. And so my bill would allow them to
22 register, be able to register at 16 as opposed to
23 17, as we have now. Any young person in our
24 state can register to vote, and they can vote in
25 the year that they turn 18.

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

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

9 ACTING PRESIDENT GRIFFO: Senator
10 Klein.

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

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

20 We actually surveyed over a thousand
21 voters all over the State of New York, and we
22 found that 28 percent of respondents missed
23 voting because of work or school obligations,
24 14 percent missed an election due to illness or
25 disability. Barriers to voting included

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

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

13 Senator Valesky's amendment,
14 actually making a uniform system for voting,
15 81 percent of respondents who live in counties
16 with voting hours from 12:00 p.m. to 9:00 p.m.
17 would actually vote if they had an extended day
18 of voting.

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

1 democracy and certainly strengthens our election
2 process.

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

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

12 SENATOR KLEIN: A show of hands,
13 please.

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

16 Announce the results.

17 THE SECRETARY: Ayes, 29.

18 ACTING PRESIDENT GRIFFO: The
19 ruling of the chair stands.

20 The bill-in-chief is before the
21 house.

22 SENATOR DeFRANCISCO: Last section.

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

1 the bell.

2 Read the last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT GRIFFO: Senator
9 Murphy to explain his vote.

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

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

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

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

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

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

8 Announce the results.

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

13 Ayes, 54. Nays, 8.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 The Secretary will read.

17 Senator DeFrancisco.

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

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

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

25 ACTING PRESIDENT GRIFFO: The

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

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

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

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

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

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

15 SENATOR DeFRANCISCO: And now I
16 move to adjourn until Tuesday, May 8th, at
17 12:00 p.m., 12:00 p.m.

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

21 The Senate stands adjourned.

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

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