NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 13, 2018

4:29 p.m.

REGULAR SESSION

SENATOR JOSEPH GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT GRIFFO: The Senate will come to order.

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

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

ACTING PRESIDENT GRIFFO: Today's invocation will be offered by the Venerable Ru Yang, Abbess, International Buddhist Progress Society in Flushing, New York.

ABBESS RU YANG: Thank you for inviting me here today.

As our founder, Venerable Master Hsing Yun said: "A great leader is someone who has compassion, wisdom, dedication, consideration of others, and willingness to serve others without regrets." We have seen how our Senators and community leaders have worked hard for the benefits of the people. Thus it is my honor to be here to pray for our Senators and community leaders.

Great compassionate Buddha! With the utmost sincerity, I would like to pray for

our Senators, community leaders, and all the commissioners, to give them the wisdom to govern amid the conflicting interests and issues of our times; to know the true sense of the welfare and needs of the people in our community; to understand the importance of justice by working to understand the causes and conditions of those suffering; to be confident in what is fair for everyone; to have the ability to work together in harmony even when there is honest disagreement, and to find personal peace and joy in their lives by helping others.

Great compassionate Buddha! May they have your prajna wisdom to solve difficult cases. May they have your great power to subdue stubborn and dishonest criminals. May they have your compassion and fellowship to guide all beings that take the wrong path. May they have your steadfast determination to maintain the courage and wisdom to advance.

Furthermore, we pray to you to bless and protect our society. May we all serve the community together, to keep watch together in mutual defense and collaborate closely with each other. May we all uphold justice and

prevent crimes, and bring peace and safety to all families. May we all be self-disciplined and law-abiding to bring happiness to our lives and prosperity and peace to our nation. May we all firmly stand by our posts to contribute to the community and to benefit our society.

Leadership requires courage. May our leaders have that courage to lead our community always.

Great compassionate Buddha, please accept my sincerest prayer!

Thank you.

ACTING PRESIDENT GRIFFO: The reading of the Journal.

THE SECRETARY: In Senate, Tuesday, June 12th, the Senate met pursuant to adjournment. The Journal of Monday, June 11th, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT GRIFFO: Without objection, the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 4, Senator

Griffo moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 8922 and substitute it for the identical Senate Bill 7321, Third Reading Calendar 49.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

THE SECRETARY: On page 13, Senator Bonacic moves to discharge, from the Committee on Rules, Assembly Bill Number 7953A and substitute it for the identical Senate Bill 6244A, Third Reading Calendar 333.

On page 38, Senator Golden moves to discharge, from the Committee on Civil Service and Pensions, Assembly Bill Number 3137 and substitute it for the identical Senate Bill 4761, Third Reading Calendar 895.

On page 42, Senator Lanza moves to discharge, from the Committee on Rules, Assembly Bill Number 10150 and substitute it for the identical Senate Bill 8049, Third Reading Calendar 979.

On page 42, Senator O'Mara moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 10507 and substitute it for the identical Senate Bill

7747A, Third Reading Calendar 985.

On page 45, Senator Lanza moves to discharge, from the Committee on Rules, Assembly Bill Number 6823C and substitute it for the identical Senate Bill 5998B, Third Reading Calendar 1065.

On page 48, Senator Golden moves to discharge, from the Committee on Aging, Assembly Bill Number 6026 and substitute it for the identical Senate Bill 4555, Third Reading Calendar 1117.

On page 55, Senator Marcellino moves to discharge, from the Committee on Corporations, Authorities and Commissions, Assembly Bill Number 10220A and substitute it for the identical Senate Bill 8086A, Third Reading Calendar 1247.

On page 61, Senator Bonacic moves to discharge, from the Committee on Rules, Assembly Bill Number 10647 and substitute it for the identical Senate Bill 8416, Third Reading Calendar 1326.

On page 66, Senator Seward moves to discharge, from the Committee on Rules, Assembly Bill Number 10613 and substitute it for the identical Senate Bill 8499, Third Reading

Calendar 1390.

On page 68, Senator LaValle moves to discharge, from the Committee on Codes, Assembly Bill Number 5200 and substitute it for the identical Senate Bill 2755, Third Reading Calendar 1409.

On page 70, Senator Golden moves to discharge, from the Committee on Rules, Assembly Bill Number 10676 and substitute it for the identical Senate Bill 8557A, Third Reading Calendar 1443.

On page 74, Senator Young moves to discharge, from the Committee on Rules, Assembly Bill Number 9837A and substitute it for the identical Senate Bill 7630A, Third Reading Calendar 1499.

And on page 75, Senator Seward moves to discharge, from the Committee on Rules, Assembly Bill Number 10830 and substitute it for the identical Senate Bill 8158A, Third Reading Calendar 1501.

ACTING PRESIDENT GRIFFO: The substitutions are so ordered as presented.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports of state officers.

Motions and resolutions.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Mr. President, I wish to call up Senator Phillips' bill, Print 8798, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 1681, by Senator Phillips, Senate Print 8798, an act to authorize.

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

ACTING PRESIDENT GRIFFO: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

SENATOR DeFRANCISCO: I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR DeFRANCISCO: I now, on

page 78, offer the following amendments to Calendar 1730, Senate Print 8304, by Senator Phillips, and ask that the bill retain its place on the Third Reading Calendar.

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

SENATOR DeFRANCISCO: On page 74, I offer the following amendments to Calendar 1497, Senate Print 7521, by Senator Hannon, and ask that the bill retain its place on the Third Reading Calendar.

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

SENATOR DeFRANCISCO: On page 66, I offer the following amendments to Calendar 1394, Senate Print 8485A, by Senator Golden, and that the bill retain its place on the Third Reading Calendar.

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

SENATOR DeFRANCISCO: And finally, on page 71 I offer the following amendments to

Calendar 1455, Senate Print 6597A, and ask that said bill retain its place on the Third Reading Calendar. It's a bill by Senator Serino.

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

SENATOR DeFRANCISCO: Please recognize Senator Klein.

ACTING PRESIDENT GRIFFO: Senator Klein.

SENATOR KLEIN: Thank you, Mr. President.

On behalf of Senator Carlucci, on page 76 I offer the following amendments to Calendar Number 1547, Senate Print 8345, and ask that said bill retain its place on Third Reading Calendar.

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

SENATOR KLEIN: On behalf of Senator Avella, on page 28 I offer the following amendments to Calendar Number 693, Senate Print Number 7886, and ask that said bill retain its place on Third Reading Calendar.

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

SENATOR KLEIN: I move that the following bill be discharged from its respective committee and be recommitted with instructions to strike the enacting clause, on behalf of Senator Avella: Senate Bill Number 8988.

ACTING PRESIDENT GRIFFO: It is so ordered.

SENATOR KLEIN: I wish to call up Senator Carlucci's bill, Print Number 1773, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 266, by Senator Carlucci, Senate Print 1773, an act to amend the Real Property Tax Law.

SENATOR KLEIN: Mr. President, I now move to reconsider the vote by which this bill was passed.

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

SENATOR KLEIN: Mr. President, I now offer the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, can we now take up previously adopted Resolution 5583, by Senator Stavisky, title only, and call on Senator Stavisky to speak.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5583, by Senator Stavisky, celebrating Taiwan Heritage Day to strengthen the friendship and bilateral relationship between the State of New York and Taiwan.

ACTING PRESIDENT GRIFFO: Da jia hao.

Senator Stavisky.

SENATOR STAVISKY: Let me try it. Da jia hao.

(Applause.)

SENATOR STAVISKY: First let me commend Senator Griffo for his knowledge of

Mandarin. And let me also add: Huan ying lai dao Albany.

(Applause.)

SENATOR STAVISKY: And what that means is hello and welcome to Albany.

We're delighted to have the distinguished Ambassador/Director General Lily L.W. Hsu, from the Taipei Economic and Cultural Office in New York, representing the government of Taiwan and President Tsai Ing-wen.

The reason I mention President Tsai is that for my colleagues on the other side of the aisle, she is a graduate of the law school at Cornell. And she's the second president from Taiwan to attend Cornell. So there's a relationship there, and certainly through Ambassador Hsu.

The ambassador is the first woman from --

(Applause.)

SENATOR STAVISKY: -- from Taiwan to represent the government in New York, in the New York region. Previously she served in Washington, D.C., in the United Kingdom, and most recently from Denmark, which is quite a

diplomatic resume. In fact, we met right after she came to New York, at a dinner in Flushing; she had just come from Denmark.

She is joined on the floor by the political director of the Taipei Economic and Cultural Office in New York, Ronnie Lu --

(Applause.)

SENATOR STAVISKY: -- and by Consul Jenny Tzeng.

We've heard from the Venerable Ru Yang, and we also recognize the chairman of the Taiwan Center, the senior center, Gow-Chung Chen.

(Applause.)

SENATOR STAVISKY: Buddha's Light International Association President Li Yi Hung, from Flushing. The temple is located on Barclay Avenue and 154th Street in Flushing.

From the Capital Region, we have the Taiwanese American Cultural Society, Secretary Wes Yang and the former president, Chungchin Chen.

(Applause.)

SENATOR STAVISKY: And from the Capital District Taiwanese American Association

we have the vice president, Che-Hua Hsu.

(Applause.)

SENATOR STAVISKY: Let me be very brief, but let me talk for a moment about Taiwan Heritage Day.

Taiwan is the 21st largest economy in the world, and it's the United States's 10th largest trading partner. There are many Fortune 500 companies located in Taiwan, many Taiwanese investments in the United States. They have a remarkable, remarkable history. And it has one of the highest standards of living in the world. Ninety-seven percent literacy rate. Imagine that, 97 percent literacy rate.

Their cultural programs in the United States, the economic development efforts, the construction that's going on, the business, the vitality that they have brought with them from Taiwan is remarkable.

I represent, as you know, Flushing. And in the late 1970s, early 1980s, stores were being boarded up, many businesses were going, people were leaving. And people -- originally from Taiwan, and then from other parts of the world -- came to Flushing. And today, if you

walk through the streets of Flushing, you'll see bustling vibrancy. You'll see a very active library -- as Senator Ritchie knows, one of the busiest in the country -- right in Flushing. And it's because of what has happened as a result of the arrival from China and from Taiwan of so many immigrants.

And we are happy to have the immigrants here in the United States. We are proud of our democracy with our friends and the special relationship that we have with the Taiwanese community. It's a partnership based on friendship.

And let me just add that I have gone to the Buddha's Light Temple on many occasions, and I was there last year and this year to celebrate Buddha's birthday. And they have something, a tradition called Three Acts of Goodness. And let me conclude by naming the three acts, which I think is appropriate for the State Senate today. Buddha said "Say good words, do good deeds, and think good thoughts."

And this is the message that we should be sending to our constituents and to the people throughout the United States and the

Republic of China and Taiwan.

So welcome, and we're happy to have you. Thank you.

Thank you, Mr. President.

(Applause.)

ACTING PRESIDENT GRIFFO: Thank you, Senator Stavisky.

Senator Bailey.

SENATOR BAILEY: Thank you, Mr. President.

At the urge of being repetitive, this is the only phrase I know: Da jia hao.

(Laughter; applause.)

SENATOR BAILEY: I just wanted to very briefly add my voice to the chorus of individuals who are commending the Taiwanese community. I wanted to thank you for coming up.

I had the pleasure of meeting many of you earlier today in Room 711A at the celebration with Senator Stavisky, Assemblymembers Yuh-Line Niou and Ron Kim as well, and we got to learn a lot about your culture.

And one of the greatest things about this job is when different cultures and different

people from different areas in our city and our state come to the Capitol, and they recognize two things. One, that this is your state capital, and that this is open and available for you, not just the members of this house. We work for the people of this state, and you are the people of the State of New York. Don't ever forget that.

And secondly, continue to teach us lessons from your culture. Because Lord knows we can all learn a lot about each other's cultures, and it will make us all a lot better people in this society, this state and this city.

So I wanted to thank you all for coming today. I wanted to remind you to stay active, stay involved.

And Toby, thank you for sponsoring this resolution.

Thank you, Mr. President.

(Applause.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Thank you.

I also want to welcome everyone here on this Taiwanese Heritage Day. I've met many of the guests that are on the floor in Syracuse when

we raise the Taiwanese flag on an annual basis in front of City Hall.

This time of year in Albany, when we're trying to get the final business done, those three words of wisdom are very important for us. Because sometimes we have a tendency not to say good things, think good thoughts and do good things. So that is a perfect remainder for the last few days of session.

Lastly, because of it being the last few days of session, so many things are going on, and they're unavoidable. And I apologize for the delay today. It certainly meant no disrespect for anyone. It's just that we're trying to organize everything to finish the business by the middle of next week.

So thank you for being here, and we appreciate the celebration that we're having today for your country.

(Applause.)

ACTING PRESIDENT GRIFFO: Thank you, Senator DeFrancisco.

As noted, the resolution was previously adopted on June 5th of this year.

The resolution, at the request of

Senator Stavisky, is open for cosponsorship. Should you choose to be a cosponsor, please notify the desk.

We would like to once again welcome and acknowledge the presence of the ambassador, of the distinguished officials, and also of the many guests who have joined us today.

So please rise and be recognized. Xiexie.

(Standing ovation.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Now can we take up previously adopted Resolution 5738, by Senator Peralta, title only, and call on Senator Peralta to speak, please.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 5738, by Senator Peralta, commemorating the 208th Anniversary of the Mexican Declaration of Independence from Spain on September 16, 2018.

ACTING PRESIDENT GRIFFO: Senator Peralta.

SENATOR PERALTA: Thank you, Mr. President.

Mexico has enjoyed a rich and developed culture for many, many years that existed before the arrival of Hernan Cortes in 1521, including the Mayans and the Aztecs.

This year, Mexico and Mexican Americans will be celebrating its 208th anniversary of the Declaration of Independence from Spain -- an independence declared on September 16, 1810, by Father Miguel Hidalgo in the City of Dolores, located in the Guanajuato. It began with the "Grito de Dolores," the Cry of the Dolores, which was also known as Father Hidalgo's proclamation "End to bad government."

It was the beginning of a decade-long war for independence. In 1811, Father Hidalgo and his followers were captured and executed in Chihuahua. Father Jose Maria Morelos assumed Hidalgo's leadership, but in 1813 he also was captured and executed by the Spanish crown. When the insurgency was about to collapse, Spanish General Augustin de Iturbide joined them. In 1821, the formerly Spanish general and representatives of the Spanish crown

signed the Treaty of Cordoba, ending one of the longest wars for independence in all of the Americas and recognizing Mexico's independence.

Mexicans and Mexican Americans have contributed in every aspect of life, not only in my district but across the state and the nation. Many have made Queens and New York their home, and it is only fitting that we thank them for their efforts, work and their contribution. They contribute to make Queens the most diverse borough in the nation, especially my district, the United Nations of all Senate districts.

We extend our best wishes to our Mexican and Mexican American friends as they celebrate their independence from Spain. Que viva Mexico!

ACTING PRESIDENT GRIFFO: The resolution was previously adopted on June 12th of this year and is open for cosponsorship at the request of Senator Peralta. If you choose to be a cosponsor, please notify the desk.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, can we now have the noncontroversial reading of the active list, please.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 49, substituted earlier by Member of the Assembly Rosenthal, Assembly Print 8922, an act to amend the Public Authorities Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2017.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 70, by Senator O'Mara, Senate Print 2837B, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 194, by Senator Phillips, Senate Print 4456A, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 205, by Senator Avella, Senate Print 1682, an act to amend the Public Authorities Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect one year after it shall

have become a law.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 1. Senator DeFrancisco recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 283, by Senator Flanagan, Senate Print 6973A, an act in relation to authorizing.

ACTING PRESIDENT GRIFFO: There is a home-rule message present at the desk.

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 287, by Senator Avella, Senate Print 1271, an act

to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 314, by Senator Little, Senate Print 137, an act to amend the Social Services Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the first of January.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 1. Senator Hoylman recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: In relation to Calendar 314, those recorded in the negative are Senators Alcantara, Hoylman and Montgomery.

Ayes, 55. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 333, substituted earlier by Member of the Assembly Brindisi, Assembly Print 7953A, an act to amend the Rural Electric Cooperative Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 355, by Senator Klein, Senate Print 4712, an act to amend the Real Property Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 1. Senator Sanders recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 527, by Senator Stavisky, Senate Print 7667, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 676, by Senator Avella, Senate Print 1874A, an

act to amend the General Municipal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 766, by Senator Helming, Senate Print 6746A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 1. Senator Hoylman recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 769, by Senator Robach, Senate Print 7857, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56. Nays, 2. Senators Avella and Hoylman recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 800, by Senator LaValle, Senate Print 7236, an act to amend the State Finance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 895, substituted earlier by Member of the Assembly Abbate, Assembly Print 3137, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 957, by Senator Robach, Senate Print 8243, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

SENATOR KRUEGER: Lay it aside,

please.

SENATOR KLEIN: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 960, by Senator Felder, Senate Print 2105A, an act to direct.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 971, by Senator Funke, Senate Print 7614, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 979, substituted earlier by Member of the Assembly Carroll, Assembly Print 10150, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 985, substituted earlier by Member of the Assembly Pellegrino, Assembly Print 10507, an act to amend Chapter 274 of the Laws of 2010.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1065, substituted earlier by Member of the Assembly Paulin, Assembly Print 6823C, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1109, by Senator LaValle, Senate Print 7259A, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1117, substituted earlier by Member of the Assembly Lupardo, Assembly Print 6026, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number

1135, by Senator Savino, Senate Print 3755 --

SENATOR KLEIN: Lay the bill aside for the day, please.

ACTING PRESIDENT GRIFFO: Lay the bill aside for the day.

THE SECRETARY: Calendar Number 1232, by Senator Savino, Senate Print 4135A --

SENATOR KLEIN: Lay the bill aside for the day, please.

ACTING PRESIDENT GRIFFO: Lay the bill aside for the day.

THE SECRETARY: Calendar Number 1247, substituted earlier by Member of the Assembly Englebright, Assembly Print 10220A, an act to amend the Business Corporation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1301, by Senator Felder, Senate Print 7844, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1301, those recorded in the negative are Senators Hoylman, Krueger and Ranzenhofer.

Ayes, 55. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1326, substituted earlier by Member of the Assembly Dinowitz, Assembly Print 10647, an act to amend Chapter 237 of the Laws of 2015.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1361, by Senator Young, Senate Print 1107, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Young to explain her vote.

SENATOR YOUNG: Thank you, Mr. President. I'd like to explain my vote.

This legislation, also known as Brittany's Law, was created in response to a horrible double murder that occurred in 2009 when 12-year-old Brittany Passalacqua and her mother, Helen Buchel, were murdered by John Edward Brown, who was a violent felon who had been released

early from prison after only serving two and a half years for assaulting his infant daughter in 2003 --

ACTING PRESIDENT GRIFFO: Excuse me, Senator Young.

Can I have some order in the house, please.

SENATOR YOUNG: Thank you, Mr. President.

Unfortunately, Helen was unaware of the killer's dangerous past, and she started to date Brown. Just a few months later, she was murdered and Brittany was murdered.

And the passage today of this bill is particularly poignant, Mr. President, because today would have been Helen's 43rd birthday. We have passed this law over and over again in the New York State Senate. It's time for the Assembly to act.

So I urge all of my colleagues to vote yes to create this registry of violent offenders so that people will have the knowledge that they need to know if someone is dangerous or not. And also I would urge the Assembly to finally pass the bill and the Governor to sign it

into law.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1361, those recorded in the negative are Senators Alcantara, Bailey, Benjamin, Comrie, Dilan, Gianaris, Hamilton, Hoylman, Kavanagh, Krueger, Montgomery, Parker, Peralta, Sanders, Serrano and Stavisky. Also Senator Rivera. Also Senator Persaud.

Ayes, 42. Nays, 18.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1387, by Senator Seward, Senate Print 7940A, an act to amend the Insurance Law.

SENATOR DeFRANCISCO: Lay it aside for the day.

ACTING PRESIDENT GRIFFO: The bill is laid aside for the day.

THE SECRETARY: Calendar Number 1390, by Member of the Assembly Cymbrowitz, Assembly Print 10613, an act to amend Chapter 673

of the Laws of 2005.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1409, substituted earlier by Member of the Assembly Weprin, Assembly Print 5200, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 1. Senator Hamilton recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill

passes.

THE SECRETARY: Calendar Number 1443, substituted earlier by Member of the Assembly Abbate, Assembly Print 10676, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1499, substituted earlier by Member of the Assembly Steck --

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

ACTING PRESIDENT GRIFFO: Lay it aside for the day.

THE SECRETARY: Calendar Number 1501, substituted earlier by Member of the

Assembly Stern, Assembly Print 10830, an act to amend Chapter 563 of the Laws of 2001.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1721, by Senator Marcellino, Senate Print 6634, an act to authorize.

ACTING PRESIDENT GRIFFO: There is a home-rule message present at the desk.

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

Calendar Number 1730 has been amended. It's high and is laid aside for the day.

Calendar Number 1740 is before the house.

THE SECRETARY: Calendar Number 1740, by Senator Golden, Senate Print 8929, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

Senator DeFrancisco, that completes the noncontroversial reading of today's active-list calendar before the house.

SENATOR DeFRANCISCO: Mr. President, I'd like to now call an immediate

meeting of the Rules Committee in Room 332.

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

The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 5:07 p.m.)

(Whereupon, the Senate reconvened at 5:21 p.m.)

ACTING PRESIDENT GRIFFO: The Senate will come to order.

SENATOR DeFRANCISCO: Can we go to --

ACTING PRESIDENT GRIFFO: Motions and resolutions we'll return to.

SENATOR DeFRANCISCO: -- motions and resolutions.

ACTING PRESIDENT GRIFFO: And reports of standing committees.

SENATOR DeFRANCISCO: Is there a report of a standing committee at the desk?

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

THE SECRETARY: Senator Flanagan,

from the Committee on Rules, reports the following bills:

Senate Print 48A, by Senator Hoylman, an act to amend the Public Health Law;

Senate 465A, by Senator Robach, an act to amend the Education Law;

Senate 806, by Senator Alcantara, an act to amend the Public Health Law;

Senate 1033A, by Senator Carlucci, an act to amend the Tax Law;

Senate 1198A, by Senator Persaud, an act to amend the Tax Law;

Senate 1954, by Senator Klein, an act to amend the Penal Law;

Senate 1994A, by Senator O'Mara, an act to amend the Tax Law;

Senate 2084, by Senator Comrie, an act relating to the establishment;

Senate 2477, by Senator Gianaris, an act to amend the Correction Law;

Senate 2689, by Senator Breslin, an act to amend the Vehicle and Traffic Law;

Senate 3060, by Senator Addabbo, an act to amend the Highway Law;

Senate 3370, by Senator Sanders, an

act to amend the Racing, Pari-Mutuel Wagering and Breeding Law;

Senate 3457A, by Senator Serrano, an act to amend the Parks, Recreation and Historic Preservation Law;

Senate 3813, by Senator Sanders, an act to amend the Education Law;

Senate 4019A, by Senator Hamilton, an act to amend the Vehicle and Traffic Law;

Senate 4185, by Senator Dilan, an act to amend the Vehicle and Traffic Law;

Senate 4264A, by Senator Griffo, an act to amend the Public Service Law;

Senate 4436, by Senator Montgomery, an act to amend the Vehicle and Traffic Law;

Senate 5221A, by Senator Stavisky, an act to amend the Public Health Law;

Senate 5890B, by Senator Seward, an act to amend Chapter 440 of the Laws of 2012;

Senate 6201A, by Senator Lanza, an act to amend the Judiciary Law;

Senate 6303A, by Senator Lanza, an act to amend the Public Authorities Law;

Senate 6610, by Senator Lanza, an act to amend the Executive Law;

Senate 6619, by Senator Lanza, an act to amend the Education Law;

Senate 7351A, by Senator Valesky, an act to amend the Vehicle and Traffic Law;

Senate 7395D, by Senator Tedisco, an act to amend the Agriculture and Markets Law;

Senate 7443, by Senator Little, an act to amend the General Municipal Law;

Senate 7704, by Senator Golden, an act to amend the Retirement and Social Security Law;

Senate 7705, by Senator Golden, an act to amend the Retirement and Social Security Law;

Senate 7727, by Senator Young, an act to ratify;

Senate 7730, by Senator Murphy, an act to amend the Education Law;

Senate 7973A, by Senator Marchione, an act to amend the Banking Law;

Senate 8018, by Senator Young, an act to amend Chapter 98 of the Laws of 2009;

Senate 8141A, by Senator Benjamin, an act to amend the Public Authorities Law;

Senate 8389B, by Senator Jacobs, an

act to amend the General Business Law;

Senate 8543, by Senator Serino, an act to amend the Public Health Law;

Senate 8612, by Senator Hannon, an act to amend the Not-For-Profit Corporation Law;

Senate 8727, by Senator LaValle, an act to amend the Education Law;

Senate 8841, by Senator Helming, an act to amend the Agriculture and Markets Law;

And Senate 8849, by Senator Larkin, an act to amend Chapter 266 of the Laws of 1981.

All bills reported direct to third reading.

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

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

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

SENATOR DeFRANCISCO: Could we now

go back to messages from the Assembly.

ACTING PRESIDENT GRIFFO: We will return to messages from the Assembly for substitution purposes.

The Secretary will read.

THE SECRETARY: Senator Carlucci moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 5159B and substitute it for the identical Senate Bill 1033A, Third Reading Calendar 1744.

Senator Comrie moves to discharge, from the Committee on Children and Families, Assembly Bill Number 2449 and substitute it for the identical Senate Bill 2084, Third Reading Calendar 1747.

Senator Sanders moves to discharge, from the Committee on Racing, Gaming and Wagering, Assembly Bill Number 3076 and substitute it for the identical Senate Bill 3370, Third Reading Calendar 1751.

Senator Serrano moves to discharge, from the Committee on Cultural Affairs, Assembly Bill Number 2835A and substitute it for the identical Senate Bill 3457A, Third Reading

Calendar 1752.

Senator Griffo moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 467A and substitute it for the identical Senate Bill 4264A, Third Reading Calendar 1756.

Senator Lanza moves to discharge, from the Committee on Veterans, Homeland Security and Military Affairs, Assembly Bill Number 1206 and substitute it for the identical Senate Bill 6610, Third Reading Calendar 1762.

Senator Golden moves to discharge, from the Committee on Rules, Assembly Bill Number 9910 and substitute it for the identical Senate Bill 7704, Third Reading Calendar 1767.

Senator Golden moves to discharge, from the Committee on Rules, Assembly Bill Number 9909 and substitute it for the identical Senate Bill 7705, Third Reading Calendar 1768.

Senator LaValle moves to discharge, from the Committee on Rules, Assembly Bill Number 10864 and substitute it for the identical Senate Bill 8727, Third Reading Calendar 1777.

Senator Helming moves to discharge, from the Committee on Rules, Assembly Bill Number

10097 and substitute it for the identical Senate Bill 8841, Third Reading Calendar 1778.

And Senator Larkin moves to discharge, from the Committee on Veterans, Homeland Security and Military Affairs, Assembly Bill Number 9585 and substitute it for the identical Senate Bill 8849, Third Reading Calendar 1779.

ACTING PRESIDENT GRIFFO: The substitutions are so ordered as read and presented.

Senator DeFrancisco.

SENATOR DeFRANCISCO: We have Supplemental Calendar 54A, which consists of the bills that just came out of the Rules Committee. May we have the noncontroversial reading of that calendar.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 1741, by Senator Hoylman, Senate Print 48A, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1742, by Senator Robach, Senate Print 465A, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 1. Senator Hoylman recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1743, by Senator Alcantara, Senate Print 806, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1744, substituted earlier by Member of the Assembly Titus, Assembly Print 5159B, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Excuse me. Senator Carlucci to explain his vote.

SENATOR CARLUCCI: Thank you, Mr. President.

Right now in New York State

approximately 10,000 people are waiting for a life-saving organ transplant. And fortunately, with advancements in modern medicine, organ transplants have become safer and more successful than ever before. But unfortunately, right now in New York we lag behind almost every other state in the nation when it comes to eligible people participating in the organ donor program.

And fortunately we've started to make strides. In a few short years we've gone from only 13 percent of eligible people enrolled in the organ donor program to now 29 percent, and that's thanks to policies that have come out of this chamber and to so many advocates around the state that have been making a difference.

One friend of mine in Nanuet, Roxanne Watson, she received a heart transplant. And since she's been well enough, she has signed up over 11,000 people to become organ donors.

So we all play a part in this. That's why this legislation is important, by doing another policy that will help to encourage people to become organ donors. I support this legislation, want to thank my colleagues for doing the same.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1745, by Senator Persaud, Senate Print 1198A, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1746, by Senator Klein, Senate Print 1954, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1747, substituted earlier by Member of the Assembly Hyndman, Assembly Print 2449, an act relating to the establishment.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1748, by Senator Gianaris, Senate Print 2477, an act to amend the Correction Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 7. This act shall take effect on the 120th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1749, by Senator Breslin, Senate Print 2689, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 120th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1750, by Senator Addabbo, Senate Print 3060, an

act to amend the Highway Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1751, substituted earlier by Member of the Assembly Cymbrowitz, Assembly Print 3076, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 2. Senators Griffo and Marchione recorded in the

negative.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1752, substituted earlier by Member of the Assembly Englebright, Assembly Print 2835A, an act to amend the Parks, Recreation and Historic Preservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1753, by Senator Sanders, Senate Print 3813, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1754, by Senator Hamilton, Senate Print 4019A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Hamilton to explain his vote.

SENATOR HAMILTON: I stand, Mr. Chairman, to thank my colleagues for voting for the distinctive license plate for the Jamaican bobsledding team.

As you know, the Jamaican bobsledding team was internationally known. And my wife is from Jamaica. So I thank you all for

supporting the license plates for the Jamaican bobsledding team. Irie, mon.

ACTING PRESIDENT GRIFFO: Senator Hamilton in the affirmative.

Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Mr. President.

Briefly, Cool Runnings was one of my favorite movies growing up --

(Laughter.)

SENATOR BAILEY: -- and it was about the Jamaican bobsled team.

But as the proud representative of the 36th Senatorial District, which has a great deal of Jamaicans, I applaud Senator Hamilton for bringing this bill to the floor.

Thank you, Mr. President. I vote aye.

ACTING PRESIDENT GRIFFO: Senator Bailey in the affirmative.

Senator DeFrancisco to explain his vote.

SENATOR DeFRANCISCO: Yes. I'm voting no, not for any disrespect for anyone. The problem, however, is that we must have

50 license plate bills, and we don't have any policy in the State of New York as to which ones should be voted on and which ones should not be voted on.

And clearly it was an exciting event when the Jamaican bobsled team participated in the Olympics, but there's a lot of other incredible causes that have sought license plates.

So with no disrespect, I just believe we need a policy first before we do a couple of different distinctive plates.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 1754, those recorded in the negative are Senators Akshar, DeFrancisco, Funke, Gallivan, Jacobs, Kaminsky, Little, Marchione, O'Mara, Ortt, Ranzenhofer, Serino, Seward, Tedisco and Young.

Ayes, 45. Nays, 15.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

1755, by Senator Dilan, Senate Print 4185, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 120th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1756, substituted earlier by Member of the Assembly Paulin, Assembly Print 467A, an act to amend the Public Service Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill

passes.

THE SECRETARY: Calendar Number 1757, by Senator Montgomery, Senate Print 4436, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1758, by Senator Stavisky, Senate Print 5221A, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1759, by Senator Seward, Senate Print 5890B, an act to amend Chapter 440 of the Laws of 2012.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 2. Senators Krueger and Sanders recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1760, by Senator Lanza, Senate Print 6201A, an act to amend the Judiciary Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1761, by Senator Lanza, Senate Print 6303A, an act to amend the Public Authorities Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 3. Senators Dilan, Hoylman and Kavanagh recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1762, substituted earlier by Member of the Assembly Cusick, Assembly Print 1206, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1763, by Senator Lanza, Senate Print 6619, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1764, by Senator Valesky, Senate Print 7351A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1765, by Senator Tedisco, Senate Print 7395D, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1766, by Senator Little, Senate Print 7443, an

act to amend the General Municipal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1767, substituted earlier by Member of the Assembly Abbate, Assembly Print 9910, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1768, substituted earlier by Member of the Assembly Abbate, Assembly Print 9909, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1769, by Senator Young, Senate Print 7727, an act to ratify.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1770, by Senator Murphy, Senate Print 7730, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1771, by Senator Marchione, Senate Print 7973A, an act to amend the Banking Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1772, by Senator Young, Senate Print 8018, an act to amend Chapter 98 of the Laws of 2009.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1772, those recorded in the negative are Senators Brooks, Kaminsky and Lanza.

Ayes, 57. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1773, by Senator Benjamin, Senate Print 8141A, an act to amend the Public Authorities Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Benjamin to explain his vote.

SENATOR BENJAMIN: Thank you, Mr. President.

I rise because on Monday, April 9th, at the B/C train on 116th and Frederick Douglass, which is in the heart of my district, the train was closed. And we were told that it was closed because there were renovations being done that would take over six months to get accomplished.

Unfortunately, my entire community was not notified ahead of time about this closure. At this site, it serves three community boards in my district -- one, CB7, knew, but the others, 9 and 10, were not informed.

And so unfortunately this morning myself and others were trying to instruct parents of other options, letting them know that the train was closed. We had kids on their way to school. People's lives were being impacted because of this.

Fortunately, thanks to our efforts here today, there will now be a required public hearing 30 days before any such closure. And that would at least give parents and families and friends, those who have to use public transportation in New York City, the opportunity to be aware that the train is actually going to be closed and they have to find other means to get to work or to school or to see their family.

So thank you, Mr. President. I just wanted to sort of bring that to everyone's attention. It's a good bill. Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1774, by Senator Jacobs, Senate Print 8389B, an act to amend the General Business Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 90th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Jacobs to explain his vote.

Can I have some order, please, in the house.

SENATOR JACOBS: Thank you, Mr. President.

This bill is -- as of June 30th, the rental vehicle protections expire for rental cars in the state. This bill would renew that for another five years. It would update many of the provisions. It will provide greater consumer protections. And it will institute a new schedule in terms of optional vehicle protection.

One thing I did want to let this body know is there was a letter, a memo of opposition from the New York State Trial Lawyers Association concerned about mandatory arbitration on this. I just wanted to inform the body that this memo was withdrawn because the association was not aware that amendments that happened early this month assured and clarified that there is not mandatory arbitration in this piece of

legislation.

Thank you.

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

Senator Kavanagh to explain his vote.

SENATOR KAVANAGH: Just briefly.

This is an expansive bill, but I just want to note one provision, which is something we've tried to pass for a long time and I'm glad to see in the bill. This bill, among other things, bans geographic discrimination by rental car companies.

They've had a number of instances where they would charge you differentially based on where your residence is, not where you're renting the car. So if you're a Brooklyn resident, even if you're renting in some other place, you might be charged more just by virtue of being from Brooklyn.

I wasn't previously from Brooklyn, but now I represent Brooklyn. And this is a bill we passed for many years in the Assembly, and I'm glad to see this house take that provision up.

And I'll be voting in the

affirmative.

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

I need to see a show of hands again.

I need to have some order in the house.

And Senator Klein to explain his vote.

SENATOR KLEIN: Thank you, Mr. President.

I want to thank the sponsor for moving this bill forward. This is an issue that I've a long history with. When I was in the Assembly, I did the original collision damage waiver bill with the late Senator Libous.

And what this did was really transform the industry. There was a time where no one wanted to rent cars any longer in New York. You didn't have a large selection of cars. The prices were very, very high.

What we've seen since the passage of the original legislation and now the continuation is rental car rates going down dramatically, the types of cars people can rent has expanded greatly, and I think it's been a win for the

automobile industry and really everyone else in between.

So I of course vote yes, and again I thank Senator Jacobs for bringing this bill forward.

ACTING PRESIDENT GRIFFO: Senator Klein in the affirmative.

Can I have a show of hands again, anybody voting in the negative.

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

The Secretary will continue.

THE SECRETARY: Calendar Number 1775, by Senator Serino, Senate Print 8543, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 120th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1776, by Senator Hannon, Senate Print 8612, an act to amend the Not-For-Profit Corporation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1777, substituted earlier by Member of the Assembly Hyndman, Assembly Print 10864, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1778, substituted earlier by Member of the Assembly Woerner, Assembly Print 10097, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1779, substituted earlier by Member of the Assembly Hunter, Assembly Print 9585, an act to amend Chapter 266 of the Laws of 1981.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Hoylman to explain his vote.

SENATOR HOYLMAN: Thank you, Mr. President.

I want to commend the sponsor for this common-sense bill that extends the revival window by two years for members of the armed services serving in Vietnam who were exposed to Agent Orange.

You know, revival windows are important to individuals who seek justice, yet some are outside of the statute of limitations. And at the same time, the harm that is caused them only is evident years after the statute of limitations closes.

That's what happens in this bill, and that's what we could do for survivors of child sexual abuse by passing the Child Victims Act that has passed the Assembly already.

I'll be voting aye. Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Hoylman in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1780, by Senator O'Mara, Senate Print 1994A, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco, that concludes the noncontroversial reading of today's Senate Supplemental Calendar 54A -- with good work, good deeds and good thoughts abounding.

SENATOR DeFRANCISCO: That is correct. That is correct. She is invited back

for the prayer tomorrow morning as well.

There is a supplemental active list at the desk that consists of six bills, starting with a Robach bill, ending with a Mayer bill. If you can't find it on your desk, there's one at the table up here. I'd like to ask you to do the noncontroversial reading of that calendar, please.

ACTING PRESIDENT GRIFFO: The Secretary will begin the noncontroversial supplemental active-list calendar with Calendar Number 610.

THE SECRETARY: Calendar Number 610, by Senator Robach, Senate Print 7664, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1272, by Senator O'Mara, Senate Print 2123, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1272, those recorded in the negative are Senators Alcantara, Bailey, Comrie, Hoylman, Kavanagh, Krueger, Montgomery and Serrano. Also Senator Rivera.

Ayes, 51. Nays, 9.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1452, by Senator Seward, Senate Print 3970, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1509, by Senator Hannon, Senate Print 8785, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1651, by Senator Ortt, Senate Print 8210, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: Calendar Number 1739, by Senator Mayer, Senate Print 8857, an act to amend Chapter 725 of the Laws of 1984.

ACTING PRESIDENT GRIFFO: There is a home-rule message present at the desk.

The Secretary will read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2017.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco, that completes the noncontroversial reading of the supplemental active-list calendar at the desk.

SENATOR DeFRANCISCO: Can we go back to the original active list. I believe there's one bill that's been laid aside, a Robach bill. Can we have the noncontroversial reading of that bill.

ACTING PRESIDENT GRIFFO: We will return to the original active list for Calendar Number 957.

The Secretary will ring the bell, and the Secretary will read. Noncontroversial?

SENATOR DeFRANCISCO: Controversial, I'm sorry.

ACTING PRESIDENT GRIFFO: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 957, by Senator Robach, Senate Print 8243, an act to amend the Vehicle and Traffic Law.

SENATOR KRUEGER: Explanation.

ACTING PRESIDENT GRIFFO: Order, please, in the chamber.

Senator Krueger has requested an

explanation.

SENATOR ROBACH: Yes, Mr. President.

This bill, which we have taken up -- well, a different version of this bill before, would amend the Vehicle and Traffic Law in allowing to change what I believe is an archaic part of our law that would have to have one hand on the steering wheel even when you have auto park and auto assist -- which you physically can't have your hands on that wheel -- as well as other features that are added to enhance cars and make them more safe.

Just for the record, because I know Senator Krueger and I have discussed this bill before, there's been a little bit of a revision to say only when those safety features are in place would that be intact. And we've also changed sponsors in the other house to Assemblyman Morelle.

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

ACTING PRESIDENT GRIFFO: Senator Robach, do you yield?

SENATOR ROBACH: Certainly.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Thank you.

So in your explanation you talked specifically about a certain list of automation changes, but in your legislation it says all automation.

SENATOR ROBACH: There's only three allowed now by federal law anywhere: Lane identification, emergency braking, and auto parking. So it would affect those three.

But the one I would say that I personally am the most concerned with -- and I think this is important for members to know both from a standpoint of violating the law as well as from a civil standpoint -- if we do not change this law, you could actually own the vehicle yourself and if you were to be parking your car or using any of those safety features as instructed to operate safely, you could then be both liable or be given a ticket for not doing it under existing law.

If we don't change this, I think it's making scofflaws out of law-abiding citizens. In people who have been surveyed,

84 percent want to use these safety features, which we know make vehicles safe safer and less likely to be involved in an accident.

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

SENATOR ROBACH: Certainly.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: I want to thank the sponsor for his explanation and also to go on record that ultimately I'm not necessarily opposed to autonomous vehicles, but our job here is to make sure we do protect the safety of the nearly 20 million New Yorkers.

So in the semiautonomous vehicles that you would like us to be able to use with no hand on the steering wheel, what happens if there's a hardware malfunction but our hands aren't on the steering wheel?

SENATOR ROBACH: So you're really talking about two completely different things. A fully autonomous vehicle -- which they have prototypes, and I have driven -- would be very different than the cars we have available today,

which are a limited amount of autonomous features.

So I can only speak to, in all reality, what's on the marketplace right now. So if you're driving your Buick Regal with auto-assist brake, what would happen is you would hit the button for that to park your car, and it instructs you to let go of the steering wheel. Which you would do, because if you have your hand on it, it can't turn by itself.

That's all it would do. So if -- I assume if your car broke down or had something else, you would have to manage that with a different way.

If you are talking about a fully autonomous vehicle, it would depend what features that had and what technology was in that car, which are not available in the marketplace today.

I really do feel they're two completely different things but somewhat related.

SENATOR KRUEGER: Yes, they're two different things, somewhat related.

If we pass your bill, we have established in the law of the State of New York that if we move into expanded categories of fully

autonomous vehicles, we've already removed the requirement to have your hands on the wheel. So this is both for current and for future; correct?

SENATOR ROBACH: In all due respect, this would actually -- those features -- you can't have an autonomous vehicle. By definition, it means it can drive without manual control. But we're not there yet.

SENATOR KRUEGER: I understand. But this -- I'm sorry, through you, Mr. President. Hello.

If we pass this law, it applies to the future expectation of fully autonomous vehicles as well as the current reality of semiautonomous vehicles; correct?

SENATOR ROBACH: I don't think so. I think this only affects the things that are listed on here, which I can read to you. Right now we're amending the section of the law that would say "automatic emergency braking, adaptive cruise control, self-parking technology or lane assist."

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

SENATOR ROBACH: Sure.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR KRUEGER: My understanding of the law is it covers -- as defined in SAE J3016 industry standards, which are broader than just the semiautonomous vehicles we're discussing today.

SENATOR ROBACH: Well, the whole industry is looking at standards of what might happen in the future, no question. And SAE, which you brought up -- the Society of Automotive Engineers are the brain trust, I mean, evolving from Thomas Edison and Henry Ford to today, the top-notch people on automotive safety in doing that. So yes, I think they're always looking at what the standards are and how they can revise that.

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

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Thank you.

So let's stick with the

semiautonomous vehicles, and we'll use the example the sponsor already raised, you have a car that is self-parking. And in theory, you pull up to a spot and it parks itself. And then if we pass this law, you don't have to have your hands on the wheel, you'll probably be less -- correct, neither hand will have to be on the wheel?

SENATOR ROBACH: When that feature is engaged only.

SENATOR KRUEGER: Yup, only when that feature is engaged for the parking. And good chance when your hand's not on the wheel at all and it's self-parking or doing something else for itself, you're not as focused on what's going on in your mirrors.

The car malfunctions. It doesn't stop when somebody darts between where it is and the parking space, and the car hits the person who is cutting through the parking space. But your hands aren't on the wheel, and you're not focused on the responsibility, and you may not even be looking in the mirrors, rear-view or front, because you're checking something because you don't have any responsibility for that

vehicle at that time.

Don't you think that should be a concern for us?

SENATOR ROBACH: Actually, that's a perfect point why we need to have this.

So if you had the technology, and let's say you had all of it, not only would that park your car without banging or denting anybody probably better than humans can, according to SAE, but also if you had the automatic braking feature, it might stop that too, even though you might be looking in the mirror or might not be.

But I almost just want to turn it a around a minute, even given your scenario. So now let's say somebody is driving their own vehicle, comes around the corner while you're on auto assist and runs into the back of your vehicle, and the feature can't stop the accident occurring. Do you think that person who's using the technology should either be financially liable or be written a ticket because they don't have their hands on the steering wheel, whether it's my mother, somebody's grandmother who's doing exactly what they're supposed to do with the vehicle?

We're the only state in the nation that has this, and we're no safer than anybody else.

So I really, really feel the time is long overdue. We've addressed all the concerns. If you want to be opposed to autonomous vehicles, you certainly have that opinion. But for technology that's already in cars that people are paying extra money to have -- the SAE, who you brought up, is saying it makes us almost 90 percent safer by having those features -- I don't think we should make scofflaws out of people here in New York. I think they should be treated like the rest of the country and be able to use those features, be safer and move on. Because that's what will happen if we don't do the bill, Senator Krueger.

SENATOR KRUEGER: Through you, Mr. President, let me see if I have any more questions before I speak on the bill. No, I'll be on the bill.

ACTING PRESIDENT GRIFFO: Senator Krueger on the bill.

SENATOR KRUEGER: Thank you.

So the sponsor seems to believe I'm

opposed to autonomous vehicles. I am not. I want to make sure they're safe before we let them on our roads. And I want to make sure we think, as a legislature, about the responsibilities we need to take on when we're move into a world of autonomous vehicles. And there are many things for us to think about that we have not done or acted on yet.

And he closed with exactly one of the points I was trying to make. We have not addressed the questions of liability in a world of autonomous vehicles. So when the vehicle is driving itself and you're just sitting there -- and yes, we're not there yet, but in fact the definitions applied in the report of the -- sorry, this is not something that rolls off my tongue -- as defined in the SAE J3016, definitions and standards for autonomous vehicles for the country, it covers fully autonomous as well as the three examples we're using today.

So when we're passing a law today, it would apply to any and all semiautonomous efforts or fully autonomous vehicles. So we're making a decision today that impacts the future of autonomous vehicles, now and in the future.

We haven't dealt with liability questions or insurance questions. So if there's a hardware malfunction and someone gets hurt and you don't have your hands on the wheel so you can't jump to respond and take over control, it's an excellent question who is liable and who is responsible if someone else is hurt or killed by the vehicle parking itself, adjusting itself, or driving itself. We haven't dealt with that in our insurance and our liability laws.

If there's a software malfunction, there's this great question out there in this industry, is it going to be the car manufacturer that's responsible when something goes wrong? Is it the software company that sold the system to the car manufacturer to install? Or is it just you, because you own the car? But your hands aren't on the vehicle. You're not even being expected to be focused on what's going on around you because you're no longer technically the driver, except that you're sitting up front.

What if somebody hacks the software, a third-party hacking of the software that results in dangerous outcomes and even the death of people? What's the liability and the

protection then? Are we doing anything to ensure the security of these systems not being able to be hacked?

I met with some professors who specialize in tort liability law and automobile insurance and federal safety regulations. One from NYU, Mark Geistfeld, has written I think the definitive research paper on it, and he points out that states are going to have to confront all of these questions for themselves, and that most have not. And New York has not. Because this is frankly the only bill I'm seeing related to autonomous vehicles, and simply saying you can take your hand off the wheel and everything else will be fine is not actually the right answer, Mr. President.

And I also learned from talking to people that safety -- excuse me, Mr. President. It's a little noisy.

ACTING PRESIDENT GRIFFO: Can I have some order, please.

SENATOR KRUEGER: Thank you, Mr. President.

So the safety research by the Federal Transportation Commission over the years

has shown that drivers who don't drive very often are actually the worst drivers and have the worst responses to emergency situations. And think about it. That would make sense. If you don't drive a lot, you're probably not a great driver. If you don't drive a lot, when something untold happens and you have to have an emergency reaction, your reactions probably aren't as good because you're not driving very often.

The dilemma with autonomous vehicles is everybody will be a bad driver because everybody will just be sitting there letting the car do its thing, thinking it's not my problem, it's not my responsibility.

Meanwhile, the autonomous vehicle designers assume that you will jump in and respond. They all specifically talk about making sure that the driver will have to take responsibility when something happens at the last second.

So we're setting ourselves up for what can be a much better future with autonomous vehicles -- and I even accept that when you look at research, if designed correctly and handled correctly, autonomous vehicles probably will

result in overall better safety outcomes because most vehicle accidents are human error, not vehicle error. I think we probably agree on that.

But I think we really need to think this through. And we need to deal with the insurance questions for the State of New York, the liability questions, and just the common-sense questions of shouldn't you always have at least one hand on the wheel and be focused on needing to have an emergency reaction to something unexpected that happens even in an autonomous vehicle.

I don't think requiring one hand on the wheel prevents anyone from going forward with efforts to expand this modern technology. But I think it's just a common-sense safety approach to say, no, keep a hand on the wheel, because no one should believe that the future of autonomous vehicles means they will have no responsibility for what happens when they're driving that car.

Which is why I'm asking this house not to rush forward with this bill, but rather to wait to see an entire package of federal standards and protections and a robust discussion

around insurance changes, liability, and responsibility before we rush forward to expand these vehicles in our state.

I vote no, Mr. President. Thank you.

ACTING PRESIDENT GRIFFO: Senator Kaminsky.

SENATOR KAMINSKY: Would the sponsor yield for several questions, please.

ACTING PRESIDENT GRIFFO: Senator Robach, do you yield to a question?

SENATOR ROBACH: I certainly will.

SENATOR KAMINSKY: Through you, Mr. President, I obviously thank the sponsor for --

ACTING PRESIDENT GRIFFO: The chamber is getting a little noisy again. I'd ask, if you're having conversations, please take it outside the chamber.

Senator Kaminsky, continue.

SENATOR KAMINSKY: Thank you, Mr. President.

I thank the sponsor for taking the lead on so many important transportation issues, especially this one, where I think he's trying to

have New York lead the way in important technology. I just want to ask him some process questions about this.

Can the sponsor please tell us whether there were any public hearings about this issue where experts or anyone related to understanding of this issue gave testimony about the implications of this bill?

SENATOR ROBACH: Certainly. So I would almost make the argument this way, and I probably should have said this in my response to Senator Krueger. All these features have to be vetted federally before they can even be sold in New York or any other state.

So there has been a lot of research, a lot of dialogue, a lot of talk, a lot of testing, a lot of things on safety features in cars since the beginning of time. I think these are no different. And I think the question that we can't ask, no matter how much testing there is -- which is valid, just like you have to go get your car inspected, but if your brakes fail, you know, you have to negotiate it and manage it regardless of what that feature is. I don't think that's any different now in the process of

that.

And I would just end my remarks with, again, the ultimate test, once it's been deemed safe, is the marketplace if people want those features. And I would say that, you know, 84 percent of people say they would buy these cars for those safety features that they want to be able to operate like the rest of the country. Which now in New York you can, but technically for that one feature, you're in violation of our law -- which made all the sense in the world when that safety feature is not engaged.

SENATOR KAMINSKY: Will the sponsor continue to yield?

SENATOR ROBACH: Sure.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAMINSKY: Thank you, Mr. President, the sponsor just referenced discussion, debate about this issue. Has any of that taken place publicly within this building on this issue?

SENATOR ROBACH: Well, outside of the -- we've certainly had it in the Transportation Committee. We've had tests, we've

had driving things, we've had things in the Concourse, open to the public for people to drive and test vehicles, different things like that.

If you're asking me did we have a specific public hearing on what the federal government said was okay in a safety feature, I did not.

SENATOR KAMINSKY: Okay. On the bill, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Kaminsky on the bill.

SENATOR KAMINSKY: So fellow colleagues, my issue is not with the bill or the sponsor's good-hearted efforts to improve our access to technology in the state, it's how we function as a legislature. This is a really complex technical part of law where you cannot expect legislators to understand the benefits, the costs of autonomous vehicles, how they might work, interact with the VTL.

There's a bill that's put in over the break in April, it's on transportation, eight days later it hits the floor and we're supposed to make complex decisions about a very important part of law that impacts our economy. The bill

memo says "Fiscal impact to be determined." I don't know what the AAA thinks about this.

There's a lot of important issues here, and I just don't think we're functioning properly as a legislature. When was the last time we marked up a bill in committee? When was the last time we brought in experts and had a hearing about, you know, maybe not the top two or three issues being talked about in our state, but regular mundane legislative issues that help us sift through the facts about what we're supposed to be doing here?

So I'm left looking at this bill trying to figure out, you know, complex issues about technology. I understand the sponsor probably doesn't think they're all complex, because this is his area of expertise. But for the rest of us, I just don't think we're doing the people's work with the diligence that we should.

And by the way, it only gets worse over the next few days. We're going to be voting on 200, 300 things a day. I dare you to go back and try to remember what you voted on and what those votes were for.

This is not how we should be operating. And on a technically difficult bill like this, we should have had the benefit of a hearing on transportation, we should have had the benefit of having more experts, understanding this a little more, just putting a little more thought and elbow grease into such an important area.

ACTING PRESIDENT GRIFFO: Seeing and hearing no other Senator that wishes --

Senator Hoylman.

SENATOR HOYLMAN: Thank you. I rise also to comment on the fact that --

ACTING PRESIDENT GRIFFO: Senator Hoylman on the bill?

SENATOR HOYLMAN: Yes, Mr. President, on the bill.

I rise to point out that you had certainly big business weighing in on this bill. You had Volkswagen and General Motors and Toyota. You had a demonstration on the Concourse obviously sponsored by an automobile company. You had a sign out here outside of the Senate chamber that said "Accelerating the world to sustainable energy." It was like a paid

advertisement by Tesla.

First of all, I don't even know if that's permissible, but it's certainly not acceptable for us to do the business of industry without allowing consumers, people, our constituents to understand the implications for our neighborhoods.

So I'll be voting in the negative.

ACTING PRESIDENT GRIFFO: Seeing and hearing no other Senator that wishes to be heard, debate is closed. The Secretary will ring the bell.

Senator DeFrancisco, why do you rise?

SENATOR DeFRANCISCO: By unanimous consent, I'd request that we go back to the noncontroversial reading of that bill.

ACTING PRESIDENT GRIFFO: Without objection, we will revert back to the noncontroversial reading of the bill, and the Secretary will read the last section.

Before we do that, I want to extend a very happy birthday to one of our colleagues today, Senator Kathy Marchione, and extend her our best wishes.

(Applause.)

ACTING PRESIDENT GRIFFO: The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Lanza to explain his vote.

SENATOR LANZA: Thank you, Mr. President, to explain my vote.

You know, I listened to the debate; I want to thank the sponsor, Senator Robach, for bringing this legislation to the floor to bring New York State into this century. It's sad. I can't believe that we are the last state in the union to embrace technology. That should not be the way of the Empire State.

And listening to my colleagues and all their great concern about the safety of these vehicles, I'm sure they're all aware that there are dealerships in Manhattan for years selling these cars and promoting these cars, and that they're being bought by our constituents around

the state every day of the year, not just this year but last year and the year before.

If there was such great concern for the safety of these vehicles -- I checked with my staff, I asked if there was any member of this body that has submitted legislation to prohibit the sale of these vehicles in the State of New York. Shockingly, the answer is no, not one. Not one member from across the aisle or this side of the aisle has put in legislation that would say, Hey, these cars are dangerous, we have these grave concerns, we'd like to have hearings. And in the meantime, we shouldn't allow our citizens to buy these cars. But not a bill like that, because I think this is more posturing than anything else.

Senator Robach, thank you for allowing New York State to embrace technology that is going to make -- that is going to make the drivers in this state safer, not less safe.

I vote aye.

ACTING PRESIDENT GRIFFO: Senator Lanza in the affirmative.

Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you,

Mr. President.

I think I've already explained why I'm voting no. I just wanted to clarify, given my colleague's response. I said nothing about outlawing the cars that are being sold in the state now. I said nothing about putting limits on other cars that might be showing up any minute. I said keep one hand on the steering wheel. We have a lot of things to figure out. Nothing about anyone not being allowed to purchase cars that are legally allowed to be sold in New York.

And we're not the last state, there are several other states that still have a hand-on-the-steering-wheel policy.

Thank you, Mr. President. I remain no.

ACTING PRESIDENT GRIFFO: Senator Krueger in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 957, those recorded in the negative are Senators Avella, Hoylman, Kavanagh, Krueger, Rivera, Sanders and Serrano.

Ayes, 53. Nays, 7.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco, that completes the controversial -- now not-controversial reading of the remaining bills on the active list.

SENATOR DeFRANCISCO: It's the noncontroversial reading of the controversial calendar, is that what you said?

(Laughter.)

SENATOR DeFRANCISCO: In any event, is there any further business at the desk?

ACTING PRESIDENT GRIFFO: Nothing but goodwill and good cheer.

SENATOR DeFRANCISCO: Good. In that case, I move to adjourn until Thursday, June 14th, at 11:00 a.m.

ACTING PRESIDENT GRIFFO: On motion, the Senate will stand adjourned until Thursday, June 14th, at 11:00 a.m.

The Senate is adjourned.

(Whereupon, at 6:19 p.m., the Senate adjourned.)