

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 April 1, 2019

11 3:24 p.m.

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13
14 REGULAR SESSION

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18 SENATOR BRIAN A. BENJAMIN, Acting President

19 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: In the
9 absence of clergy, let us bow our heads in a
10 moment of silent reflection or prayer.

11 (Whereupon, the assemblage respected
12 a moment of silence.)

13 ACTING PRESIDENT BENJAMIN: The
14 reading of the Journal.

15 THE SECRETARY: In Senate, Sunday,
16 March 31, 2019, the Senate met pursuant to
17 adjournment. The Journal of Saturday, March 30,
18 2019, was read and approved. On motion, Senate
19 adjourned.

20 ACTING PRESIDENT BENJAMIN: Without
21 objection, the Journal stands approved as read.

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: On page 8, Senator

1 Myrie moves to discharge, from the Committee on
2 Elections, Assembly Bill Number 112A and
3 substitute it for the identical Senate Bill
4 3145A, Third Reading Calendar 164.

5 ACTING PRESIDENT BENJAMIN: The
6 substitution is so ordered.

7 THE SECRETARY: On page 16, Senator
8 Montgomery moves to discharge, from the Committee
9 on Judiciary, Assembly Bill Number 5615 and
10 substitute it for the identical Senate Bill 1688,
11 Third Reading Calendar 302.

12 ACTING PRESIDENT BENJAMIN: The
13 substitution is so ordered.

14 THE SECRETARY: On page 20, Senator
15 Savino moves to discharge, from the Committee on
16 Finance, Assembly Bill Number 558A and substitute
17 it for the identical Senate Bill Number 2833,
18 Third Reading Calendar 343.

19 ACTING PRESIDENT BENJAMIN: The
20 substitution is so ordered.

21 Messages from the Governor.

22 Reports of standing committees.

23 Reports of select committees.

24 Communications and reports from
25 state officers.

1 Motions and resolutions.

2 Senator Gianaris.

3 SENATOR GIANARIS: Mr. President,
4 first of all, let me just take a moment to thank
5 you for your good work at yesterday's session --
6 I guess yesterday and earlier today's session,
7 and all my colleagues. We appreciate the --

8 (Applause.)

9 SENATOR GIANARIS: We appreciate
10 everybody's understanding and getting the job
11 done yesterday.

12 Everyone will be happy to know the
13 Comptroller has told us that we do in fact have a
14 timely budget this year, so that's good.

15 For today's business, we are going
16 to go into a Transportation Committee meeting
17 imminently in order to confirm another MTA
18 nominee. So it will be Transportation, then
19 Finance, then back on the floor to do that
20 confirmation, after which we have our active list
21 and a two-bill Rules agenda, and that will
22 constitute the business of the day.

23 And so without further ado,
24 Mr. President, there will be an immediate meeting
25 of the Transportation Committee in Room 332.

1 ACTING PRESIDENT BENJAMIN: There
2 will be an immediate meeting of the
3 Transportation and Corporations Committee in
4 Room 332.

5 Senator Gianaris.

6 SENATOR GIANARIS: The Senate will
7 stand at ease for a moment, please.

8 ACTING PRESIDENT BENJAMIN: The
9 Senate will stand at ease.

10 (Whereupon, the Senate stood at ease
11 at 3:27 p.m.)

12 (Whereupon, the Senate reconvened at
13 3:29 p.m.)

14 ACTING PRESIDENT BENJAMIN: The
15 Senate will come to order.

16 Senator Gianaris.

17 SENATOR GIANARIS: Mr. President,
18 just to be clear, the meeting that's currently
19 taking place is a joint committee meeting between
20 the Transportation and Corporations Committees.
21 So if members are in either of those committees,
22 please proceed to Room 332.

23 And while those committees are
24 undertaking their business, we will take up the
25 reading of the calendar.

1 ACTING PRESIDENT BENJAMIN: So
2 there will be an immediate joint meeting of the
3 Transportation and Corporations Committees in
4 Room 332.

5 Senator Gianaris.

6 SENATOR GIANARIS: And for those
7 members that are at those committee meetings,
8 they can invoke Rule 9 to cast their votes on the
9 bills that will be on the floor while they're in
10 the committee meeting.

11 And can we now please take up the
12 reading of the calendar.

13 ACTING PRESIDENT BENJAMIN: The
14 Secretary will read.

15 THE SECRETARY: Calendar Number 66,
16 Senate Print 783A, by Senator Breslin, an act to
17 amend the Economic Development Law.

18 ACTING PRESIDENT BENJAMIN: Read
19 the last section.

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

22 ACTING PRESIDENT BENJAMIN: Call
23 the roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BENJAMIN: Senator

1 May to explain her vote.

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

4 Having worked for almost two decades
5 as a sustainability coordinator, I applaud
6 Senator Breslin on this forward-looking bill.

7 It says in the language that these
8 coordinators will look at all elements of a
9 municipality's current cultural, educational,
10 environmental and infrastructural character,
11 which means they'll be taking a holistic approach
12 to planning and economic development.

13 And this is the smartest way to do
14 it, it's the most efficient, the most effective
15 way to do it, the best way to steward public
16 funds so that you're not solving a problem over
17 here and causing another problem somewhere else
18 in the system.

19 And it is the way we need to be
20 doing planning in the future, and I'm very proud
21 to vote aye on this bill.

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

24 Announce the results.

25 THE SECRETARY: In relation to

1 Calendar Number 66, those Senators recorded in
2 the negative are Senators Amedore, Antonacci,
3 Flanagan, Funke, Gallivan, Griffo, Helming,
4 Jordan, Ortt and Ritchie. Also Senator Serino.

5 Ayes, 44. Nays, 11.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 164, Assembly Print 112A, substituted earlier by
10 Assemblymember Buchwald, an act to amend the
11 Election Law.

12 ACTING PRESIDENT BENJAMIN: Read
13 the last section.

14 THE SECRETARY: Section 2. This
15 act shall take effect on the 15th of December
16 next succeeding the date on which it shall have
17 become a law.

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, 57.

24 ACTING PRESIDENT BENJAMIN: The
25 bill is passed.

1 THE SECRETARY: Calendar Number
2 302, Assembly Print 5615, substituted earlier by
3 Assemblymember Weinstein, an act to amend the
4 Real Property Law.

5 ACTING PRESIDENT BENJAMIN: Read
6 the last section.

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

9 ACTING PRESIDENT BENJAMIN: Call
10 the roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BENJAMIN: Senator
13 Montgomery to explain her vote.

14 SENATOR MONTGOMERY: Yes, thank
15 you, Mr. President. Last month I hosted, along
16 with a number of my colleagues, a hearing to look
17 at the many issues facing homeowners in Brooklyn,
18 and it only confirmed just how pervasive the
19 issue of deed theft is.

20 The Attorney General's office shared
21 at our hearing that they receive more deed theft
22 complaints from Brooklyn than the four other
23 boroughs combined. And I know for a fact that
24 there are many more homeowners who suffer in
25 silence.

1 As more and more neighborhoods
2 gentrify in Brooklyn and other parts of our city,
3 speculation runs rampant and the cost of living
4 continues to skyrocket. Our constituents only
5 become then more vulnerable to sophisticated
6 scams and outright theft.

7 Fraudulent companies target our
8 seniors, homeowners struggling financially and
9 for whom English is not their first language.
10 They often offer unsolicited so-called assistance
11 with foreclosure or modifications, sometimes
12 claiming that their home is already up for
13 auction. Homeowners believe these companies will
14 represent them honestly and inadvertently sign
15 away the deeds to their homes, sometimes not
16 realizing the mistake until years later.

17 These are sophisticated operations
18 taking advantage of loopholes in our law.
19 Associating themselves with law firms can allow
20 them to avoid legal repercussions, and burdensome
21 injunction bond requirements make it difficult
22 for homeowners to pursue justice in civil court.

23 Unfortunately, it seems to be all
24 too easy for them to mislead, defraud and
25 outright steal property from our constituents.

1 But once the damage is done, reversing it is
2 nearly impossible when homeowners, many of whom
3 are already struggling, have to take on the cost
4 and time of a lawsuit.

5 This legislation provides
6 protections and remedies for homeowners who sell
7 their properties while in default on their
8 mortgages or in foreclosure. And it also
9 provides additional protections and regulations
10 for distressed property consulting contracts.

11 So I want to thank my colleagues for
12 their support on this significant piece of
13 legislation. This bill will close some of the
14 loopholes and greatly strengthen consumer
15 protections for homeowners all across New York
16 State.

17 Thank you, Mr. President. I vote
18 aye.

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

21 Announce the results.

22 THE SECRETARY: Ayes, 59.

23 ACTING PRESIDENT BENJAMIN: The
24 bill is passed.

25 THE SECRETARY: Calendar Number

1 325, Senate Print 4117A, by Senator Kaplan, an
2 act to amend the Real Property Actions and
3 Proceedings Law.

4 ACTING PRESIDENT BENJAMIN: Read
5 the last section.

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

8 ACTING PRESIDENT BENJAMIN: Call
9 the roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BENJAMIN: Senator
12 Kaplan to explain her vote.

13 SENATOR KAPLAN: When the State of
14 New York enacted legislation permitting the use
15 of medical marijuana by patients for certified
16 medical uses, it was intended to provide
17 treatment options to some of the most vulnerable
18 members of our community.

19 Unfortunately, there is a growing
20 disconnect between our state laws and federal
21 regulations, which can lead to conflicts and
22 confusions. In particular, federal Housing and
23 Urban Development agency guidelines give
24 landlords discretion on whether to evict
25 residents of federally subsidized housing solely

1 based on their use of medical marijuana.
2 Further, it instructs landlords to deny new
3 applicants for subsidized housing solely based on
4 their use of medical marijuana.

5 This is a clear conflict that
6 undermines the goals of our law, forcing patients
7 to make a choice between managing their chronic
8 conditions and losing their home. This
9 legislation will protect those individuals and
10 give certainty to an otherwise ambiguous
11 situation, and for that I cast my vote
12 affirmatively.

13 Thank you, Mr. President.

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

16 Announce the results.

17 THE SECRETARY: In relation to
18 Calendar Number 325, those Senators voting in the
19 negative are Senators Antonacci and Funke.

20 Ayes, 57. Nays, 2.

21 ACTING PRESIDENT BENJAMIN: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 343, Assembly Print Number 558A, substituted
25 earlier by Assemblymember Rosenthal, an act to

1 amend the Public Health Law and the Penal Law.

2 ACTING PRESIDENT BENJAMIN: Read
3 the last section.

4 THE SECRETARY: Section 10. This
5 act shall take effect on the 120th day after it
6 shall have become a law.

7 ACTING PRESIDENT BENJAMIN: Call
8 the roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BENJAMIN: Senator
11 Savino to explain her vote.

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

14 I want to rise and first thank my
15 colleagues for supporting me in my efforts to
16 move New York State to finally adopt a statewide
17 tobacco-21 policy. Some of you may not realize,
18 but as we speak we now have up to 18 counties
19 that have raised the age for the purchase --
20 raised the minimum age to purchase tobacco
21 products to age 21. That includes New York City,
22 Nassau and Suffolk Counties, Albany County,
23 Chautauqua, Cattaraugus, Cortland, Westchester,
24 Orange, Rockland, Schenectady, Sullivan,
25 Tompkins, Ulster, Essex, Putnam -- and the list

1 goes on and is growing.

2 Why? Because we know that the
3 longer it takes for people to have access to the
4 ability to purchase tobacco products, the less
5 likely they are to begin smoking. And anything
6 we can do to prevent young people from beginning
7 to smoke means they are less likely to die from
8 lung cancer. Because here's one thing I can
9 guarantee. If you smoke, you will eventually die
10 from lung cancer.

11 We have come a long way from the
12 days when there were no age limits on the
13 purchase of tobacco products. When I started
14 smoking, I was 12. I used to go to the store to
15 buy cigarettes for my mother. I would walk up in
16 there and I'd put the money on the counter, and
17 they would give me a pack of Lucky Strike for my
18 mother, a pack of King Size Chesterfield for my
19 grandfather, a pack of Camels for my father. And
20 so when I started adding a pack of Marlboro,
21 nobody in the store or behind the counter batted
22 an eyelash. No one thought there was anything
23 wrong with a 12-year-old buying cigarettes.

24 And somewhere along the line we
25 realized that that was a mistake, we shouldn't

1 allow young people that age to be able purchase
2 cigarettes. And so we did put an age limit on
3 it, but even that age limit was too low.

4 And why is 18 too low? Some of you
5 will say, well, if you can go to combat, if we
6 can allow you to go and fight for your country,
7 why shouldn't you be able to smoke? You are
8 10 times more likely to survive military combat
9 than lung cancer. That's a fact.

10 We established the age of 21 for
11 drinking because we understand that that is more
12 important, to establish that age, than allowing
13 people to drink at 18. We allow young people to
14 stay on their parents' health insurance plan till
15 the age of 26. So we make those decisions
16 regularly.

17 But here's one thing again I know.
18 There is no legitimate purpose for tobacco usage,
19 none. Smoking will kill you if you start. And
20 the longer it takes to prevent you from starting,
21 the less likely is it that you will.
22 Fifteen-year-olds are likely to have 18-year-old
23 friends who can buy cigarettes for them;
24 15-year-olds are not likely to have 21-year-old
25 friends who can buy cigarettes for them.

1 So if for no other reason, think
2 about that 15-year-old who may or may not be
3 hanging around that 18-year-old who will give
4 them access to cigarettes. That's why it's
5 important.

6 And more importantly, from a
7 statewide perspective, from a retail perspective,
8 we need a single standard. It should be 21
9 across the state when we have 18 counties that
10 have already decided that 21 makes sense.
11 Twenty-one makes sense because it saves lives.
12 It prevents people from starting, and the longer
13 we can do that, the less people will die from
14 lung cancer.

15 So I vote proudly, as a former
16 smoker, someone who started way too young and
17 buried way too many people in my family -- all of
18 those people I used to buy cigarettes for?
19 They're all now dead from lung cancer.

20 I vote in the affirmative. Thank
21 you, Mr. President.

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

24 Senator Ortt to explain his vote.

25 SENATOR ORTT: Thank you,

1 Mr. President.

2 We all know that smoking is bad.
3 There's been enough money spent on public service
4 announcements over the last decades. We all know
5 the risks of smoking, just as we know the risks
6 of excessive drinking and the risks of a host of
7 behaviors which are legalized and regulated. And
8 in fact, this body I expect over the next couple
9 of months, or maybe a year, will consider other
10 behaviors to regulate which we know to be bad or
11 carry with it health risks.

12 But in a free society, we also
13 determine that there's an age where adults can
14 decide what legal behaviors they want to partake
15 in. And that's an important tension in our
16 society. It doesn't mean that all those
17 behaviors would be recommended by your doctor or
18 your dentist or whatever health professional you
19 may go to. But at the same time, we have that
20 ability as free Americans and free citizens.

21 And it's hard for me to be able to
22 tell an 18-year-old or a 19-year-old or a
23 20-year-old: You can go to Afghanistan or Iraq
24 and fight to defend the greatest country in the
25 world, but you cannot partake in a legal behavior

1 that adults can.

2 The alcohol was changed to 21, that
3 was a vehicular transportation issue. Right? We
4 didn't want young people driving while under the
5 influence. And there's no question that saved
6 lives -- not only the lives of the people
7 drinking, but it probably saved more lives of
8 people who weren't drinking, because they were no
9 longer killed by drunk drivers or certainly not
10 to the levels that we saw many, many years ago.

11 But this goes back to -- to me, at a
12 time when we're even literally talking about and
13 many on the Majority side will talk about
14 lowering the voting age to have 17- or even
15 16-year-olds elect leaders of our country and
16 state -- they're smart enough to do that, but
17 they're not smart enough to decide whether they
18 want to have a cigarette or not.

19 And while it's a noble goal to save
20 people -- I hear about saving lives. We've saved
21 more lives in this chamber already this
22 session -- I can't even keep count. But I don't
23 know that we're going to actually have the impact
24 we want. I think this has become -- because
25 cigarettes are bad, Big Tobacco is bad, the PSAs

1 have worked. But at the same time, this is just
2 a nanny state policy that I think runs counter to
3 really the foundations of what a free society
4 should be.

5 So for those reasons, while I abhor
6 cigarette smoking and I would tell everyone you
7 shouldn't do it, they are legal. And I think
8 this goes too far in restricting that freedom.

9 Mr. President, I will be no.

10 ACTING PRESIDENT BENJAMIN: Senator
11 Ortt to be recorded in the negative.

12 Senator Jackson to explain his vote.

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

15 I was in favor of not supporting
16 this. And in fact, we had discussions in our
17 Democratic Conference, and Senator Ortt, I
18 raised the same issue and concern that if we can
19 send young men and women off to war, they should
20 be able to buy and smoke cigarettes if they so
21 desire.

22 And then listening to some of my
23 colleagues discuss this issue with us, I'm apt to
24 vote in favor of the bill, because I agree with
25 Senator Savino. And the example that she gave on

1 the floor here, she gave it in the conference.
2 You have some people -- young men, some young
3 women -- at 18 years old, and they're buying
4 cigarettes for those that are 14, 15, 16 and 17.

5 And I smoked for a couple of years
6 when I was in college. I don't smoke now. But I
7 do know that cigarettes and smoking is very
8 addictive. We all know that.

9 And so I want to do what's best on
10 behalf of the people of our great state and the
11 health of the people that we represent. And so
12 with all of that consideration, I have to side on
13 the health of the people of our great state.

14 And I vote aye in favor of this
15 bill, and I thank our colleague for presenting it
16 in the New York State Senate. Thank you,
17 Senator Savino.

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

20 Senator Hoylman to explain his vote.

21 SENATOR HOYLMAN: Thank you,
22 Mr. President. I rise to support this
23 legislation.

24 And I wanted to point out something
25 that the sponsor neglected to mention, which is

1 this also raises the age for purchases of
2 e-cigarettes. And that's crucial, because right
3 now we are facing an epidemic of JUULing among
4 our high school students. The estimate is
5 one-third of high school students in the State of
6 New York are actually using electronic cigarettes
7 like JUUL.

8 And they're being attracted to those
9 cigarettes because of all the candy-coated
10 flavors that JUUL and their competitors are
11 offering to kids.

12 So while we are weaning many
13 Americans off of combustible tobacco products, we
14 are transferring their addiction to nicotine
15 through electronic cigarettes, and we're also
16 creating a whole new generation of
17 nicotine-addicted Americans. So I support this
18 legislation for that reason.

19 I note that every single bill
20 restricting the e-cigarette industry was stricken
21 from the budget due to the successful lobbying of
22 the e-cigarette industry. And I implore my
23 colleagues to do more to curb JUUL and other
24 e-cigarettes.

25 I vote aye.

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

3 Senator Lanza to explain his vote.

4 SENATOR LANZA: Thank you,
5 Mr. President.

6 You know, this is one of those tough
7 votes that we need to make a decision with
8 respect to. I listened to Senator Savino, the
9 sponsor, and Senator Ortt. And I have to say I
10 agree with everything that each one of them said.

11 That's what makes this one tough.
12 The libertarian side of me says people ought to
13 do whatever they want to do. I listened to
14 Senator Savino, and I agree, cigarettes are
15 killers.

16 I've never smoked a cigarette. But
17 I will disagree with something Senator Savino
18 said with respect to there being no legitimate
19 purpose. You talk to smokers, they'll tell you,
20 well, it's their body and they enjoy it. So that
21 makes it legitimate to them.

22 But then again, cigarettes are the
23 only product that we allow to be sold in the
24 state that, if used as intended, will kill you.
25 And so therein lies, I think, the problem.

1 But I will say so ultimately
2 anything I can do in recognition of that fact to
3 prevent people from smoking I think is a good
4 idea, and I'm going to fall on the side of
5 supporting this legislation.

6 But I will say that it points out
7 the inconsistencies in some of the policies I
8 hear espoused by some of my colleagues across the
9 aisle in the Democratic Party. On the one hand
10 we're saying if you're 19 or 20, you lack the
11 wisdom, you lack the maturity to make decisions
12 about what you put in your own body. But, you
13 know, you're wise enough and smart enough at 16
14 to vote.

15 On the one hand we're saying that if
16 you're 19 or 20, you shouldn't smoke because it's
17 bad for you. But on the other hand, I hear
18 Democrats traveling around the state saying, you
19 know what, and encouraging people to smoke
20 intoxicating narcotics.

21 So there's a bit of inconsistency
22 from what I hear across the aisle. But at the
23 end of the day, cigarettes are killers, so I'm
24 going to vote in the affirmative.

25 ACTING PRESIDENT BENJAMIN: Senator

1 Lanza to be recorded in the affirmative.

2 Senator Little to explain her vote.

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

5 I too acknowledge that this is a
6 difficult vote and a difficult topic. And I have
7 been slow to arrive at my decision. I grew up in
8 a family, both of my parents smoked all the time.
9 But -- and I also have military sons, and I know
10 from 18 to 21 people can do a lot of really
11 responsible, good things, and yet we're saying
12 they can't purchase cigarettes, which it's not
13 illegal to smoke.

14 However, I've come to the decision
15 to vote for this bill because of the vaping
16 problem that we are having in high schools. And
17 we have kids now who are getting their vaping
18 products from 18-year-olds, and there are many
19 18-year-olds who are still in our high schools
20 who are purchasing it for them.

21 And many of them, using these vaping
22 tools and all, are putting things such as
23 marijuana into them. They can devise what goes
24 into them and then -- and it's very hard to
25 detect them even using these in schools.

1 So I will vote for this bill. But I
2 also think that when we vote for this and we make
3 this illegal to purchase tobacco products at the
4 age of 18, we need to decide how this gets
5 enforced. And we need to know that it's not just
6 the convenience store vendor who may sell to
7 someone who looks -- and I had an example of
8 this. Mid-morning on a school day, a young man,
9 beard, flannel shirt, tool belt, looked like he
10 was working construction that day, he buys
11 cigarettes.

12 It turned out to be a sting. They
13 got caught doing that, it was a young clerk.
14 Their penalty was for six months they could not
15 sell tobacco products, but also for six months
16 they could not sell lottery tickets. So they
17 lost both of those things and they eventually
18 went out of business, never recovering.

19 So as we do these, let's look at the
20 whole picture. How do we assess the penalties?
21 And they certainly should go on the 19- or
22 20-year-old using a false I.D. to purchase
23 cigarettes or to purchase alcohol. They don't
24 need to get a felony conviction, but they
25 certainly need some kind of penalty.

1 But I do vote aye on this. And I
2 look forward to trying to help organize or field
3 some way of doing this, because it is an issue in
4 the purchase of alcohol. It will become more of
5 an issue with the 18-year-olds, the 21-year-olds
6 and cigarettes. So thank you.

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

9 Senator Metzger to explain her vote.

10 SENATOR METZGER: Thank you,
11 Mr. President. I rise in support of this
12 legislation.

13 I just wanted to bring up the point
14 that this is not just about an individual's own
15 health. Secondhand smoking poses a threat to
16 people around them. So it is a public health
17 issue. And on that basis, I think it's
18 incredibly important to raise the age.

19 I also want to point out that, you
20 know, I, like Senator Savino -- I mean, I'm as
21 healthy as can be now in terms of lifestyles.
22 But when I was in high school, an older kid got
23 me hooked on cigarettes. That's how I started.
24 And it does make a huge difference to just
25 prohibit it altogether from high-school-age kids.

1 And I think that's a very important step.

2 And I'll tell you, as a mother -- I
3 have two sons that are freshmen in high school,
4 and I'm really concerned about the e-cigarettes.
5 And this is yet another really important reason.
6 I hear concerns actually from schools throughout
7 the district about kids sneaking it in schools.

8 So I support this legislation and I
9 thank the sponsor for introducing it.

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

12 Senator Helming to explain her vote.

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

15 I agree with the comments that have
16 been made that this is an extremely tough
17 subject. I could tell a similar family story to
18 Senator Savino's.

19 But what I want to focus on is, for
20 me, I think that 18-, 19-, 20-year-olds are
21 adults, and they're able to make adult decisions.
22 So I will be voting in the negative on this.

23 But I just -- I was sitting here
24 thinking about all the discussions I've been
25 hearing lately about the film tax credit, and

1 thinking about the \$420 million that was
2 allocated in the budget that was passed -- I was
3 going to say last night, but I think it was
4 actually today. And I'm just wondering, in those
5 films that are supported with the film tax
6 credits, is there any ban on smoking? Is there
7 anything that is being done to assure that the
8 movies that are being made, that are being shared
9 with young adults, with young kids, with young
10 impressionable teenagers, anything being done to
11 ensure that they're not promoting unhealthy
12 lifestyles -- smoking cigarettes, so much more?

13 But thank you, Mr. President. I'll
14 be voting in the negative.

15 ACTING PRESIDENT BENJAMIN: Senator
16 Helming to be recorded in the negative.

17 Senator Krueger to explain her vote.

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

20 I don't think this is a tough vote.
21 I think we all have their own experiences of the
22 dangers of smoking, ourselves and our families.

23 But, you know, we spend a lot of
24 time here talking about the dangers of addiction
25 and the dangers of opioid overdoses and what

1 we're doing about them. Well, guess what, folks,
2 a whole lot more people die from smoking than
3 from opioid addictions. In fact, smoking kills
4 more people than alcohol, AIDS, car crashes,
5 illegal drugs, murders and suicides combined.
6 And thousands more die from other tobacco-related
7 causes such as fires caused by smoking.

8 There is no use for tobacco other
9 than to create addiction, which then kills you.
10 I once asked the cigarette companies why they
11 couldn't come up with something that didn't kill
12 their customers. Because they were clearly very
13 good at marketing, they got people to buy things
14 that they knew were going to kill them.

15 And the younger that you get hooked,
16 the harder it will ever be to get off. Senator
17 Savino is absolutely right with this bill. I
18 don't think it's too radical to start talking
19 about outlawing tobacco products in this country
20 for everyone. Because guess what, we all pay
21 that price. We pay the price for the costs of
22 healthcare, for the costs of people who need all
23 kinds of intensive services because they have
24 become ill from smoking.

25 And again, there's other issues

1 where you say, well, drugs are important for
2 certain people for lots of reasons. Alcohol just
3 addicts you and kills you.

4 I'm proud to vote yes. I think we
5 should go farther. Thank you, Mr. President.

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

8 Senator Gianaris.

9 SENATOR GIANARIS: Mr. President,
10 the Transportation and Corporations Committees
11 are concluding their work, so I would like to
12 call an immediate meeting of the Finance
13 Committee now in Room 332 as we continue to
14 explain votes on this bill. Thank you.

15 ACTING PRESIDENT BENJAMIN: There
16 will be an immediate meeting of the Finance
17 Committee in Room 332.

18 Senator Tedisco to explain his vote.

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

21 I'm going to be voting for this
22 bill. But in doing so, I'd like to talk about a
23 disconnect and an irony I see in relationship to
24 it.

25 Smoking is a terrible scourge.

1 You're taking hot smoke, carcinogens, into your
2 body. I don't think there's a person who hasn't
3 had a family member, a neighbor, a loved one,
4 themselves, who hasn't been impacted negatively
5 by some terrible diseases -- cancer, diabetes,
6 heart disease. And that's probably just the
7 start of what smoking and how it can impact
8 individuals.

9 If we could alleviate it and get rid
10 of it, if prohibition would work -- but
11 historically, we've seen prohibition doesn't
12 work. We saw that with alcohol, so it doesn't
13 work.

14 Education works minimally, maybe to
15 some extent. I'm not sure what the answer is to
16 stop individuals who start at a young age,
17 because it is addictive. Tobacco is addictive.

18 But the disconnect seems to be, to
19 me, that now it is in place and we know what we
20 have to do for it, so we're raising the age to 21
21 to try to minimize the access. And we spend
22 hundreds of thousands of millions of dollars on
23 public relations, on TV ads, public service
24 announcements to educate people -- young people,
25 old people, middle-aged people.

1 Fast forward -- I don't know when,
2 but we're talking about it now -- we're about or
3 some are about to support legalizing another type
4 of addiction where you're taking hot smoke into
5 your lungs. Now this one is a little different.
6 I think it is addiction. They call it a gateway
7 drug. It's called marijuana. At this point
8 we're starting to call it cannabis because when
9 you want to legalize something, you want a name
10 this doesn't illustrate -- something that maybe
11 doesn't bring a bad connotation. So it's
12 cannabis.

13 And also, which really boggles my
14 mind -- I don't know who made this up. Because I
15 never hear anybody talking about recreational
16 smoking. We don't say it's recreational smoking,
17 we're going to sit down and have some
18 recreational smoking.

19 Usually, when I ask my constituents
20 what's recreational, a bowling league, I mean,
21 tennis, reading books, swimming. Sitting down
22 and smoking to get high and potentially getting
23 in a vehicle and killing people like we had
24 recently not too long ago in Shenendehowa, when
25 two Shenendehowa kids were killed by an

1 individual who was drugged and drunk -- that
2 doesn't lead me to want to call it recreational
3 activity. But when you're going to legalize
4 something, it sounds a little bit better when you
5 want to do that.

6 So what we're going to do -- and I
7 looked to Colorado and some of the other, and I'm
8 looking at what's happening over there. And
9 first of all, I look at a lot of the research.
10 Every day my staff -- that young man right there,
11 Jerry -- brings in more information, more studies
12 to me about what -- and this is serious, because
13 most of the people who do this, the
14 professionals, say you don't understand the
15 impact this can be to your health. They talk
16 about retention. They talk about losing memory.

17 Now, when we legalize this -- yeah,
18 it's going to be 21, I imagine, it's going to be
19 for adults. But my goodness, we know that it
20 doesn't start at 21 with adults in terms of the
21 use of marijuana. You can go into elementary
22 school -- I don't know if it's in junior high,
23 but it's in high school, I'm pretty sure.
24 Kids are active with this thing.

25 Now the message is going to be

1 smoking is bad, we're going to make it 21, but
2 marijuana is good, we're going to legalize that
3 now and we're going to add another substance of
4 hot smoke, which is addictive and can have impact
5 on your ability to drive and do other functions
6 that are important.

7 But most importantly, think about
8 this. We pay \$21,000 or over a year per capita
9 per student, the most of any student in the
10 United States of America for any state, to try to
11 get a great education. The scores aren't as high
12 as we'd like them to be. The graduation rates
13 aren't as high as we'd like them to be. Now
14 we're sending a message, if I'm in high school,
15 there's a high school kid out in Albany, hey, the
16 New York State Legislature, a bunch of smart,
17 wonderful, intelligent people -- and I'm not sure
18 about those three aspects of us that they talk
19 about us in that way. I've heard -- on some of
20 the votes I've made, I've got different calls and
21 been called different things.

22 "They've legalized that now, so it
23 must not be too bad. And what I may want to do
24 is take some marijuana before I go take a test,
25 it will help me study" -- it will help me get

1 just the opposite.

2 Also they've shown a 60 to
3 70 percent increase in deaths on the road because
4 of impairment of taking in marijuana.

5 But the point is also this. All
6 that money we're spending to stop people from
7 smoking? We're going to legalize something which
8 we're going to eventually, believe me, spend
9 hundreds of thousands of dollars to stop people
10 from doing when we find out young people are
11 doing it, they're getting on the road and they're
12 killing other people, and adults are doing it,
13 getting on the road and killing other people.
14 It's just the tip of the iceberg.

15 Last thing. The last poll I saw
16 from Colorado -- because I know they're talking
17 about a lot of tax dollars coming in -- for every
18 dollar they earned in taxes, it costs them \$3.50
19 because of the accidents, the insurance costs,
20 the taking of life.

21 So I'm going to vote for this, but
22 I'm really concerned about the disconnection
23 coming down the road if we go to marijuana and
24 try to legalize it. I think it's a terrible
25 message.

1 Thank you, Mr. President.

2 ACTING PRESIDENT BENJAMIN: Senator
3 Tedisco to be recorded in the affirmative.

4 Senator Harckham to explain his
5 vote.

6 SENATOR HARCKHAM: Thank you,
7 Mr. President. I rise to talk about tobacco.

8 And I want to thank Senator Savino
9 for bringing this legislation today.

10 I really do appreciate all the
11 comments we've heard today about addiction, about
12 public freedom, and they're all valid arguments.

13 I would just add to the discussion
14 that there's also an issue about cost to society.
15 The earlier people begin to smoke, chronic
16 illnesses, lost productivity at jobs. So the
17 studies show that the earlier people start
18 smoking, the more it costs our economy in lost
19 productivity and in healthcare costs.

20 So for those reasons, I will be
21 supporting this measure.

22 Thank you.

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

25 Senator Martinez to explain her

1 vote.

2 SENATOR MARTINEZ: Oh. Sorry,
3 Mr. President.

4 First of all, good afternoon once
5 again. I hope we all had a nice, well-rested
6 couple of hours since last night.

7 But I will be voting in the
8 affirmative for this bill. As a former educator,
9 I saw the dangers of addiction on our young, and
10 what was a curious gesture became a lifetime
11 addiction and just a way of life.

12 Can our adults make decisions to go
13 to war and fight for this great nation that we
14 call home? Of course they can. But we also know
15 that the child's brain starts developing at a
16 young age and fully develops at the age of 25.
17 And if we allow these young individuals to be
18 smoking at a young age, we are hurting their
19 development.

20 We need to make sure that as
21 policymakers we protect the most vulnerable
22 against those that are preying against them.

23 In Suffolk County, as a legislator,
24 we were an additional county in the State of
25 New York to make the age 21 to buy cigarettes in

1 Suffolk County, and I'm glad that New York State
2 is taking those steps and following the steps of
3 those counties who have already done it.

4 And for that reason, first I'd like
5 to thank our sponsor, and I will be voting in the
6 affirmative. Thank you.

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

9 Senator Biaggi to explain her vote.

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

12 I rise today in strong support of
13 this bill, and I want to thank the sponsor of
14 this bill. But I also want to just talk about
15 intellectual honesty, because I think that's
16 important.

17 We are talking about tobacco here,
18 we're not talking about marijuana. But if I may,
19 just for one second, multiple points of research
20 have proven that not only is marijuana not a
21 gateway drug, but it, full stop, is not the same
22 as tobacco. So in an effort to be intellectually
23 honest, I really think it's important that we're
24 sticking to facts and reading these studies,
25 because people at home are listening to us and

1 they're putting their trust in us, and we owe
2 that to them.

3 Our job is to protect people. And
4 by raising the age of the ability to purchase
5 tobacco products from 18 to 21, we are doing just
6 that.

7 I believe it was a Philip Morris
8 memo that was released which said that if we
9 actually put this law forward and pass this law,
10 we will be gutting a major part of the tobacco
11 industry. And I think that's a great thing. We
12 don't want people to be smoking cigarettes. We
13 don't want people to be using tobacco products.

14 And may I just end on this note. We
15 oftentimes are talking about marijuana and
16 alcohol and tobacco all in the same category, but
17 we have to also acknowledge that alcohol is
18 essentially a poison, marijuana is a plant. And
19 we can have a further discussion perhaps at
20 another time when we put forward legislation to
21 actually legalize cannabis, but these are things
22 that we ought to be intellectually honest about.

23 And I am actually very proud to vote
24 aye for this particular bill for that reason.
25 Thank you.

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

3 Announce the results.

4 THE SECRETARY: In relation to
5 Calendar Number 343 --

6 ACTING PRESIDENT BENJAMIN: Senator
7 Kaplan to explain her vote.

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

10 We all know smoking has long been an
11 acceptable part of our culture in this country.
12 But the reality of addiction to nicotine isn't
13 something we really like to acknowledge.

14 The reality is that of all youth who
15 become regular smokers, half will eventually die
16 of a smoking-related illness, including cancer,
17 heart disease and other terrible conditions.

18 The truth is the earlier people
19 begin to smoke, the higher their risk for
20 developing these conditions. By taking action to
21 reduce young people's access to nicotine, we're
22 giving them a better shot at never becoming
23 addicted in the first place.

24 Communities on Long Island already
25 recognize this, and we've taken action at the

1 county level to help protect our kids by raising
2 the age to buy tobacco products to 21. It's
3 working on Long Island, and it's time we passed
4 this legislation to enact the change statewide.

5 I want to thank Senator Savino for
6 sponsoring this bill. And for these reasons, I
7 proudly cast my vote in the affirmative.

8 Thank you.

9 ACTING PRESIDENT BENJAMIN: Senator
10 Kaplan to be recorded in the affirmative.

11 Senator Carlucci to explain his
12 vote.

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

15 And I too want to thank my
16 colleagues for supporting this important
17 legislation to raise the age to 21 for the sale
18 of tobacco.

19 We know that unfortunately
20 approximately a half a million Americans die each
21 year because of tobacco-related deaths, and
22 10 percent of that population die due to
23 secondhand smoke. We know that nine out of 10
24 Americans start smoking before the age of 21. So
25 this is a commonsense measure to combat the fact

1 that we have to stop a new generation from
2 becoming addicted to tobacco products.

3 There's been a long, hard push over
4 the last couple of decades, but that seems to
5 tail off. So this is something that we know it's
6 commonsense, it makes sense, it's worked in other
7 states. Let's do it here to finally end the
8 addiction to tobacco and help people live
9 productive, healthy lives.

10 So I want to thank the sponsor of
11 this legislation and all of my colleagues for
12 supporting this commonsense legislation to keep
13 our children healthy and help the rest of
14 New York State remain healthy as well. I'll be
15 supporting this legislation.

16 Thank you, Mr. President.

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

19 Announce the results.

20 THE SECRETARY: In relation to
21 Calendar Number 343, those Senators voting in the
22 negative are Senators Antonacci, Gallivan,
23 Griffo, Helming, Kavanagh, Ortt, Ranzenhofer,
24 Ritchie and Serino.

25 Ayes, 51. Nays, 9.

1 ACTING PRESIDENT BENJAMIN: The
2 bill is passed.

3 Senator Gianaris, that completes the
4 reading of today's calendar.

5 SENATOR GIANARIS: Mr. President,
6 let's stand at ease until the Finance Committee
7 returns.

8 ACTING PRESIDENT BENJAMIN: The
9 Senate will stand at ease.

10 (Whereupon, the Senate stood at ease
11 at 4:11 p.m.)

12 (Whereupon, the Senate reconvened at
13 4:40 p.m.)

14 ACTING PRESIDENT BENJAMIN: The
15 Senate will return to order.

16 Senator Gianaris.

17 SENATOR GIANARIS: Mr. President,
18 is there a report of the Finance Committee at the
19 desk?

20 ACTING PRESIDENT BENJAMIN: There
21 is a report of the Finance Committee at the desk.

22 The Secretary will read.

23 THE SECRETARY: Senator Krueger,
24 from the Committee on Finance, reports the
25 following nomination:

1 As a member of the Board of the
2 Metropolitan Transportation Authority, Michael
3 Lynton, of Brooklyn.

4 ACTING PRESIDENT BENJAMIN: Senator
5 Gianaris.

6 SENATOR GIANARIS: Mr. President,
7 in a moment I'll ask you to recognize Senator
8 Krueger to speak, but first I want to call an
9 immediate meeting of the Rules Committee in
10 Room 332 while the confirmation process is
11 ongoing.

12 Please recognize Senator Krueger.

13 SENATOR KRUEGER: Thank you very
14 much, Mr. President. The Finance -- oh, wait.

15 ACTING PRESIDENT BENJAMIN: Please
16 hold on, Senator.

17 There is an immediate meeting of the
18 Rules Committee in Room 332.

19 Senator Krueger.

20 SENATOR KRUEGER: Thank you very
21 much.

22 The Transportation Committee,
23 Corporations Committee, and Finance Committee,
24 all finding Michael Lynton more than qualified to
25 be nominated as the next member of the MTA Board,

1 have sent his confirmation to the full Senate to
2 confirm him.

3 He is a quite impressive gentleman,
4 hailing currently from Brooklyn, with a long
5 history with various corporations and a
6 commitment to public transportation.

7 I will say that the highlight, I
8 think, for many members who had a chance to meet
9 him was the recognition that we continued to
10 highlight how difficult this job was going to be,
11 how angry people were going to be at him, how
12 many demands people were going to make of him,
13 and even that he might get protested at his home
14 as a board member -- and he still wants the
15 unpaid job.

16 (Laughter.)

17 SENATOR KRUEGER: So I think that
18 the Governor has sent us an excellent masochistic
19 nominee for the MTA Board, and I am happy to
20 stand here and nominate him to such a position.

21 Thank you, Mr. President.

22 ACTING PRESIDENT BENJAMIN: Senator
23 Comrie.

24 SENATOR COMRIE: Thank you,
25 Mr. President. I also stand to support Michael

1 Lynton as an appointee from the Governor -- a
2 nominee to be on the MTA Board.

3 I was impressed with his desire to
4 serve. I was impressed with his resume. I was
5 curious as to why a person that came from where
6 he has come from in the entertainment world
7 wanted to serve on the MTA Board. But he shared
8 with us that as a Brooklyn resident, he takes the
9 train to Manhattan every day. As someone that
10 has worked in various areas in entertainment, he
11 was interested in transportation issues,
12 especially through technology.

13 Working in his various capacities,
14 having worked on transportation issues in
15 New York and in other parts of the country,
16 especially California, where he lived, he was
17 interested in taking on a challenge.

18 And for someone of his background
19 and diversity and acumen, with his focus on the
20 access to the business community, the corporate
21 community and especially the technology
22 community, I think that Michael Lynton will be a
23 positive addition to the MTA Board, one who will
24 make sure that the MTA Board -- as well as he
25 understands that there's a need to make sure that

1 there are reforms. He understands that he may be
2 picketed, as Senator Krueger said earlier. He
3 understands that he may be one of the least
4 favorite people in New York as a result of being
5 an MTA Board member, but he still accepted the
6 opportunity to serve on the board.

7 To me that shows a dedication, to me
8 that shows a desire to be a change agent, to me
9 that shows a desire for someone to want to
10 participate in making the government better.

11 After talking with him, he showed
12 that he truly cares about making the opportunity
13 to see the MTA become a system that we can all
14 have trust and faith in, making sure that we do
15 the public meetings and the hearings to show that
16 there will be reform within the MTA, that he will
17 meet the challenge to try to improve the
18 opportunities to make it transparent, I think he
19 will be an excellent board member.

20 I encourage all of our members to
21 vote aye.

22 ACTING PRESIDENT BENJAMIN: Senator
23 Kennedy on the nomination.

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

1 Mr. President, first of all, I rise
2 to support this nomination of Mr. Michael Lynton
3 as a member of the board of the MTA.

4 He passed through the Senate
5 Transportation Committee, and I as chair had an
6 opportunity to meet with him earlier today, get
7 to know him a bit. I worked with Chairman
8 Senator Leroy Comrie as well as Chairwoman of
9 Finance Liz Krueger to advance him today.

10 As has already been mentioned, he is
11 an individual that I think can bring a certain
12 business acumen to this position, and talents and
13 expertise that the MTA needs as we are making
14 these holistic changes to the system.

15 As we're creating accountability
16 measures, as we're improving the technology of
17 the system, the reliability, the dependability of
18 the system for the ridership, it's essential that
19 we have people in place that have the talent and
20 the know-how and the focus and, quite frankly,
21 the demeanor to be able to tackle these tough
22 issues as we are once again making generational,
23 transformational investments, not only from a
24 capital financial aspect of resolving the issues
25 at the MTA but also, just as importantly, the

1 accountability measures that we're implementing
2 within the MTA as well.

3 So I proudly stand here with my
4 colleagues to support this very strong
5 nomination. I congratulate the Governor once
6 again for putting forward such an extraordinary
7 nominee. And I would ask all of our colleagues
8 to be supportive of Mr. Michael Lynton as well.

9 I vote aye, Mr. President.

10 ACTING PRESIDENT BENJAMIN: The
11 question is on the nomination of Michael Lynton
12 as a member of the Board of the Metropolitan
13 Transportation Authority.

14 All in favor say aye.

15 (Response of "Aye.")

16 ACTING PRESIDENT BENJAMIN:

17 Opposed?

18 (No response.)

19 ACTING PRESIDENT BENJAMIN:

20 Michael Lynton has been confirmed as a member of
21 Board of the Metropolitan Transportation
22 Authority.

23 Senator Biaggi.

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

1 Can we now please stand at ease.

2 ACTING PRESIDENT BENJAMIN: The

3 Senate will stand at ease.

4 (Whereupon, the Senate stood at ease
5 at 4:47 p.m.)

6 (Whereupon, the Senate reconvened at
7 4:49 p.m.)

8 ACTING PRESIDENT BENJAMIN: The

9 Senate will return to order.

10 Senator Gianaris.

11 SENATOR GIANARIS: Mr. President,
12 is there a report of the Rules Committee at the
13 desk?

14 ACTING PRESIDENT BENJAMIN: There
15 is a Rules Committee report at the desk.

16 The Secretary will read.

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

20 Senate Print 4901, by Senator Mayer,
21 an act to amend the Executive Law; and

22 Senate Print 4936, by Senator
23 Gounardes, an act to amend the Executive Law.

24 All bills ordered direct to third
25 reading.

1 ACTING PRESIDENT BENJAMIN: Senator
2 Gianaris.

3 SENATOR GIANARIS: Move to accept
4 the report of the Rules Committee.

5 ACTING PRESIDENT BENJAMIN: All in
6 favor of accepting the report of the
7 Rules Committee signify by saying aye.

8 (Response of "Aye.")

9 ACTING PRESIDENT BENJAMIN:
10 Opposed?

11 (No response.)

12 ACTING PRESIDENT BENJAMIN: The
13 report is accepted.

14 Senator Gianaris.

15 SENATOR GIANARIS: Can we now take
16 up the supplemental calendar, please.

17 ACTING PRESIDENT BENJAMIN: The
18 Secretary will read the substitution.

19 THE SECRETARY: Senator Mayer moves
20 to discharge, from the Committee on
21 Investigations and Government Operations,
22 Assembly Bill Number 3425 and substitute it for
23 the identical Senate Bill Number 4901, Third
24 Reading Calendar 364.

25 ACTING PRESIDENT BENJAMIN: The

1 substitution is so ordered.

2 The Secretary will read.

3 THE SECRETARY: Calendar Number
4 364, Assembly Print 3425, by Assemblymember
5 Dilan, an act to amend the Executive Law.

6 ACTING PRESIDENT BENJAMIN: Read
7 the last section.

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

10 ACTING PRESIDENT BENJAMIN: Call
11 the roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BENJAMIN:
14 Announce the results.

15 THE SECRETARY: Ayes, 60.

16 ACTING PRESIDENT BENJAMIN: The
17 bill is passed.

18 The Secretary will read the
19 substitution.

20 THE SECRETARY: Senator Gounardes
21 moves to discharge, from the Committee on
22 Finance, Assembly Bill Number 6965 and substitute
23 it for the identical Senate Bill 4936, Third
24 Reading Calendar 365.

25 ACTING PRESIDENT BENJAMIN: The

1 substitution is so ordered.

2 The Secretary will read.

3 THE SECRETARY: Calendar Number
4 365, Assembly Print 6965, by Assemblymember
5 Abbate, an act to amend the Executive Law.

6 ACTING PRESIDENT BENJAMIN: Read
7 the last section.

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

10 ACTING PRESIDENT BENJAMIN: Call
11 the roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BENJAMIN:
14 Announce the results.

15 THE SECRETARY: Ayes, 60.

16 ACTING PRESIDENT BENJAMIN: The
17 bill is passed.

18 Senator Gianaris, that completes the
19 reading of today's calendar.

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

22 ACTING PRESIDENT BENJAMIN: There
23 is no further business at the desk.

24 SENATOR GIANARIS: I move to
25 adjourn until Monday, April 8th, at 3:00 p.m.,

1 intervening days being legislative days.

2 ACTING PRESIDENT BENJAMIN: On
3 motion, the Senate stands adjourned until Monday,
4 April 8th, at 3:00 p.m., intervening days being
5 legislative days.

6 (Whereupon, the Senate adjourned at
7 4:52 p.m.)

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