

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 April 29, 2019

11 3:26 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 April 28, 2019, the Senate met pursuant to
17 adjournment. The Journal of Saturday, April 27,
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 Messages from the Governor.

25 Reports of standing committees.

1 Reports of select committees.

2 Communications and reports from
3 state officers.

4 Motions and resolutions.

5 Senator Gianaris.

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

8 On behalf of Senator Biaggi, I move
9 that the following bills be discharged from their
10 respective committees and be recommitted with
11 instructions to strike the enacting clauses:
12 Senate Bills 3124, 4067, and 5173.

13 ACTING PRESIDENT BENJAMIN: It is
14 so ordered.

15 Senator Gianaris.

16 SENATOR GIANARIS: On behalf of
17 Senator Kavanaugh, I move the following bill be
18 discharged from its respective committee and be
19 recommitted with instructions to strike the
20 enacting clause: Senate Bill 2335.

21 ACTING PRESIDENT BENJAMIN: It is
22 so ordered.

23 SENATOR GIANARIS: On behalf of
24 Senator Gounardes, I wish to call up Senate Print
25 2042, recalled from the Assembly, which is now at

1 the desk.

2 ACTING PRESIDENT BENJAMIN: The
3 Secretary will read.

4 THE SECRETARY: Calendar Number 44,
5 by Senator Gounardes, Senate Print 2042, an act
6 to amend the Civil Service Law.

7 SENATOR GIANARIS: I now move to
8 reconsider the vote by which this bill was passed
9 and ask that the bill be restored to the order of
10 third reading.

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

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 52.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is restored to its place on the Third
17 Reading Calendar.

18 SENATOR GIANARIS: I now move to
19 discharge, from the Committee on Investigations
20 and Government Operations, Assembly Print 6091
21 and substitute it for the identical bill.

22 ACTING PRESIDENT BENJAMIN: It is
23 so ordered.

24 Senator Gianaris.

25 SENATOR GIANARIS: Okay.

1 Mr. President, amendments are offered to the
2 following Third Reading Calendar bills:

3 Senator Hoylman, page 15, Calendar
4 Number 189, Senate Print 428;

5 Senator Savino, page 20, Calendar
6 Number 277, Senate Print 3971;

7 Senator Gounardes, page 22, Calendar
8 Number 316, Senate Print 4308;

9 Senator Sanders, page 23, Calendar
10 Number 337, Senate Print 2115;

11 Senator Gaughran, page 26, Calendar
12 Number 388, Senate Print 4570;

13 And Senator Stavisky, page 15,
14 Calendar Number 187, Senate Print 2949.

15 Mr. President, I now move that these
16 bills retain their place on the order of third
17 reading.

18 ACTING PRESIDENT BENJAMIN: The
19 amendments are received, and the bills shall
20 retain their place on the Third Reading Calendar.

21 SENATOR GIANARIS: Can you please
22 call on Senator Griffo.

23 ACTING PRESIDENT BENJAMIN: Senator
24 Griffo.

25 SENATOR GRIFFO: Thank you,

1 Mr. President.

2 I would move, on behalf of Senator
3 Flanagan, that Senate Bill 894 be discharged from
4 its respective committee and be recommitted with
5 instructions to strike the enacting clause.

6 ACTING PRESIDENT BENJAMIN: It is
7 so ordered.

8 SENATOR GRIFFO: Mr. President, I
9 also would like to move, on page 22, to offer the
10 following amendments to Calendar Number 322,
11 Senate Print 2643, on behalf of Senator Lanza,
12 and ask that said bill retain its place on third
13 reading.

14 ACTING PRESIDENT BENJAMIN: The
15 amendments are received, and the bill shall
16 retain its place on the Third Reading Calendar.

17 SENATOR GRIFFO: And,
18 Mr. President, on behalf of Senator Boyle I move
19 that the following bill, Senate Bill 671, be
20 discharged from its respective committee and be
21 recommitted with instructions to strike the
22 enacting clause.

23 ACTING PRESIDENT BENJAMIN: It is
24 so ordered.

25 SENATOR GRIFFO: Likewise, on

1 behalf of Senator Antonacci, I move that Senate
2 Bill 5304 be discharged from its respective
3 committee and be recommitted with instructions to
4 strike the enacting clause.

5 ACTING PRESIDENT BENJAMIN: It is
6 so ordered.

7 SENATOR GRIFFO: Thank you.

8 ACTING PRESIDENT BENJAMIN: Senator
9 Gianaris.

10 SENATOR GIANARIS: Mr. President,
11 can we please now take up previously adopted
12 Resolution 308, by Senator Griffo, read that
13 resolution's title only, and recognize
14 Senator Griffo.

15 ACTING PRESIDENT BENJAMIN: The
16 Secretary will read.

17 THE SECRETARY: Senate Resolution
18 Number 308, by Senator Griffo, memorializing
19 Governor Andrew M. Cuomo to proclaim September
20 2019 as Brain Aneurysm Awareness Month in the
21 State of New York.

22 ACTING PRESIDENT BENJAMIN: Senator
23 Griffo on the resolution.

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

1 I know that we will have some guests
2 who are in the Capitol today; they may be in the
3 Assembly chamber currently. We want to thank
4 them for making the trip here to Albany.

5 And this is a very important
6 resolution relative to asking the Governor to
7 recognize and to proclaim September as Brain
8 Aneurysm Awareness Month.

9 The statistics for this particular
10 condition talk about 30,000 people in the United
11 States suffering from a brain aneurysm each year.
12 And every 18 minutes there's a brain aneurysm
13 rupture. This is a fatal condition in
14 approximately 40 percent of those who suffer such
15 a condition, and this could cause permanent
16 neurological deficit in others.

17 So today there are many survivors
18 who here in the Capitol, as well as their
19 families and caregivers. And I think it is very
20 important to recognize these individuals and
21 their efforts.

22 This is something that was started
23 actually as a result of a very renowned baseball
24 player, Joe Niekro, who played for the most part
25 for the Astros -- he was a pitcher, a great

1 pitcher. He actually died as a result of a brain
2 aneurysm. And as a result, his daughter, Natalie
3 Niekro, began the Joe Niekro Foundation. And as
4 a result of that, they have tried to do what they
5 can to educate and to continue to make people
6 aware on how we continue to diagnose and to treat
7 this particular condition.

8 So I think it's important to have
9 these survivors here. It's very important for us
10 to continue to do everything within our means to,
11 as I indicated, educate, but particularly to
12 create awareness to this serious health condition
13 and to know that we can take certain steps that
14 will help to reduce the number of aneurysm
15 ruptures in the United States.

16 So I'm hopeful that by designating
17 September of this year as Brain Aneurysm
18 Awareness Month throughout our state that we will
19 continue to raise that awareness to this serious
20 health condition, and that we would encourage
21 more individuals to make appointments to get
22 screened, especially if they have a family
23 history of such a condition.

24 So I want to thank you and thank
25 everyone in the chamber today.

1 ACTING PRESIDENT BENJAMIN: The
2 resolution was previously adopted on
3 January 29th.

4 Senator Gianaris.

5 SENATOR GIANARIS: Mr. President,
6 at the request of Senator Griffo, that resolution
7 is open for cosponsorship.

8 ACTING PRESIDENT BENJAMIN: The
9 resolution is open for cosponsorship. Should you
10 choose not to be a cosponsor of the resolution,
11 please notify the desk.

12 Senator Gianaris.

13 SENATOR GIANARIS: Can we now take
14 up the reading of the calendar.

15 ACTING PRESIDENT BENJAMIN: The
16 Secretary will read.

17 THE SECRETARY: Calendar Number
18 122, by Senator Parker, Senate Print 2665, an act
19 to amend the Public Service Law.

20 ACTING PRESIDENT BENJAMIN: Read
21 the last section.

22 THE SECRETARY: Section 5. This
23 act shall take effect on the 180th day after it
24 shall have become a law.

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: Ayes, 55.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 127, by Senator Carlucci, Senate Print 2038A, an
10 act to amend the Education Law.

11 ACTING PRESIDENT BENJAMIN: Read
12 the last section.

13 THE SECRETARY: Section 2. This
14 act shall take effect on the 90th day after it
15 shall have become a law.

16 ACTING PRESIDENT BENJAMIN: Call
17 the roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BENJAMIN: Senator
20 Carlucci to explain his vote.

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

23 This legislation is extremely
24 important. It follows on what we've been doing
25 this legislative session to make voting in New

1 York State easier, more accessible to people from
2 around the state.

3 And when we talk about elections, we
4 also have to talk about school board elections
5 and school budget elections. And unfortunately
6 what we've found is that the laws have not kept
7 up.

8 And we in this legislation codify
9 into law the requirements for school board
10 absentee voting the same way that we participate
11 in the general, the primary, and special
12 elections as well.

13 So what we do here is we change the
14 time frame to match what is done in the general
15 election. We also take out some of the
16 restrictive language that's currently in place
17 asking people to add more to explaining why they
18 need an absentee ballot. And we codify the time
19 frame.

20 So this is an important step to make
21 it easier for people to participate in their
22 local school board elections, allow them to do it
23 by absentee. So this is an important step moving
24 in the right direction to make it easier for
25 New Yorkers to vote in all types of elections.

1 So I'll be supporting this
2 legislation and thank my colleagues for doing the
3 same.

4 Thank you, Mr. President.

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

7 Announce the results.

8 THE SECRETARY: In relation to
9 Calendar Number 127, those Senators voting in the
10 negative are Senators Akshar, Amedore, Antonacci,
11 Boyle, Flanagan, Funke, Gallivan, Griffio,
12 Helming, Jacobs, Jordan, Lanza, LaValle, Little,
13 O'Mara, Ortt, Ranzenhofer, Robach, Seward and
14 Tedisco.

15 Ayes, 37. Nays, 20.

16 ACTING PRESIDENT BENJAMIN: The
17 bill is passed.

18 THE SECRETARY: Calendar Number
19 130, Senate Print 578, by Senator Kennedy, an act
20 to amend the Tax 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: Ayes, 57.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 222, Senate Print 4007, by Senator Mayer, an act
10 to amend the Education Law.

11 SENATOR GIANARIS: Lay the bill
12 aside for the day.

13 ACTING PRESIDENT BENJAMIN: Lay it
14 aside for the day.

15 THE SECRETARY: Calendar Number
16 289, Senate Print 3348, by Senator Hoylman, an
17 act to amend the Business Corporation Law.

18 ACTING PRESIDENT BENJAMIN: Read
19 the last section.

20 THE SECRETARY: Section 31. This
21 act shall take effect on the 180th day after it
22 shall have become a law.

23 ACTING PRESIDENT BENJAMIN: Call
24 the roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BENJAMIN: Senator
2 Hoylman to explain his vote.

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

5 I just wanted to thank my colleagues
6 for their support of this legislation that
7 expands service of process to the Department of
8 State to the City of New York.

9 Currently if you are suing a
10 corporation, you have to serve legal papers on
11 the Secretary of State as the agent for the
12 defendant of a corporate entity, but only in
13 Albany.

14 This bill would change it and allow
15 those folks downstate on Long Island and in the
16 suburbs to file these papers with the Department
17 of State in New York City, saving time and cost
18 for litigants.

19 So I vote aye. Thank you,
20 Mr. President.

21 ACTING PRESIDENT BENJAMIN: Senator
22 Hoylman to be recorded in the affirmative.

23 Senator Jacobs to explain his vote.

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

1 This bill, as was just mentioned by
2 the sponsor, would -- right now it currently is
3 in law the only place to serve is in Albany, our
4 state's capital, throughout the state.

5 There seems to be merit to the idea
6 of making it easier for folks to serve at
7 locations closer to where they reside. The issue
8 I have with this particular piece of legislation,
9 it only opens up that option for New York City,
10 when there are Secretary of State offices
11 throughout the State of New York. I have one in
12 the same office building that my state offices
13 are in in downtown Buffalo.

14 So if we're going to change this and
15 make it easier, it should be throughout the State
16 of New York. So it is for that reason that I'm a
17 nay.

18 ACTING PRESIDENT BENJAMIN: Senator
19 Jacobs to be recorded in the negative.

20 Announce the results.

21 THE SECRETARY: In relation to
22 Calendar Number 289, those Senators voting in the
23 negative are Senators Akshar, Amedore, Antonacci,
24 Funke, Griffio, Jacobs, Jordan, LaValle, Little,
25 O'Mara, Ortt, Robach, Seward and Tedisco. Also

1 Senator Breslin.

2 Ayes, 44. Nays, 15.

3 ACTING PRESIDENT BENJAMIN: The
4 bill is passed.

5 THE SECRETARY: Calendar Number
6 292, Senate Print 2958A, by Senator Krueger --

7 ACTING PRESIDENT BENJAMIN: Order
8 in the chamber, please.

9 Proceed.

10 THE SECRETARY: -- an act to amend
11 the Public Health Law.

12 ACTING PRESIDENT BENJAMIN: Read
13 the last section.

14 THE SECRETARY: Section 2. This
15 act shall take effect on the 90th day after it
16 shall have become a law.

17 ACTING PRESIDENT BENJAMIN: Call
18 the roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BENJAMIN: Senator
21 Funke to explain his vote.

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

24 I'm going to vote in favor of this
25 bill. I believe it's well intended, and

1 hopefully it's not an effort to dissuade people
2 from playing the great game of football. Because
3 as the sponsor well knows, the danger of
4 concussions is inherent in every sport.

5 Parents are well aware that
6 concussions can happen in cheerleading, in
7 soccer, in gymnastics, where there is virtually
8 no helmet protection. And of course concussions
9 can happen in hockey, lacrosse, even baseball and
10 softball, even riding a bike through the park.

11 Coaches should know how to spot it
12 for sure. Parents and kids should know the
13 risks, and I suspect that most do. People are
14 not stupid. But we compete and play the games
15 that we love for lessons learned and certainly
16 for the pure thrill of victory.

17 But football is one of those sports
18 that's really done a lot of great things in the
19 last few years to make the sport safer. So I
20 hope we're not picking on football here. I think
21 a better bill, if the sponsor believes
22 information is needed on concussions, would be to
23 make a pamphlet available to every kid who signs
24 up for a youth sport of any kind.

25 But I'll be voting aye,

1 Mr. President. Thank you.

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

4 Senator Krueger to explain her vote.

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

7 I'd like to thank my colleagues for
8 their support for this bill and to recognize and
9 agree with Senator Funke when he references that
10 we should probably be requiring this for all
11 sports for children in our public and private
12 school systems.

13 In fact, the CDC has put together
14 some excellent materials for parents, for
15 coaches, for others about the risks of concussion
16 from football and other sports and also how to
17 identify if your child or teenager is behaving in
18 a way that should lead you to understand that
19 they may have suffered a concussion.

20 Because he's right that there's more
21 and more information and awareness of the dangers
22 that can take place in contact sports. We're not
23 yet educated as a society to what those realities
24 are, how dangerous some of these sports can be if
25 not played with the proper equipment and with

1 proper supervision.

2 So I think I'm going to go right
3 back to work expanding on this bill to include
4 other sports as well. So thank you, Senator
5 Funke.

6 Thank you, Mr. President. I vote
7 yes.

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

10 Senator Tedisco to explain his vote.

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

13 Yeah, it only makes sense, if your
14 child is harmed or hurt or injured in any way
15 while they're getting an education -- whether
16 it's in the art class, whether it's in the
17 science class, whether it's in the math class,
18 whether it's in the physical education class, I
19 think the parents should know.

20 Especially athletics. They're
21 talking about soccer now, not letting younger
22 kids hit a soccer ball, we know it can
23 potentially do some damage. So I think when a
24 child is injured and gets a concussion in any way
25 related to their education, the parents should be

1 notified about that.

2 This bill doesn't do it. It's very
3 limited in nature. In fact, I bet you there's a
4 lot of concussions that take place when kids take
5 other kids' heads and ram them into locker rooms,
6 and hit them in the head and bully them in
7 school. But you know, we passed here three or
8 four years in a row, I think -- at least when I
9 was here -- a bill called Jacobe's Law. And that
10 bill said if any child is bullied in school, it
11 would be required, just like the requirement is
12 now, to contact the State Education Department
13 and notify them that a child has been bullied and
14 there was a bullier who was involved with that.

15 Couldn't get that passed in the
16 Assembly. But I'm very hopeful we can get it
17 passed this year and we can get it also passed in
18 the Assembly and do what this bill does, protect
19 our kids. Because if our kids are our future,
20 their well-being and their health is a big part
21 of their future in getting that good education.

22 So I guess the point I make, this is
23 important and I'm going to vote for it. But any
24 injury to a child in school, whether it's in the
25 gym class, whether it's accidental, and

1 especially if it's a bullying incident, it should
2 be reported to the parents so they can do their
3 due diligence.

4 Thank you, Mr. President.

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

7 Announce the results.

8 THE SECRETARY: Ayes, 59.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 309, Senate Print 2100A, by Senator Mayer, an act
13 to require the Department of Environmental
14 Conservation to report on coyote management
15 techniques in urban and suburban areas.

16 ACTING PRESIDENT BENJAMIN: Read
17 the last section.

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

20 ACTING PRESIDENT BENJAMIN: Call
21 the roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT BENJAMIN:
24 Announce the results.

25 THE SECRETARY: In relation to

1 Calendar Number 309, those Senators voting in the
2 negative are Senators Akshar, Amedore, Antonacci,
3 Funke, Gallivan, Griffo, Helming, Jacobs, Jordan,
4 Lanza, O'Mara, Ortt and Seward.

5 Ayes, 46. Nays, 13.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 347, Senate Print 3657B, by Senator Kennedy, an
10 act relating to establishing the aging in place
11 task force.

12 ACTING PRESIDENT BENJAMIN: Read
13 the last section.

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

16 ACTING PRESIDENT BENJAMIN: Call
17 the roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BENJAMIN: Senator
20 May to explain her vote.

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

23 I want to commend Senator Kennedy
24 for bringing this bill to the floor. We all know
25 that aging in place is extremely important. It

1 helps people age with dignity. It helps them
2 live longer and with a higher quality of life.
3 And it saves money over the option of putting
4 people in nursing homes.

5 So this is a very important project,
6 I think. I'm very excited to see this move
7 forward. And thank you very much for bringing
8 it.

9 I vote aye.

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

12 Senator Sepúlveda to explain his
13 vote.

14 SENATOR SEPÚLVEDA: Thank you,
15 Mr. President, for allowing me to explain my
16 vote.

17 First I want to thank our leader. I
18 want to thank my colleagues and Senator Kennedy
19 for introducing such an important piece of
20 legislation that I am proud to cosponsor,
21 legislation which establishes the aging in place
22 task force, imperative in ensuring the well-being
23 of our aging community.

24 Aging in place, as defined by the
25 Center for Disease Control and Prevention, is the

1 ability to live in one's own home and community
2 safely, independently and comfortably, regardless
3 of age, income or ability level.

4 The task force is charged with
5 determining a person's ability to live with those
6 conditions and to formulate recommendations for
7 measures to improve the quality of life and
8 reduce barriers.

9 As a recent AARP survey has found,
10 76 percent of Americans age 50 and older -- which
11 includes me -- want to stay in their own
12 residence, in their current residence, and
13 77 percent would like to live in their community
14 as long as possible.

15 We want Americans to be able to live
16 in the home in which they reside, one that is
17 convenient and safe for them. The legislation
18 will address the physical and social environment
19 of neighborhoods, and takes into account
20 affordable housing as well as transportation for
21 people with special needs.

22 When establishing a home, you must
23 ensure that every facet of life is considered.
24 Lack of it can lead to injuries, sickness,
25 discomfort and fatalities.

1 I vote affirmatively. Thank you.

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

4 Announce the results.

5 THE SECRETARY: In relation to
6 Calendar Number 347, those Senators voting in the
7 negative: Senator Serino.

8 Ayes, 58. Nays, 1.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 366, Senate Print 1876A, by Senator Comrie, an
13 act to amend the Not-For-Profit Corporation Law.

14 ACTING PRESIDENT BENJAMIN: Read
15 the last section.

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

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, 59.

24 ACTING PRESIDENT BENJAMIN: The
25 bill is passed.

1 THE SECRETARY: Calendar Number
2 373, Senate Print 4264, by Senator
3 Stewart-Cousins, an act to amend the
4 Election Law.

5 ACTING PRESIDENT BENJAMIN: Read
6 the last section.

7 THE SECRETARY: Section 2. 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:
13 Announce the results.

14 THE SECRETARY: In relation to
15 Calendar Number 373, those Senators voting in the
16 negative are Senators Akshar and Antonacci.

17 Ayes, 57. Nays, 2.

18 ACTING PRESIDENT BENJAMIN: The
19 bill is passed.

20 THE SECRETARY: Calendar Number
21 376, Senate Print 3301, by Senator Brooks, an act
22 to amend the General Municipal Law.

23 ACTING PRESIDENT BENJAMIN: Read
24 the last section.

25 THE SECRETARY: Section 9. 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:
7 Announce the results.

8 THE SECRETARY: In relation to
9 Calendar Number 376, those Senators voting in the
10 negative are Senators Krueger, LaValle and May.

11 Ayes, 56. Nays, 3.

12 ACTING PRESIDENT BENJAMIN: The
13 bill is passed.

14 THE SECRETARY: Calendar Number
15 386, Senate Print 4161, by Senator Gaughran, an
16 act to authorize the assessor of the Town of
17 Huntington, County of Suffolk, to accept from the
18 South Huntington Union Free School District.

19 ACTING PRESIDENT BENJAMIN: Read
20 the last section.

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

23 ACTING PRESIDENT BENJAMIN: Call
24 the roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BENJAMIN:

2 Announce the results.

3 THE SECRETARY: In relation to
4 Calendar Number 386, those Senators voting in the
5 negative are Senators Akshar, Antonacci and
6 O'Mara.

7 Ayes, 56. Nays, 3.

8 ACTING PRESIDENT BENJAMIN: The
9 bill is passed.

10 THE SECRETARY: Calendar Number
11 391, Senate Print 4496, by Senator Martinez, an
12 act to amend the Mental Hygiene Law.

13 ACTING PRESIDENT BENJAMIN: Read
14 the last section.

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

17 ACTING PRESIDENT BENJAMIN: Call
18 the roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BENJAMIN: Senator
21 Martinez to explain her vote.

22 SENATOR MARTINEZ: Good afternoon,
23 Mr. President, and thank you.

24 I am proud to stand here today as
25 the sponsor of this bill that will empower New

1 York State to regulate and promote recovery
2 housing for persons recovering from a chemical or
3 substance dependency.

4 Safe and well-regulated housing,
5 free of substances and alcohol, encourages
6 long-term recovery for those suffering from
7 substance abuse disorder. Unreliable or
8 unavailable housing is often a barrier to
9 recovery for individuals in the midst of
10 treatment and can make the journey to a
11 substance-free life even more difficult to
12 attain.

13 Many times individuals seeking
14 treatment are released from an inpatient facility
15 treatment program and are left without a safe,
16 stable option for housing. This can be and often
17 does lead to a prolonged battle with substance
18 abuse disorder.

19 We are in the middle of an opioid
20 epidemic that is sweeping our nation and touches
21 every single New Yorker regardless of race, creed
22 or socioeconomic status. In order to continue to
23 address this epidemic head-on, we need to promote
24 and support addiction recovery at every possible
25 step.

1 Today we establish a task force of
2 highly qualified professionals to examine this
3 issue, charged with providing a comprehensive
4 report which will address concerns, give us
5 educated recommendations, and empower the State
6 Legislature to make determinations on the most
7 appropriate way to support a constituent in
8 recovery as it relates to safe, substance-free
9 housing.

10 I want to thank my colleagues for
11 their support on the passage of this bill, as we
12 are already acutely aware of the seriousness of
13 substance abuse disorder that so many of our
14 residents are facing. By acting together, we are
15 taking the necessary strides to strengthen the
16 way we support individuals seeking treatment.

17 For this reason, I vote in the
18 affirmative.

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

21 Senator Harckham to explain his
22 vote.

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

25 I would like to thank both

1 Senator Mayer and Senator Martinez, both of whom
2 had very similar bills on this issue and joined
3 forces together for the bill that we have before
4 us today.

5 As Senator Martinez mentioned, this
6 is a big problem. You know, sober living houses
7 could be part of the solution. And we've heard
8 good stories that if you have enough money and
9 you can afford one, you might get a safe,
10 adequate bed and an opportunity to learn the
11 skills to live a sober life.

12 We've also heard enormous horror
13 stories that these are nothing more than money
14 rackets, and where people are reexposed on a
15 daily basis to the temptation of drugs and
16 alcohol and worse.

17 So this bill actually creates
18 standards, looks at how many there are in
19 New York State -- for instance, OASAS doesn't
20 regulate them, Medicaid doesn't regulate them,
21 Department of Health doesn't regulate them. So
22 what are the common standards? You know, what
23 can we expect? Can a patient expect, when they
24 go to a sober living house, that they'll have a
25 clean and sober experience while they're there?

1 So this is an important piece of
2 legislation. I thank Senator Martinez, I thank
3 Senator Mayer for coming together on this, and I
4 urge colleagues' support.

5 Thank you.

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

8 Senator Kaplan to explain her vote.

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

11 We all recognize by now that we have
12 a crisis in New York State. Addiction has
13 touched every family, every school, every
14 community and particularly Long Island.

15 We've lost far too many innocent
16 young souls to this disease. And we've watched
17 as our friends and family, desperate to get help,
18 have been repeatedly failed by a system that
19 doesn't understand their struggle and doesn't
20 provide them the support they need.

21 We must do everything we can to
22 fight the disease of addiction by doing
23 everything we can to help people get into a
24 long-term recovery.

25 I am proud that our recent budget

1 will do more to fight addiction and support
2 recovery than any budget in our history,
3 particularly by expanding access to 28-day
4 treatment programs.

5 But that's not where the fight ends.
6 We need to do more to make sure that people
7 leaving those treatment programs have access to
8 safe, supportive recovery homes, which are a
9 critical tool for many to get on a long-term
10 recovery road.

11 This legislation is the first step
12 to making ultimately regulated recovery homes
13 operating in our state, so that we can ensure
14 these homes provide the safe, supporting
15 environment necessary for those seeking long-term
16 recovery.

17 I thank Senator Martinez and
18 Senator Mayer for sponsoring this legislation,
19 and I'm proud to vote in the affirmative.

20 Thank you.

21 ACTING PRESIDENT BENJAMIN: Senator
22 Kaplan to be recorded in the affirmative.

23 Announce the results.

24 THE SECRETARY: Ayes, 59.

25 ACTING PRESIDENT BENJAMIN: The

1 bill is passed.

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

4 SENATOR GIANARIS: Mr. President,
5 can you please call on Senator Griffo for an
6 introduction.

7 ACTING PRESIDENT BENJAMIN: Senator
8 Griffo for an introduction.

9 SENATOR GRIFFO: Thank you, Senator
10 Gianaris. Thank you, Mr. President.

11 We have a group that we talked about
12 a little earlier. We had the opportunity to read
13 the resolution and discuss the resolution on
14 Brain Aneurysm Awareness Month, but now we have
15 our visitors who are with us. I know, as I
16 indicated earlier, they were in the Capitol today
17 and they were in the Assembly chamber.

18 So we appreciate all of you being
19 here in Albany today. These are the survivors of
20 brain aneurysms, as well as their family and
21 caregivers. And they are here sharing their
22 stories today and also their experiences in
23 dealing with brain aneurysms.

24 So, Mr. President, I'd ask that we
25 recognize those who are in attendance and please

1 acknowledge their presence and give them the
2 courtesies of the house.

3 ACTING PRESIDENT BENJAMIN: To our
4 guests, I welcome you on behalf of the Senate.
5 We extend to you all the privileges and
6 courtesies of this house.

7 Please rise and be recognized.

8 (Standing ovation.)

9 ACTING PRESIDENT BENJAMIN: Senator
10 Gianaris.

11 SENATOR GIANARIS: Mr. President,
12 is there any further business at the desk today?

13 ACTING PRESIDENT BENJAMIN: There
14 is no further business at the desk.

15 SENATOR GIANARIS: I move to
16 adjourn until tomorrow, Tuesday, April 30th, at
17 3:00 p.m.

18 ACTING PRESIDENT BENJAMIN: On
19 motion, the Senate stands adjourned until
20 Tuesday, April 30th, at 3:00 p.m.

21 (Whereupon, at 3:58 p.m., the Senate
22 adjourned.)

23

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25