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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 12, 2019

4:20 p.m.

REGULAR SESSION

SENATOR BRIAN A. BENJAMIN, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

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

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

8 ACTING PRESIDENT BENJAMIN: Rabbi
9 Adam Englander, of the Hebrew Academy of
10 Long Beach, in Woodmere, will give today's
11 invocation.

12 Rabbi Englander.

13 RABBI ENGLANDER: Our Father in
14 heaven, guard and protect the members of this
15 New York State Senate. Instill within them the
16 wisdom, courage, and moral clarity to faithfully
17 represent the citizens of this state and provide
18 them with the strong leadership that they
19 deserve.

20 May this body that treasures
21 rigorous debate do so in a way that doesn't allow
22 for divisiveness. May they strive for and
23 achieve unity without demanding uniformity. May
24 they continue to promote justice, peace, respect
25 and understanding in a world where these virtues

1 seem less common.

2 While I'm representing the Jewish
3 day school community and I'm here with Teach NYS
4 and 700 others from over 50 schools in the state,
5 we're advocating on behalf of all students in all
6 schools. We hope that all of our children can
7 get a true 21st-century education so they can
8 better contribute to the world around them.

9 We hope that every parent should be
10 able to send their children off to school in the
11 morning knowing they will be safe. This is
12 especially true today with the scary rise of
13 antisemitism, hatred and violence plaguing all
14 schools.

15 With feelings of incredible
16 gratitude to Senate Majority Leader Andrea
17 Stewart-Cousins, our own State Senator from
18 Long Island, Todd Kaminsky, and all the members
19 of this great chamber, may God bless us with the
20 ability to continue to work in partnership for
21 all that is good, righteous and just, and may we
22 appreciate just how much we can accomplish
23 together.

24 And let us say amen.

25 ACTING PRESIDENT BENJAMIN: The

1 reading of the Journal.

2 THE SECRETARY: In Senate, Monday,
3 March 11, 2019, the Senate met pursuant to
4 adjournment. The Journal of Sunday, March 10,
5 2019, was read and approved. On motion, Senate
6 adjourned.

7 ACTING PRESIDENT BENJAMIN: Without
8 objection, the Journal stands approved as read.

9 Presentation of petitions.

10 Messages from the Assembly.

11 Messages from the Governor.

12 Reports of standing committees.

13 Reports of select committees.

14 Communications and reports from
15 state officers.

16 Motions and resolutions.

17 Senator Gianaris.

18 SENATOR GIANARIS: Mr. President,
19 on behalf of Senator Addabbo, I wish to call up
20 Senate Print 1978, recalled from the Assembly,
21 which is now at the desk.

22 ACTING PRESIDENT BENJAMIN: The
23 Secretary will read.

24 THE SECRETARY: Calendar Number 63,
25 Senate Print 1978, by Senator Addabbo, an act in

1 relation to establishing a legislative task force
2 on responsible gaming.

3 SENATOR GIANARIS: I move to
4 reconsider the vote by which the bill was passed.

5 ACTING PRESIDENT BENJAMIN: The
6 Secretary will call the roll on reconsideration.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 59.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is restored to its place on the Third
11 Reading Calendar.

12 SENATOR GIANARIS: I now offer the
13 following amendments.

14 ACTING PRESIDENT BENJAMIN: The
15 amendments are received.

16 SENATOR GIANARIS: Please call on
17 Senator Griffo.

18 ACTING PRESIDENT BENJAMIN: Senator
19 Griffo.

20 SENATOR GRIFFO: Mr. President, on
21 behalf of Senator Ortt, I move that Senate Bill
22 675 be discharged from its respective committee
23 and be recommitted with instructions to strike
24 the enacting clause.

25 ACTING PRESIDENT BENJAMIN: It is

1 so ordered.

2 Senator Gianaris.

3 SENATOR GIANARIS: Mr. President, I
4 now move to adopt the Resolution Calendar, with
5 the exception of Resolution 649.

6 ACTING PRESIDENT BENJAMIN: All in
7 favor of adopting the Resolution Calendar, with
8 the exception of Resolution 649, please signify
9 by saying aye.

10 (Response of "Aye.")

11 ACTING PRESIDENT BENJAMIN:

12 Opposed, nay.

13 (No response.)

14 ACTING PRESIDENT BENJAMIN: The
15 Resolution Calendar is adopted.

16 Senator Gianaris.

17 SENATOR GIANARIS: Mr. President,
18 can we please now take up the resolution that was
19 not adopted, 649, read that resolution title
20 only, and recognize Senator Brooks.

21 ACTING PRESIDENT BENJAMIN: The
22 Secretary will read.

23 THE SECRETARY: Senate Resolution
24 649, by Senator Brooks, commemorating the
25 100th anniversary of the United States Congress

1 official charter of the American Legion on
2 September 16, 2019.

3 ACTING PRESIDENT BENJAMIN: Senator
4 Brooks on the resolution.

5 SENATOR BROOKS: Thank you,
6 Mr. President.

7 Today we take time to honor and
8 recognize the 100th anniversary of the American
9 Legion.

10 New York State played a critical
11 role in the establishment of the American Legion.
12 On March 15, 1919, in a meeting in Paris, France,
13 20 individuals gathered, nine of them from the
14 State of New York -- one of them, Lieutenant
15 Colonel Theodore Roosevelt, Jr. -- and began the
16 organization process of the American Legion. On
17 September 16, 1919, the Congress commissioned the
18 American Legion.

19 Today the American Legion is the
20 world's largest veterans organization. Its
21 membership passes 2.2 million individuals, with
22 almost 13,000 posts. In New York State the
23 membership is almost 100,000 members and over
24 900 posts.

25 The American Legion plays a critical

1 role. In 2018, the organization raised almost
2 \$700,000 to be used for emergency funding,
3 provided over \$1 million in scholarships,
4 provided \$1.5 million VA hospitals and over a
5 million dollars for other charities. In
6 addition, nearly 4 million were invested in
7 community service, \$3.5 million in emergency aid,
8 and almost \$900,000 to support troops.

9 Just after the American Legion was
10 first founded, they were instrumental in lobbying
11 for the passage of the Servicemen's Retirement
12 Act, the first version of the GI Bill. They also
13 lobbied for the creation of the U.S. Veterans
14 Bureau, now known as Veterans Affairs.

15 The American Legion has played a
16 critical role in honoring those who have served
17 this nation and also serving and servicing and
18 helping those who have served this nation.

19 The American Legion also provides a
20 critical role in many of the special services
21 they provide to this country, and most notable
22 here in this state is the Boys State program.

23 We are gathered today with some of
24 the members of the American Legion, including our
25 director of the state agency, Gary Schacher.

1 I ask that the members rise to be
2 recognized by the chamber.

3 (Standing ovation.)

4 SENATOR BROOKS: Mr. President, I
5 ask that they be extended all the honors of the
6 house.

7 And once again, gentlemen, we thank
8 you for your service, not only in the time in the
9 military, but what you still do to this day for
10 our communities and our veterans.

11 Thank you very much.

12 ACTING PRESIDENT BENJAMIN: Senator
13 Ortt on the resolution.

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

16 I'd like to thank the sponsor, my
17 colleague and chair of our Veterans Committee
18 here in the Senate, Senator Brooks, not only for
19 sponsoring the resolution but for his remarks.

20 And I'll be brief, but I just wanted
21 to sort of add to his comments. You know, today
22 our veterans returning from Iraq and Afghanistan,
23 the way they engage with each other has changed.
24 But one thing has not changed, and that is the
25 importance of the work that the American Legion

1 does on behalf of our veterans.

2 Whether or not they congregate
3 around Legion Halls or whether they congregate on
4 social media, the work that the American Legion
5 does on behalf of our veterans -- advocating not
6 only for their benefits but helping them navigate
7 what can very often be a very byzantine system,
8 the VA, the federal government -- is an important
9 role that our Legionnaires play in the lives of
10 our veterans.

11 And you think about how many
12 veterans -- our Legion posts are in all of our
13 districts. Most of us have more than one. And
14 the role that these Legion Halls serve as hubs in
15 our community and the role that these
16 organizations and the American Legion
17 specifically play in our own districts and
18 obviously in our state as a whole, that hasn't
19 diminished.

20 And I would like to mention, too,
21 that the current president, Gary Schacher, is the
22 first president of the American Legion who is a
23 veteran of the conflict in Iraq. So, you know,
24 he's a veteran of Operation Iraqi Freedom, and he
25 is the first such veteran from the current

1 conflicts to lead the American Legion.

2 So I not only thank him for his
3 service, but I want to thank all of the
4 Legionnaires for what they do for New York State,
5 for our veterans across our country.

6 And again, I want to thank all of my
7 colleagues for their support of this resolution.

8 Mr. President, thank you.

9 ACTING PRESIDENT BENJAMIN: The
10 question is on the resolution. All in favor
11 signify by saying aye.

12 (Response of "Aye.")

13 ACTING PRESIDENT BENJAMIN:
14 Opposed?

15 (No response.)

16 ACTING PRESIDENT BENJAMIN: The
17 resolution is adopted.

18 To our guests, I welcome you on
19 behalf of the Senate. We extend to you the
20 privileges and courtesies of this house. Thank
21 you for everything you've done for our country,
22 our state and our veterans. Thank you so much.

23 (Standing ovation.)

24 ACTING PRESIDENT BENJAMIN: Senator
25 Gianaris.

1 SENATOR GIANARIS: Mr. President,
2 can you please recognize Senator Persaud for an
3 introduction.

4 ACTING PRESIDENT BENJAMIN: Senator
5 Persaud.

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

8 I would just like to briefly welcome
9 three ladies who are sitting in our chamber here
10 today. They are here today -- they were hoping
11 to be here when we voted on legislation that's
12 important to them, but maybe not; they have to
13 leave.

14 These are women who were previously
15 incarcerated. And I have one young lady here,
16 LaDeamMa, who spent 21 years incarcerated -- will
17 you please stand -- 21 years incarcerated. She's
18 a victim of domestic violence, and because of
19 that, the trauma she went through caused her to
20 do things that caused her to be incarcerated for
21 21 years.

22 The other two ladies who are here,
23 they have been tirelessly coming up here asking
24 us to do this legislation that will benefit not
25 them, but other women -- well, not only women,

1 other people who are victims of domestic
2 violence.

3 So, Mr. President, I ask you today
4 to please welcome them and thank them for their
5 tireless, tireless advocacy in terms of fighting
6 for people who are incarcerated due to domestic
7 violence issues.

8 Domestic violence affects our
9 communities dearly, and these women have never
10 given up. And they will never give up the fight.
11 And so 21 years in prison, 18 years in prison --
12 other women are out there asking us for our
13 support.

14 So again, please recognize these
15 ladies today. Thank you.

16 ACTING PRESIDENT BENJAMIN: To our
17 guests, I welcome you on behalf of the Senate. I
18 extend to you the privileges and courtesies of
19 this house. Thank you for everything you're
20 doing on behalf of women and men who are victims
21 of domestic violence.

22 Please rise and be recognized.
23 (Cheers from gallery; standing
24 ovation.)

25 ACTING PRESIDENT BENJAMIN: Senator

1 Gianaris.

2 SENATOR GIANARIS: Mr. President,
3 can we now take up the reading of the calendar.

4 ACTING PRESIDENT BENJAMIN: The
5 Secretary will read.

6 THE SECRETARY: Calendar Number
7 149, Senate Print 1870B, by Senator Comrie, an
8 act to amend the Public Authorities Law.

9 ACTING PRESIDENT BENJAMIN: Read
10 the last section.

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

13 ACTING PRESIDENT BENJAMIN: Call
14 the roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BENJAMIN:
17 Announce the results.

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

20 ACTING PRESIDENT BENJAMIN: The
21 bill is passed.

22 THE SECRETARY: Calendar Number
23 184, Senate Print 877A, by Senator Rivera, an act
24 to amend the Civil Practice Law and Rules.

25 ACTING PRESIDENT BENJAMIN: Read

1 the last section.

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

4 ACTING PRESIDENT BENJAMIN: Call
5 the roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BENJAMIN:
8 Announce the results.

9 THE SECRETARY: In relation to
10 Calendar Number 184, those Senators recorded in
11 the negative are Senators Antonacci, Helming,
12 Jacobs, Jordan, Lanza, Ortt, Ranzenhofer and
13 Tedisco. Also Senator Seward, Senator Griffo and
14 Senator Little.

15 Ayes, 49. Nays, 11.

16 ACTING PRESIDENT BENJAMIN: The
17 bill is passed.

18 THE SECRETARY: Calendar Number
19 204, Senate Print 2685, by Senator Mayer, an act
20 to amend the General Municipal Law.

21 ACTING PRESIDENT BENJAMIN: Read
22 the last section.

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

25 ACTING PRESIDENT BENJAMIN: Call

1 the roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BENJAMIN:

4 Announce the results.

5 THE SECRETARY: In relation to
6 Calendar Number 204, Senator Antonacci recorded
7 in the negative.

8 Ayes, 59. Nays, 1.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 207, Senate Print 2979, by Senator Gaughran, an
13 act to incorporate the Volunteer Exempt
14 Firefighter's Benevolent Association of
15 Huntington Manor and providing for its powers and
16 duties.

17 ACTING PRESIDENT BENJAMIN: Read
18 the last section.

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

21 ACTING PRESIDENT BENJAMIN: Call
22 the roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BENJAMIN:

25 Announce the results.

1 THE SECRETARY: Ayes, 60.

2 ACTING PRESIDENT BENJAMIN: The
3 bill is passed.

4 THE SECRETARY: Calendar Number
5 208, Senate Print 3057, by Senator Gaughran, an
6 act to amend the Volunteer Firefighters' Benefit
7 Law.

8 ACTING PRESIDENT BENJAMIN: Read
9 the last section.

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

12 ACTING PRESIDENT BENJAMIN: Call
13 the roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BENJAMIN:
16 Announce the results.

17 THE SECRETARY: Ayes, 60.

18 ACTING PRESIDENT BENJAMIN: The
19 bill is passed.

20 THE SECRETARY: Calendar Number
21 225, Senate Print 1826C, by Senator Kennedy, an
22 act to amend the Labor Law.

23 ACTING PRESIDENT BENJAMIN: Read
24 the last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect on the 180th day after it
2 shall have become a law.

3 ACTING PRESIDENT BENJAMIN: Call
4 the roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BENJAMIN: Senator
7 Kennedy to explain his vote.

8 SENATOR KENNEDY: Thank you very
9 much, Mr. President.

10 First of all, I want to thank my
11 colleagues for their support on this bill and
12 unceasing advocacy on behalf of working men and
13 women across the great State of New York.

14 I want to recognize the leadership
15 of our Democratic Conference, Senator Andrea
16 Stewart-Cousins, for bringing this bill to the
17 floor so expeditiously, as well as the
18 Labor Committee for moving this in a decisive
19 fashion as well.

20 This bill I first introduced in this
21 chamber back in 2012. It was carried in the
22 Assembly by now Congressman, then Assemblymember
23 Hakim Jeffries, then taken up by Assemblywoman
24 and now Majority Leader Crystal Peoples-Stokes,
25 and now carried in the Assembly with hopes of its

1 passage once again by Assemblymember Rosenthal.

2 The Assembly has passed this bill
3 year after year. The Senate, unfortunately,
4 has balked until today.

5 And this bill sends an
6 extraordinarily strong message that New York
7 State is taking the jobs in our state very
8 seriously, and we refuse to incentivize call
9 center businesses that are going to outsource our
10 jobs out of state and out of this nation.

11 And unfortunately, since the
12 inception of this bill back in 2012, there have
13 been thousands of jobs that have been outsourced
14 in New York State as well as in our nation.
15 Since 2006, there have been upwards of 40,000
16 call center jobs that have left New York State.
17 If these jobs are being incentivized by
18 taxpayers, then these jobs need to stay in
19 New York. That's what this bill is all about.

20 And what this bill ultimately does
21 is it creates clawbacks so that companies that
22 are incentivized for these call centers
23 ultimately have to pay back those incentives,
24 that taxpayer money, those grants to the State of
25 New York if in fact they take these call center

1 jobs out of state or out of nation. This is
2 simply the right thing to do.

3 And I'm just so proud of the support
4 that this bill has gotten. This bill has
5 bipartisan support. This bill has been a long
6 time coming, and this will certainly set in
7 motion a plan to ensure that our call center jobs
8 that are incentivized stay right here.

9 I want to say, to all of the
10 advocates, to all of the working men and women
11 that for so many years have worked with us in
12 this chamber and in the Assembly to get the
13 message out there to pass this bill and how
14 essential it is to keeping our jobs in New York
15 State right here -- I just want to say thank you.

16 We owe the working men and women
17 across this state a debt of gratitude. We owe
18 the working men and women across this state whose
19 jobs are incentivized a little bit of faith that
20 their jobs are going to stay here, a little bit
21 of trust that if these large corporations decide
22 to move those jobs, that they're going to be
23 penalized to do so, that if these corporations
24 decide to take the volume of calls that they've
25 been taking away from the State of New York, that

1 they will be put on a list and for five years the
2 State of New York will say no more to
3 incentivizing corporations that will move these
4 jobs elsewhere.

5 So once again, I'm so proud to stand
6 here as a sponsor of this bill, but with my
7 colleagues, with the tremendous amount of
8 support -- and again, in a bipartisan fashion --
9 but most importantly, from the great people of
10 the State of New York that have called for this
11 bill's passage for so long and it's finally
12 getting done. And I urge not only passage once
13 again in the Assembly but the Governor's
14 signature as quickly as possible so we can enact
15 this bill once and for all.

16 Thank you very much, Mr. President.

17 ACTING PRESIDENT BENJAMIN: Senator
18 Kennedy to be recorded in the affirmative.

19 Senator Montgomery to explain her
20 vote.

21 SENATOR MONTGOMERY: Yes, thank
22 you, Mr. Chair.

23 I want to thank Senator Kennedy for
24 bringing this legislation to the floor. I fully
25 support it and intend to vote for it. However, I

1 would like to also join Senator Persaud in
2 commending the Women's Prison Coalition, the
3 women who are here on behalf of those women, as
4 we celebrate Women's History Month, to celebrate
5 themselves and the work that they do on behalf of
6 women in this state, particularly women who have
7 been formerly incarcerated in the state.

8 This is the organization that now,
9 on the precipice of supporting this legislation
10 which they have -- the legislation that Senator
11 Persaud has introduced, and we will hopefully be
12 bringing to the floor very soon, was carried by
13 Senator Hassell-Thompson before. We've worked on
14 it for many years. But this is the organization
15 that is going to be responsible for supporting
16 the movement to provide some assistance and some
17 special focus on women who are incarcerated, to
18 allow them an opportunity to have an earlier
19 release based on the fact that they have suffered
20 domestic violence, that is part of the reason
21 that they're there.

22 I want to thank them, however, for
23 the work that they did to help pass the
24 anti-shackling legislation here in the State of
25 New York. We appreciate that. And I am so

1 thankful that these women, in the fashion of
2 women in the State of New York who have for
3 generations, decided to take up the mantle on
4 behalf of themselves and other women and
5 generations to come. So I thank them for that.

6 And in fact this bill reminds me
7 that we once had one of the only programs where
8 women who were incarcerated had an opportunity to
9 do a special service while they were incarcerated
10 because they answered questions on behalf of the
11 Department of Motor Vehicles, and citizens who
12 called in for information would be answered by
13 those women.

14 Those jobs are gone. That facility
15 is gone. And I'm thankful that Senator Kennedy
16 has introduced legislation which will make sure
17 that these jobs don't go overseas. At least that
18 we don't pay per for them once they do, if they
19 do.

20 So thank you, Senator Kennedy. This
21 is very appropriate. And we do have a reason --
22 as women, as citizens of the State of New York,
23 you're protecting our interest in that way. But
24 in addition, we're celebrating these very, very
25 powerful women who still are using their voices

1 to make sure that we are honoring the needs of
2 women. Even though they are incarcerated or they
3 have been, it's still a place where they have an
4 opportunity to move ahead.

5 Thank you very much, and I intend to
6 vote yes on this legislation.

7 ACTING PRESIDENT BENJAMIN: Senator
8 Montgomery to be recorded in the affirmative.

9 I'd like to remind members to limit
10 their comments to two minutes on the bill.

11 Senator Metzger to explain her vote.

12 SENATOR METZGER: Thank you,
13 Mr. President.

14 This bill is long overdue. We have
15 companies that have been closing down call
16 centers in New York, sending these jobs out of
17 state -- out of country -- in the name of saving
18 costs, while their CEOs have been making between
19 17 and \$29 million a year. So something's really
20 wrong with this picture.

21 Today we take action to stop
22 subsidizing the outsourcing of jobs. I want to
23 thank my colleague Senator Kennedy for his
24 leadership in introducing this bill, which will
25 encourage companies to keep their call centers

1 right here in New York. By using clawbacks and
2 prohibiting future state contracts for companies
3 that offshore call center jobs, we're holding
4 them accountable and protecting the working
5 families we represent.

6 The message is clear: You can't
7 take taxpayer money and move jobs out of
8 New York. I'm very proud to cosponsor and vote
9 aye on this legislation.

10 Thank you.

11 ACTING PRESIDENT BENJAMIN: Senator
12 Metzger to be recorded in the affirmative.

13 Senator Harckham to explain his
14 vote.

15 SENATOR HARCKHAM: Thank you,
16 Mr. President.

17 First I want to thank Senator
18 Kennedy for his leadership on this issue, as well
19 as our leader, Andrea Stewart-Cousins, to get us
20 to this point.

21 I look up in the gallery and I see
22 so many friends and people who have worked for
23 years on this bill -- to be disappointed year
24 after year, and yet this conference will deliver
25 for you today.

1 And I want to congratulate you from
2 Westchester on your victory in the Altice
3 election. That was also a great victory, and you
4 should all be commended.

5 So I just want to say that this bill
6 is commonsense, and this should be the way we do
7 business with all our contracts in New York. If
8 you take New York taxpayer money, the money stays
9 in New York, whether it's a call center job, a
10 blue collar job, an executive job, a management
11 job, a manufacturing job. We've got to get back
12 to keeping these jobs right here in New York, and
13 this is a template for it.

14 So I want to thank Senator Kennedy.
15 I want to thank CWA and everybody who's worked so
16 hard for so many years to get to this point.

17 I vote in the affirmative.

18 ACTING PRESIDENT BENJAMIN: Senator
19 Harckham to be recorded in the affirmative.

20 Senator May to explain her vote.

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

23 I also want to thank Senator Kennedy
24 for this bill. In January, AT&T informed 150
25 call center workers in Syracuse that their jobs

1 were moving to Florida. They had two weeks to
2 decide whether to move and accept a pay cut and
3 uncertain benefits or to stay in the community
4 that they love.

5 These jobs were paying an average of
6 \$70,000 a year. The workers owned homes. They
7 had kids in school. They had elderly parents
8 they were caring for, they were involved in
9 church groups and community groups. They were
10 committed to our community. And most of them
11 decided to stay.

12 Now, you would think that a
13 corporation that receives tax benefits from a
14 locality would feel some allegiance to that
15 locality as well. But the fact is that AT&T did
16 not.

17 And so this bill has the effect of
18 essentially reminding those corporations that
19 they should have allegiance to this community or
20 the community will take appropriate measures to
21 remind them that their behavior is just plain
22 wrong.

23 So I am so pleased that this bill is
24 happening now. If it would have happened a year
25 ago, 150 workers in Syracuse might be able to

1 stay on their jobs. So it's too late for them,
2 but the next time it won't be too late.

3 So thank you, Senator Kennedy.
4 Thank you to my colleagues for supporting this.
5 And I proudly vote aye.

6 ACTING PRESIDENT BENJAMIN: Senator
7 May to be recorded in the affirmative.

8 Senator Carlucci to explain his
9 vote.

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

12 I too want to thank Senator Kennedy
13 for moving this very important legislation that
14 has been lingering for years. This is an
15 important step, like was said, to protect the
16 quarter of a million call center jobs that exist
17 right now in New York State.

18 Unfortunately, as was told, the
19 trend has been that these jobs have been leaving.
20 Since 2006, almost 40,000 call center jobs --
21 good jobs -- have left New York State.

22 So this is an effort to say, hey, if
23 you're doing business in New York, if you're
24 taking advantage of the tax credits, of a loan,
25 of a grant, that you have the decency to uphold

1 your end of the deal to keep the jobs here in
2 New York State where they belong.

3 So I'm very grateful to my
4 colleagues for supporting this legislation. And,
5 Mr. President, I'll be supporting it and voting
6 in the affirmative.

7 Thank you very much.

8 ACTING PRESIDENT BENJAMIN: Senator
9 Carlucci to be recorded in the affirmative.

10 Senator Lanza to explain his vote.

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

13 First I'd like to associate myself
14 with the remarks of my good friend Senator
15 Montgomery, who really did a wonderful job
16 describing these jobs, the importance of them,
17 and the kind of people that work there.

18 It is important that we do
19 everything that we can to keep jobs here in
20 New York. I'm a cosponsor of this legislation.
21 I've been a supporter of this legislation for a
22 long time. And of course I vote in the
23 affirmative, because I think this is about the
24 only way we can keep jobs, sadly, here in
25 New York.

1 I think there's a better way,
2 though. There are other jobs that we're losing
3 by the thousands every month here in New York.
4 There are thousands of other jobs that we say are
5 not welcome here in New York. And it's because
6 the better way to keep these jobs and others and
7 to invite new jobs here in New York is to make
8 sure that we advance tax policy and regulatory
9 policies that say to the people out there who
10 create these jobs: You're welcome. We want to
11 work here. We want you to create jobs.

12 So this is an imperfect way to do
13 it. In effect we're saying you can't leave, and
14 that's a good thing for you. But for all those
15 other jobs that are leaving every single day, and
16 for the new jobs that want to be created here in
17 New York City, we've really got to rethink the
18 policies here in New York State and once and for
19 all create an environment that is hospitable to
20 jobs and families from one end of the state to
21 the other.

22 So I vote in the affirmative, but I
23 wish we were doing more to keep more jobs here.

24 ACTING PRESIDENT BENJAMIN: Senator
25 Lanza to be recorded in the affirmative.

1 Senator Ramos to explain her vote.

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

4 I, as the proud chair of the Senate
5 Labor Committee, rise to vote aye, to thank
6 Senator Kennedy for his leadership on this issue.
7 And to the Communication Workers of America for
8 their advocacy and their courage and their
9 dedication to ensuring that we don't have just
10 any jobs in New York, but good union jobs in
11 New York -- with collective bargaining rights,
12 with protections for workers.

13 I worry about my generation,
14 Mr. President. We probably won't have many
15 pensions. We probably won't have as many labor
16 protections. We might not have Social Security
17 by the time we're ready to retire.

18 And so preserving these jobs, 40,000
19 of which have left this state since 2006 -- and
20 especially in an industry where we're actually
21 expecting -- where there's projected growth in
22 the customer service industry. We are doing the
23 right thing in this legislative body today in
24 ensuring that these jobs are protected, and
25 hopefully we are attracting even more employers

1 who understand that workers deserve a living wage
2 and protections.

3 So thank you to my colleagues. And
4 thank you. Donning CWA red, I proudly vote aye.

5 ACTING PRESIDENT BENJAMIN: Senator
6 Ramos to be recorded in the affirmative.

7 Senator Biaggi to explain her vote.

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

10 I rise today as well to vote in the
11 affirmative. I believe that this bill sends a
12 very strong message that we in New York State
13 will not allow companies to benefit on the backs
14 of its workers and that we in the New York State
15 Senate are putting people over profits.

16 I want to thank the Senate sponsor,
17 Senator Kennedy, and also our leader, Andrea
18 Stewart-Cousins, for prioritizing this very
19 important bill. And I want to congratulate CWA
20 for all of the tireless work that you have done
21 to ensure that we are passing this bill today.

22 Again, I vote in the affirmative,
23 and I want to dedicate my vote to Mike Basso,
24 Chris Smith, and of course to Halen {ph} and to
25 Joe Mayhew up there. Thank you so much.

1 ACTING PRESIDENT BENJAMIN: Senator
2 Biaggi to be recorded in the affirmative.

3 Senator Gounardes to explain his
4 vote.

5 SENATOR GOUNARDES: Thank you,
6 Mr. President.

7 You know, I think that today's vote
8 is more than just about protecting call center
9 jobs here in the State of New York. I think
10 today's vote is the start of this body saying no
11 to corporate welfare in this state that does not
12 invest in the workers of this state.

13 We are saying -- and I appreciate
14 Senator Lanza's comments about thinking about tax
15 policy to incentivize business here. But we
16 should not be investing in companies that will
17 not be investing in the workers of New York
18 State, plain and simple. Plain and simple.

19 We should not be investing in
20 companies that turn their backs on the people who
21 make those companies so successful and say,
22 thanks for all your hard work, but no thanks. We
23 should not be investing in companies that don't
24 care about the welfare of their own workers.

25 We put an end to that with this

1 small step today, and hopefully this is the start
2 of a much larger conversation about how we treat
3 workers in this state, how we incentivize true
4 workforce development, true economic development
5 that puts workers first and communities first and
6 does the right thing by the people of this state.

7 So I proudly vote aye. I salute my
8 friends here from CWA, especially my friends from
9 1109 down in Brooklyn. Thank you for all your
10 friendship and support and for carrying this
11 issue over the finish line with all of your hard
12 work and advocacy. I salute you all.

13 Thank you.

14 ACTING PRESIDENT BENJAMIN: Senator
15 Gounardes to be recorded in the affirmative.

16 Senator Stavisky to explain her
17 vote.

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

20 I represent many of the people who
21 work at the call centers. As you know, I
22 represent a heavily Asian-American constituency,
23 and I have visited the call centers, particularly
24 the -- a number of them, but particularly the one
25 in Forest Hills on Queens Boulevard. And in fact

1 on a number of occasions I have walked the picket
2 line with the workers from the Communication
3 Workers of America.

4 And I too want to support the
5 efforts of CWA and the various locals, including
6 1180, because they -- their jobs are at stake.
7 These are good, well-paying jobs, and to lose
8 them is a tragedy.

9 So I thank Senator Kennedy for
10 introducing this legislation, and I proudly vote
11 yes.

12 ACTING PRESIDENT BENJAMIN: Senator
13 Stavisky to be recorded in the affirmative.

14 Senator Boyle to explain his vote.

15 SENATOR BOYLE: Mr. President, to
16 explain my vote.

17 This is a day that's been a long
18 time in coming. I was very proud to be the prime
19 sponsor of this legislation in years past. I
20 want to thank Senator Kennedy for his leadership
21 for bringing it to the floor, and Leader
22 Stewart-Cousins.

23 Michael and our friends at the CWA,
24 it's been a long time. It's a simple policy,
25 it's a simple philosophy. If you're a business

1 and you're going to take New York State taxpayer
2 money, you're going to hire New York workers and
3 keep your jobs in New York State. It's fair.

4 I particularly like the provision
5 that says if you don't keep up with it, we're
6 going to claw it back if you try and leave with
7 not keeping your promises. This is a makes-sense
8 piece of legislation.

9 It's unfortunate that we have to
10 keep jobs in New York State this way. I agree
11 with my colleague Senator Lanza that we need to
12 make New York State more business-friendly. But
13 this is the way it's done in every other state,
14 and we're going to make sure that it's done in
15 New York. We're going to keep the jobs in
16 New York State.

17 This is a great bill, and I want to
18 keep 40,000 more jobs for communication workers
19 in New York State. I vote in the affirmative.

20 ACTING PRESIDENT BENJAMIN: Senator
21 Boyle to be recorded in the affirmative.

22 Senator Skoufis to explain his vote.

23 SENATOR SKOUFIS: Thank you very
24 much, Mr. President.

25 Incentives serve an important

1 purpose here in this state and around the
2 country. But with those incentives comes the
3 expectation that the applicant is going to be a
4 good corporate member. And if on one hand we
5 have applicants, corporations who are happy to be
6 showered with these incentives to move into
7 New York State, stay in New York State but, on
8 the other hand, screw their workers, screw our
9 neighbors here in New York State, that is where
10 we draw the line.

11 And this bill is I hope the start of
12 us sending a loud and clear message that we're
13 not going to be putting up with that kind of
14 behavior any longer in this state. I'm very
15 proud to vote aye.

16 Thank you.

17 ACTING PRESIDENT BENJAMIN: Senator
18 Skoufis to be recorded in the affirmative.

19 Senator Gaughran to explain his
20 vote.

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

23 You know, I think it's very
24 appropriate that we are taking this up today as
25 we all are very busy deliberating and soon to be

1 voting for the first step in the budget process,
2 because we are facing some very tough fiscal
3 issues in this state. And what this bill does,
4 in addition to helping the men and women, the
5 workforce from across Long Island, it makes sure
6 that these jobs stay in New York. And when these
7 jobs stay in New York, that means the employees
8 will be paying taxes in New York that will help
9 us going forward with all of the fiscal issues
10 that we are facing.

11 So I vote in the affirmative, and
12 congratulations to CWA and all the advocates.

13 ACTING PRESIDENT BENJAMIN: Senator
14 Gaughran to be recorded in the affirmative.

15 Senator Bailey to explain his vote.

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

18 I rise to applaud the sponsor of
19 this bill, Senator Kennedy. Thank you for your
20 leadership, Senator Kennedy, on this very
21 important matter.

22 I will be as brief as I possibly
23 can. I want to thank Mike Basso from CWA, who
24 brought this to my attention. And when Mike
25 explained it to me, it wasn't just a labor

1 protection thing, it wasn't just because, hey,
2 you know, stand with labor, it was because it was
3 40,000 jobs.

4 But it's not just a person that
5 works for a job. You see, Mr. President, that
6 the folks that have jobs have families. And
7 these families need to eat. These families need
8 to pay rent. These families have economic
9 realities that they struggle with.

10 So when Mike really framed it like
11 that for me, it made all the sense in the world
12 to be a supporter and a strong supporter of this
13 bill.

14 And so I thank the men and women of
15 CWA for constantly fighting for this legislation.
16 And has been said by members of both parties,
17 it's long overdue. And I'm finally glad we've
18 come to a resolution where we can keep
19 New Yorkers employed in New York and build on the
20 Empire State's greatness.

21 And I vote aye, Mr. President.

22 ACTING PRESIDENT BENJAMIN: Senator
23 Bailey to be recorded in the affirmative.

24 Senator Sanders to explain his vote.

25 SENATOR SANDERS: Thank you,

1 Mr. President.

2 There is a proper role for tax
3 incentives, and then of course there's an
4 improper role. This is a proper use of tax
5 incentives. It's saying that we will give you a
6 certain amount of money, a certain amount of aid,
7 but we want to see you grow jobs in New York
8 State.

9 We want to ensure that these jobs
10 are union, that these jobs pay a living wage, and
11 that we ensure that the people of New York State
12 move further.

13 I encourage all of us to look at
14 this, but we shouldn't stop here. This should
15 open up more. There are megaprojects taking
16 place throughout the state that we need to use
17 these ideas at. We need to say, Hey, wait a
18 minute, if a project is taking place in
19 Watertown, the people of Watertown should
20 benefit. And that takes place with any part of
21 the state. The people of the local area should
22 benefit. Of course that takes in MWBE and any
23 other goals, worthy goals that we have. Whether
24 we're speaking of disabled workers, veterans, all
25 of the goals of New York can be met if we do this

1 properly.

2 I want to of course thank Senator
3 Kennedy. I want to acknowledge the incredible
4 perseverance of CWA, Communication Workers of
5 America. I want to say that this type of
6 leadership reflects well on our leaders that we
7 have.

8 And I look forward to continuing
9 this conversation throughout the entire state:
10 How do we ensure that all of these
11 mega-developments, all of this money that we're
12 using, how are we ensuring that it goes to the
13 people of New York State? And any corporation
14 that fails to understand that, let's take the
15 money back and give it to another corporation
16 that will understand these things.

17 Thank you very much, Mr. President.
18 I vote yes.

19 ACTING PRESIDENT BENJAMIN: Senator
20 Sanders to be recorded in the affirmative.

21 Senator Savino to explain her vote.

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

24 I also rise to congratulate Senator
25 Kennedy for the passage of this bill today. And

1 I'm happy to say that this is a long time coming,
2 Senator Kennedy. Congratulations to CWA and all
3 the others who have attempted to bring this bill
4 to the floor -- Senator Boyle, who's carried it
5 over the years.

6 Almost nine years ago we passed
7 another call center bill on this floor. In 2010,
8 I joined with Assemblymember Cahill and we
9 enacted the Public Service Utility Call Center
10 Bill right here in the New York State Senate, and
11 the Governor signed it into law, preventing
12 public utilities from outsourcing call center
13 jobs from New York State. We thought it would be
14 pretty easy to get the next phase done, but it
15 took us nine years.

16 Nine years is a very long time, but
17 I'm happy to say that we're finally getting it
18 done, and we call on the Assembly to join us and
19 do this as quickly as possible.

20 In Staten Island, we have E-ZPass
21 centers. Those jobs could potentially be at risk
22 if this legislation is not enacted into law.
23 Those are good hardworking members of CWA who
24 live in Staten Island who are helping administer
25 the E-ZPass center. And as we move further and

1 further into over-the-road tolling and we're
2 potentially looking at congestion pricing, which
3 will require more over-the-road tolling, we want
4 to make sure that the customer service
5 representatives who are talking to our
6 drivers are New York State residents and that
7 they are earning a decent salary and that they
8 are union members and they are represented by a
9 strong union like the Communication Workers of
10 America.

11 So I want to congratulate, again,
12 Senator Kennedy for bringing it across the line,
13 and I look forward to having it as a companion
14 piece to the Public Utility Call Center Act.

15 Thank you, Mr. President.

16 ACTING PRESIDENT BENJAMIN: Senator
17 Savino to be recorded in the affirmative.

18 Senator Hoylman to explain his vote.

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

21 I just wanted to pile on and
22 congratulate Senator Kennedy in the best way
23 possible for his perseverance.

24 It's hard to believe that this has
25 taken seven years to pass. And you think about

1 40,000 jobs, that's the size of the population of
2 Rome, Ithaca, Long Beach, Binghamton -- imagine
3 those towns being emptied out and sent to other
4 states or across the globe. Well, that's what's
5 happened to call center workers.

6 And so with this bill, Senator
7 Kennedy, I hope the next time that I get a call
8 from my bank or my student loan service provider,
9 I'll hear a New York voice rather than someone
10 from Tampa or Salt Lake City or the Philippines.

11 I vote aye. Thank you,
12 Mr. President.

13 ACTING PRESIDENT BENJAMIN: Senator
14 Hoylman to be recorded in the affirmative.

15 Senator Martinez to explain her
16 vote.

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

19 Just echoing what everyone has said.
20 And I am honored to have cosponsored this
21 important piece of legislation which protects
22 New York State's workforce.

23 Senator Kennedy, thank you so much
24 for leading this in this year's session. And to
25 my colleague over on the island, Senator Boyle,

1 for your efforts as well.

2 And especially to CWA. You are
3 amazing men and women. And thank you for your
4 tireless advocacy that you have been pushing for
5 this piece of legislation for years. And today
6 is the day that you see this body put New York
7 first and you see this body believing in economic
8 development but keeping the jobs here in
9 New York.

10 And we need to continue to put
11 New York forward and put New York first, which is
12 why, Mr. President, I vote in the affirmative.

13 Congratulations, CWA.

14 ACTING PRESIDENT BENJAMIN: Senator
15 Martinez to be recorded in the affirmative.

16 Senator Salazar to explain her vote.

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

19 I am proud to be a cosponsor of this
20 legislation. And I thank Senator Kennedy for
21 championing this for so long, all of the CWA
22 members who have long been fighting for
23 legislation.

24 It's absolutely critical that we
25 keep these jobs in New York State. Often these

1 are union jobs, they're quality jobs. And when
2 we see companies like AT&T moving jobs like this
3 from Syracuse out of New York, we have an
4 obligation to stop it from happening again.

5 So I'm proud to be part of passing
6 this legislation to try to prevent that from
7 happening to any other workers. I think
8 especially that the 30 percent threshold is
9 beyond reasonable. With companies like Verizon,
10 that means at least 800 jobs, quality jobs that
11 New Yorkers currently have and rely on.

12 So I'm proud to vote in the
13 affirmative today. Thank you.

14 ACTING PRESIDENT BENJAMIN: Senator
15 Salazar to be recorded in the affirmative.

16 Senator Kaplan to explain her vote.

17 SENATOR KAPLAN: I too stand today
18 thanking my colleague Senator Kennedy for his
19 hard work on this, and our Majority Leader,
20 Andrea Stewart-Cousins.

21 It's really an honor to stand here,
22 welcome you, and thank you for your advocacy.

23 I think everything has been said
24 already. I vote in the affirmative. Thank you.

25 ACTING PRESIDENT BENJAMIN: Senator

1 Kaplan to be recorded in the affirmative.

2 Announce the results.

3 THE SECRETARY: In relation to
4 Calendar Number 225, those Senators recorded in
5 the negative are Senators O'Mara, Ranzenhofer and
6 Seward.

7 Ayes, 58. Nays, 3.

8 ACTING PRESIDENT BENJAMIN: The
9 bill is passed.

10 (Cheers from galleries; standing
11 ovation.)

12 ACTING PRESIDENT BENJAMIN: Senator
13 Gianaris, that completes the reading of today's
14 calendar.

15 SENATOR GIANARIS: Mr. President,
16 for the remainder of today's session we're going
17 to call a Rules Committee meeting, after which
18 we'll come back to the floor to pass the bills
19 that are reported.

20 So with that, there will be an
21 immediate meeting of the Rules Committee in
22 Room 332, and the Senate will stand at ease.

23 ACTING PRESIDENT BENJAMIN: There
24 will be an immediate meeting of the Rules
25 Committee in Room 332.

1 The Senate will stand at ease.

2 (Whereupon, the Senate stood at ease
3 at 5:12 p.m.)

4 (Whereupon, the Senate reconvened at
5 5:24 p.m.)

6 ACTING PRESIDENT BENJAMIN: The
7 Senate will return to order.

8 Senator Gianaris.

9 SENATOR GIANARIS: Mr. President,
10 can we return to the reports of standing
11 committees. I believe there's a report of the
12 Rules Committee at the desk. Can we take it up,
13 please.

14 ACTING PRESIDENT BENJAMIN: Reports
15 of standing committees.

16 There's a report of the Rules
17 Committee at the desk.

18 The Secretary will read.

19 THE SECRETARY: Senator
20 Stewart-Cousins, from the Committee on Rules,
21 reports the following bills:

22 Senate Print 1077, by Senator
23 Persaud, an act to amend the Penal Law and the
24 Criminal Procedure Law;

25 Senate Print 4023, by Senator

1 Serrano, an act to amend Chapter 192 of the Laws
2 of 2011;

3 Senate Print 4089, by Senator
4 Thomas, an act to amend the Vehicle and Traffic
5 Law and the Public Officers Law;

6 Senate Print 4350, by Senator
7 Breslin, an act to amend the Election Law;

8 Senate Print 4355, by Senator
9 Serino, an act to amend the Parks, Recreation and
10 Historic Preservation Law;

11 Senate Print 4356, by Senator Ortt,
12 an act to amend the Insurance Law;

13 And Senate Print 4413, by Senator
14 Metzger, an act to amend the Labor Law.

15 All bills ordered direct to third
16 reading.

17 SENATOR GIANARIS: Mr. President,
18 move to accept the report of the Rules Committee.

19 ACTING PRESIDENT BENJAMIN: All
20 those in favor of accepting the report of the
21 Rules Committee signify by saying aye.

22 (Response of "Aye.")

23 ACTING PRESIDENT BENJAMIN:

24 Opposed, nay.

25 (No response.)

1 ACTING PRESIDENT BENJAMIN: The
2 report is accepted.

3 Senator Gianaris.

4 SENATOR GIANARIS: Can we now take
5 up the reading of the supplemental calendar,
6 please.

7 ACTING PRESIDENT BENJAMIN: There
8 is a substitution at the desk.

9 The Secretary will read.

10 THE SECRETARY: Senator Persaud
11 moved to discharge, from the Committee on Codes,
12 Assembly Bill Number 3974 and substitute it for
13 the identical Senate Bill 1077, Third Reading
14 Calendar Number 252.

15 ACTING PRESIDENT BENJAMIN: The
16 substitution is so ordered.

17 The Secretary will read.

18 THE SECRETARY: Calendar Number
19 252, Assembly Print 3974, by Assemblymember
20 Aubry, an act to amend the Penal Law and the
21 Criminal Procedure Law.

22 SENATOR GRIFFO: Lay it aside.

23 ACTING PRESIDENT BENJAMIN: Lay it
24 aside.

25 THE SECRETARY: Calendar Number

1 253, Senate Print 4023, by Senator Serrano, an
2 act to amend Chapter 192 of the Laws of 2011.

3 ACTING PRESIDENT BENJAMIN: Read
4 the last section.

5 THE SECRETARY: Section 2. This
6 act shall take effect immediately and shall be
7 deemed to have been in full force and effect on
8 and after January 31, 2019.

9 ACTING PRESIDENT BENJAMIN: Call
10 the roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BENJAMIN:
13 Announce the results.

14 THE SECRETARY: Ayes, 61.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

17 THE SECRETARY: Calendar Number
18 254, Senate Print 4089, by Senator Thomas, an act
19 to amend the Vehicle and Traffic Law and the
20 Public Officers Law.

21 ACTING PRESIDENT BENJAMIN: Read
22 the last section.

23 THE SECRETARY: Section 4. This
24 act shall take effect on the 30th day after it
25 shall have become a law.

1 ACTING PRESIDENT BENJAMIN: Call
2 the roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BENJAMIN: Senator
5 Thomas to explain his vote.

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

8 I want to thank the leader, Andrea
9 Stewart-Cousins, and the Transportation chair,
10 Senator Kennedy, for expediting this bill
11 because, as representatives of the state, we have
12 a responsibility to protect the public.

13 I introduced this bill because it
14 can save lives.

15 Last month, there was a very tragic
16 accident on Long Island where two LIRR trains
17 crashed into a vehicle after the driver of the
18 vehicle drove around the gates. Three people
19 died that night and injured many others on the
20 two trains carrying over 900 passengers.

21 Similarly, in 2015, a Metro-North
22 railroad passenger train collided with a vehicle
23 which had stopped on the tracks.

24 According to the Federal Railroad
25 Administration, accidents at railroad crossings

1 have decreased over the past decade except within
2 the borders of the Empire State.

3 The truth is that these types of
4 accidents are preventable. If there was a red
5 light camera at these intersections, the driver
6 of these vehicles would have thought twice before
7 driving around the gates to beat the train.

8 A study done by the Insurance
9 Institute for Highway Safety confirms that red
10 light cameras reduce fatal crashes, and that is
11 what this bill would do.

12 This bill would allow any local
13 authority to install and operate red light
14 cameras at railroad crossings. These cameras
15 will find drivers who fail to stop at the signals
16 indicating an approaching train. This piece of
17 legislation will deter drivers and help save
18 lives on Long Island and all of New York State.

19 I vote aye. Thank you.

20 ACTING PRESIDENT BENJAMIN: Senator
21 Thomas to be recorded in the affirmative.

22 Senator Carlucci to explain his
23 vote.

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

1 And I want to thank Senator Thomas
2 for putting forth this important legislation.

3 And we have over 5300 rail crossings
4 in New York State, and we have to have all the
5 tools available to us to make sure that we're
6 keeping motorists, we're keeping commuters, we're
7 keeping pedestrians safe.

8 And this legislation helps to do
9 that, adds another tool. And as was mentioned,
10 unfortunately, a few years back in Westchester
11 County we had the most horrific, deadliest crash
12 in MTA's history. The Legislature acted, we
13 passed legislation that required the Department
14 of Transportation to put together an inventory of
15 the 5300 rail crossings in New York State so that
16 we as leaders know which are the most deadly,
17 which are not the most deadly, which need the red
18 light cameras, which need better technology or
19 just some extra paint on the road.

20 Well, it's now 2019. That report,
21 we're still waiting from the DOT. It's almost
22 two years late. So that's why I'm grateful to
23 Senator Thomas and this legislation, because we
24 have to continue to act.

25 We're hopeful that the DOT will

1 comply and provide us with that information so we
2 can be proactive instead of reactive. But
3 unfortunately, right now in New York State the
4 Department of Transportation just waits for these
5 accidents to happen. We need to make sure that
6 we have the professionals going through and
7 inspecting these rail crossings to make sure that
8 they are safe. And to make sure that,
9 particularly in Senator Thomas's case, that was a
10 problem spot. Accidents had happened there in
11 Long Island in the past, but yet nothing was
12 done.

13 So I'm grateful that we're taking
14 action today moving forward, and hopefully this
15 legislation will send the message that we have to
16 take our rail crossings very seriously. As was
17 said, nationally, fatalities have declined at
18 rail crossings, but unfortunately in New York
19 State we've seen a steady increase in the amount
20 of fatalities at rail crossings right here in
21 New York State.

22 So, Mr. President, I'll be
23 supporting this legislation. I want to thank the
24 sponsor for putting it forward and thank my
25 colleagues for supporting the legislation as

1 well.

2 Thank you, Mr. President.

3 ACTING PRESIDENT BENJAMIN: Senator
4 Carlucci to be recorded in the affirmative.

5 Senator Kennedy to explain his vote.

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

8 First of all, let me just start by
9 saying my condolences to the families that lost
10 their loved ones recently in Westbury, about 30
11 miles east of Manhattan. In the Long Island
12 Railroad crash, three individuals died; about
13 seven people were injured. Our thoughts are
14 remaining with them.

15 Following that incident,
16 Senator Thomas came to me and members of the
17 Transportation Committee and said we must act and
18 we must act immediately, and that we did.

19 I want to credit Senator Thomas for
20 his diligence on this bill, for putting this
21 forward. There's no question in my mind that
22 this bill will save lives.

23 The tragedy that happened in Nassau
24 County simply outlined the fact that too many
25 individuals are taking their lives, the lives of

1 the passengers in their cars, and the lives of
2 the thousands of individuals that ride the trains
3 and the subways each and every day, and putting
4 them at risk.

5 And it's not right, and this bill
6 will undoubtedly curb the intentional individuals
7 from going through those rail crossings. It will
8 curb the horrific loss of life. And again, I
9 can't say enough about Senator Thomas moving so
10 expeditiously to get this bill passed.

11 So congratulations to you on this
12 all-important effort that we need here in the
13 State of New York.

14 ACTING PRESIDENT BENJAMIN: Senator
15 Kennedy to be recorded in the affirmative.

16 Senator Harckham to explain his
17 vote.

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

20 I want to thank Senator Thomas for
21 an extraordinary effort in a short amount of time
22 on this. The accident that Senator Carlucci
23 referred to is in my district, although I was not
24 in this seat at the time. I know people who
25 perished in that crash, and I know first

1 responders. And that railroad crossing today
2 looks essentially exactly the same as it did the
3 day of the crash. There's been no safety
4 improvements.

5 We're still waiting for the DOT
6 report on rail crossings that should have been
7 out a year ago. And it's unacceptable.

8 When we spoke with the new president
9 of Metro-North the other day about what safety
10 measures they were taking at the gates, she
11 referred to the app, Waze, and she said there's
12 some squiggly lines where the gates are. That
13 does not give me great comfort.

14 What does give me comfort are things
15 like Senator Thomas's bill, which put cameras
16 there that will cause reckless folks to pause.
17 And perhaps folks who aren't reckless but for
18 whatever reason make a mistake, we will at least
19 in hindsight know what happened and how we can
20 prevent those accidents from happening again.

21 So this is the type of legislation,
22 exactly what we should be doing, exactly what
23 this body should be doing. It was spot on,
24 turned around quickly. I want to commend Senator
25 Thomas again for this. This will go a long way

1 to help keep the people of New York safe.

2 I vote in the affirmative,

3 Mr. President. Thank you.

4 ACTING PRESIDENT BENJAMIN: Senator
5 Harckham to be recorded in the affirmative.

6 Announce the results.

7 THE SECRETARY: In relation to
8 Calendar 254, those Senators recorded in the
9 negative are Senators Akshar, Antonacci, Flanagan
10 and Ranzenhofer.

11 Ayes, 57. Nays, 4.

12 ACTING PRESIDENT BENJAMIN: The
13 bill is passed.

14 Senator Gianaris.

15 SENATOR GIANARIS: Mr. President,
16 let us pause to recognize that was Senator
17 Thomas's first bill to pass the Senate.

18 (Standing ovation.)

19 ACTING PRESIDENT BENJAMIN: There
20 is a substitution at the desk.

21 The Secretary will read.

22 THE SECRETARY: Senator Breslin
23 moves to discharge, from the Committee on
24 Elections, Assembly Bill Number 5979A and
25 substitute it for the identical Senate Bill

1 Number 4350, Third Reading Calendar 255.

2 ACTING PRESIDENT BENJAMIN: The
3 substitution is so ordered.

4 THE SECRETARY: Calendar Number
5 255, Assembly Print 5979A, by Assemblymember
6 Jones, an act to amend the Election Law.

7 ACTING PRESIDENT BENJAMIN: Read
8 the last section.

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

11 ACTING PRESIDENT BENJAMIN: Call
12 the roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BENJAMIN: Senator
15 Ranzenhofer to explain his vote.

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

18 I rise today in opposition to this
19 bill. And while I commend the concept and the
20 intention, which is a good one, to lessen the
21 number of signatures that are required during
22 this electoral process, I am very critical and
23 very upset regarding the implementation of this
24 particular bill.

25 This bill is very discriminatory and

1 unfair towards the residents of Erie County. And
2 the rationale that is given is just -- really
3 doesn't pass the smell test.

4 To include the vast rural counties
5 of Westchester and the great rural expanse of
6 Suffolk County but to not include Erie County in
7 a bill like this is just ridiculous and really
8 doesn't bear support for the fact that we are all
9 one New York. This seems to be put together by
10 somebody who has never been west of Albany or
11 west of the New York City area.

12 I don't know if you've ever been to
13 the great expanse of Grand Island, New York, or
14 the great metropolis of Sardinia or the huge
15 urban center of Newstead or Akron, New York, but
16 to exclude Erie County and to put Erie County in
17 the same bucket as New York City just doesn't
18 make any sense.

19 Again, while the concept is good, to
20 pass a bill which is punitive, discriminatory and
21 unfair just doesn't pass the smell test, doesn't
22 pass muster, and I'll be voting no on this bill.

23 Thank you, Mr. President.

24 ACTING PRESIDENT BENJAMIN: Senator
25 Ranzenhofer to be recorded in the negative.

1 Senator May to explain her vote.

2 SENATOR MAY: Thank you,

3 Mr. President.

4 I will be voting in the affirmative
5 on this bill, and I encourage my colleagues to do
6 so also because so many candidates across this
7 state, especially in my district, have been
8 struggling against high winds and deep snow and
9 very cold temperatures and they're really
10 struggling to get the signatures they need.

11 This bill is a fix to a bill that I
12 sponsored a few weeks ago and the Board of
13 Elections determined that it did not apply to all
14 races, and so this fixes that problem.

15 But even though I am voting for it,
16 I agree with my colleague across the aisle. The
17 reason my name is not on this bill is because the
18 Assembly demanded carve-outs for two counties.
19 And as far as I can tell, the only real
20 explanation for that is to protect some favored
21 candidates from challenges.

22 And when I ran, I ran for
23 transparent election laws that apply equally to
24 everyone and that make it easier for everyone to
25 participate in our election process, and I

1 consider this to be a violation of our democracy.

2 I hope to have a bill that makes the
3 reductions permanent, and I promise that it will
4 apply across the state or not at all.

5 Thank you.

6 ACTING PRESIDENT BENJAMIN: Senator
7 May to be recorded in the affirmative.

8 Announce the results.

9 Oh, sorry, Senator Akshar to explain
10 his vote. My apologies.

11 SENATOR AKSHAR: No reason,
12 Mr. President. Thank you very much for your
13 indulgence.

14 We just heard about people
15 struggling. We heard about people going out to
16 get signatures and they were struggling because
17 of the high winds, they're struggling because of
18 the cold weather, they're struggling because
19 they're having a tough time getting signatures.

20 Well, let me tell you who else is
21 struggling. Counties who have to enact all of
22 this election reform that we're voting on. And I
23 just remind this body and everyone here,
24 Republicans and Democrats, alike, that the people
25 who are passing those petitions are faced with

1 these issues because we rushed this particular
2 piece of legislation through. So they're out
3 there struggling to get those signatures, they're
4 struggling through the high winds and the snows
5 because of something that we did.

6 And the counties are also struggling
7 trying to figure out how in the hell they're
8 going to pay for all of these unfunded mandates
9 that we keep forcing down their throat.

10 So shame on us. Shame on us.
11 Because what this bill does, it makes our life
12 easier as elected officials who need people to go
13 out and get their signatures. It makes our life
14 easier because they have to get less signatures
15 for all of us and people who are on committees --
16 all at the same time that we've done nothing to
17 make counties' lives any easier.

18 Mr. President, I vote no on this
19 bill just like I did the other. Thank you.

20 ACTING PRESIDENT BENJAMIN: Senator
21 Akshar to be recorded in the negative.

22 Senator Harckham to explain his
23 vote.

24 SENATOR HARCKHAM: Thank you.

25 I apologize for the late entry into

1 explaining my vote. I will be voting in the
2 affirmative.

3 And I just would like to remind
4 people -- something that we on our side of the
5 aisle have been saying all along is that these
6 are not unfunded mandates. We're sensitive to
7 the issue of cost. We have put these programs
8 into the budget that we will be voting on
9 tomorrow --

10 (Applause from Senator Akshar.)

11 SENATOR HARCKHAM: Thank you.

12 (Laughter.)

13 SENATOR HARCKHAM: You know, as a
14 former county legislator who railed against
15 unfunded mandates for eight years, you know, I
16 could not be part of election law that had
17 unfunded mandates in it.

18 So I just want to set the record
19 straight: There will be payment for early
20 voting. And on this measure I vote in the
21 affirmative.

22 Thank you.

23 ACTING PRESIDENT BENJAMIN: Senator
24 Harckham to be recorded in the affirmative.

25 Announce the results.

1 THE SECRETARY: In relation to
2 Calendar Number 255, those Senators recorded in
3 the negative are Senators Akshar, Gallivan,
4 Jacobs, Kennedy, O'Mara, Ortt and Ranzenhofer.
5 Also Senator Griffo.

6 Ayes, 53. Nays, 8.

7 ACTING PRESIDENT BENJAMIN: The
8 bill is passed.

9 Senator Gianaris.

10 SENATOR GIANARIS: Mr. President, I
11 want to just take a moment while we're conducting
12 our business to acknowledge the presence of our
13 great Attorney General, who is with us in the
14 chamber today, Tish James.

15 (Standing ovation.)

16 ACTING PRESIDENT BENJAMIN: The
17 Secretary will read.

18 THE SECRETARY: Calendar Number
19 256, Senate Print 4355, by Senator Serino, an act
20 to amend the Parks, Recreation and Historic
21 Preservation Law.

22 ACTING PRESIDENT BENJAMIN: Read
23 the last section.

24 THE SECRETARY: Section 2. This
25 act shall take effect on the same date and in the

1 same manner as a chapter of the Laws of 2018.

2 ACTING PRESIDENT BENJAMIN: Call
3 the roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BENJAMIN:
6 Announce the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT BENJAMIN: The
9 bill is passed.

10 THE SECRETARY: Calendar Number
11 257, Senate Print 4356, by Senator Ortt, an act
12 to amend the Insurance Law.

13 ACTING PRESIDENT BENJAMIN: Read
14 the last section.

15 THE SECRETARY: Section 4. This
16 act shall take effect on the same date and in the
17 same manner as a chapter of the Laws of 2018.

18 ACTING PRESIDENT BENJAMIN: Call
19 the roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT BENJAMIN:
22 Announce the results.

23 THE SECRETARY: Ayes, 61.

24 ACTING PRESIDENT BENJAMIN: The
25 bill is passed.

1 THE SECRETARY: Calendar Number
2 258, Senate Print 4413, by Senator Metzger, an
3 act to amend the Labor Law.

4 ACTING PRESIDENT BENJAMIN: The
5 bill is high and will be laid aside.

6 Senator Gianaris, that completes the
7 reading of the supplemental calendar.

8 SENATOR GIANARIS: Thank you. Can
9 we now read the controversial calendar, please.

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

12 The Secretary will read.

13 Can we please have decorum in the
14 chamber, please. Thank you.

15 THE SECRETARY: Calendar Number
16 252, Assembly Print 3974, substituted earlier by
17 Assemblymember Aubry, an act to amend the Penal
18 Law and the Criminal Procedure Law.

19 ACTING PRESIDENT BENJAMIN: Senator
20 Griffo, why do you rise?

21 SENATOR GRIFFO: Mr. President, I
22 believe you have an amendment at the desk. I
23 waive its reading and ask that you call upon
24 Senator Jordan for an explanation.

25 ACTING PRESIDENT BENJAMIN: Thank

1 you, Senator Griffo.

2 Upon review of the amendment, in
3 accordance with Rule 6, Section 4B, I rule it
4 nongermane and out of order at this time.

5 SENATOR GRIFFO: Accordingly, I
6 appeal the ruling of the chair and ask that
7 Senator Jordan be recognized on that appeal.

8 ACTING PRESIDENT BENJAMIN: The
9 appeal has been made and recognized, and Senator
10 Jordan may be heard.

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

13 The Liv Act is germane to the
14 bill-in-chief because, number one, it amends the
15 Penal Law and, number two, both deal with
16 domestic violence victims.

17 The Liv Act is named after Liv
18 Abreu, who was a mom-to-be who lost her baby
19 after she was violently stabbed by her boyfriend.

20 After the attack, Liv's assailant
21 was charged under abortion statutes in the Penal
22 Law, a provision of law that has since been
23 repealed when the Reproductive Health Act was
24 signed into law.

25 Just two weeks after the

1 Reproductive Health Act was signed into law, and
2 One World Trade Center was lit up in pink to
3 celebrate the vast expansion of the abortion
4 access in this state, Jennifer Irigoyen was
5 murdered by her boyfriend, Anthony Hobson.
6 Jennifer was five months pregnant. Prosecutors
7 initially included a charge of abortion against
8 Hobson, but later had to withdraw the charge
9 because under the Reproductive Health Act, it no
10 longer existed.

11 Opponents of the Liv Act have stated
12 it's not necessary because the defendant is
13 already being charged with a more serious crime.
14 That's not always the case. Consider this: In
15 an instance where a pregnant woman is unknowingly
16 given medication to terminate her pregnancy, the
17 assailant would not be charged with a crime under
18 the Penal Law even though their actions have
19 resulted in the termination of a pregnancy.

20 This amendment is necessary to
21 protect pregnant women and their unborn children.
22 I urge all my fellow Senators to vote yes.

23 Thank you.

24 ACTING PRESIDENT BENJAMIN: Thank
25 you, Senator Jordan.

1 I want to remind the house that the
2 vote is on the procedures of the house and the
3 ruling of the chair.

4 Those in favor of overruling the
5 chair signify by saying aye.

6 (Response of "Aye.")

7 SENATOR GRIFFO: Show of hands,
8 Mr. President.

9 ACTING PRESIDENT BENJAMIN: A show
10 of hands has been requested and so ordered.

11 (Show of hands.)

12 THE SECRETARY: Ayes, 20.

13 ACTING PRESIDENT BENJAMIN: The
14 ruling of the chair stands, and the bill-in-chief
15 is before the house.

16 Senator Gianaris.

17 SENATOR GIANARIS: Mr. President,
18 without objection, can we return this bill to the
19 noncontroversial calendar and take it up.

20 ACTING PRESIDENT BENJAMIN: Without
21 objection, so ordered.

22 Read the last section.

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

25 ACTING PRESIDENT BENJAMIN: Call

1 the roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BENJAMIN: Senator
4 Persaud to explain her vote.

5 SENATOR PERSAUD: Thank you,
6 Mr. President.

7 Today is an important day for the
8 women of the State of New York, particularly
9 women who have suffered through domestic
10 violence. Studies have shown that nine out of
11 10 incarcerated women have experienced severe
12 physical or sexual violence in their lifetime.
13 Eight out of 10 experience physical or sexual
14 violence during childhood.

15 Over the past 30 years, intimate
16 partner violence has been increasingly recognized
17 as a national epidemic. Today on the floor we
18 had three women who were here to tell us their
19 stories, who were living testament of what
20 happens when people react in a certain way
21 because of domestic violence. We should not hold
22 them accountable to the extent that the law has
23 been holding them accountable. The law should
24 take into consideration the circumstances that
25 they were living under when they're being

1 sentenced.

2 We're not by any means saying that
3 these women are not responsible for what has
4 happened. But we're saying these women are
5 victims, they should be treated as such. We have
6 women who have spent 20 years or more in prison
7 because they reacted to the violence that they
8 were in -- being a part of.

9 I have to say it's not -- you know,
10 when we talk about domestic violence, we tend to
11 talk in terms of the female gender. Domestic
12 violence affects every gender. Every gender.
13 And this legislation today is going to work in
14 favor of everyone who has encountered domestic
15 violence.

16 I ask my colleagues today to support
17 the women -- because it's primarily women -- who
18 have suffered. They have suffered enough. We
19 are not saying that you throw out what they've
20 done out of the window in the sentencing. The
21 judge still has the discretion. We're asking the
22 judge to take into consideration what they have
23 gone through, what they were living with.

24 When you have someone who has
25 suffered in a marriage for 18 years -- and for

1 most of those years they have been abused in
2 every which way possible -- and they have
3 committed a crime, something we consider a crime,
4 because of what they were going through, we
5 really need to take that into consideration.

6 Sometimes it's because we have no
7 choice. Many of us here, we've reacted to things
8 because of something that we've gone through.
9 And some of you may have flashbacks because of
10 something that you encountered years ago. But
11 we're not punishing you for that. We're asking
12 that the people who have committed their crimes
13 because of domestic violence be offered the same
14 consideration.

15 So I thank you all for supporting
16 this legislation. I thank you for standing with
17 the women -- I keep saying women, because it's
18 primarily women. But thank you for standing with
19 all domestic violence survivors and telling them
20 that we understand what you've gone through. We
21 understand. We hold you accountable, yes, but we
22 will take into consideration what you have gone
23 through that caused you to react the way you did.

24 So again, I ask all of my colleagues
25 to support this legislation to show the women

1 that we understand them.

2 Thank you all. I vote aye.

3 ACTING PRESIDENT BENJAMIN: Senator
4 Persaud to be recorded in the affirmative.

5 Senator Carlucci to explain his
6 vote.

7 SENATOR CARLUCCI: I rise, I want
8 to thank Senator Persaud for putting forth such
9 an important piece of legislation, and really
10 thank her for her commitment and steadfastness
11 towards this legislation.

12 As was said, all too often in our
13 court system when women are defending themselves
14 against domestic violence, instead of being met
15 with a judge with compassion and assistance and
16 help, the judge is just putting forth punishment.

17 And Senator Persaud's legislation
18 here today is really changing the paradigm, to
19 make sure that it's not just this black or white,
20 that it's not a situation where the judge doesn't
21 have discretion. We want to make sure that
22 that's taken into consideration, that the full
23 picture is examined.

24 So I want to thank Senator Persaud
25 and all of the advocates here today, the women

1 that have come forward to share your story and
2 the trials that you've had to come through. So
3 thank you for that. I want to thank everyone for
4 supporting this legislation. And Mr. President,
5 I'll be supporting it and voting in the
6 affirmative.

7 Thank you.

8 ACTING PRESIDENT BENJAMIN: Senator
9 Carlucci to be recorded in the affirmative.

10 Senator Bailey to explain his vote.

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

13 I rise to thank my colleague Senator
14 Persaud for bringing this important piece of
15 legislation to the floor and for being a tireless
16 advocate.

17 When I was elected to the New York
18 State Senate, my predecessor in government, Ruth
19 Hassell-Thompson, she was championing this bill.
20 And on day one, coming into the Senate, Senator
21 Persaud said, "Hi, I'm Roxanne Persaud, and I
22 need to make sure I have this bill, because it's
23 that important to me in and my commitment to
24 survivors of domestic violence."

25 To make sure that we are in a place

1 and a position and a time where we actually allow
2 judges to have discretion -- and we give judges
3 discretion in so many other areas of law, but
4 when it comes down to folks who have suffered at
5 the hands of an abuser, we had not until today
6 had that discretion.

7 So I want to thank my predecessor in
8 government, Ruth Hassell-Thompson, for her
9 championing this issue and for calling me at
10 7 o'clock in the morning the other day to make
11 sure that we pushed this bill forward. Thank
12 you, Ruth.

13 (Laughter.)

14 SENATOR BAILEY: And I want to make
15 sure I thank Roxanne Persaud for telling me every
16 day, as the chairman of codes, that this was an
17 important bill that we had to move.

18 So Roxanne, thank you for your
19 tireless efforts. And the advocates should know
20 that Roxanne did not let a day go by without
21 advocating for this bill and speaking about this
22 bill. I think that's the reason why she saves me
23 a seat in conference, so she can talk to me about
24 this bill.

25 (Laughter.)

1 SENATOR BAILEY: And on a serious
2 note, to all of the victims of domestic violence,
3 we hear you. We stand you with you, and we
4 support you.

5 And Mr. President, I support this
6 legislation. I vote aye.

7 ACTING PRESIDENT BENJAMIN: Senator
8 Bailey to be recorded in the affirmative.

9 Senator Montgomery to explain her
10 vote.

11 SENATOR MONTGOMERY: Yes, thank
12 you, Mr. President.

13 I want to the -- I rise to
14 absolutely thank my colleague. I know how
15 difficult it is and how long you've worked on
16 this. So Senator Persaud, we thank you today.

17 And it's very fitting that this
18 particular bill is -- since you say that this is
19 primarily women, we know that that's who
20 primarily ends up being incarcerated because of
21 some incident related to domestic violence. So
22 we're here today with the chief law enforcement
23 person in our state. And I'm so proud not only
24 for the fact that she is a friend, but she has
25 herself worked in the area of dealing with

1 domestic violence issues at every level. And
2 that is Attorney General Tish James, who is with
3 us today.

4 So she's made history. This is
5 Women's History Month. And this is history month
6 for Senator Persaud, whose bill is now passed.
7 It's history month for the women who are here
8 today to celebrate the fact that we have finally
9 been able to do something that makes sense for
10 women who are incarcerated. And we hope that
11 this results in changing the system that treats
12 them even more harshly than they do others in the
13 criminal justice system.

14 And I just want to say to those
15 women who are here representing the women that
16 we're trying to work on behalf of today through
17 this legislation, I bring you greetings from our
18 own Attorney General of the State of New York,
19 Tish James. She joins us in celebrating this
20 moment in our history and the history of our
21 state for women.

22 So thank you, Senator Persaud.
23 Thank you, members, for voting yes on this very
24 important legislation. And to the women of the
25 state, hallelujah.

1 (Laughter.)

2 SENATOR MONTGOMERY: Thank you.

3 ACTING PRESIDENT BENJAMIN: Senator
4 Montgomery to be recorded in the affirmative.

5 Announce the results.

6 THE SECRETARY: In relation to
7 Calendar Number 252, those Senators recorded in
8 the negative are Senators Antonacci, Helming,
9 Jacobs, LaValle, O'Mara, Ortt and Seward.

10 Ayes, 54. Nays, 7.

11 ACTING PRESIDENT BENJAMIN: The
12 bill is passed.

13 (Tumultuous cheering, applause from
14 galleries.)

15 ACTING PRESIDENT BENJAMIN: Senator
16 Gianaris, that completes the reading of the
17 supplemental calendar.

18 SENATOR GIANARIS: Mr. President,
19 is there any further business at the desk?

20 ACTING PRESIDENT BENJAMIN: There
21 is no further business at the desk.

22 SENATOR GIANARIS: I move to
23 adjourn until tomorrow, Wednesday, March 13th, at
24 12:00 noon.

25 ACTING PRESIDENT BENJAMIN: On

1 motion, the Senate stands adjourned until

2 Wednesday, March 13th, at 12:00 noon.

3 (Whereupon, at 5:59 p.m., the Senate
4 adjourned.)

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