

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 June 12, 2019

11 2:19 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 for the Pledge of Allegiance.

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

8 ACTING PRESIDENT BENJAMIN: The
9 Reverend Dr. Elgin Joseph Taylor, Sr., the senior
10 pastor of Sweet Pilgrim Baptist Church, in
11 Albany, will deliver today's invocation.

12 Dr. Taylor.

13 REVEREND DR. TAYLOR: Let us pray.

14 God of our weary years, God of our
15 silent tears, Thou who has brought us thus far on
16 the way, Thou who has by Thy might led us into
17 the light, keep us forever in the path, we pray.

18 Creator, maker, ruler and sustainer
19 of all, God, we come into Your presence and we
20 invoke Your presence in this place as these
21 Senators have gathered to do the bidding for the
22 State of New York.

23 We pray Your blessing over every
24 Senator, over all of the deliberations that shall
25 take place in this session today. We pray, God,

1 that You give them the power to agree to disagree
2 for the greater good of the State of New York.

3 Now, God, we thank You for all
4 things that You have done, all things that You
5 are doing, and those things You shall do.

6 And we pray this prayer in the
7 mighty and matchless and immutable name of Jesus
8 the Christ. Amen.

9 (Response of "Amen.")

10 ACTING PRESIDENT BENJAMIN: The
11 reading of the Journal.

12 THE SECRETARY: In Senate, Tuesday,
13 June 11, 2019, the Senate met pursuant to
14 adjournment. The Journal of Monday, June 10,
15 2019, was read and approved. On motion, Senate
16 adjourned.

17 ACTING PRESIDENT BENJAMIN: Without
18 objection, the Journal stands approved as read.

19 Presentation of petitions.

20 Messages from the Assembly.

21 The Secretary will read.

22 THE SECRETARY: On page 5,
23 Senator Krueger moves to discharge, from the
24 Committee on Rules, Assembly Bill Number 3245A
25 and substitute it for the identical Senate Bill

1 2376A, Third Reading Calendar 120.

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

4 THE SECRETARY: On page 9,
5 Senator Breslin moves to discharge, from the
6 Committee on Codes, Assembly Bill Number 7080A
7 and substitute it for the identical Senate Bill
8 2848A, Third Reading Calendar 247.

9 ACTING PRESIDENT BENJAMIN: The
10 substitution is so ordered.

11 THE SECRETARY: On page 26,
12 Senator Kavanaugh moves to discharge, from the
13 Committee on Judiciary, Assembly Bill Number
14 2653A and substitute it for the identical Senate
15 Bill 3704, Third Reading Calendar 699.

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

18 THE SECRETARY: On page 40,
19 Senator Kennedy moves to discharge, from the
20 Committee on Rules, Assembly Bill Number 7131 and
21 substitute it for the identical Senate Bill 5095,
22 Third Reading Calendar 955.

23 ACTING PRESIDENT BENJAMIN: The
24 substitution is so ordered.

25 THE SECRETARY: On page 46,

1 Senator Carlucci moves to discharge, from the
2 Committee on Rules, Assembly Bill Number 7654A
3 and substitute it for the identical Senate Bill
4 5636A, Third Reading Calendar 1053.

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

7 THE SECRETARY: On page 48,
8 Senator Persaud moves to discharge, from the
9 Committee on Rules, Assembly Bill Number 4898 and
10 substitute it for the identical Senate Bill 6200,
11 Third Reading Calendar 1099.

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

14 THE SECRETARY: On page 49,
15 Senator Skoufis moves to discharge, from the
16 Committee on Rules, Assembly Bill Number 375 and
17 substitute it for the identical Senate Bill 2736,
18 Third Reading Calendar 1112.

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 amendments are offered to the following Third
5 Reading Calendar bills.

6 On behalf of Senator Sanders, on
7 page 9, Calendar Number 221, Senate Print 2884C;

8 Senator Kaminsky, page 13, Calendar
9 Number 411, Senate Print 4241;

10 Senator Kennedy, page 47, Calendar
11 Number 1076, Senate Print 4580;

12 Senator Kaminsky, page 51, Calendar
13 Number 1174, Senate 6092;

14 Senator Skoufis, page 50, Calendar
15 Number 1168, Senate Print 5883;

16 Senator Skoufis, page 51, Calendar
17 Number 1169, Senate Print 5884; and

18 Senator Skoufis, page 51, Calendar
19 Number 1177, Senate Print 6179.

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

23 SENATOR GIANARIS: Without
24 objection, I wish to call up the following bills,
25 recalled from the Assembly, which are now at the

1 desk: Senate 5932, 1481, and 4949.

2 ACTING PRESIDENT BENJAMIN: The
3 Secretary will read.

4 THE SECRETARY: Calendar Number
5 1262, Senate Print 5932, by Senator Comrie, an
6 act to amend the Tax Law.

7 Calendar Number 134, Senate Print
8 1481, by Senator Hoylman, an act to amend the
9 Executive Law.

10 Calendar Number 610, Senate Print
11 4949, by Senator Harckham, an act to validate
12 certain acts of the Mahopac Central School
13 District with regard to certain capital
14 improvement projects.

15 SENATOR GIANARIS: I move to
16 reconsider the vote by which these bills were
17 passed.

18 ACTING PRESIDENT BENJAMIN: The
19 Secretary will call the roll on reconsideration.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 59.

22 ACTING PRESIDENT BENJAMIN: The
23 bills are restored to their place on the
24 Third Reading Calendar.

25 SENATOR GIANARIS: I offer the

1 following amendments.

2 ACTING PRESIDENT BENJAMIN: The
3 amendments are received.

4 SENATOR GIANARIS: On behalf of
5 Senator Thomas, I move to recommit
6 Senate Bill 2435A, Calendar Number 565 on the
7 order of third reading, to the Committee on Local
8 Government, with instructions to said committee
9 to strike the enacting clause.

10 ACTING PRESIDENT BENJAMIN: It is
11 so ordered.

12 SENATOR GIANARIS: Please call on
13 Senator Griffo.

14 ACTING PRESIDENT BENJAMIN: Senator
15 Griffo.

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

18 On behalf of Senator Akshar, I want
19 to call up Senate Print 2458, recalled from the
20 Assembly, which should now be at the desk.

21 ACTING PRESIDENT BENJAMIN: The
22 Secretary will read.

23 THE SECRETARY: Calendar Number
24 1240, Senate Print 2458, by Senator Akshar, an
25 act authorizing the Town of Hancock, County of

1 Delaware, to alienate and convey certain parcels
2 of land used as parklands.

3 SENATOR GRIFFO: Mr. President, I
4 now move to reconsider the vote by which this
5 bill was passed.

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

8 (Chanting/singing from the gallery.)

9 ACTING PRESIDENT BENJAMIN: Order
10 in the chamber, please.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 59.

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

16 SENATOR GRIFFO: I offer the
17 following amendments.

18 ACTING PRESIDENT BENJAMIN: The
19 amendments are received.

20 SENATOR GRIFFO: Thank you for the
21 acoustic background.

22 SENATOR GIANARIS: Mr. President,
23 can we now take up the Resolution Calendar, with
24 the exception of Resolutions 1821, 1875, and
25 1876.

1 ACTING PRESIDENT BENJAMIN: All in
2 favor of adopting the Resolution Calendar, with
3 the exceptions of Resolutions 1821, 1875, and
4 1876, please signify by saying aye.

5 (Response of "Aye.")

6 ACTING PRESIDENT BENJAMIN:
7 Opposed, nay.

8 (No response.)

9 ACTING PRESIDENT BENJAMIN: The
10 Resolution Calendar is adopted.

11 Senator Gianaris.

12 SENATOR GIANARIS: Can we now
13 please take up previously adopted Resolution 947,
14 by Senator Rivera, read that resolution in its
15 entirety, and recognize Senator Rivera.

16 ACTING PRESIDENT BENJAMIN: The
17 Secretary will read.

18 THE SECRETARY: Senate Resolution
19 947, by Senator Rivera, memorializing Andrew M.
20 Cuomo to proclaim June 2019 as Immigrant Heritage
21 Month in the State of New York.

22 "WHEREAS, Generations of immigrants
23 from every corner of the globe have built our
24 country's economy and created the unique
25 character of our state and nation; and

1 "WHEREAS, Immigrants continue to
2 grow businesses, innovate, strengthen our economy
3 and create jobs in New York State; and

4 "WHEREAS, Immigrants have provided
5 the United States of America and New York State
6 with unique social and cultural influence,
7 fundamentally enriching the extraordinary
8 character of each; and

9 "WHEREAS, Immigrants constitute a
10 vital segment not only in our state's community
11 and economic affairs, but also our state's
12 democracy and civic discourse; and

13 "WHEREAS, Immigrants comprise more
14 than a quarter of our state's workforce, and for
15 that reason the care and well-being of these
16 individuals is not only a priority but a
17 necessity for the economic health of this state;
18 and

19 "WHEREAS, Immigrants account for
20 nearly a third of New York's economic output in
21 metropolitan areas and produce more than a fifth
22 of New York's gross domestic product; and

23 "WHEREAS, Foreign-born students
24 seeking educational opportunities in New York
25 contribute billions of dollars to the state in

1 their journey to success; and

2 "WHEREAS, Immigrants have been
3 tireless leaders not only in securing their own
4 rights and access to equal opportunity, but have
5 also campaigned to create a fairer and more just
6 society for all Americans; and

7 "WHEREAS, Despite these countless
8 contributions, the role of immigrants in building
9 and enriching our nation has frequently been
10 overlooked, undervalued and often disparaged
11 throughout history and continuing to the present
12 day; and

13 "WHEREAS, It is imperative that
14 there be greater public awareness and increased
15 recognition of the contributions of immigrant
16 communities at the local, state and national
17 levels; now, therefore, be it

18 "RESOLVED, That this Legislative
19 Body pause in its deliberations to memorialize
20 Governor Andrew M. Cuomo to proclaim June 2019 as
21 Immigrant Heritage Month in the State of
22 New York; and be it further

23 "RESOLVED, That copies of this
24 resolution, suitably engrossed, be transmitted to
25 the Honorable Andrew M. Cuomo, Governor of the

1 State of New York, and to the events
2 commemorating Immigrant Heritage Month throughout
3 New York State."

4 ACTING PRESIDENT BENJAMIN: Senator
5 Rivera on the resolution.

6 SENATOR RIVERA: Thank you so much,
7 Mr. President.

8 And as we near the end of session,
9 obviously we have to sometimes compete with
10 outside voices, but I am happy to do so today,
11 Mr. President.

12 This is the fifth year that I've had
13 the great privilege of bringing this resolution
14 to the floor. As the resolution was read, there
15 was much that was said about how important
16 immigrant communities are to our state. And I
17 want to underline that and say -- and take an
18 opportunity to talk about -- do two things:
19 First of all, to both celebrate the diversity of
20 our state, and celebrate the diversity of our
21 chamber.

22 Mr. President, as I'm sure that you
23 are aware, we are an incredibly diverse body.
24 And I am glad to say that -- although I hope I
25 don't miss anyone -- we have folks in our chamber

1 who are Senators from all over the state, some of
2 whom represent the first-time elected members of
3 this chamber that are either immigrants
4 themselves or members of a particular ethnic
5 group or nationality that have never been
6 represented in this chamber before, whether it's
7 El Salvador, Columbia, Costa Rica, India, Taiwan,
8 Iran, Guyana. All of these folks represent all
9 of these different parts of the state and come
10 here to speak on behalf of their constituency,
11 who is in turn an incredibly diverse constituency
12 itself.

13 In the case of my district, I have a
14 large community of Puerto Ricans, Dominicans,
15 Mexicans, a growing community of folks from
16 Southeast Asia, folks from Central America, the
17 Garifuna community, who have been here before.

18 And even my staff, I am incredibly
19 proud to have an incredibly diverse staff. Just
20 right now, Mr. President, in my staff I have
21 folks who are either first-generation or directly
22 connected to folks that came from Ireland,
23 Venezuela, Peru, Mexico, the Dominican Republic,
24 Ecuador, Antigua and Barbuda, just in my office.

25 And so one part of this is to

1 celebrate the diversity that is our state, that
2 is our chamber, that is our constituency. And
3 the other, Mr. President, is just to remind
4 ourselves that there are things that are
5 happening right now, attacks are happening right
6 now from the national government to that
7 diversity, whether it's to our state or across
8 the nation. We have, sadly, somebody who sits in
9 the White House who does nothing but demean these
10 individuals who come here to make themselves
11 better, to bring forth positive things for their
12 community.

13 And so we have a responsibility here
14 not only to just say it's great that we are a
15 diverse state, it's great that we have a diverse
16 heritage, but it's also important to say that we
17 have a responsibility to those individuals.

18 I am glad to say that in
19 the warriors that have fought for this, we're
20 actually joined today by one such warrior, and
21 that is Yaritza Mendez, who is Dominican herself,
22 and is a member -- she is the lead organizer for
23 Make the Road New York, who's an organization
24 that fights just for these individuals, to make
25 sure that we can get better conditions in this

1 state, that we can get better conditions for
2 immigrants.

3 We have an obligation,
4 Mr. President, not only to celebrate but to
5 defend. And that is what I hope that we will
6 continue to do in this body.

7 And with that, Mr. President, I will
8 vote in the affirmative, obviously, on this
9 resolution, but I will also remind all of us to
10 not just celebrate the folks that are diverse,
11 that make up our constituency, but also make sure
12 that we recommit ourselves to defending them
13 every single day.

14 Thank you, Mr. President.

15 ACTING PRESIDENT BENJAMIN: The
16 resolution was previously adopted on April 9th.

17 To Ms. Mendez, I welcome you on
18 behalf of the Senate. We extend to you all of
19 the privileges and courtesies of this house.
20 Please rise and be recognized.

21 (Standing ovation.)

22 ACTING PRESIDENT BENJAMIN: Senator
23 Gianaris.

24 SENATOR GIANARIS: Can we now take
25 up Resolution 1821, by Senator Kaminsky, read its

1 title only, and recognize Senator Kaminsky.

2 ACTING PRESIDENT BENJAMIN: The
3 Secretary will read.

4 THE SECRETARY: Senate Resolution
5 1821, by Senator Kaminsky, honoring former
6 New York State Assemblyman Harvey Weisenberg for
7 his tenacious advocacy for people with
8 developmental disabilities, for 25 years as a
9 State Assemblyman, and for more than 60 years of
10 public service, on June 12, 2019.

11 ACTING PRESIDENT BENJAMIN: Senator
12 Kaminsky on the resolution.

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

15 I have the distinct honor today of
16 rising to honor the life of public service of
17 former Assemblyman Harvey Weisenberg.

18 I think it's important, especially
19 during these very important times in Albany where
20 momentous decisions will be made with great
21 impact on our citizenry, that we remember what
22 true leadership is really about. And to have
23 Harvey Weisenberg with us today is a reminder of
24 that.

25 A few weeks ago I got to walk in the

1 Memorial Day Parade in Long Beach alongside
2 Harvey and bask in his glow and see the adoration
3 of thousands of residents and of what Harvey's
4 leadership had meant to them. And it really
5 inspired me to want him to be here today so I
6 could share with you my feelings and that we
7 could give him the debt of gratitude that he's
8 owed.

9 Harvey Weisenberg sits in our body
10 today with 67 years of public service, first as
11 special education teacher, then an administrator,
12 a police officer, a lifeguard, a City Council
13 member, and then of course an Assemblyman who was
14 chair of the Alcoholism Committee in the
15 Assembly.

16 But what Harvey is known for is an
17 unceasing, unflinching dogged advocacy on behalf
18 of those with developmental disabilities who
19 cannot speak for themselves.

20 Harvey has moved mountains. He
21 has done things for not only that community but
22 others that no one has thought possible, because
23 he did what his heart told him to do, what it
24 wouldn't allow him to do anything else, and he
25 never once gave up.

1 Millions and millions, over a
2 hundred million dollars have been given to this
3 cause because of his advocacy. And what was once
4 something talked about in the shadows and the
5 darkness, Harvey brought into the light and
6 really built his career around.

7 Now, some who I guess are cynical
8 have criticized Harvey for focusing too much on
9 this. They've said Harvey is really only about
10 the kids with disabilities, what else is he going
11 to do. That's like basically saying Gandhi
12 focused too much on peace, Mark Twain focused too
13 hard on writing, they should have done other
14 things.

15 But Harvey's work, if it was only in
16 that one area alone, would have been an exemplary
17 career for any of us to admire. But he did so
18 much more than that. Talking to students in our
19 community, up to their grandparents, aunts,
20 uncles, cousins and friends, they only know one
21 person in Long Beach who goes by one name.
22 That's Harvey. He is the Bono, the Cher, the
23 Madonna of our community.

24 (Laughter.)

25 SENATOR KAMINSKY: Everyone knows

1 one thing about Harvey, that he is Long Beach
2 through and through and he'll fight as hard as he
3 can for our community. And his sense of love,
4 his bear hugs on the boardwalk, his meeting you
5 on the beach, his showing up at every meeting to
6 let you know what the right thing to do is, is
7 quintessential Long Beach community. And that's
8 what Harvey stands for as well.

9 And in the Assembly, the laws he
10 passed, the lives he changed, the resources he
11 was able to garner are legendary, and deservedly
12 so.

13 I think too often we let these
14 moments pass. But when I saw Harvey recently, I
15 said, "Harvey, I want you in Albany, and I want
16 you to really get the thank-yous that you deserve
17 for a life of public service that at least among
18 the people I know is unparalleled." And so as
19 you sit here today with your daughter Vicki and
20 Marie Curley -- who is also an Assembly legend in
21 her own right, who certainly helped me get
22 there -- we just want to say thank you.

23 Personally, I would not be here
24 today without Harvey. Harvey hired me as a
25 lifeguard in 1998. I'm not sure he gave me a

1 correct lifeguard test. He told me: "Swim out
2 to there and come back," and then said "Now
3 you're a lifeguard." I managed to do that. But
4 Harvey also really helped make me an Assemblyman
5 and got me where I am today.

6 And just two very quick things.
7 Harvey once came up to me right when I got sworn
8 in, and he said, "I have a really big piece of
9 advice for you." And he gave me a hug, and I
10 thought he was going to tell me a critical piece
11 of advice as to how to be a legislator. You
12 know, there's no book on this. And he looked at
13 me and he said, "Avoid the Cross-Bronx at all
14 expense."

15 (Laughter.)

16 SENATOR KAMINSKY: But what he
17 really said after I laughed was "Do what's right,
18 do what's right, do what's right. And if that
19 guides you at least a few precious moments in
20 these halls, then I think we'll get somewhere."

21 So on behalf of a grateful Senate, a
22 grateful Long Island, and a grateful New York,
23 thank you, Harvey Weisenberg.

24 (Applause.)

25 ACTING PRESIDENT BENJAMIN: We're

1 going to do that at the end.

2 (Laughter.)

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

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

7 And thank you, Senator Kaminsky, for
8 making sure that we had this special opportunity
9 to acknowledge and thank former Assemblyman
10 Harvey Weisenberg.

11 You know, there are people who in
12 their tenure in these halls change the way the
13 state thinks about an issue. And I think
14 single-handedly you changed the perspective of
15 the New York State Legislature about people with
16 developmental disabilities.

17 One, you made it every person's
18 story. Every member had someone they knew that
19 needed your voice. And when you spoke, it
20 resonated with every member.

21 Two, you were dogged, as Senator
22 Kaminsky said. I remember sitting in conference
23 in the Assembly where you literally said, I will
24 not agree to do this until we get more money for
25 this program or this service, and we need to make

1 sure these parents have someone who's going to
2 speak for them. And were it not for that
3 determination, we would not have changed the
4 course of New York history.

5 And the third thing is you
6 personalized it with your speaking about your son
7 Ricky, and always making it a personal story that
8 everyone could relate to. Everyone knew what you
9 were talking about, and everyone felt what you
10 were talking about. And you never hid your
11 passion, your caring, your compassion, and you
12 called us to our better angels.

13 And so I am so fortunate to have
14 served in the Assembly with you. And I know when
15 I chaired the Subcommittee on Students with
16 Special Needs, you taught me so much about what
17 every family, what every parent wants for that
18 child.

19 And I always remember you telling me
20 the story that you would get called by a parent
21 far outside your district because you were the
22 go-to person for these parents. And if they came
23 from Yonkers or New Rochelle or Utica or Buffalo,
24 they would call you and you would be their
25 advocate. And unfortunately, we need a lot more

1 Harveys.

2 But today is our opportunity to
3 recognize and value the fact that you, through
4 your passion and intensity, changed the course of
5 New York history, and for that we're forever
6 thankful.

7 Thank you, Harvey.

8 ACTING PRESIDENT BENJAMIN: Senator
9 Boyle on the resolution.

10 SENATOR BOYLE: Thank you,
11 Mr. President, on the resolution.

12 I'd like to thank Senator Kaminsky
13 for bringing this resolution to the floor and to
14 thank and congratulate Harvey on this
15 well-deserved honor.

16 It was a true privilege to serve
17 with Harvey for a number of years in the New York
18 State Assembly, and he was iconic, a leader's
19 leader, for those with developmental disabilities
20 in New York State, on behalf of his wonderful son
21 Ricky and beautiful wife Ellen.

22 We think of him as a leader on
23 Long Island and throughout New York State, not
24 just on those issues but on so many other issues
25 that we brought to the floor in both the Assembly

1 and the Senate.

2 My favorite memory of Harvey was --
3 I represented, in the Assembly, Fire Island, the
4 barrier beaches, and Harvey as chairperson came
5 and had an official Assembly hearing on
6 Fire Island. It was about a hundred degrees
7 outside in the middle of August. I showed up in
8 a suit, everyone else was in a suit, and Harvey
9 was in his lifeguard outfit, with shorts and a
10 lifeguard top. And he looked at me and said,
11 "Phil, you're an idiot. What are you doing here?
12 This is -- we're supposed to have fun as well as
13 do government's work."

14 Thank you, Harvey, and
15 congratulations.

16 ACTING PRESIDENT BENJAMIN: Senator
17 Gianaris on the resolution.

18 SENATOR GIANARIS: Mr. President, I
19 just want to add my words of thanks to Harvey
20 Weisenberg, who I served with in the Assembly.

21 And all the things that you've heard
22 about him and you will hear about him are
23 absolutely true. The one thing -- I didn't hear
24 all of Senator Kaminsky's remarks, but he kept
25 saying what he's known for. The one thing that I

1 know that he's known for is the giant billboard
2 along the road to Long Beach where he's in his
3 swimming trunks, because he was a renowned
4 lifeguard for that community in addition to being
5 a great public servant.

6 So Harvey, it's good to see you back
7 here in the Capitol building. Thank you for your
8 years of service. And hopefully we'll see you
9 again before too long.

10 ACTING PRESIDENT BENJAMIN: Senator
11 LaValle on the resolution.

12 SENATOR LaVALLE: I want to thank
13 Senator Kaminsky for introducing this resolution.
14 And I think he said it all. As a matter of fact,
15 the counsel said, "What are you going to say?"
16 And I said "Bravo."

17 Harvey, I was sitting in my seat and
18 I said, "Gee, that fellow looks like Harvey
19 Weisenberg." And what you have done for
20 special-needs children goes -- I mean, it's just
21 wonderful. You did it before you came to the
22 Legislature, while you were in the Legislature,
23 and after. You are just a real mensch.

24 And the words that were spoken were
25 just -- I think Senator Kaminsky did a really

1 good job in talking about your attributes.

2 So good luck to you, and continue
3 your good deeds.

4 ACTING PRESIDENT BENJAMIN: Senator
5 Stavisky on the resolution.

6 SENATOR STAVISKY: Yes, thank you,
7 Mr. President.

8 And I want to echo what everybody
9 else has said but add another aspect, and that is
10 the fact that Harvey and Ellen were sort of a
11 fixture in the Legislature. And that is
12 something that I can personally relate to,
13 because it's very difficult to be a spouse of a
14 legislator. And yet Harvey recognized that
15 family is important. And the relationship with
16 his son is legendary, but so is the relationship
17 to Ellen. And we wish you many more years of
18 lifeguarding.

19 Thank you.

20 ACTING PRESIDENT BENJAMIN: Senator
21 Kennedy on the resolution.

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

24 I too want to rise and first of all
25 thank Assemblyman Harvey Weisenberg for his many,

1 many years of service, not just to the great
2 people of Long Beach and Long Island, but this
3 entire state and our great nation. Your work
4 speaks for itself.

5 You have been a driving force in so
6 many initiatives that have had a positive impact
7 on people's lives, especially those that are the
8 most vulnerable. Your work with individuals with
9 disabilities has been recognized on this floor
10 already, but it's worth mentioning again.

11 Without you and your advocacy we
12 would be, I would argue, decades behind where we
13 stand today. But because of you, folks
14 throughout the State of New York that otherwise
15 would not have had a voice had a champion, not
16 just a voice but a champion that not only cared
17 about them but understood them and put them first
18 when in many cases they wouldn't have had a voice
19 at all, and certainly wouldn't have been the top
20 priority. They were a top priority, and they
21 were a top priority because of you, Assemblyman.

22 I think Senator Kaminsky summed it
23 up the best in all those incredible accolades
24 that he presented to you. I want to thank
25 Senator Kaminsky for bringing this forward.

1 Assemblyman Weisenberg is a living
2 legend, somebody that is an icon in his community
3 and in the halls of the State Legislature. We
4 are truly indebted to you, and our state will be
5 for generations to come.

6 Thank you for your service. Thank
7 you for being here. Congratulations. And we
8 wish you well and Godspeed into the future.

9 ACTING PRESIDENT BENJAMIN: Senator
10 Flanagan on the resolution.

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

13 It's great to listen to our
14 colleagues, particularly those who had the
15 opportunity to serve with Harvey in the Assembly.

16 And I'm a little bit away from him,
17 but you could always tell during the legislative
18 session as spring would be coming in and there
19 were signs that there might be an end of session,
20 because Harvey started wearing different clothes.
21 He always had on a light-colored suit like, that
22 kind of little spring in his step. You know,
23 always happy go lucky.

24 The only thing I can't see, Harvey,
25 is whether or not you have on the white shoes.

1 (Laughter.)

2 SENATOR FLANAGAN: So one of his
3 signature components was the white shoes.

4 But I've known Harvey for 30 years.
5 And we spent a lot of time together in the
6 Assembly, but in ways that are different than
7 from some other people in this room. So if I can
8 say one thing -- I'm going to say some other
9 things -- but one thing that I hope people would
10 remember: Harvey has taught me and I think a lot
11 of us about life, about perspective, and about
12 pure, unconditional love.

13 And your first thing would be you
14 would think about people and children and adults
15 with developmental disabilities. You'd be right,
16 but not completely. What he really taught me
17 about was love for Ellen. They were Frick and
18 Frack, Mutt and Jeff. They were inseparable.
19 And I always thought it was a little different --
20 if I saw Harvey, the first thing I would be is
21 like "Where's Ellen?" Even if I'm saying to
22 myself mentally. And that was just inherently
23 beautiful to see and to watch.

24 The reverence that he demonstrated
25 for his family is something that I would aspire

1 to, and I even try and do that now. The way he
2 spoke lovingly of his children, all of his
3 children, but clearly had a special place in his
4 heart for Ricky. And in my career I've gotten
5 certain accolades and recognition. The award
6 that I'm proudest to have received was one that
7 was given to me by Harvey at an event -- it was
8 an award he and Ellen created, and really in
9 recognition of their son. So I have that very
10 prominently displayed in my office, and it makes
11 me think of you all the time.

12 Now, I knew Harvey, as I said, a
13 little differently because we used to hang out in
14 the legislative gym. Harvey and I would come and
15 we would work out, Phil Boyle would come and read
16 the newspaper and have a muffin and a cup of
17 coffee and never go on the machines.

18 (Laughter.)

19 SENATOR FLANAGAN: Harvey would
20 come in in his leisurewear. You know, that's the
21 way he was. And we had so many life talks there
22 and things about the Legislature.

23 You know, all of you talked about
24 developmental disabilities and how incredibly
25 important that was. I want to add a dimension

1 that you need to know. He was a pain in the neck
2 about everything, not just that issue.

3 And you who serve in his conference,
4 I know what he would tell me when he came back.
5 Passion, dedication. Just, you know, always
6 keeping things moving in the right
7 direction -- #bFair2DirectCare, whatever it was.
8 Long Beach, Long Beach, Long Beach. But his
9 entire district, the well-being of Long Island,
10 working clearly with Kenny LaValle and our
11 colleagues on the Republican side of the aisle.

12 It's been an absolute pleasure to
13 watch him. He calls -- after he left, he
14 continues to make calls on issues. And that's a
15 sign of a true leader and a true gentleman.

16 And, you know, when I would spend
17 time with Harvey in the gym, he would always
18 leave five minutes earlier than I would, because
19 I had to wash my hair and he didn't have that
20 burden. But we always spent a lot of time
21 laughing together.

22 And Senator Kaminsky, props and
23 kudos to you for recognizing an extraordinary and
24 exemplary individual.

25 Harvey, you are a wonderful human

1 being. I love you. I'm happy to say that I'm
2 your friend. And I am so deeply grateful for
3 your service and making New York State without
4 question a better place because of your service.

5 Mr. President, thank you.

6 ACTING PRESIDENT BENJAMIN: Senator
7 Brooks on the resolution.

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

10 I had an opportunity to know Harvey,
11 meet Harvey long before I ever thought of coming
12 here. He is a very, very special man who
13 uniquely and proudly walked through the streets
14 of Long Beach in a shirtless top each and every
15 day.

16 He's a wonderful man. When I first
17 got sworn in, he was one of the first visitors to
18 the office. He is a man we can all do well to
19 follow.

20 So I just agree with every one of
21 the comments made today. And Harvey, you're a
22 special, special person.

23 Thank you.

24 ACTING PRESIDENT BENJAMIN: The
25 question is on the resolution. All in favor

1 signify by saying aye.

2 (Response of "Aye.")

3 ACTING PRESIDENT BENJAMIN:

4 Opposed?

5 (No response.)

6 ACTING PRESIDENT BENJAMIN: The
7 resolution is adopted.

8 To Assemblymember Harvey Weisenberg,
9 I welcome you on behalf of the Senate. We extend
10 to you all of the privileges and courtesies of
11 the house. Please rise and be recognized.

12 (Extended standing ovation.)

13 ACTING PRESIDENT BENJAMIN: Senator
14 Gianaris.

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

17 At this time we're going to call an
18 immediate meeting of the Rules Committee in
19 Room 332 and simultaneously continue with our
20 business. So if you would please call the
21 committee meeting.

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

25 Senator Gianaris.

1 SENATOR GIANARIS: And can you now
2 take up previously adopted Resolution 1217, by
3 Senator Parker, read its title only, and
4 recognize Senator Parker.

5 ACTING PRESIDENT BENJAMIN: The
6 Secretary will read.

7 THE SECRETARY: Senate Resolution
8 1217, by Senator Parker, memorializing Governor
9 Andrew M. Cuomo to proclaim June 2019 as
10 Caribbean American Heritage Month in the State of
11 New York.

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

14 SENATOR PARKER: Thank you very
15 much, Mr. President.

16 As many of you know, I represent the
17 21st District in Brooklyn, which is Flatbush and
18 East Flatbush, Midwood, Ditmas Park, Windsor
19 Terrace and Park Slope, the greatest
20 concentration of Caribbean immigrants outside the
21 Caribbean in the entire world.

22 You're going to hear some debate
23 about that on the floor because some people are
24 trying to take claim to, you know, the natural
25 resources of my district, but we'll deal with

1 that as we go along.

2 But it's been a great honor for the
3 past 16 years not just to represent this very
4 rich and diverse community, but to be embraced by
5 it and to enjoy it.

6 June in the United States is
7 Caribbean Heritage Month -- not just here in
8 New York State, but all around the nation. And
9 there's probably nowhere in the United States
10 that has been more impacted by the richness and
11 the value of Caribbean immigrants than the State
12 of New York and, in particular, New York City.
13 Although as we continue to grow, you will start
14 seeing that impact throughout the State of
15 New York.

16 So in Buffalo, the second largest
17 city in the State of New York: Byron Brown,
18 Jamaican heritage. Right? You have places like
19 Westchester, where Andrea Stewart-Cousins, our
20 illustrious leader, lives and has Caribbean
21 background. Our speaker I want to say has a
22 background from the Bahamas. Right?

23 And that is not really outside of
24 the context of the historical development of
25 people of African descent in the State

1 Legislature. Right? The first African-American
2 in the State Legislature was Bertram Baker,
3 right, going back to the 1940s. His family was
4 from Nevis. Right? Actually, he was -- yeah,
5 his family was from Nevis. Right?

6 Nick Perry, my mentor, my friend,
7 from Jamaica.

8 And of course I don't want to forget
9 our presiding officer here today, Brian Benjamin,
10 whose family hailed from the proud country of
11 Jamaica as well. Oh, and Guyana. And Guyana.
12 Sorry. He has dual heritage.

13 But even the chief of staff for the
14 State Senate has that dual heritage of Jamaican
15 and Guyanese. So we see right here in the Senate
16 how important that heritage is to be.

17 Here in the State of New York we
18 actually boast the largest delegation of state
19 legislators with Haitian ancestry, with Rodneyse
20 Bichotte from the 42nd, we have Kim Jean-Pierre
21 out in Suffolk, we have Michaelle Solages from
22 Nassau County, Clyde -- what's Clyde's last name?

23 SENATOR MONTGOMERY: Vanel.

24 SENATOR PARKER: -- Vanel -- don't
25 tell Clyde I don't remember his last name -- from

1 Queens. And Representative Frontus, from
2 Coney Island, from the People's Republic of
3 Brooklyn.

4 And, you know, but of course we
5 claim people like Shirley Chisholm, who had --
6 you know, former Congresswoman who was unbought,
7 unbossed, from Brooklyn, who hailed from
8 Barbados. The person who replaced her in her
9 legacy and who walks in her footsteps now, my
10 Congresswoman, my friend, Yvette D. Clarke, also
11 from Jamaica. And her mom, who was the first
12 person I worked for in the City Council, Una
13 Clarke, who now is a member of the City
14 University of New York Board.

15 You know, I can go on and on, you
16 know, with just the numbers of people of
17 Caribbean ancestry that we have.

18 And so we celebrate that ancestry,
19 because not only has it impacted the political
20 milieu of our great state, but it has added to
21 the cultural vibration of our entire state,
22 particularly in places like Brooklyn, where we
23 have the West Indian Day Carnival, the largest
24 parade in North America, where we boast over a
25 million people at this parade. I mean, I know

1 you all like the Thanksgiving Day Parade and
2 Macy's and all that, the Rose Bowl and all that
3 other stuff. All of those parades pale in
4 comparison to the pageantry and the spectacle of
5 the West Indian Day Parade that runs right
6 through the heart of my district.

7 And so we honor those folks. I know
8 we have Angela Sealy here from WIADCA, and other
9 members of the board there. We want to thank
10 them for being here.

11 But we look at that cultural
12 enterprise not just within the context of adding
13 something that's a great event, but it's over a
14 billion dollars worth of economic activity
15 involved in the summer. Those Mas camps and
16 those Panyards are by far the largest unfunded
17 youth development program in the entire State of
18 New York, where we have hundreds of young kids
19 learning how to play pan every single summer, and
20 off the streets of our city. And so we want to
21 thank you for that important work.

22 Again, we can go on and on about the
23 numbers of businesses that are owned. We
24 remember the legacy of Mr. Hawthorne and the
25 folks at Golden Krust. And Lowell was a good

1 friend of mine, and we remember him and honor his
2 legacy. And Lowell Hawthorne has, you know,
3 essentially become -- you know, his restaurants
4 have become the McDonald's of Caribbean food.
5 You find them in every corner of the City of
6 New York. And so if you're looking for a good
7 beef patty or, you know, some jerked chicken with
8 rise and peas, there you go. Right?

9 You know, we have Vincent HoSang and
10 Royal Caribbean, we have Tower Isle in Brooklyn.
11 We have -- we have -- I know we have the consul
12 general from Trinidad. We have our own Trini
13 bakery right on Church Avenue. You ought to come
14 by and get some bake and shark one day.

15 You know, we have tons of
16 enterprises, of businesses, of people who are
17 providing entertainment. There's organizations
18 like Sesame Flyers that not only maintain the
19 culture and the context of what we see in terms
20 of carnival, but are one of the most important
21 youth development organizations in all of
22 Flatbush, and working with our young people every
23 single day to make sure that that work is done.

24 And so today we remember the people
25 who are here who emigrated here from places like

1 Jamaica and Barbados, from Trinidad, from Guyana,
2 from St. Vincent and the Grenadines, from the
3 Dominican Republic, from Cuba, from Puerto Rico.
4 We remember the folks, you know, who are here
5 from Curacao and the folks from St. Kitts and
6 Turks and Caicos, from Aruba, Barbados -- I think
7 I said that. Bermuda, the Bahamas. Right? And
8 we remember all of those places. From Saint
9 Lucia -- I can't forget my friends from
10 St. Lucia before I see my pastor,
11 Gilford Monroe, and he reminds me that I left
12 out his home.

13 And even the folks from America and
14 places like St. Vincent and the Virgin Islands --
15 St. Vincent -- sorry, St. Thomas, St. Croix and
16 St. John in the U.S. Virgin Islands, which we
17 honor that same Caribbean heritage.

18 And we thank you, the members of the
19 Council of Caribbean Consul Generals, for being
20 here, the members of the West Indian Day Carnival
21 Association, and other guests. We appreciate you
22 making the trip all the way here to Albany.
23 We're thankful today that here in the Capitol we
24 are celebrating Caribbean Heritage Day. We're
25 going to have a great celebration in the Well. I

1 look forward to joining you.

2 And thank you, Mr. President.

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

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

7 I stand here as an immigrant in this
8 chamber. I stand here as someone who was born in
9 the continent of South America but who claims
10 Caribbean. Guyana is a country in South America,
11 and yet we are part of the Caribbean. Why?
12 CARICOM is located, their headquarters is located
13 in Guyana. We are aligned with the Caribbean
14 because of culture.

15 So don't be fooled that because we
16 are on the other continent, we're not Caribbean.
17 We may tell people oftentimes we're not
18 West Indian, we're -- you know, we'll have those
19 arguments amongst our own people. But we are
20 proud to be with our Caribbean neighbors.

21 Senator Parker talked about the rich
22 history of Caribbean people in Brooklyn, and he
23 loves to claim that he has the greatest of
24 everything. We all do. We all do have the
25 greatest of every Caribbean nation in our

1 district. In the 19th Senatorial District, I can
2 claim that also, because I'm one of them. Right,
3 Senator Parker? So I have the greatest Caribbean
4 community.

5 CARICOM stands on four pillars. And
6 the Caribbean community is a community that comes
7 together to ensure that they're as one,
8 represented as one, and that they're respected as
9 one. That's what CARICOM is about.

10 That's what the Caribbean is about.
11 It's people coming together, not only when you
12 see us having fun, not only when people say, Oh,
13 yeah, they love their -- someone says, Oh, they
14 love to smoke weed. Now, that's not so. The
15 Caribbean people are more than what you see on
16 television. They're an intelligent group.
17 They're a progressive group. They come to this
18 country because they want to excel. Many of them
19 leave their homes and say, We are coming to the
20 United States because we want to make a better
21 life for ourselves and for our children and for
22 our entire families.

23 They come here, and they are hard
24 workers. Many of them will start from the bottom
25 of the barrel, literally, cleaning homes to

1 purchase their home. We are a proud people. We
2 are a proud people. We always want to excel. We
3 come, we always tell people our intentions -- oh,
4 you have to go to school, you have to buy a
5 house. How many Caribbean people, when you talk
6 to them, the first thing they talk -- they're
7 here only a month, and they're like, Yeah, I'm
8 working hard because I have to buy a house.

9 Because where they're coming from,
10 they're accustomed to living in homes. They're
11 accustomed to having the lush yards to run around
12 in. Their children are running around in lush
13 yards. That's what they -- and that's the life
14 that they want to build here. Oftentimes it's
15 not what they'll achieve after many years of
16 struggle. But they are still a proud,
17 hardworking people. And they will continue to do
18 so. We will continue to excel no matter where
19 you place us. That's part of our DNA.

20 That's why you see when we're
21 celebrating, we put our all into it. We put our
22 all into everything that we do. So when you see
23 us jumping on the Parkway, having fun at
24 Carnival, that's who we are. We want you to see
25 that we are a happy people. We want you to see

1 that no matter what you see on television, that
2 does not define us.

3 And the things that you see on
4 television, the negativity that you see on
5 television that talks about us, about our
6 culture, is not necessarily us. There are
7 outside forces that bring that into us. And any
8 Caribbean person you talk with will tell you,
9 "That's not us on the Parkway. That's not us.
10 We don't know who those people are."

11 This week we'll have legislation --
12 we're talking about teachers, allowing teachers
13 who came from the Caribbean to be -- the
14 legislation is to allow them to permanently be
15 teachers without having to become American
16 citizens. Why? They've been doing it for many,
17 many years. The United States, and particularly
18 parts of New York City, have been going to the
19 Caribbean countries for many, many, many years
20 and recruiting teachers to come to teach here,
21 especially in the subjects of science. They're
22 constantly going.

23 And we will tell you, there's a
24 brain drain in the Caribbean in terms of
25 teachers. You talk with nurses, there's a brain

1 drain from the Caribbean in terms of nurses
2 coming here to excel. Those are the things that
3 we want people to talk about when they're talking
4 about the Caribbean people.

5 I made a comment to my consul
6 general -- Barbara Atherly, from Guyana, who's
7 here -- the other day, and I said we were
8 celebrating Guyana's 53rd year of independence.
9 And I said you know what, in the State
10 Legislature we currently have three people who
11 can claim Guyanese connection.

12 So we have a caucus now. So the
13 Guyanese caucus is myself, because I was born
14 there; Senator Benjamin, whose mom was born in
15 Guyana; and Assemblymember Alicia Hyndman, whose
16 dad was born in Guyana. So whenever you hear us
17 talking about it, we'll say, Oh, the Guyanese
18 caucus. So please, everyone, please respect the
19 Guyanese caucus. We are here, and we intend to
20 build on that.

21 So that being said, I thank everyone
22 who's here today to celebrate with us as we
23 celebrate the Caribbean, we celebrate all that's
24 good in the Caribbean. Many of you go to the
25 Caribbean for your vacations, and you always have

1 a great time. You know, you come back and you
2 want everyone to see your pictures, you want
3 everyone to see you in your Bermuda shorts or
4 whatever you were wearing while you were there.
5 You had a good time.

6 That's what the Caribbean is about.
7 It's welcoming people, encouraging them to become
8 one of us. That's what we are. That's who we
9 are. So when you go on your next vacation after
10 we finish session next week, whether you're going
11 to Jamaica, whether you're going to Antigua,
12 whether you're going to Trinidad and Tobago or
13 whether you're heading to Guyana -- and by the
14 way, anyone who has not gone to Guyana, you
15 should visit Guyana. We have the largest, the
16 highest single-drop waterfall in the world,
17 Kaieteur Falls. So you can check that out.

18 Go, visit our countries. Visit our
19 countries. Enjoy. See what we came from, so
20 that -- sometimes people have a misconception
21 that people from the Caribbean came from nothing.
22 When you visit our countries, see what we came
23 from. Just take a walk around and see the rich
24 history that belongs to us.

25 So I am pleased to acknowledge here

1 with us, as part of the Caribbean Council of
2 Consul Generals, we have Dr. Ceballos, who's the
3 ambassador from the Dominican Republic. We have
4 Barbara Atherly, who is the consul general from
5 Guyana. We have the vice consul general,
6 Ms. Ambrose-Black, from St. Vincent and the
7 Grenadines. Consul General Howie Prince, again
8 from St. Vincent and the Grenadines. Consul
9 General Dalwie, again, St. Vincent and the
10 Grenadines.

11 Then we have Lisa Bryan Smart,
12 Consul General from Jamaica. We know we have
13 some Jamaicans in here. Senator Comrie claims
14 Jamaican heritage.

15 Consul General from Trinidad and
16 Tobago Jerome Andre Laveau.

17 We have the members from the
18 West Indian American Day Carnival Association,
19 who put on the greatest carnival you could ever
20 think of. And anyone who wants to come to
21 Brooklyn on Labor Day, we welcome you. Because
22 the West Indian American Day Carnival Association
23 will show you what the Caribbean culture is like.
24 And anybody who wants to party on the Parkway, on
25 Eastern Parkway, we welcome you to do so. You

1 don't have to be scantily clad, just remember
2 that, to have fun.

3 (Laughter.)

4 SENATOR PERSAUD: But you'll have
5 fun nevertheless. So we have those officers
6 there.

7 And for you who are going to come
8 this evening while we're celebrating to enjoy the
9 music and the food, we have two of our fabulous
10 DJs. You know, we have DJ RedMan and DJ Notta.
11 They're going to be there playing some music or,
12 as Caribbean people will tell you, they're going
13 to be jamming and whining. Just letting you
14 know. And for all of you who have been to the
15 Caribbean, you understand what that means.

16 So to all of our guests, I welcome
17 them. And to all of my colleagues, I encourage
18 you to participate in the rich culture that's the
19 Caribbean culture. It's one people.

20 Thank you, Mr. President.

21 (Applause from the gallery.)

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

24 SENATOR BAILEY: Well, gee, thanks,
25 Roxanne, make the non-Caribbean guy come up after

1 all of that.

2 (Laughter.)

3 SENATOR BAILEY: I am a proud
4 member of the NCC, the Non-Caribbean Caucus.

5 (Laughter.)

6 SENATOR BAILEY: Or some people
7 call us the RBC, Regular Black Caucus.

8 (Laughter.)

9 SENATOR BAILEY: But it is -- this
10 is one of the good fights that we have in the
11 caucus -- in the chamber, arguing about how many
12 amazing people of Caribbean descent that we have
13 in our districts. And for the record, I have the
14 most Jamaicans in my district, just to let you
15 all know. Sorry, Roxie. Sorry, KP. We might
16 have the same color jacket on, but we differ in
17 that today.

18 I've grown up in a predominantly
19 Caribbean neighborhood my entire life, and I've
20 always been considered to be Caribbean-adjacent.
21 Right? My last name is Bailey, which is a
22 relatively common Caribbean name. So my brothers
23 and sisters from Antigua and from Barbuda and
24 from Jamaica, they'll ask me, "Brother Bailey,
25 are you -- what parish are you from?" And, you

1 know, growing up in a Caribbean neighborhood, you
2 know about the parish system. And I'm tempted to
3 tell them where like my chief of staff Jason is
4 from; I want to say Westmoreland in Jamaica. But
5 I'm from -- my family is from Johnson County,
6 North Carolina.

7 And I claim no Caribbean heritage,
8 but I love my Caribbean family. And my Caribbean
9 family -- and I say that with so much love and
10 deference because I've been embraced by the
11 Caribbean community. My church, Baltimore United
12 Methodist Church, has generally always been
13 pastored by somebody of Caribbean descent. The
14 congregation of the church is mostly Caribbean.
15 Again, they've embraced me and they've taught me
16 so many things about not just the food that we
17 talk about -- the jerked chicken and rice and
18 peas and the oxtail gravy on the side. Oxtail
19 gravy is the greatest thing, because sometimes
20 you get a surprise piece of oxtail in your jerked
21 chicken.

22 But it's so important to talk about
23 how vibrant Caribbean folks are, how, as you
24 said, Senator Persaud -- and that's the most I've
25 ever heard you talking in my whole life -- about

1 how Caribbean folks, they come from the island of
2 origin and they are determined they will not be
3 stopped in making a path forward for them and
4 their families. They will not be stopped. We
5 can all learn a thing or two about our brothers
6 and sisters from the Caribbean, whether they be
7 from Jamaica, Trinidad and Tobago, Antigua,
8 Puerto Rico, the Dominican Republic. I'm not
9 going to name every country, because you're going
10 to get yourself in trouble like that, so I'm
11 going to stop there.

12 And it's important that, yes, we
13 talk about each district has this. But we have
14 63 great Senate districts and 63 districts full
15 of great Caribbean folks. I hope.

16 (Laughter.)

17 SENATOR BAILEY: But at the end of
18 the day I want us to look at this celebration of
19 Caribbean heritage as an exercise in
20 togetherness. Whether you like callaloo or
21 collard greens, we're all brothers and sisters.
22 Whether you like baccalá or you call it salt
23 fish, we eating the same thing, my brothers and
24 sisters.

25 Culture should be utilized as a tool

1 to unify us as opposed to divide us, because we
2 always will have far more in common than we will
3 apart.

4 So I salute all of the great folks
5 that have come up to our state's Capitol to be
6 celebrated by all of us, from Caribbean descent
7 or not. And I love my 36th Senatorial District,
8 but most importantly, I love my brothers and
9 sisters from the Caribbean.

10 Thank you, Mr. President.

11 ACTING PRESIDENT BENJAMIN: Senator
12 Myrie on the resolution.

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

15 My colleague Senator Persaud said
16 you do not have to be scantily dressed for the
17 Labor Day Parade. I make no promises on my
18 attire or my behavior for this Labor Day Parade
19 upcoming this year.

20 (Laughter.)

21 SENATOR MYRIE: I represent Central
22 Brooklyn, like many of my colleagues here, what I
23 believe to be the capital of the Caribbean. And
24 it is with great pride that we represent Central
25 Brooklyn, because of our Caribbean heritage and

1 our Caribbean prevalence.

2 I wanted to speak very briefly to
3 the power of the immigrant story of our Caribbean
4 people. I think oftentimes when we discuss
5 immigration and the immigrant story, we leave out
6 our Caribbean brothers and sisters. And my mom
7 and my dad came from the Caribbean to Brooklyn,
8 worked in a factory to put food on the table.
9 And the only reason that I am standing in this
10 chamber today is because of that Caribbean
11 immigration story.

12 So yes, we enjoy stewed peas soup
13 and oxtail and Triple 9 Radio, but we also speak
14 to the power of coming to this country and
15 working hard and becoming great. I want to
16 uphold our Caribbean brothers and sisters today
17 and throughout this month as we celebrate the
18 amazing heritage of our Caribbean people.

19 It is with great honor and it is
20 with great pride that I represent Central
21 Brooklyn, and I look forward to seeing all of you
22 at the Labor Day Parade this September.

23 Thank you, Mr. President.

24 ACTING PRESIDENT BENJAMIN: As a
25 proud member, as a very proud member of the

1 Guyanese Caucus and of Jamaican descent, I
2 welcome you on behalf of the Senate. We extend
3 to you all of the privileges and courtesies of
4 this house. Please all rise and be recognized.

5 (Standing ovation.)

6 ACTING PRESIDENT BENJAMIN: The
7 resolution was previously adopted on April 30th.
8 Senator Gianaris.

9 SENATOR GIANARIS: Mr. President,
10 it's time for Resolution 1876, by Senator
11 Montgomery. Please read its title only and
12 recognize Senator Montgomery.

13 ACTING PRESIDENT BENJAMIN: The
14 Secretary will read.

15 THE SECRETARY: Senate Resolution
16 1876, by Senator Montgomery, congratulating
17 Michelle George upon the occasion of her
18 retirement after 30 years of distinguished
19 service to Community Board No. 8, Brooklyn,
20 New York.

21 ACTING PRESIDENT BENJAMIN: Senator
22 Montgomery on the resolution.

23 SENATOR MONTGOMERY: Yes, thank
24 you, Mr. President.

25 I rise to recognize actually two

1 women from the 25th Senate District, women that I
2 refer to as Women of Distinction today. And
3 these are women who as you know, for those of us
4 who spend so much of our time here trying do the
5 people's business for the state, they're people
6 in our districts who serve all of us as leaders
7 of -- what the New York City Constitution refers
8 to as the community board leaders. And those are
9 people that we rely on to make sure that our
10 communities are protected and that the business
11 of the people in our communities continues.

12 So today I am honoring two women,
13 both of whom have been serving on one of the
14 community boards in my district, Community Board
15 8, which covers a part of my district that is
16 Crown Heights and Prospect Heights.

17 The president of that community
18 board, who is now retiring from that position, is
19 Nizjoni Granville. And Ms. Granville has been
20 for the last 20 years a member of her community
21 board. And in the last 10 years, she has served
22 as chair of that board.

23 And those of us who are familiar
24 with that part of Brooklyn, it is one of the most
25 dramatically gentrifying areas in the City of

1 New York. And in that process, there are so many
2 complex issues that community board members and
3 the community have to make, so many conversations
4 that they are engaged in on a weekly basis and a
5 monthly basis that involve very, very difficult
6 decision-making as it relates to the board.

7 So this particular Board 8 and this
8 particular chair, Ms. Granville, has been, as
9 chair of that board, very, very significant. She
10 is a quiet and steadfast but no nonsense leader.
11 She is very, very fair, however, so that
12 everyone's voice is heard. And in the debates,
13 many of which become very contentious, she in her
14 quiet way is able to navigate these kinds of
15 issues and conversations so that those people in
16 the community are able to eventually come
17 together and agree on issues that many times may
18 seem impossible, bridges that may seem impossible
19 to cross.

20 So this is the kind of leader that
21 Ms. Granville has been for the last 10 years. I
22 personally am very -- I hate to see her leave as
23 chair, but I know that she will continue to be
24 active.

25 And by the way, she is not only

1 accomplished as a great leader in her community,
2 but personally she, in addition to working for
3 her community, has been able to work and receive
4 two master's degrees, one in transportation
5 management and a master's degree in public
6 administration.

7 So we thank her.

8 And along with her and by her side
9 and carrying out the business while Ms. Granville
10 is -- her position is an unpaid position -- is
11 Michelle George, who is the person who has served
12 as district manager along with Ms. Granville, has
13 been the one to interpret very complex issues
14 related to zoning, related to land use, all of
15 those things, especially related to economic
16 development issues, education issues. She's been
17 doing the work on a day-to-day basis for the last
18 10 years at least, along with Ms. Granville, and
19 after having served for 30 years as a member of
20 Community Board 8.

21 So to these two women, I say to
22 Michelle George, who is the district manager of
23 Board 8 in Brooklyn, and to Ms. Granville, who
24 has served as chair of Board 8 in Brooklyn, as
25 they retire from their positions, I want to say,

1 as it says in our resolution, that for the
2 services of these women -- it is rare indeed for
3 us to have an occurrence to honor such women, who
4 are compassionate, blending their strength, their
5 leadership, their intellect and their commitment
6 that they have demonstrated.

7 We are grateful, thankful, and these
8 truly are pillars of our community. And as I say
9 today, I honor them both as Women of Distinction.

10 Thank you, Mr. President, for giving
11 me an opportunity.

12 ACTING PRESIDENT BENJAMIN: The
13 question is on the resolution. All in favor
14 signify by saying aye.

15 (Response of "Aye.")

16 ACTING PRESIDENT BENJAMIN: Oh,
17 wait, Senator Myrie on the resolution.

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

20 I just want to quickly join my
21 colleague Senator Montgomery in honoring those
22 two public servants.

23 Elected officials oftentimes get the
24 accolades, but we know that it's the folks on the
25 ground, particularly our folks on the community

1 boards, that are really driving the change and
2 are really directing the community.

3 So I want to give a very special
4 recognition to Ms. Granville and Ms. George for
5 their years of service to Community Board 8. I
6 have the privilege of representing Community
7 Board 8.

8 And I look forward to their next
9 steps. They have done so much for the Crown
10 Heights community, and we are glad to honor them
11 today in our chamber.

12 Thank you, Mr. President.

13 ACTING PRESIDENT BENJAMIN: Senator
14 Gounardes on the resolution.

15 SENATOR GOUNARDES: Thank you,
16 Mr. President. I want to thank Senator
17 Montgomery for bringing this resolution.

18 In my prior capacity before joining
19 this chamber, I was the counsel to the Brooklyn
20 borough president, so I had the opportunity and
21 the occasion to work with all of Brooklyn's
22 community boards, all 18 boards. And
23 Ms. Granville and Michelle George really are two
24 exemplary public servants, not only in their own
25 community in Crown Heights and in the boundaries

1 of CB 8, but across all of Brooklyn.

2 And I always found them to be
3 steadfast, diligent, thoughtful and caring about
4 the work that they put into their jobs every
5 single day. And I distinctly just have
6 memories -- Ms. Granville in particular would
7 never miss a borough board meeting, she'd be
8 there every single time that I called or had a
9 question, or she'd leave me a voicemail when she
10 had an issue that she was dealing with at the
11 board.

12 And she was such a terrific person
13 to work with, and I wish her the very best as she
14 retires from her community board service, as well
15 as Michelle George, who helped steer Community
16 Board 8 for many, many years.

17 And I thank Senator Montgomery again
18 for bringing this resolution, and I commend both
19 of these Women of Distinction.

20 ACTING PRESIDENT BENJAMIN: The
21 question is on the resolution. All in favor
22 signify by saying aye.

23 (Response of "Aye.")

24 ACTING PRESIDENT BENJAMIN:
25 Opposed?

1 (No response.)

2 ACTING PRESIDENT BENJAMIN: The
3 resolution is adopted.

4 Senator Gianaris.

5 SENATOR GIANARIS: Can we now move
6 to Senate Resolution 1875, also by Senator
7 Montgomery, read its title only, and recognize
8 Senator Montgomery.

9 ACTING PRESIDENT BENJAMIN: The
10 Secretary will read.

11 THE SECRETARY: Senate Resolution
12 1875, by Senator Montgomery, congratulating
13 Nizjoni Granville upon the occasion of her
14 retirement after 10 years of distinguished
15 service as Chairperson of Community Board No. 8,
16 Brooklyn, New York.

17 ACTING PRESIDENT BENJAMIN: The
18 question is on the resolution. All in favor
19 signify by saying aye.

20 (Response of "Aye.")

21 ACTING PRESIDENT BENJAMIN:
22 Opposed?

23 (No response.)

24 ACTING PRESIDENT BENJAMIN: The
25 resolution is adopted.

1 Senator Gianaris.

2 SENATOR GIANARIS: Okay, can we
3 please open for cosponsorship all the resolutions
4 that were taken up today.

5 ACTING PRESIDENT BENJAMIN: The
6 resolutions are open for cosponsorship. Should
7 you choose not to be a cosponsor of the
8 resolutions, please notify the desk.

9 Senator Gianaris.

10 SENATOR GIANARIS: Can we now
11 return to reports of standing committees. I
12 believe there's a report of the Rules Committee
13 at the desk.

14 ACTING PRESIDENT BENJAMIN: There
15 is a report of the Rules Committee 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 183A, by
21 Senator Serrano, an act to amend the Parks,
22 Recreation and Historic Preservation Law;

23 Senate Print 849, by
24 Senator Benjamin, an act to amend the
25 Criminal Procedure Law;

1 Senate Print 1405, by
2 Senator Carlucci, an act to amend the
3 General Business Law;
4 Senate Print 1640, by Senator
5 Brooks, an act to amend the Navigation Law;
6 Senate Print 1678, by Senator
7 Skoufis, an act to amend the Insurance Law;
8 Senate Print 1687, by
9 Senator Brooks, an act to establish the Real
10 Property Tax Relief for Public Education
11 Task Force;
12 Senate Print 1866B, by
13 Senator Breslin, an act to amend the Retirement
14 and Social Security Law;
15 Senate Print 1925B, by
16 Senator Krueger, an act to amend the Vehicle and
17 Traffic Law;
18 Senate Print 2201, by
19 Senator Bailey, an act to amend the Election Law;
20 Senate Print 2394, by
21 Senator Breslin, an act to amend the State
22 Finance Law and the General Municipal Law;
23 Senate Print 2779A, by
24 Senator Comrie, an act to amend the
25 Public Authorities Law;

1 Senate Print 3112, by
2 Senator Akshar, an act to amend Chapter 125 of
3 the Laws of 2017;

4 Senate Print 3233, by
5 Senator Savino, an act to amend the Penal Law and
6 the Vehicle and Traffic Law;

7 Senate Print 3378, by
8 Senator Gounardes, an act to amend the
9 Civil Service Law and the Administrative Code of
10 the City of New York;

11 Senate Print 3428, by
12 Senator Salazar, an act to establish a commission
13 to be known as the New York State Temporary
14 Commission on the Threat of Rising Oceans;

15 Senate Print 3447, by
16 Senator Stavisky, an act to amend the
17 Election Law and the Education Law;

18 Senate Print 3466, by
19 Senator Griffo, an act to amend the Highway Law;

20 Senate Print 3478, by
21 Senator Carlucci, an act to amend the
22 Real Property Tax Law;

23 Senate Print 3645A, by
24 Senator Kennedy, an act to amend the Tax Law;

25 Senate Print 3654, by

1 Senator Salazar, an act to amend the
2 General Business Law;

3 Senate Print 3813, by
4 Senator Kaplan, an act to amend the Retirement
5 and Social Security Law;

6 Senate Print 3874A, by
7 Senator Mayer, an act to amend the Vehicle and
8 Traffic Law;

9 Senate Print 3875, by Senator Mayer,
10 an act to amend the Education Law;

11 Senate Print 3929, by
12 Senator Seward, an act to amend the Vehicle and
13 Traffic Law;

14 Senate Print 3959C, by
15 Senator Brooks, an act to amend the Agriculture
16 and Markets Law;

17 Senate Print 3965, by
18 Senator Kennedy, an act to amend the Vehicle and
19 Traffic Law;

20 Senate Print 4119, by Senator Liu,
21 an act to amend the Public Health Law;

22 Senate Print 4171A, by
23 Senator Martinez, an act to amend the Penal Law;

24 Senate Print 4229A, by
25 Senator Breslin, an act to amend the

1 Social Services Law;

2 Senate Print 4256, by
3 Senator Carlucci, an act to amend the
4 Family Court Act;

5 Senate Print 4270A, by
6 Senator Skoufis, an act to amend the
7 Correction Law;

8 Senate Print 4325, by
9 Senator Sepúlveda, an act to amend the
10 Environmental Conservation Law;

11 Senate Print 4337, by Senator
12 Serrano, an act to amend the General City Law;

13 Senate Print 4448, by
14 Senator Persaud, an act to amend Chapter 658 of
15 the Laws of 2002;

16 Senate Print 4499, by
17 Senator Harckham, an act to amend the
18 Mental Hygiene Law;

19 Senate Print 4522, by
20 Senator Gounardes, an act to amend the
21 Vehicle and Traffic Law;

22 Senate Print 4536, by
23 Senator Parker, an act to amend the
24 Domestic Relations Law and the Family Court Act;

25 Senate Print 4585, by

1 Senator Sanders, an act to amend the
2 Real Property Tax Law;

3 Senate Print 4839, by
4 Senator Seward, an act to amend the Town Law;

5 Senate Print 4913, by
6 Senator Gounardes, an act to provide for the
7 payment of the annual contributions owed and to
8 be owed on behalf of the New York City Off-Track
9 Betting Corporation;

10 Senate Print 4931, by
11 Senator Sanders, an act to amend the Banking Law;

12 Senate Print 4944A, by
13 Senator Boyle, an act to amend the Town Law;

14 Senate Print 4972, by Senator
15 Rivera, an act to amend the Public Health Law;

16 Senate Print 4990A, by Senator
17 Biaggi, an act to amend the Social Services Law;

18 Print 5121A, by Senator Carlucci, an
19 act to amend the Mental Hygiene Law;

20 Senate Print 5214A, by
21 Senator Brooks, an act to direct the Division of
22 Veterans Services and the Division of the Budget
23 to conduct a study on veterans services provided
24 to residents of the state;

25 Senate Print 5480, by Senator

1 Rivera, an act to amend the Public Health Law;
2 Senate Print 5500, by
3 Senator Carlucci, an act to amend Chapter 329 of
4 the Laws of 2009;

5 Senate Print 6361, by Senator
6 Carlucci, an act to amend the Public Health Law;
7 Senate Print 6397, by
8 Senator Carlucci, an act to amend the Public
9 Health Law and the Insurance Law.

10 All bills ordered direct to third
11 reading.

12 SENATOR GIANARIS: Move to accept
13 the report of the Rules Committee.

14 ACTING PRESIDENT BENJAMIN: All in
15 favor of accepting the report of the
16 Rules Committee signify by saying aye.

17 (Response of "Aye.")

18 ACTING PRESIDENT BENJAMIN:
19 Opposed, nay.

20 (No response.)

21 ACTING PRESIDENT BENJAMIN: The
22 Rules Committee report is accepted.

23 SENATOR GIANARIS: Can we now take
24 up the reading of the calendar.

25 ACTING PRESIDENT BENJAMIN: The

1 Secretary will read.

2 THE SECRETARY: Calendar Number 120,
3 Assembly Print Number 3245A, substituted earlier
4 by Assemblymember Dinowitz, an act to amend the
5 Public Service Law.

6 ACTING PRESIDENT BENJAMIN: Read
7 the last section.

8 THE SECRETARY: Section 2. This
9 act shall take effect on the 120th day after it
10 shall have become a law.

11 ACTING PRESIDENT BENJAMIN: Call
12 the roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BENJAMIN:
15 Announce the results.

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT BENJAMIN: The
18 bill is passed.

19 THE SECRETARY: Calendar Number
20 193, Senate Print 3062, by Senator Ortt, an act
21 to amend the Labor Law.

22 ACTING PRESIDENT BENJAMIN: Read
23 the last section.

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

1 ACTING PRESIDENT BENJAMIN: Call
2 the roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BENJAMIN:
5 Announce the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT BENJAMIN: The
8 bill is passed.

9 THE SECRETARY: Calendar Number
10 247, Assembly Print Number 7080A, substituted
11 earlier by Assemblymember Jacobson, an act to
12 amend the Insurance 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:
21 Announce the results.

22 THE SECRETARY: Ayes, 62.

23 ACTING PRESIDENT BENJAMIN: The
24 bill is passed.

25 THE SECRETARY: Calendar Number

1 508, Senate Print 4272, by Senator Carlucci, an
2 act to amend the Mental Hygiene Law.

3 ACTING PRESIDENT BENJAMIN: Read
4 the last section.

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

7 ACTING PRESIDENT BENJAMIN: Call
8 the roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BENJAMIN:
11 Announce the results.

12 THE SECRETARY: Ayes, 62.

13 ACTING PRESIDENT BENJAMIN: The
14 bill is passed.

15 THE SECRETARY: Calendar Number
16 538, Senate Print 4277A, by Senator Harckham, an
17 act to amend the Public Health Law.

18 ACTING PRESIDENT BENJAMIN: Read
19 the last section.

20 THE SECRETARY: Section 3. This
21 act shall take effect on the 120th 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 Gallivan to explain his vote.

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

5 We have seen over the last number of
6 years the problems opioids have inflicted upon
7 our society. And to our credit, this body
8 has worked very hard to do many different things
9 about it. And we're making gains on it. And
10 obviously we have more work to do.

11 And I commend the sponsor for
12 tackling this issue and joining with so many
13 other members of this house that continue to try
14 to do what we can.

15 But in this particular case I'll be
16 voting against this legislation for really a
17 simple reason, in that I believe the bill is
18 largely duplicative and it places an undue burden
19 on physicians, who already face limited patient
20 interaction time due to other administrative
21 constraints.

22 Currently a patient is supposed to
23 get -- on three different occasions gets this
24 type of information about what medicine is going
25 to be prescribed, what it does, and what the

1 dangers are. Physicians currently practice
2 informed consent, which means if a patient needs
3 treatment, the physician gives the patient the
4 information to make an informed decision.

5 Several years ago we passed the
6 I-STOP legislation, and that required, after the
7 physician prescribed the medication, that
8 pharmacists are required to again inform the
9 patient about the risks of taking a controlled
10 substance.

11 And then lastly, in Chapter 1 of the
12 Laws of 2016, we again passed legislation that
13 was signed into law that required information to
14 be provided to pharmacies throughout the state by
15 the Department of Health that is then required to
16 be distributed to the patient with each
17 prescription for a controlled substance. And the
18 information given includes, among other things,
19 the risk of the controlled substance, the
20 physical, behavioral and advanced warning signs
21 of addiction, the help line contact information
22 number, procedures for safe disposal, and other
23 information that the commissioner of the
24 Department of Health deems necessary.

25 We have to continue, I believe, as a

1 body to address the issues that the abuse of
2 opioids has put upon all of our society. And
3 it's good that we continue to pay attention. But
4 I don't believe that this bill is necessary, and
5 that it's duplicative, and I'll be voting in the
6 negative.

7 Thank you.

8 ACTING PRESIDENT BENJAMIN: Senator
9 Gallivan to be recorded in the negative.

10 Senator Harckham to explain his
11 vote.

12 SENATOR HARCKHAM: Thank you,
13 Mr. Chairman.

14 As we've approached this crisis --
15 and it is a crisis -- we've asked every sector to
16 do more, to step up and do more. We've asked the
17 insurance companies to double the amount of
18 treatment they will cover and reduce the number
19 of copays. We're asking treatment providers to
20 do more with Stephen's Law. We're asking the
21 state to do more. Later today we'll be passing
22 legislation requiring the Department of
23 Corrections to do more. We've asked Medicaid to
24 do more. So it is only fit that we ask doctors
25 to do more.

1 You know, many communities
2 unfortunately have had a heroin epidemic for
3 years and years and years. But what contributed
4 to exploding this epidemic was the mismarketing
5 and in some cases misprescribing of opioid
6 painkillers. This law sets a baseline for
7 physicians.

8 You know, we heard about what
9 information people receive when they get the
10 prescription. This happens, and this information
11 and this conversation needs to happen beforehand.
12 This is not new. This is based on a law in
13 New Jersey. The sky is not falling in
14 New Jersey. In fact, this is a good conversation
15 that we need to foster between doctor and patient
16 or doctor and the patient's parents, depending on
17 the age.

18 And we think that this is a
19 reasonable baseline so that before people get a
20 prescription, they have a choice, because they
21 know the risks and they know the alternatives.

22 I vote in the affirmative,
23 Mr. Chairman.

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

1 Senator Carlucci to explain his
2 vote.

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

5 I want to thank Senator Harckham for
6 putting this bill forward. And I think we have
7 to remember that unfortunately, even though we
8 have moved legislation -- and we're going to
9 continue to move legislation today -- we have to
10 do everything we can. And like the Senator said,
11 it takes everyone, all hands on deck.

12 We have to remember that
13 unfortunately every day in the United States
14 130 people die from an opioid overdose. Each day
15 we have over a thousand emergency room visits,
16 opioid-related.

17 So this legislation is essential.
18 We have to make sure that our doctors are having
19 these conversations with their patients before
20 they prescribe this medicine that could kill
21 them.

22 So this is an important step. I
23 think it's a simple step. It should have been
24 done years ago. I'm thankful that we're doing it
25 here today. So I will be supporting this measure

1 and want to thank the sponsor and all my
2 colleagues for supporting it.

3 Thank you, Mr. President.

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

6 Announce the results.

7 THE SECRETARY: In relation to
8 Calendar 538, those Senators voting in the
9 negative are Senators Antonacci, Flanagan, Funke,
10 Gallivan, Griffio, Helming, Jacobs, Jordan,
11 Little, Ritchie, Serino and Seward.

12 Ayes, 50. Nays, 12.

13 ACTING PRESIDENT BENJAMIN: The
14 bill is passed.

15 THE SECRETARY: Calendar Number
16 543, Senate Print 3186A, by Senator Kennedy, an
17 act in relation to establishing "Brendan's Law."

18 ACTING PRESIDENT BENJAMIN: Read
19 the last section.

20 THE SECRETARY: Section 3. This
21 act shall take effect 24 months after it shall
22 have become a law.

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 543, those Senators voting in the
5 negative are Senators Akshar, Antonacci,
6 Gallivan, Jordan and Ortt.

7 Ayes, 57. Nays, 5.

8 ACTING PRESIDENT BENJAMIN: The
9 bill is passed.

10 THE SECRETARY: Calendar Number
11 600, Senate Print 2161, by Senator Bailey, an act
12 to amend the Correction Law.

13 ACTING PRESIDENT BENJAMIN: Read
14 the last section.

15 THE SECRETARY: Section 4. This
16 act shall take effect on the 120th day after it
17 shall have become a law.

18 ACTING PRESIDENT BENJAMIN: Call
19 the roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT BENJAMIN: Senator
22 Bailey to explain his vote.

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

25 I thank my colleagues that are

1 supporting this legislation.

2 We are in the midst of an opioid
3 crisis, Mr. President. I think that's no
4 surprise to anybody in this chamber, those
5 watching us on TV, or anybody that has seen the
6 scourge of deaths that have happened in our
7 country, in our city and our state due to drugs
8 over the most recent years.

9 It's important to frame this in the
10 context, though, Mr. President, that the opioid
11 crisis is nothing new. It's been happening in
12 many communities for years and years.

13 I'm glad that we are finally,
14 finally coming to a point where we have task
15 forces and we have legislation designed to treat
16 addiction as the health crisis that it is and
17 always has been, instead of calling people
18 junkies, as they colloquially used to be referred
19 to in communities like mine, Mr. President.

20 This bill -- when people are
21 incarcerated that have an addiction, we should be
22 doing everything that we possibly can to wean
23 them off, to allow them to become productive
24 members of society. And I think
25 medication-assisted treatment, I think it's only

1 a logical step in our state.

2 Obviously we don't want individuals
3 to become incarcerated. Just like you said
4 yesterday, Mr. President, speaking about the
5 prison industrial complex, we obviously don't
6 want mass incarceration. We don't want people in
7 the prisons. But if they are incarcerated, we
8 should give them an opportunity to get themselves
9 right, put them back on the track to recovery.

10 And I've spoken to my colleagues on
11 both sides of the aisle who have indicated that
12 they have some concern about the fiscal concerns
13 of this bill, that there are some costs. And
14 depending on what metric or what number you look
15 at -- I believe that some of the statistics that
16 have been given in opposition are slightly
17 overblown. But even if they aren't, even if
18 those statistics are accurate, what is the cost
19 not to do this? The human cost. The human
20 capital.

21 People are suffering every day. And
22 I believe that if we can spend some money --
23 again, I don't want to be fiscally
24 irresponsible -- and if we can spend some money
25 towards doing what's right -- and this is our

1 job, to do what's right, Mr. President -- I think
2 that it's a noble task and a noble cause.

3 I thank my colleagues for their
4 support, and I proudly vote aye on this
5 legislation.

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

8 Senator Akshar to explain his vote.

9 SENATOR AKSHAR: That's
10 interesting, I agree with everything that
11 Senator Bailey just said on this particular bill
12 and agree with him wholeheartedly about the
13 premise of the bill. I think it's incredibly
14 well-intended. I think it's something that we
15 should do.

16 But you and I have had this
17 conversation personally, we've talked about this
18 with other folks. You just made a really good
19 point, and you said "We should spend money to do
20 what's right." We should. I'm sadly voting no
21 for this bill today because of the fiscal
22 implications of the bill. Whether it's the low
23 end of \$12 million, whether it's a high end of
24 \$74 million, as some have suggested -- whatever
25 the number is, we should land on it, and then we

1 in this house should fund it.

2 We've done a very good job in
3 starting to do that: Last year, \$3.8 million,
4 this year, \$4.8 million. We're well on our way.
5 But whatever that number is, if it's 12, if it's
6 74, if we truly believe that this is the right
7 thing to do, then we in this house -- and get our
8 partners in the other house -- should fund it.
9 We shouldn't pass this cost on to our counties
10 and other people.

11 So sadly, today, Mr. President, I'll
12 be voting no for -- the only purpose and the only
13 reason I am voting no is because of the fiscal --
14 the unfunded mandate that we're pushing down on
15 the counties.

16 Thank you, Mr. President.

17 ACTING PRESIDENT BENJAMIN: Senator
18 Akshar to be recorded in the negative.

19 Senator Ranzenhofer to explain his
20 vote.

21 SENATOR RANZENHOFER: I wasn't
22 standing.

23 ACTING PRESIDENT BENJAMIN: Okay.
24 Senator Carlucci to explain his vote.

25 SENATOR CARLUCCI: Thank you,

1 Mr. President.

2 I want to thank Senator Bailey for
3 putting this legislation forward and agree with
4 everything that Senator Bailey had said, because
5 it is so true that we look at this cost and we
6 say it might cost a few million dollars -- and it
7 might cost up to possibly 30 million, depending
8 on who you ask. But we know, the United States,
9 it's costing us about \$70 billion a year because
10 of the opioid crisis.

11 And what I've seen, in talking to
12 professionals and being involved in this issue
13 for many years, is at that critical time when
14 someone is released from incarceration, if
15 they've been suffering with an opioid addiction,
16 that that is the -- that's the danger zone. Once
17 they're released, we've seen the overdoses spike.

18 And if we can get medical-assisted
19 treatment, if we can get buprenorphine,
20 methadone, naltrexone into people's systems, make
21 sure that it's accessible when we know that could
22 be the answer -- if we can get someone Vivitrol
23 when they're incarcerated, we can save their life
24 when they're released. We've seen that over and
25 over again.

1 And we ask ourselves, when people
2 come to us and say, Well, why are you not doing
3 medical-assisted treatment in the jail, in the
4 correction facility? We say "the cost." I mean,
5 come on. We spend billions of dollars on
6 incarcerating people in New York State alone. We
7 had a robust conversation yesterday on the floor
8 talking about incarceration. And we should be
9 talking about, hey, how do we make sure that
10 people are getting rehabilitated and not just
11 incarcerated? You go to our jails and it doesn't
12 take you long to recognize that most of the
13 people there are there somehow related to the war
14 on drugs.

15 And if we are not rehabilitating
16 people in prison and in our jails, we are really
17 missing an opportunity and we are lacking in our
18 responsibility.

19 So this is something that is, again,
20 long overdue. And if we don't enact it, I fear
21 that our communities are going to continue to
22 drag their feet. This has got to be a priority.
23 This legislation will save lives. I want to
24 thank the sponsor for bringing it forward and all
25 my colleagues for supporting it. I look forward

1 to this law being enacted, and I believe it will
2 make a big, big difference.

3 Thank you, Mr. President.

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

6 Senator Sepúlveda to explain his
7 vote.

8 SENATOR SEPÚLVEDA: Thank you,
9 Mr. President, for allowing me to explain my
10 vote.

11 So in this body we talk a lot about
12 costs and expensive programs, but we can't be
13 myopic, and we have to think long term and think
14 as investors when it comes to these kinds of
15 programs.

16 You see, one of the most dangerous
17 periods for incarcerated individuals that are
18 suffering from drug addiction, one of the most
19 dangerous periods of overdose and death comes
20 when they're released, because they're not
21 receiving the medical-assisted treatment in the
22 facilities. The recidivism rate for these
23 individuals is about three times higher than
24 everyone else.

25 When we consider the fact that every

1 incarcerated individual in a facility in New York
2 State costs us in excess of \$150,000 a year, if
3 we're able to provide this type of
4 medical-assisted treatment program and avoid
5 recidivism, get them treatment, get them off the
6 drugs that probably got them into prison in the
7 first place -- and you think about the number of
8 individuals that are in this situation -- I
9 think, in the end, the analysis should be how
10 much money are we going to save with this
11 program.

12 We can't think short-term, we have
13 to think long-term. And if we're going to think
14 about the economic health of this state, then
15 let's think as we do with other programs that we
16 talk about and think about how this is going to
17 actually save us money in the future.

18 And so thank you, Senator Bailey.
19 This is a long-awaited bill. When I have visited
20 the prisons throughout New York State, a lot of
21 the people that run them tell me that one of the
22 biggest needs that they have is to have medical
23 drug treatment programs so that it will make it
24 easier for them to run the facility and make sure
25 that these individuals that are incarcerated do

1 not come back because of a drug addiction or an
2 offense related to a drug addiction, and there
3 are many for that.

4 So thank you, and I vote
5 affirmatively.

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

8 Senator Krueger to explain her vote.

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

11 I rise to support this bill,
12 thanking Senator Bailey for such a progressive,
13 proactive bill, as part of a package of bills
14 that multiple of my colleagues are bringing to us
15 today.

16 I want to address the fiscal costs.
17 I'm hoping soon to bring an additional bill to
18 the floor. It would be the legalization of
19 recreational marijuana, the expansion of medical
20 marijuana, and the expansion of the hemp CBD
21 regulation and sales in this state.

22 And if you note, 25 percent of the
23 revenues in my legislation would go to drug
24 treatment and education for prevention of drug
25 abuse. It would provide New York State more

1 money than any state in the country has to
2 address these combined problems of educating
3 young people and adults of the dangers of drug
4 use or drug abuse and investing in exactly the
5 kind of treatment services that we are discussing
6 today.

7 So long term, all of my colleagues
8 are right: We save money when people don't end
9 up addicted or remain addicted to drugs. But
10 frankly, in the very short term, New York State
11 could take an action that would provide us the
12 funds we all think we need to address these
13 problems.

14 So it's a plea for a future vote
15 yes, Mr. President, but I felt a need to bring it
16 up now because I think it addresses many of the
17 concerns I'm hearing from some of my colleagues
18 voting no today.

19 Of course I vote yes. Thank you,
20 Mr. President.

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

23 Senator Sanders to explain his vote.

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

1 At a time like this I am reminded of
2 Benjamin Franklin, who gave us two statements or
3 quotes that we could use, and one of them was "A
4 stitch in time saves nine." Meaning that what we
5 do up-front of prevention will save us a great
6 deal later.

7 Or you could also look at him again,
8 Benjamin Franklin, and say that "Penny wise and
9 pound foolish." The argument against this will
10 save some money, but it will cost you far more in
11 the future. Some money today, you don't do the
12 treatment, but then this person is back and back.
13 Or this person dies or something of that nature.

14 We need to go back to the Poor
15 Richard's Almanac -- Benjamin Franklin again. We
16 need to go back to simpler times and simpler ways
17 where we could look at a situation and say, You
18 know what, why don't we just do something
19 up-front so we don't have to continue to have
20 this problem?

21 I commend Senator Bailey for reading
22 Poor Richard's Almanac. I'm sure he got the idea
23 from that. But wherever he got the idea from,
24 why don't we all join in and just do what makes
25 sense. And in this sense, dollars and cents.

1 Thank you very much, Mr. President.

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

4 Senator Helming to explain her vote.

5 SENATOR HELMING: Thank you,
6 Mr. President. I rise today to explain why I'm
7 voting no on this legislation.

8 Treating substance abuse disorders
9 is a proven and effective way to help
10 rehabilitate an individual, whether they're
11 incarcerated or not. Community-based treatment,
12 programs and services are essential for those
13 suffering with addiction and dependence.

14 However, mandating this treatment
15 for inmates in local correctional facilities
16 places yet another new unfunded mandate on county
17 governments that they just can't afford.
18 Yesterday I talked about Seneca County has the
19 highest suicide rate in the State of New York.
20 They have to make choices every single time we
21 push down an unfunded mandate on what programs to
22 cut or to raise taxes. But in a poor rural
23 community like Seneca County, that's not an
24 option.

25 So unfortunately, I am voting no. I

1 think the premise is good. But I think, if this
2 is such a priority, that we ought to fund the
3 program.

4 Thank you, Mr. President.

5 ACTING PRESIDENT BENJAMIN: Senator
6 Helming to be recorded in the negative.

7 Announce the results.

8 THE SECRETARY: In relation to
9 Calendar Number 600, those Senators voting in the
10 negative are Senators Akshar, Amedore, Antonacci,
11 Funke, Gallivan, Griffio, Helming, Jacobs, Jordan,
12 Lanza, Martinez, Ortt, Ranzenhofer, Ritchie,
13 Serino, Seward and Tedisco. Also Senator Robach.

14 Ayes, 44. Nays, 18.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

17 THE SECRETARY: Calendar Number
18 699, Assembly Number 2653A, substituted earlier
19 by Assemblymember Dinowitz, an act to amend the
20 General Obligations Law.

21 ACTING PRESIDENT BENJAMIN: Read
22 the last section.

23 THE SECRETARY: Section 2. This
24 act shall take effect on the 180th 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:
5 Announce the results.

6 THE SECRETARY: In relation to
7 Calendar Number 699, those Senators voting in the
8 negative are Senators Akshar, Amedore, Antonacci,
9 Helming, Jacobs, Jordan, Lanza, Serino and
10 Tedisco.

11 Ayes, 53. Nays, 9.

12 ACTING PRESIDENT BENJAMIN: The
13 bill is passed.

14 THE SECRETARY: Calendar Number
15 784, Senate Print 5666B, by Senator Benjamin, an
16 act to amend the Public Authorities Law.

17 ACTING PRESIDENT BENJAMIN: Read
18 the last section.

19 THE SECRETARY: Section 4. 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, 62.

2 ACTING PRESIDENT BENJAMIN: The
3 bill is passed.

4 THE SECRETARY: Calendar Number
5 790, Senate Print 3994, by Senator Gaughran, an
6 act to amend the Village 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:
15 Announce the results.

16 THE SECRETARY: In relation to
17 Calendar Number 790, voting in the negative:
18 Senator Ranzenhofer.

19 Ayes, 61. Nays, 1.

20 ACTING PRESIDENT BENJAMIN: The
21 bill is passed.

22 THE SECRETARY: Calendar Number
23 794, Senate Print 4676A, by Senator Kavanagh, an
24 act to amend the Real Property Tax Law.

25 SENATOR GRIFFO: Lay it aside.

1 SENATOR GIANARIS: Lay it aside for
2 the day.

3 ACTING PRESIDENT BENJAMIN: Lay it
4 aside for the day.

5 THE SECRETARY: Calendar Number
6 851, Senate Print 272, by Senator Benjamin, an
7 act to amend the Retirement and Social Security
8 Law.

9 ACTING PRESIDENT BENJAMIN: Read
10 the last section.

11 THE SECRETARY: Section 7. This
12 act shall take effect on the 60th day after it
13 shall have become a law.

14 ACTING PRESIDENT BENJAMIN: Call
15 the roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BENJAMIN:
18 Announce the results.

19 THE SECRETARY: In relation to
20 Calendar Number 851, voting in the negative:
21 Senator Akshar.

22 Ayes, 61. Nays, 1.

23 ACTING PRESIDENT BENJAMIN: The
24 bill is passed.

25 THE SECRETARY: Calendar Number

1 861, Senate Print 4118C, by Senator Liu, an act
2 to amend the Administrative Code of the City of
3 New York.

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:
12 Announce the results.

13 THE SECRETARY: In relation to
14 Calendar Number 861, those Senators voting in the
15 negative are Senators Akshar, Amedore, Antonacci,
16 Griffo, Lanza, Ortt, Ranzenhofer and Seward.

17 Ayes, 54. Nays, 8.

18 ACTING PRESIDENT BENJAMIN: The
19 bill is passed.

20 THE SECRETARY: Calendar Number
21 883, Senate Print 4131, by Senator Kavanaugh, an
22 act to amend the Private Housing Finance Law.

23 ACTING PRESIDENT BENJAMIN: Read
24 the last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 120th 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: Ayes, 62.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 893, Senate Print 1588, by Senator Sanders, an
13 act to amend the Administrative Code of the City
14 of New York.

15 ACTING PRESIDENT BENJAMIN: Read
16 the last section.

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

19 ACTING PRESIDENT BENJAMIN: Call
20 the roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BENJAMIN:
23 Announce the results.

24 THE SECRETARY: Ayes, 62.

25 ACTING PRESIDENT BENJAMIN: The

1 bill is passed.

2 THE SECRETARY: Calendar Number
3 897, Senate Print 3041, by Senator Sanders, an
4 act to amend the Social Services Law.

5 ACTING PRESIDENT BENJAMIN: Read
6 the last section.

7 THE SECRETARY: Section 2. This
8 act shall take effect on the 90th day after it
9 shall have become a law.

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, 62.

16 ACTING PRESIDENT BENJAMIN: The
17 bill is passed.

18 THE SECRETARY: Calendar Number
19 916, Senate Print 1577, by Senator Gallivan, an
20 act granting retroactive membership in the
21 New York State and Local Employees' Retirement
22 System.

23 ACTING PRESIDENT BENJAMIN: There
24 is a home-rule message at the desk.

25 Read the last section.

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

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: Ayes, 62.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 926, Senate Print 5763A, by Senator Skoufis, an
13 act to amend the Retirement and Social Security
14 Law.

15 ACTING PRESIDENT BENJAMIN: Read
16 the last section.

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

19 ACTING PRESIDENT BENJAMIN: Call
20 the roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BENJAMIN:
23 Announce the results.

24 THE SECRETARY: Ayes, 62.

25 ACTING PRESIDENT BENJAMIN: The

1 bill is passed.

2 THE SECRETARY: Calendar Number
3 933, Senate Print 4207A, by Senator Metzger, an
4 act to amend the General Municipal Law.

5 ACTING PRESIDENT BENJAMIN: Read
6 the last section.

7 THE SECRETARY: Section 3. 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: Ayes, 62.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

17 THE SECRETARY: Calendar Number
18 953, Senate Print 2839, by Senator Kaplan, an act
19 to amend the State Administrative Procedure Act.

20 ACTING PRESIDENT BENJAMIN: Read
21 the last section.

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

24 ACTING PRESIDENT BENJAMIN: Call
25 the roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BENJAMIN:

3 Announce the results.

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT BENJAMIN: The
6 bill is passed.

7 THE SECRETARY: Calendar Number
8 955, Assembly Number 7131, substituted earlier by
9 Assemblymember Peoples-Stokes, an act to amend
10 the Alcoholic Beverage Control Law.

11 ACTING PRESIDENT BENJAMIN: Read
12 the last section.

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

15 ACTING PRESIDENT BENJAMIN: Call
16 the roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BENJAMIN:

19 Announce the results.

20 THE SECRETARY: Ayes, 62.

21 ACTING PRESIDENT BENJAMIN: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 958, Senate Print 5675, by Senator Akshar, an act
25 to amend the Alcoholic Beverage Control Law.

1 ACTING PRESIDENT BENJAMIN: Read
2 the last section.

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

5 ACTING PRESIDENT BENJAMIN: Call
6 the roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BENJAMIN:
9 Announce the results.

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT BENJAMIN: The
12 bill is passed.

13 THE SECRETARY: Calendar Number
14 962, Senate Print 1852, by Senator Jacobs, an act
15 to amend the Alcoholic Beverage Control Law.

16 ACTING PRESIDENT BENJAMIN: Read
17 the last section.

18 THE SECRETARY: Section 3. 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: Ayes, 62.

1 ACTING PRESIDENT BENJAMIN: The
2 bill is passed.

3 THE SECRETARY: Calendar Number
4 972, Senate Print 5922, by Senator Salazar, an
5 act to amend the Public Buildings Law.

6 ACTING PRESIDENT BENJAMIN: Read
7 the last section.

8 THE SECRETARY: Section 2. This
9 act shall take effect on the 90th day after it
10 shall have become a law.

11 ACTING PRESIDENT BENJAMIN: Call
12 the roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BENJAMIN:
15 Announce the results.

16 THE SECRETARY: In relation to
17 Calendar Number 972, those Senators voting in the
18 negative are Senators Amedore and Ortt.

19 Ayes, 60. Nays, 2.

20 ACTING PRESIDENT BENJAMIN: The
21 bill is passed.

22 THE SECRETARY: Calendar Number
23 989, Senate Print 5145, by Senator Rivera, an act
24 to amend the Insurance Law.

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: Senator
8 May to explain her vote.

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

11 I'm very pleased to vote aye on this
12 bill, and I thank Senator Rivera for bringing
13 this bill forward.

14 Someday we will have single-payer
15 healthcare in New York and we won't need
16 navigators to help us through the complexities of
17 health insurance coverage in New York. But in
18 the meantime, it is really important that we make
19 sure that people understand what their insurance
20 options are and how to get the best ones for
21 them.

22 And so I thank you for putting this
23 bill together, and I vote aye.

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

1 Announce the results.

2 THE SECRETARY: In relation to
3 Calendar Number 989, voting in the negative:
4 Senator Seward.

5 Ayes, 61. Nays, 1.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 1017, Senate Print 5807A, by Senator Martinez, an
10 act to amend the Agriculture and Markets Law.

11 ACTING PRESIDENT BENJAMIN: Read
12 the last section.

13 THE SECRETARY: Section 3. This
14 act shall take effect on the 180th 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:
20 Announce the results.

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT BENJAMIN: The
23 bill is passed.

24 THE SECRETARY: Calendar Number
25 1028, Senate Print 6145, by Senator Kaminsky, an

1 act to amend the Environmental Conservation Law.

2 ACTING PRESIDENT BENJAMIN: Read
3 the last section.

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

6 ACTING PRESIDENT BENJAMIN: Call
7 the roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BENJAMIN: Senator
10 Kaminsky to explain his vote.

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

13 Of late there's been some disturbing
14 news throughout our state, particularly on
15 Long Island. Three schools had to close their
16 gymnasiums because of the presence of mercury
17 vapor being emitted by the old gymnasium floors.

18 This is very troubling. And
19 unfortunately, I think we could all give a pretty
20 educated guess that this will be the tip of the
21 iceberg. Yesterday the State Education
22 Department sent guidance to all schools asking
23 them to inventory their gym flooring so we know
24 how pervasive this problem is. And hopefully,
25 soon after there will be a plan to do it.

1 But here's why this bill is
2 important and we're taking steps really as
3 quickly as we can to address the issue.

4 First, this bill will prohibit the
5 installation of mercury flooring -- flooring
6 containing mercury in schools going forward. So
7 any flooring like the one that was previously
8 sold can no longer be done.

9 More important, right now there's no
10 standard for how much mercury vapor is allowed to
11 be present in the atmosphere in our schools,
12 around our children, around our physical
13 education teachers. That's very problematic.
14 This will finally set a standard -- borrowed from
15 another state -- as to how much mercury vapor is
16 allowed.

17 I fear that we are at the very
18 beginning of a problem for the health of some of
19 our schoolchildren. I hope it is not as
20 widespread as some may fear. But whatever it is,
21 we have to be prepared to tackle it and have the
22 tools to do so. This bill will help us do that.

23 Thank you to the Majority Leader for
24 adding this to the calendar.

25 And Mr. President, I vote aye.

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

3 Senator Brooks to explain his vote.

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

6 As Senator Kaminsky said, three
7 schools on Long Island were found to have the
8 presence of mercury. I have two of them.

9 I think it's important that we get
10 on top of this situation as soon as we can. I
11 thank him for introducing this bill, and I'll be
12 voting aye.

13 Thank you.

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

16 Announce the results.

17 THE SECRETARY: Ayes, 62.

18 ACTING PRESIDENT BENJAMIN: The
19 bill is passed.

20 THE SECRETARY: Calendar Number
21 1029, Senate Print 4599, by Senator Parker, an
22 act to amend the Mental Hygiene Law.

23 ACTING PRESIDENT BENJAMIN: Read
24 the last section.

25 THE SECRETARY: Section 2. 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: Ayes, 62.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 1030, Senate Print 5457, by Senator Harckham, an
13 act to amend the Public Health Law.

14 ACTING PRESIDENT BENJAMIN: Read
15 the last section.

16 THE SECRETARY: Section 3. 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, 62.

24 ACTING PRESIDENT BENJAMIN: The
25 bill is passed.

1 THE SECRETARY: Calendar Number
2 1032, Senate Print 3807B, by Senator Thomas, an
3 act to create the Empire State Cricket Task
4 Force.

5 ACTING PRESIDENT BENJAMIN: Read
6 the last section.

7 THE SECRETARY: Section 5. 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 Thomas to explain his vote.

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

16 This bill is very important to a
17 population that loves the sport of cricket. What
18 is cricket, you may ask. Cricket is a bat and
19 ball game placed between two teams of 11 players
20 on a field at the center of which is a 22-yard
21 pitch with a wicket at each end, each comprising
22 two balls balanced on three stumps. The batting
23 side scores runs by striking the ball bowled at
24 the wicket with the bat while the bowling and
25 fielding side tries to prevent this and dismiss

1 each player so they are out. All right? That's
2 the game.

3 This game was actually introduced by
4 the British. It was very popular in America for
5 more than a century. In fact, the modern world's
6 first international sporting event was a cricket
7 match between the U.S. and Canada in 1844,
8 predating the modern Olympic games. Baseball
9 then took over as the popular sport.

10 Fast forward to present day, where
11 New Yorkers struggle to even find a field to play
12 this sport. The United States doesn't have a
13 major team. This means no highlights on ESPN and
14 no giant stadiums to sell out. It's difficult
15 for Americans to get excited about cricket when
16 they can't watch it live or even on television.
17 The few dedicated American followers can watch it
18 online, but very much like football, they are
19 supporting teams from other parts of the world
20 instead of from their home country.

21 That is why I introduced this bill
22 to create a task force to promote the game here
23 in New York. I am hoping the report that they
24 submit will recommend, among other things,
25 introducing cricket into schools and constructing

1 stadiums.

2 The future of cricket is bright for
3 New Yorkers, and in time they can easily adopt
4 the sport and maybe even produce some of the
5 world's top cricketeers.

6 I vote aye. Thank you.

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

9 Senator Sanders to explain his vote.

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

12 To the sponsor, I must make a
13 confession: I've never played cricket in my
14 life. However, I come from a community where
15 many, many people play cricket. I am blessed to
16 have the joyous community of Richmond Hill in my
17 district, so I am absolutely amazed at how
18 vibrant the sport is. And I carried a similar
19 bill for the longest.

20 However, if Senator Thomas is the
21 one who can bat this one in, then I hope he makes
22 a touchdown on this issue. I vote yes. Let's do
23 cricket.

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

1 Announce the results.

2 THE SECRETARY: In relation to
3 Calendar Number 1032, those Senators voting in
4 the negative are Senators Antonacci, Flanagan,
5 Funke, Gallivan, Griffio, Helming, Jacobs, Jordan,
6 Little, Ortt, Ranzenhofer, Ritchie, Robach and
7 Seward.

8 Ayes, 48. Nays, 14.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 1052, Senate Print 5629, by Senator Mayer, an act
13 to amend the Education Law.

14 ACTING PRESIDENT BENJAMIN: Read
15 the last section.

16 THE SECRETARY: Section 2. 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, 62.

24 ACTING PRESIDENT BENJAMIN: The
25 bill is passed.

1 THE SECRETARY: Calendar Number
2 1053, Assembly Print Number 7654A, substituted
3 earlier by Assemblymember Jaffee, an act to amend
4 the Education 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: Senator
13 Carlucci to explain his vote.

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

16 Our Boards of Cooperative Education
17 Services, created in 1948, were put forward to
18 find efficiencies, to create savings for our
19 taxpayers while providing the best educational
20 opportunities possible for our students, for our
21 children.

22 The legislation before us today
23 expands a program that we currently have and
24 lifts a sunset that's due to start this year.
25 And what that does is allow for BOCES to enter

1 into contracts to educate children from out of
2 state.

3 And really simply put, this helps us
4 in a multitude of ways, two specifically. One,
5 it allows for more revenue into our state. And
6 as many of you know, our Boards of Cooperative
7 Extensions, they can't keep any of that excess
8 money. It gets distributed to the local school
9 districts. Rockland BOCES, where we've had to
10 program, really strive -- we are right on the
11 border of New Jersey, so we've seen approximately
12 about \$600,000 in revenue come into the Rockland
13 BOCES from students from New Jersey.

14 And it also, in addition to adding
15 more revenue to our districts, what it also does
16 is it allows us to offer more courses. So for
17 example, if we have a course and there's only
18 five students from the districts, the component
19 districts, that want to take that course, we
20 wouldn't be able to offer that course. But now,
21 by opening it up, allowing for other districts,
22 allowing the State of New Jersey and other states
23 to participate, that allows us to offer more
24 courses.

25 So this is a program that's worked

1 well. We're also expanding it to allow us to do
2 work with Canada, the districts that are on the
3 border of Canada that want -- the students want
4 to come here and take advantage of the great
5 educational opportunities that BOCES provides,
6 hey, let's do it. It's adding to our economies
7 of scale, makes it more efficient, saves property
8 taxpayer dollars, and continues to provide a
9 wonderful education that we've come to deserve
10 and expect here in New York.

11 So I'll be supporting this
12 legislation. Thank you, Mr. President.

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

15 Announce the results.

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT BENJAMIN: The
18 bill is passed.

19 THE SECRETARY: Calendar Number
20 1054, Senate Print 5705, by Senator Mayer, an act
21 to amend the Education Law.

22 ACTING PRESIDENT BENJAMIN: Read
23 the last section.

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

1 ACTING PRESIDENT BENJAMIN: Call
2 the roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BENJAMIN:
5 Announce the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT BENJAMIN: The
8 bill is passed.

9 THE SECRETARY: Calendar Number
10 1058, Senate Print 5769, by Senator Metzger, an
11 act relating to payments in lieu of taxes paid to
12 the Minisink Valley Central School District.

13 SENATOR GIANARIS: Lay it aside for
14 the day, please.

15 ACTING PRESIDENT BENJAMIN: Lay it
16 aside for the day.

17 THE SECRETARY: Calendar Number
18 1066, Senate Print 4951A, by Senator Sepúlveda,
19 an act to amend the Surrogate's Court Procedure
20 Act.

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, 62.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 1075, Senate Print 3228A, by Senator Comrie, an
10 act to amend the Public Authorities Law.

11 ACTING PRESIDENT BENJAMIN: Read
12 the last section.

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

15 ACTING PRESIDENT BENJAMIN: Call
16 the roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BENJAMIN:

19 Announce the results.

20 THE SECRETARY: Ayes, 62.

21 ACTING PRESIDENT BENJAMIN: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 1078, Senate Print 5112A, by Senator LaValle, an
25 act to amend the Highway Law.

1 ACTING PRESIDENT BENJAMIN: Read
2 the last section.

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

5 ACTING PRESIDENT BENJAMIN: Call
6 the roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BENJAMIN:
9 Announce the results.

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT BENJAMIN: The
12 bill is passed.

13 THE SECRETARY: Calendar Number
14 1099, Assembly Print Number 4898, substituted
15 earlier by Assemblymember Blake, an act to amend
16 the Private Housing Finance Law.

17 ACTING PRESIDENT BENJAMIN: Read
18 the last section.

19 THE SECRETARY: Section 2. 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, 62.

2 ACTING PRESIDENT BENJAMIN: The
3 bill is passed.

4 THE SECRETARY: Calendar Number
5 1112, Assembly Print Number 375, substituted
6 earlier by Assemblymember Steck, an act to amend
7 the Labor Law.

8 ACTING PRESIDENT BENJAMIN: Read
9 the last section.

10 THE SECRETARY: Section 2. 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, 62.

18 ACTING PRESIDENT BENJAMIN: The
19 bill is passed.

20 THE SECRETARY: Calendar Number
21 1113, Senate Print 2832A, by Senator Savino, an
22 act to amend the Labor Law.

23 ACTING PRESIDENT BENJAMIN: Read
24 the last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

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, 62.

8 ACTING PRESIDENT BENJAMIN: The
9 bill is passed.

10 THE SECRETARY: Calendar Number
11 1116, Senate Print 4396A, by Senator Ramos, an
12 act to amend the Labor Law.

13 ACTING PRESIDENT BENJAMIN: Read
14 the last section.

15 THE SECRETARY: Section 5. This
16 act shall take effect on the 30th day after it
17 shall have 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: In relation to
24 Calendar Number 1116, those Senators voting in
25 the negative are Senators Akshar, Amedore,

1 Antonacci, Boyle, Flanagan, Funke, Griffo,
2 Helming, Jacobs, Jordan, Lanza, LaValle, Little,
3 O'Mara, Ortt, Ranzenhofer, Ritchie, Robach,
4 Serino, Seward and Tedisco.

5 Ayes, 41. Nays, 21.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 1117, Senate Print 5791, by Senator Ramos, an act
10 to amend the Labor 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 Ortt to explain his vote.

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

23 I'm going to be supporting this
24 legislation, for the following reasons. This
25 bill would make it -- would add penalties to

1 employers who hire folks who are here illegally
2 and then leverage that status to -- threaten
3 retaliation, knowing that status.

4 I view employers who hire folks who
5 have broken immigration laws as part of the
6 problem of illegal immigration, not part of the
7 solution. And in my view, we shouldn't be
8 encouraging any of that kind of behavior.

9 So to me, this doesn't preclude
10 someone from calling a federal agency if they
11 know someone to be here illegally, even if they
12 are an employer. What it precludes them from is
13 to hold that over an employee and try to extort
14 them or exploit them or leverage that to do
15 something that's wrong. That should --
16 everybody, if you have a problem with illegal
17 immigration, these folks who would do that are
18 part of that problem.

19 And so while I may come at this from
20 a different angle than the sponsor, I absolutely
21 think we should be supporting a piece of
22 legislation like this, and hopefully it will give
23 employers pause to hiring folks who aren't here
24 legally in the first place.

25 So for those reasons, Mr. President,

1 I vote aye.

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

4 Announce the results.

5 THE SECRETARY: In relation to
6 Calendar Number 1117, those Senators voting in
7 the negative are Senators Akshar, Jacobs and
8 Ranzenhofer.

9 Ayes, 59. Nays, 3.

10 ACTING PRESIDENT BENJAMIN: The
11 bill is passed.

12 THE SECRETARY: Calendar Number
13 1118, Senate Print 6204, by Senator Hoylman, an
14 act to amend the Labor Law.

15 ACTING PRESIDENT BENJAMIN: Read
16 the last section.

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

19 ACTING PRESIDENT BENJAMIN: Call
20 the roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BENJAMIN:
23 Announce the results.

24 THE SECRETARY: In relation to
25 Calendar Number 1118, voting in the negative:

1 Senator Akshar.

2 Ayes, 61. Nays, 1.

3 ACTING PRESIDENT BENJAMIN: The
4 bill is passed.

5 THE SECRETARY: Calendar Number
6 1170, Senate Print 5935, by Senator Harckham, an
7 act to amend the Social Services Law and the
8 Public Health Law.

9 ACTING PRESIDENT BENJAMIN: Read
10 the last section.

11 THE SECRETARY: Section 4. This
12 act shall take effect July 1, 2019.

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: In relation to
19 Calendar Number 1170, those Senators voting in
20 the negative are Senators Flanagan, Griffo,
21 Helming, Jacobs, Jordan, O'Mara and Ortt.

22 Ayes, 55. Nays, 7.

23 ACTING PRESIDENT BENJAMIN: The
24 bill is passed.

25 THE SECRETARY: Calendar Number

1 1218, Senate Print 5262A, by Senator Harckham, an
2 act to amend Chapter 646 of the Laws of 1939.

3 ACTING PRESIDENT BENJAMIN: Read
4 the last section.

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

7 ACTING PRESIDENT BENJAMIN: Call
8 the roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BENJAMIN:
11 Announce the results.

12 THE SECRETARY: Ayes, 62.

13 ACTING PRESIDENT BENJAMIN: The
14 bill is passed.

15 THE SECRETARY: Calendar Number
16 1228, Senate Print 6235, by Senator Metzger, an
17 act to amend the General Municipal Law.

18 SENATOR GRIFFO: Lay it aside.

19 ACTING PRESIDENT BENJAMIN: Lay it
20 aside.

21 Senator Gianaris, that completes the
22 reading of today's calendar.

23 SENATOR GIANARIS: Can we now take
24 up the controversial calendar, please.

25 ACTING PRESIDENT BENJAMIN: The

1 Secretary will ring the bell.

2 The Secretary will read.

3 THE SECRETARY: Calendar Number
4 1228, Senate Print 6235, by Senator Metzger, an
5 act to amend the General Municipal Law and the
6 Tax Law.

7 ACTING PRESIDENT BENJAMIN: Senator
8 Amedore.

9 SENATOR AMEDORE: Thank you,
10 Mr. President. Will the sponsor -- can I ask --
11 to yield for some questions, please.

12 (Laughter.)

13 SENATOR AMEDORE: I'm at a
14 different desk --

15 SENATOR METZGER: Yes.

16 SENATOR AMEDORE: -- all messed up.

17 ACTING PRESIDENT BENJAMIN: The
18 sponsor yields?

19 SENATOR METZGER: Yes,
20 Mr. President.

21 ACTING PRESIDENT BENJAMIN: The
22 sponsor yields.

23 SENATOR AMEDORE: Thank you.

24 Through you, Mr. President, I
25 represent part of Ulster County, and I know that

1 the sponsoring Senator, Senator Metzger,
2 represents parts of Ulster County. Senator
3 Metzger, is there any home-rule message with this
4 legislation?

5 SENATOR METZGER: There is no
6 home-rule -- Mr. President, there is no home-rule
7 message. It's not constitutionally required, as
8 we're not mandating anything.

9 But there was a resolution passed by
10 the Ulster County Legislature's economic
11 development committee, and this legislation is on
12 the full legislature's agenda for their June 18th
13 meeting.

14 SENATOR AMEDORE: Through you,
15 Mr. President, may I -- will the sponsor continue
16 to yield?

17 ACTING PRESIDENT BENJAMIN: Does
18 the sponsor yield?

19 SENATOR METZGER: Sure.

20 ACTING PRESIDENT BENJAMIN: The
21 sponsor yields.

22 SENATOR AMEDORE: So the June 18th
23 legislative meeting, is that to pass home-rule
24 legislation for this bill?

25 SENATOR METZGER: If this -- yes,

1 that's right, it's to -- that's correct.

2 SENATOR AMEDORE: Through you,
3 Mr. President, does the sponsor continue to
4 yield?

5 ACTING PRESIDENT BENJAMIN: Does
6 the sponsor yield?

7 SENATOR METZGER: If I could just
8 correct that. It would be a resolution in
9 support of this bill.

10 ACTING PRESIDENT BENJAMIN: Does
11 the sponsor yield for another question?

12 SENATOR METZGER: Yes.

13 ACTING PRESIDENT BENJAMIN: The
14 sponsor yields.

15 SENATOR AMEDORE: So then why would
16 this body in this chamber today put forth this
17 legislation before the actual adoption of the
18 resolution of the county legislature?

19 SENATOR METZGER: So county
20 legislators expressed to me their desire to see
21 this legislation happen. Again, it is up to --
22 it's up to them to approve it. And beyond that,
23 it is -- if Ulster County is included in the
24 Community Preservation Act, it still requires
25 that individual cities, towns, villages pass a

1 referendum in support of participating in this.

2 So this is really about home rule
3 and communities choosing whether or not to use
4 this tool to protect farmland, open space,
5 important ecological and recreational resources.

6 SENATOR AMEDORE: Mr. President, on
7 the bill.

8 ACTING PRESIDENT BENJAMIN: Senator
9 Amedore on the bill.

10 SENATOR AMEDORE: I thank the
11 sponsor for answering my questions.

12 I know a few years back when this
13 legislative body -- I think it was back in
14 2007 -- passed the Hudson Valley Community
15 Preservation Act of 2007, it required, it
16 required the counties of Westchester as well as
17 Putnam County to have home-rule resolutions part
18 of the adoption of this act.

19 And I just find it -- that today
20 they want to amend and allow -- this body is now
21 going to allow Ulster County to be part of the
22 Hudson Valley Community Preservation Act without
23 any home rule. And because of that, I will be
24 voting in the negative.

25 Thank you, Mr. President.

1 ACTING PRESIDENT BENJAMIN: Are
2 there any other Senators wishing to be heard?

3 Seeing and hearing none, debate is
4 closed.

5 The Secretary will ring the bell.
6 Senator Gianaris.

7 SENATOR GIANARIS: Mr. President,
8 without objection, can we please restore this
9 bill to the noncontroversial calendar.

10 ACTING PRESIDENT BENJAMIN: Without
11 objection, so ordered.

12 Read the last section.

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

15 ACTING PRESIDENT BENJAMIN: Call
16 the roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BENJAMIN: Senator
19 Seward to explain his vote.

20 SENATOR SEWARD: Yes, thank you,
21 Mr. President.

22 I too represent a small portion of
23 Ulster County -- four towns, in fact -- and I am
24 awaiting, eagerly awaiting a formal expression
25 from the Ulster County Legislature, whether it be

1 a formal home-rule request or a formal expression
2 of support for this legislation.

3 They will be meeting next Tuesday on
4 the 18th, which would give us Wednesday to
5 consider this legislation. I am voting no today,
6 awaiting that formal expression of support from
7 the Ulster County Legislature, which frankly has
8 been the tradition in terms of other counties
9 coming under the Hudson Valley Community
10 Preservation Act of 2007.

11 ACTING PRESIDENT BENJAMIN: Senator
12 Seward to be recorded in the negative.

13 Senator Metzger to explain her vote.

14 SENATOR METZGER: I'm very pleased
15 to sponsor this legislation.

16 This was a decision of the previous
17 majority to require this. But I just want to
18 emphasize that there is not any constitutional
19 requirement for that. And this is very
20 important. I don't just represent Ulster County,
21 I am from Ulster County, I live in Ulster County,
22 I was a local government elected representative
23 there and very active in the protection of open
24 space, along with elected representatives from
25 many other communities in Ulster County.

1 There is a great desire there to be
2 able to protect their natural recreational and
3 agricultural resources. There is a lot of
4 pressure on those resources from development.
5 This -- basically, this legislation expands the
6 toolbox for communities to protect the resources
7 that they have identified in their open space
8 plans, in their comprehensive plans. This is
9 about communities, empowering communities to do
10 what they think is important.

11 And I'm very pleased to support this
12 legislation and its goals. I vote aye.

13 Thank you very much.

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

16 Announce the results.

17 THE SECRETARY: In relation to
18 Calendar Number 1228, those Senators voting in
19 the negative are Senators Akshar, Amedore,
20 Antonacci, Flanagan, Griffo, Helming, Jacobs,
21 Jordan, Lanza, Ortt, Ranzenhofer, Robach, Serino,
22 Seward, and Skoufis. Also Senator Funke.

23 Ayes, 46. Nays, 16.

24 ACTING PRESIDENT BENJAMIN: The
25 bill is passed.

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

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

6 ACTING PRESIDENT BENJAMIN: The
7 Secretary will read.

8 THE SECRETARY: Calendar Number
9 1280, Senate Print 183A, by Senator Serrano, an
10 act to amend the Parks, Recreation and Historic
11 Preservation Law.

12 ACTING PRESIDENT BENJAMIN: Read
13 the last section.

14 THE SECRETARY: Section 2. 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:
20 Announce the results.

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT BENJAMIN: The
23 bill is passed.

24 THE SECRETARY: Calendar Number
25 1281, Senate Print 849, by Senator Benjamin, an

1 act to amend the Criminal Procedure Law.

2 ACTING PRESIDENT BENJAMIN: Read
3 the last section.

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

6 ACTING PRESIDENT BENJAMIN: Call
7 the roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BENJAMIN:
10 Announce the results.

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT BENJAMIN: The
13 bill is passed.

14 THE SECRETARY: Calendar Number
15 1282, Senate Print 1405, by Senator Carlucci, an
16 act to amend the General Business Law.

17 ACTING PRESIDENT BENJAMIN: Read
18 the last section.

19 THE SECRETARY: Section 3. This
20 act shall take effect on the 180th day after it
21 shall have become a law.

22 ACTING PRESIDENT BENJAMIN: Call
23 the roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BENJAMIN: Senator

1 Carlucci to explain his vote.

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

4 This legislation we call the Storm
5 Chasers Bill. And really -- we've seen this
6 throughout the state, but really I saw it
7 firsthand after Hurricane Sandy, where you have
8 these unscrupulous contractors that will come in
9 and use high-pressure tactics to try to get
10 someone to put a down payment to get their roof
11 repaired.

12 And often what these contractors
13 will do is mislead the homeowner into thinking
14 that their homeowner's insurance will cover it.
15 And we've seen people get into trouble with this
16 with their insurance companies. But most
17 importantly, we've seen these contractors take a
18 down payment and do nothing, and just leave town.
19 Or take a down payment, start some work, never
20 finish it, and the homeowner is left holding the
21 bag.

22 This legislation will go further in
23 protecting homeowners and making sure that we
24 hold these contractors accountable and make sure
25 that we can have the appropriate people, the

1 licensed contractors, doing the work,
2 particularly after these storms when people are
3 in most need.

4 So I'll be supporting this
5 legislation, and I want to thank my colleagues
6 for doing the same.

7 Thank you, Mr. President.

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

10 Announce the results.

11 THE SECRETARY: In relation to
12 Calendar Number 1282, those Senators voting in
13 the negative are Senators Amedore, Helming,
14 Ranzenhofer and Serino.

15 Ayes, 58. Nays, 4.

16 ACTING PRESIDENT BENJAMIN: The
17 bill is passed.

18 THE SECRETARY: Calendar Number
19 1283, Senate Print 1640, by Senator Brooks, an
20 act to amend the Navigation Law.

21 ACTING PRESIDENT BENJAMIN: Read
22 the last section.

23 THE SECRETARY: Section 2. This
24 act shall take effect on the 180th 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:
5 Announce the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT BENJAMIN: The
8 bill is passed.

9 THE SECRETARY: Calendar Number
10 1284, Senate Print 1678, by Senator Skoufis, an
11 act to amend the Insurance Law.

12 ACTING PRESIDENT BENJAMIN: Read
13 the last section.

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

16 THE SECRETARY: Call the roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BENJAMIN:
19 Announce the results.

20 THE SECRETARY: Ayes, 62.

21 ACTING PRESIDENT BENJAMIN: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 1285, Senate Print 1687, by Senator Brooks, an
25 act to establish the Residential Real Property

1 Tax Relief for Public Education Task Force.

2 SENATOR GRIFFO: Lay it aside.

3 ACTING PRESIDENT BENJAMIN: Lay it
4 aside.

5 THE SECRETARY: Calendar Number
6 1286, Senate Print 1866B, by Senator Breslin, an
7 act to amend the Retirement and Social Security
8 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, 62.

19 ACTING PRESIDENT BENJAMIN: The
20 bill is passed.

21 THE SECRETARY: Calendar Number
22 1288, Senate Print 2201, by Senator Bailey, an
23 act to amend the Election Law.

24 ACTING PRESIDENT BENJAMIN: Read
25 the last section.

1 THE SECRETARY: Section 2. This
2 act shall take effect January 1, 2020.

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 1288, those Senators voting in
10 the negative are Senators Akshar, Amedore,
11 Antonacci, Boyle, Flanagan, Funke, Gallivan,
12 Griffo, Helming, Jacobs, Jordan, Lanza, LaValle,
13 Little, Martinez, O'Mara, Ortt, Ranzenhofer,
14 Ritchie, Robach, Serino, Seward and Tedisco.

15 Ayes, 39. Nays, 23.

16 ACTING PRESIDENT BENJAMIN: The
17 bill is passed.

18 THE SECRETARY: Calendar Number
19 1289, Senate Print 2394, by Senator Breslin, an
20 act to amend the State Finance Law and the
21 General Municipal Law.

22 ACTING PRESIDENT BENJAMIN: Read
23 the last section.

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

1 ACTING PRESIDENT BENJAMIN: Call
2 the roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BENJAMIN:
5 Announce the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT BENJAMIN: The
8 bill is passed.

9 THE SECRETARY: Calendar Number
10 1290, Senate Print 2779A, by Senator Comrie, an
11 act to amend the Public Authorities Law.

12 ACTING PRESIDENT BENJAMIN: Read
13 the last section.

14 THE SECRETARY: Section 2. 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:
20 Announce the results.

21 THE SECRETARY: In relation to
22 Calendar Number 1290, those Senators voting in
23 the negative are Senators Antonacci and Griffo.

24 Ayes, 60. Nays, 2.

25 ACTING PRESIDENT BENJAMIN: The

1 bill is passed.

2 THE SECRETARY: Calendar Number
3 1291, Senate Print 3112, by Senator Akshar, an
4 act to amend Chapter 125 of the Laws of 2017.

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 1291, voting in the negative:
16 Senator Martinez.

17 Ayes, 61. Nays, 1.

18 ACTING PRESIDENT BENJAMIN: The
19 bill is passed.

20 THE SECRETARY: Calendar Number
21 1292, Senate Print 3233, by Senator Savino, an
22 act to amend the Penal Law and the Vehicle and
23 Traffic Law.

24 ACTING PRESIDENT BENJAMIN: Read
25 the last section.

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

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: Ayes, 62.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 1294, Senate Print 3428, by Senator Salazar, an
13 act to establish a commission to be known as the
14 New York State Temporary Commission on the Threat
15 of Rising Oceans.

16 ACTING PRESIDENT BENJAMIN: Read
17 the last section.

18 THE SECRETARY: Section 3. 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 1294, those Senators voting in
2 the negative are Senators Akshar, Amedore, Funke,
3 Lanza and Ranzenhofer.

4 Ayes, 57. Nays, 5.

5 ACTING PRESIDENT BENJAMIN: The
6 bill is passed.

7 THE SECRETARY: Calendar Number
8 1295, Senate Print 3447, by Senator Stavisky, an
9 act to amend the Election Law and the
10 Education Law.

11 ACTING PRESIDENT BENJAMIN: Read
12 the last section.

13 THE SECRETARY: Section 3. This
14 act shall take effect on the first of December.

15 ACTING PRESIDENT BENJAMIN: Call
16 the roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BENJAMIN:
19 Announce the results.

20 THE SECRETARY: Ayes, 62.

21 ACTING PRESIDENT BENJAMIN: the
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 1296, Senate Print 3466, by Senator Griffo, an
25 act to amend the Highway Law.

1 ACTING PRESIDENT BENJAMIN: There
2 is a home-rule message at the desk.

3 Read the last section.

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

6 ACTING PRESIDENT BENJAMIN: Call
7 the roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BENJAMIN:
10 Announce the results.

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT BENJAMIN: The
13 bill is passed.

14 THE SECRETARY: Calendar Number
15 1297, Senate Print 3478, by Senator Carlucci, an
16 act to amend the Real Property Tax Law.

17 ACTING PRESIDENT BENJAMIN: Read
18 the last section.

19 THE SECRETARY: Section 2. 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: Senator
25 Carlucci to explain his vote.

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

3 First I want to thank our chair of
4 the Investigations Committee, Senator Skoufis,
5 for having a hearing a few weeks ago in Newburgh
6 on the topic of code enforcement and the
7 investigations that are going on relating to
8 that.

9 And when we talk about code
10 enforcement, this has been a big, big problem in
11 Rockland County and throughout the state, but
12 particularly with the issue where you have these
13 building code violations where we're not just
14 talking cosmetics, we're talking about a
15 structural issue that could threaten the life of
16 a first responder and the life of someone that's
17 living in that dwelling.

18 And so these code violations need to
19 be taken very seriously. And what we've found
20 over and over again, and what was confirmed at
21 the hearing in Newburgh, is that many times these
22 violations just go unpaid. And what this
23 legislation will do is allow for a municipality
24 to add those outstanding code violations to the
25 tax levy.

1 So we all know that in collecting
2 property taxes, the locality has many more
3 resources at their disposal, the law backs it up.
4 And that's what that legislation will do, to say,
5 hey, a code violation is serious, it has to be
6 dealt with, and we're giving the tools to the
7 local municipality to do that.

8 So, Mr. President, I support this
9 legislation. I want to thank my colleagues for
10 doing the same.

11 Thank you.

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

14 Announce the results.

15 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT BENJAMIN: The
17 bill is passed.

18 THE SECRETARY: Calendar Number
19 1299, Senate Print 3654, by Senator Salazar, an
20 act to amend the General Business 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: Senator
4 Salazar to explain her vote.

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

7 There's an ongoing and severe
8 shortage of sufficient drugs used for
9 chemotherapy to treat infections and for other
10 serious illnesses. It's endangering patients,
11 it's forcing hospitals to buy life-saving
12 medications from secondary suppliers at huge
13 markups.

14 These shortages -- mainly involving
15 widely used generic and injectable medications,
16 which ordinarily are cheap -- have delayed
17 critical surgeries and cancer treatments, leaving
18 patients in unnecessary pain and forcing
19 hospitals to give less effective treatment. This
20 further results in complications and longer
21 hospital stays.

22 No patient's health should be put in
23 danger in order to increase the profit margins of
24 price gougers. This legislation seeks to ensure
25 that any medication the FDA identifies as being

1 in short supply is protected from unconscionably
2 high price hikes. Now impacted patients will
3 finally have the right to take legal action when
4 their access to prescribed medication is
5 obstructed by price gouging.

6 This bill also grants authority to
7 our State Attorney General to investigate these
8 cases and to pursue legal action against price
9 gougers. Price gouging is only one of the major
10 problems caused by profit motives' outsized
11 influence on our healthcare system. We need to
12 continue to move away from treating healthcare as
13 a for-profit industry and, instead, move forward
14 a model of treating healthcare as a human right.

15 Mr. President, I vote aye. Thank
16 you.

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

19 Senator Carlucci to explain his
20 vote.

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

23 I want to thank Senator Salazar for
24 this very important piece of legislation. We
25 know and we've seen cases where the price of a

1 drug -- specifically, we can point to Daraprim.
2 In 2015, it went from 13.50 overnight to \$750.
3 This is a drug that would be included in the
4 about 100 drugs that the FDA has said are in
5 short supply, are in demand.

6 If it looks like price gouging, it
7 feels like price gouging, it smells like price
8 gouging, it's probably price gouging. But right
9 now in the United States and in New York State,
10 we have no ability to go after these unscrupulous
11 manufacturers of pharmaceutical drugs when
12 they're expanding the price dramatically. And we
13 see that case over and over again.

14 This will give us the tools to bring
15 these cases forward, hold drug manufacturers
16 accountable, and make sure that people can afford
17 these life-saving drugs. I know all of us have
18 had situations where people come into our office
19 and they're desperate, because they're talking
20 about a situation where they have to decide
21 between food or prescription drugs, paying the
22 rent or prescription drugs, cutting the pills in
23 half to make it last or being out on the street.

24 That should not be the case in 2019
25 in the State of New York, and we cannot allow

1 this behavior to continue. So I think this is an
2 extremely important piece of legislation. I
3 think it's a first step. As was said, this is
4 only going after the drugs that are on the lists
5 put out by the FDA that are in short supply. I
6 think we should pass this legislation and then
7 work to go further to make sure that no price
8 manipulation, no price gouging will happen on any
9 pharmaceutical drugs in New York State.

10 We know the federal government is
11 not going to act on this, so it's essential that
12 we do this, we get this legislation on the
13 Governor's desk and he signs it into law to
14 protect consumers throughout the State of
15 New York.

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 1299, voting in the negative:
22 Senator Flanagan.

23 Ayes, 61. Nays, 1.

24 ACTING PRESIDENT BENJAMIN: The
25 bill is passed.

1 THE SECRETARY: Calendar Number
2 1300, Senate Print 3813, by Senator Kaplan, an
3 act to amend the Retirement and Social Security
4 Law.

5 ACTING PRESIDENT BENJAMIN: There
6 is a home-rule message at the desk.

7 Read the last section.

8 THE SECRETARY: Section 4. 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, 62.

16 ACTING PRESIDENT BENJAMIN: The
17 bill is passed.

18 THE SECRETARY: Calendar Number
19 1301, Senate Print 3874A, by Senator Mayer, an
20 act to amend the Vehicle and Traffic Law.

21 ACTING PRESIDENT BENJAMIN: Read
22 the last section.

23 THE SECRETARY: Section 8. This
24 act shall take effect on the 180th 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:
5 Announce the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT BENJAMIN: The
8 bill is passed.

9 THE SECRETARY: Calendar Number
10 1302, Senate Print 3875, by Senator Mayer, an act
11 to amend the Education Law.

12 ACTING PRESIDENT BENJAMIN: Read
13 the last section.

14 THE SECRETARY: Section 2. 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:
20 Announce the results.

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT BENJAMIN: The
23 bill is passed.

24 THE SECRETARY: Calendar Number
25 1303, Senate Print 3929, by Senator Seward, an

1 act to amend the Vehicle and Traffic Law.

2 ACTING PRESIDENT BENJAMIN: Read
3 the last section.

4 THE SECRETARY: Section 2. This
5 act shall take effect on the 90th 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:
11 Announce the results.

12 THE SECRETARY: Ayes, 62.

13 ACTING PRESIDENT BENJAMIN: The
14 bill is passed.

15 THE SECRETARY: Calendar Number
16 1304, Senate Print 3959C, by Senator Brooks, an
17 act to amend the Agriculture and Markets Law.

18 ACTING PRESIDENT BENJAMIN: Read
19 the last section.

20 THE SECRETARY: Section 3. 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:

2 Announce the results.

3 THE SECRETARY: Ayes, 62.

4 ACTING PRESIDENT BENJAMIN: The
5 bill is passed.

6 THE SECRETARY: Calendar Number
7 1305, Senate Print 3965, by Senator Kennedy, an
8 act to amend the Vehicle and Traffic Law.

9 ACTING PRESIDENT BENJAMIN: Read
10 the last section.

11 THE SECRETARY: Section 3. This
12 act shall take effect on the 180th day after it
13 shall have become a law.

14 ACTING PRESIDENT BENJAMIN: Call
15 the roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BENJAMIN:
18 Announce the results.

19 THE SECRETARY: Ayes, 62.

20 ACTING PRESIDENT BENJAMIN: The
21 bill is passed.

22 There is a substitution at the desk.

23 The Secretary will read.

24 THE SECRETARY: Senator Liu moves
25 to discharge, from the Committee on Health,

1 Assembly Bill Number 230 and substitute it for
2 the identical Senate Bill 4119, Third Reading
3 Calendar 1306.

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

6 The Secretary will read.

7 THE SECRETARY: Calendar Number
8 1306, Assembly Print Number 230, by
9 Assemblymember Braunstein, an act to amend the
10 Public Health Law.

11 ACTING PRESIDENT BENJAMIN: Read
12 the last section.

13 THE SECRETARY: Section 2. This
14 act shall take effect on the 180th 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:
20 Announce the results.

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT BENJAMIN: The
23 bill is passed.

24 THE SECRETARY: Calendar Number
25 1307, Senate Print 4171A, by Senator Martinez, an

1 act to amend the Penal Law.

2 ACTING PRESIDENT BENJAMIN: Read
3 the last section.

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

6 ACTING PRESIDENT BENJAMIN: Call
7 the roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BENJAMIN:
10 Announce the results.

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT BENJAMIN: The
13 bill is passed.

14 THE SECRETARY: Calendar Number
15 1308, Senate Print 4229A, by Senator Breslin, an
16 act to amend the Social Services Law.

17 ACTING PRESIDENT BENJAMIN: Read
18 the last section.

19 THE SECRETARY: Section 4. This
20 act shall take effect on the 90th day after it
21 shall have become a law.

22 ACTING PRESIDENT BENJAMIN: Call
23 the roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BENJAMIN: Senator

1 Serino to explain her vote.

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

4 I rise to support this bill and also
5 to thank the sponsor, but also to again urge this
6 body to pass a bill that I carry that would close
7 a dangerous loophole in our law that leaves far
8 too many children vulnerable to abuse.

9 Senator Breslin's bill would provide
10 law enforcement with access to CPS -- Child
11 Protective Services -- records that they need to
12 better protect our children. It's my
13 understanding that this bill was spurred by child
14 abduction cases and that this bill would give law
15 enforcement access to the records that could lead
16 them to suspects seeking to harm a child.

17 However, because of the dangerous
18 loophole in our law, many cases of abuse are not
19 being reported to begin with. My bill, S1257,
20 would close this dangerous loophole by requiring
21 anyone over the age of 18, working with children,
22 to report cases of abuse directly to law
23 enforcement.

24 The legislation would be an
25 important complement to the bill we are passing

1 here today. And if we really want to strengthen
2 our system to better protect children, I'm urging
3 this body again to pass this measure and close
4 this loophole.

5 Thank you. I vote aye.

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

8 Announce the results.

9 THE SECRETARY: Ayes, 62.

10 ACTING PRESIDENT BENJAMIN: The
11 bill is passed.

12 THE SECRETARY: Calendar Number
13 1309, Senate Print 4256, by Senator Carlucci, an
14 act to amend the Family Court Act.

15 ACTING PRESIDENT BENJAMIN: Read
16 the last section.

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

19 ACTING PRESIDENT BENJAMIN: Call
20 the roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BENJAMIN: Senator
23 Carlucci to explain his vote.

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

1 This legislation is common sense.
2 And it was great that we had Harvey Weisenberg
3 here earlier today, a champion for people with
4 developmental disabilities.

5 What this legislation simply does is
6 it amends the Family Court Act to allow for a
7 parent to petition the court to require that
8 child support continues past the age of 21 for a
9 child with developmental disabilities. The
10 reality is that things don't change,
11 unfortunately, for a child with developmental
12 disabilities just because you hit that magic
13 number of 21 years of age. The reality is that
14 if that child still requires all those supports
15 and those resources, then child support needs to
16 continue.

17 We need to allow for a single parent
18 who's taking care of a developmentally disabled
19 child to have that same protection. And simply
20 this legislation would require or allow for the
21 Family Court to accept that petition and take
22 into consideration the fact that this child is
23 not independent at the age of 21.

24 If the child is living on their own,
25 does not require the same supports that they did

1 at the age of 20 or 19 or 17, and they are
2 independent, then they would have no need to
3 petition the court and continue to receive child
4 support.

5 This is common sense. Let's allow
6 those single parents that are raising a child
7 with disabilities to continue to receive that
8 child support that they need to live a quality,
9 productive life.

10 Thank you, Mr. President.

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

13 Senator Jacobs to explain his vote.

14 SENATOR JACOBS: Mr. President, I
15 just wanted to rise and commend the sponsor of
16 this bill.

17 I've just seen it today. It's a
18 bill that just struck me that made an immense
19 amount of sense. And coming into contact with
20 parents that have older children, that are single
21 parents, who are divorced, the immense amount of
22 time to care for them and cost that is
23 associated -- and the sponsor is absolutely
24 correct, that does not end at age 21.

25 Also the fact is that our state has

1 fallen on its obligation to provide housing for
2 adult disabled who need that assistance. We have
3 a lot of aging parents who are trying to get
4 housing, appropriate housing for these people,
5 yet the state is not coming through, so again
6 they continue to reside at the parents' house.

7 So again, it seems like a step in
8 absolutely the right direction, and I commend the
9 sponsor for his initiative on this.

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

12 Announce the results.

13 THE SECRETARY: Ayes, 62.

14 ACTING PRESIDENT BENJAMIN: The
15 bill is passed.

16 THE SECRETARY: Calendar Number
17 1310, Senate Print 4270A, by Senator Skoufis, an
18 act to amend the Correction Law.

19 ACTING PRESIDENT BENJAMIN: Read
20 the last section.

21 THE SECRETARY: Section 3. 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: Ayes, 62.

4 ACTING PRESIDENT BENJAMIN: The
5 bill is passed.

6 THE SECRETARY: Calendar Number
7 1311, Senate Print 4325, by Senator Sepúlveda, an
8 act to amend the Environmental Conservation Law.

9 ACTING PRESIDENT BENJAMIN: Read
10 the last section.

11 THE SECRETARY: Section 4. This
12 act shall take effect one year after it shall
13 have become a law.

14 ACTING PRESIDENT BENJAMIN: Call
15 the roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BENJAMIN:
18 Announce the results.

19 THE SECRETARY: In relation to
20 Calendar Number 1311, those Senators voting in
21 the negative are Senators Akshar, Amedore,
22 Antonacci, Funke, Gallivan, Griffio, Jacobs,
23 Jordan, Little, O'Mara, Ortt, Ranzenhofer,
24 Ritchie and Seward.

25 Ayes, 48. Nays, 14.

1 ACTING PRESIDENT BENJAMIN: The
2 bill is passed.

3 THE SECRETARY: Calendar Number
4 1312, Senate Print 4337, by Senator Serrano, an
5 act to amend the General City Law.

6 ACTING PRESIDENT BENJAMIN: Read
7 the last section.

8 THE SECRETARY: Section 3. This
9 act shall take effect on the 30th day after it
10 shall have become a law.

11 ACTING PRESIDENT BENJAMIN: Call
12 the roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BENJAMIN:
15 Announce the results.

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT BENJAMIN: The
18 bill is passed.

19 THE SECRETARY: Calendar Number
20 1313, Senate Print 4448, by Senator Persaud, an
21 act to amend Chapter 658 of the Laws of 2002.

22 ACTING PRESIDENT BENJAMIN: Read
23 the last section.

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

1 ACTING PRESIDENT BENJAMIN: Call
2 the roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BENJAMIN:
5 Announce the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT BENJAMIN: The
8 bill is passed.

9 THE SECRETARY: Calendar Number
10 1314, Senate Print 4499, by Senator Harckham, an
11 act to amend the Mental Hygiene Law.

12 ACTING PRESIDENT BENJAMIN: Read
13 the last section.

14 THE SECRETARY: Section 2. This
15 act shall take effect on the 180th 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:
21 Announce the results.

22 THE SECRETARY: Ayes, 62.

23 ACTING PRESIDENT BENJAMIN: The
24 bill is passed.

25 THE SECRETARY: Calendar Number

1 1315, Senate Print 4522, by Senator Gounardes, an
2 act to amend the Vehicle and Traffic Law.

3 ACTING PRESIDENT BENJAMIN: Read
4 the last section.

5 THE SECRETARY: Section 4. This
6 act shall take effect on the first of November.

7 ACTING PRESIDENT BENJAMIN: Call
8 the roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BENJAMIN:
11 Announce the results.

12 THE SECRETARY: Ayes, 62.

13 ACTING PRESIDENT BENJAMIN: The
14 bill is passed.

15 THE SECRETARY: Calendar Number
16 1316, Senate Print 4536, by Senator Parker, an
17 act to amend the Domestic Relations Law and the
18 Family Court Act.

19 ACTING PRESIDENT BENJAMIN: Read
20 the last section.

21 THE SECRETARY: Section 9. This
22 act shall take effect on the 90th day after it
23 shall have become a law.

24 ACTING PRESIDENT BENJAMIN: Call
25 the roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BENJAMIN:

3 Announce the results.

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT BENJAMIN: The
6 bill is passed.

7 There is a substitution at the desk.

8 The Secretary will read.

9 THE SECRETARY: Senator Sanders
10 moves to discharge, from the Committee on
11 Local Government, Assembly Bill Number 4420 and
12 substitute it for the identical Senate Bill 4585,
13 Third Reading Calendar 1317.

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

16 The Secretary will read.

17 THE SECRETARY: Calendar Number
18 1317, Assembly Print Number 4420, by
19 Assemblymember Zebrowski, an act to amend the
20 Real Property 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, 62.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 1318, Senate Print 4839, by Senator Seward, an
10 act to amend the Town Law.

11 ACTING PRESIDENT BENJAMIN: Read
12 the last section.

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

15 ACTING PRESIDENT BENJAMIN: Call
16 the roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BENJAMIN:

19 Announce the results.

20 THE SECRETARY: Ayes, 62.

21 ACTING PRESIDENT BENJAMIN: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 1319, Senate Print 4913, by Senator Gounardes, an
25 act to provide for the payment of the annual

1 contributions owed and to be owed on behalf of
2 the New York City Off-Track Betting Corporation.

3 ACTING PRESIDENT BENJAMIN: Read
4 the last section.

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

7 ACTING PRESIDENT BENJAMIN: Call
8 the roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BENJAMIN:
11 Announce the results.

12 THE SECRETARY: In relation to
13 Calendar Number 1319, those Senators voting in
14 the negative are Senators Antonacci, Flanagan,
15 Griffo, Helming, Jacobs, Jordan, LaValle, O'Mara,
16 Orr, Ranzenhofer, Serino, Seward and Tedisco.

17 Ayes, 49. Nays, 13.

18 ACTING PRESIDENT BENJAMIN: The
19 bill is passed.

20 THE SECRETARY: Calendar Number
21 1320, Senate Print 4931, by Senator Sanders, an
22 act to amend the Banking Law.

23 ACTING PRESIDENT BENJAMIN: Read
24 the last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 120th 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: Ayes, 62.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 Calendar 1321 is high and will be
12 laid aside for the day.

13 THE SECRETARY: Calendar Number
14 1322, Senate Print 4972, by Senator Rivera, an
15 act to amend the Public Health Law.

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: Ayes, 62.

1 ACTING PRESIDENT BENJAMIN: The
2 bill is passed.

3 THE SECRETARY: Calendar Number
4 1323, Senate Print 4990A, by Senator Biaggi, an
5 act to amend the Social Services Law.

6 ACTING PRESIDENT BENJAMIN: Read
7 the last section.

8 THE SECRETARY: Section 2. This
9 act shall take effect on the 180th day after it
10 shall have become a law.

11 ACTING PRESIDENT BENJAMIN: Call
12 the roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BENJAMIN:
15 Announce the results.

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT BENJAMIN: The
18 bill is passed.

19 There is a substitution at the desk.

20 The Secretary will read.

21 THE SECRETARY: Senator Carlucci
22 moves to discharge, from the Committee on Rules,
23 Assembly Bill Number 1370C and substitute it for
24 the identical Senate Bill 5121A, Third Reading
25 Calendar 1324.

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

3 The Secretary will read.

4 THE SECRETARY: Calendar Number
5 1324, Assembly Print Number 1370C, by
6 Assemblymember Abinanti, an act to amend the
7 Mental Hygiene Law.

8 ACTING PRESIDENT BENJAMIN: Read
9 the last section.

10 THE SECRETARY: Section 2. This
11 act shall take effect on the 120th day after it
12 shall have become a law.

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, 62.

19 ACTING PRESIDENT BENJAMIN: The
20 bill is passed.

21 THE SECRETARY: Calendar Number
22 1325, Senate Print 5214A, by Senator Brooks, an
23 act to direct the Division of Veterans Services
24 and the Division of the Budget to conduct a study
25 on veterans services.

1 ACTING PRESIDENT BENJAMIN: Read
2 the last section.

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

5 ACTING PRESIDENT BENJAMIN: Call
6 the roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BENJAMIN:
9 Announce the results.

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT BENJAMIN: The
12 bill is passed.

13 THE SECRETARY: Calendar Number
14 1326, Senate Print 5480, by Senator Rivera, an
15 act to amend the Public Health Law.

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: Ayes, 62.

1 ACTING PRESIDENT BENJAMIN: The
2 bill is passed.

3 There is a substitution at the desk.

4 The Secretary will read.

5 THE SECRETARY: Senator Carlucci
6 moves to discharge, from the Committee on Rules,
7 Assembly Bill Number 6593 and substitute it for
8 the identical Senate Bill 5500, Third Reading
9 Calendar 1327.

10 ACTING PRESIDENT BENJAMIN: The
11 substitution is so ordered.

12 The Secretary will read.

13 THE SECRETARY: Calendar Number
14 1327, Assembly Print Number 6593, by
15 Assemblymember Zebrowski, an act to amend
16 Chapter 329 of the Laws of 2009.

17 ACTING PRESIDENT BENJAMIN: Read
18 the last section.

19 THE SECRETARY: Section 2. 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, 62.

2 ACTING PRESIDENT BENJAMIN: The
3 bill is passed.

4 There is a substitution at the desk.

5 The Secretary will read.

6 THE SECRETARY: Senator Carlucci
7 moves to discharge, from the Committee on
8 Alcoholism and Drug Abuse, Assembly Bill
9 Number 7277 and substitute it for the identical
10 Senate Bill 6361, Third Reading Calendar 1328.

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

13 The Secretary will read.

14 THE SECRETARY: Calendar Number
15 1328, Assembly Print Number 7277, by
16 Assemblymember Rosenthal, an act to amend the
17 Public Health Law.

18 ACTING PRESIDENT BENJAMIN: Read
19 the last section.

20 THE SECRETARY: Section 2. This
21 act shall take effect on the 60th 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 Carlucci to explain his vote.

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

5 This Monday I was at Rockland
6 Community College teaming up with OASAS, and we
7 did a naloxone or a Narcan training. And it's
8 been a great opportunity, and we've trained
9 hundreds of people in Rockland and Westchester
10 counties on how to use naloxone and providing
11 them with a kit. And we know that naloxone saves
12 lives; we're trying to get it in the hands of
13 more people.

14 What this legislation does is it
15 provides information for what the Good Samaritan
16 Law is. Because we get a lot of questions where
17 people say, Well, can I administer naloxone?
18 Will I be held liable? The answer is, you are
19 perfectly fine to administer naloxone, just like
20 you would try to give someone CPR or administer
21 first aid if you saw they were in trouble.

22 We need to make sure that this
23 information gets out there. We have a law on the
24 books. And particularly when we talk about the
25 opioid crisis and people experiencing an opioid

1 overdose, we want to make sure that no one is
2 afraid to first-respond and give naloxone and,
3 second, to call 911 and call the police and make
4 sure that medical attention is brought.

5 I want to thank Senator Jacobs for
6 really bringing my attention to this legislation
7 and bringing it forward, because that night on
8 Monday when we spoke about the Good Samaritan Law
9 is where I got the most questions. And a lot of
10 New Yorkers just don't know that they can call
11 911, the police could respond, and even if there
12 is drug paraphernalia and drugs there present,
13 that no one will be held responsible and
14 arrested.

15 We need to make sure that that
16 message gets out. We need to make sure we're
17 ending the stigma and we're getting medical
18 attention when it's needed. So I believe this
19 legislation will go a long way.

20 I want to thank my colleagues for
21 supporting it, and I'll be voting in the
22 affirmative.

23 Thank you, Mr. President.

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

1 Senator Jacobs to explain his vote.

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

4 I had the opportunity in my district
5 to partner with local governments, our county
6 health department, to do Narcan training. And
7 someone -- in the Town of Tonawanda we had
8 training in my district, and a woman came up to
9 me two weeks after that training and said, "I
10 just wanted to tell you that I came to that
11 training that you had at the local fire
12 department. Last week my son overdosed, and
13 thanks to the training, he is now alive."

14 So Narcan and -- what it does is
15 real. And anything we can do to make it more
16 available for people to use and certainly making
17 it -- giving assurance to people that there will
18 be no consequences legally if they try to do
19 their best to save someone's life.

20 This piece of legislation I have
21 carried for some time. Senator Carlucci
22 approached me to partner up on this -- I
23 appreciate that -- to get this over the finish
24 line.

25 And additionally, Senator Carlucci

1 approached me to partner on this legislation, and
2 I was just so happy, finally, to allow him to
3 pass a piece of legislation, because it's so
4 rare.

5 (Laughter.)

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

8 Announce the results.

9 THE SECRETARY: Ayes, 62.

10 ACTING PRESIDENT BENJAMIN: The
11 bill is passed.

12 THE SECRETARY: Calendar Number
13 1329, Senate Print 6397, by Senator Carlucci, an
14 act to amend the Public Health Law and the
15 Insurance Law.

16 ACTING PRESIDENT BENJAMIN: Read
17 the last section.

18 THE SECRETARY: Section 3. This
19 act shall take effect on the 120th day after it
20 shall have become a law.

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, 62.

2 ACTING PRESIDENT BENJAMIN: The
3 bill is passed.

4 Senator Gianaris, that completes the
5 reading of the supplemental calendar.

6 SENATOR GIANARIS: Can we now take
7 up the controversial calendar, please.

8 ACTING PRESIDENT BENJAMIN: The
9 Secretary will ring the bell.

10 The Secretary will read.

11 THE SECRETARY: Calendar Number
12 1285, Senate Print 1687, by Senator Brooks, an
13 act to establish the Residential Real Property
14 Tax Relief for Public Education Task Force.

15 ACTING PRESIDENT BENJAMIN: Senator
16 Griffo, why do you rise?

17 SENATOR GRIFFO: Mr. President, I
18 believe there is an amendment at the desk. I
19 would waive the reading of that amendment and ask
20 that Senator Antonacci be recognized to speak on
21 that amendment.

22 ACTING PRESIDENT BENJAMIN: Thank
23 you, Senator Griffo. Upon review of the
24 amendment, in accordance with Rule 6, Section 4B,
25 I rule it nongermane and out of order at this

1 time.

2 SENATOR GRIFFO: You have that
3 memorized.

4 (Laughter.)

5 SENATOR KRUEGER: As do you.

6 SENATOR GRIFFO: Mr. President,
7 accordingly, I would appeal, respectfully, that
8 ruling and ask that Senator Antonacci be called
9 upon to be heard on that appeal.

10 ACTING PRESIDENT BENJAMIN: The
11 appeal has been made and recognized, and
12 Senator Antonacci may be heard.

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

15 This amendment is germane because
16 both the amendment and the bill-in-chief deal
17 with the same subject, the crushing burden of
18 property taxes in New York State. The difference
19 is this amendment contains the immediate cure,
20 the restoration of the property tax relief checks
21 my colleagues on the other side of the aisle let
22 lapse in the budget they voted for.

23 It is preposterous to create yet
24 another task force this session -- the bill today
25 to study property tax relief -- while we already

1 know that New York State residents pay the
2 highest taxes in the country.

3 Republicans created the original
4 STAR program, the STAR rebate checks, enacted the
5 property tax cap, and last year when in control
6 of this house, stopped 20 billion in new taxes
7 and fees proposed by the Assembly and the
8 Executive.

9 We don't need a new task force to
10 tell us what we need to do here. Our residents
11 need immediate relief. The evidence of this is
12 in the numbers of people fleeing this state for
13 tax-friendly locales.

14 Fourteen task forces have been
15 passed this year. Waiting for three years for
16 the results of yet another task force won't solve
17 our problems. But voting for my amendment means
18 solving this problem immediately and saving
19 thousands of property owners billions of dollars.
20 I urge my colleagues, respectfully, to override
21 the opinion of the chair.

22 Thank you, Mr. President.

23 ACTING PRESIDENT BENJAMIN: Thank
24 you, Senator Antonacci.

25 I want to remind the house that the

1 vote is on the procedures of the house and the
2 ruling of the chair.

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

5 SENATOR GRIFFO: Show of hands
6 requested.

7 ACTING PRESIDENT BENJAMIN: A show
8 of hands has been requested and so ordered.

9 (Show of hands.)

10 THE SECRETARY: Ayes, 18.

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

14 Are there any other Senators wishing
15 to be heard?

16 SENATOR GIANARIS: Mr. President,
17 can we return this to the noncontroversial
18 calendar, please.

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

21 Read the last section.

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

24 ACTING PRESIDENT BENJAMIN: Call
25 the roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BENJAMIN: Senator
3 Flanagan to explain his vote.

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

6 You know, it would be easy for me --
7 and I respect the fact that a number of my
8 colleagues are going to vote in favor of this
9 legislation. It would be easy for me to just get
10 up and say, sure, I want to talk about property
11 taxes. But I think it goes well beyond that.
12 And for me, I feel like I'm kind of at a point of
13 saturation.

14 I have hanging in my office campaign
15 materials from my father's first election back in
16 1972, running for the Assembly. And one of the
17 top three issues -- and I have it in print.
18 Anyone who wants to look at it, I got it. In
19 fact, it's so far back that Richard Nixon was on
20 his campaign literature. The issue of the day
21 was property taxes then. And unfortunately, it
22 still is today.

23 In my estimation, this is too many
24 people, too long, well-intended, but I can't even
25 fathom how long it's going to take to get

1 43 people appointed to a task force and then have
2 them meet.

3 So I look at this, again, saying
4 there's too many people, three years is way too
5 long, it's kicking the can down the road.
6 There's no reason why a hearing can't take place,
7 a roundtable can't take place. There's no reason
8 why we can't be voting on pertinent legislation.

9 But I have to tell you, I disagree
10 with the premise of two parts of this
11 legislation. Number one, there's a couple of
12 lines in the legislative intent that tries to
13 blame the federal government for the changes in
14 the federal tax law involving SALT deductions. I
15 didn't like the SALT deductions when they were
16 proposed; I certainly didn't like them when they
17 were enacted. But to suggest that the property
18 tax burden in the State of New York is a result
19 of that change in federal tax law is just simply
20 inaccurate.

21 When we are looking at things in the
22 State of New York, it's about economic
23 development, the creation of jobs, the generation
24 of revenue and income for the State of New York.
25 And right now, right now, there is a direct

1 correlation between education funding and the
2 income tax in the State of New York.

3 So I don't think just saying we're
4 going to shift over to the income tax and make
5 that the premise of what this is all about in
6 this legislation is the right way to go. You
7 want to set up a task force? Again, too many
8 people, too long a period of time. That's one
9 thing. But to say now everything should be
10 shifted to being largely funded through state
11 income taxes, that's not an approach that I
12 believe would be in the best interests of my
13 constituents.

14 I care as much about property taxes
15 as anybody that walks in these halls, whether
16 you're a lobbyist, a parent, a teacher, a PTA
17 member. But at this point, with all the things
18 we're doing, and looking at things that are being
19 advanced by the Governor and the Democrats in
20 both houses, I don't think this is going to work.

21 And I don't want to have to go back
22 to my constituents and say, You know what, we've
23 got to wait three years before we even get a
24 recommendation. The time is now. We have the
25 capacity and the ability to act.

1 Respectfully, I honor the intention
2 of the sponsor, but I disagree with this
3 legislation. And accordingly, because of my
4 feelings on behalf of my constituents, I will be
5 voting in the negative. Thank you.

6 ACTING PRESIDENT BENJAMIN: Senator
7 Flanagan to be recorded in the negative.

8 Senator Gianaris to explain his
9 vote.

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

12 I do appreciate that my colleagues
13 in the minority were unable to properly solve the
14 property tax burdens that faced many New Yorkers
15 during their last decade in the majority.

16 But for them, since we in the
17 majority were able to make permanent the property
18 tax cap in the New York State, something they
19 were unable to achieve, I would simply say to
20 them "You're welcome."

21 But our work is not done, and we're
22 going to continue to look for more ways to
23 relieve the tax burden that is causing a lot of
24 grief for so many people, particularly on Long
25 Island and in other parts of the state, and our

1 work is not going to stop until we achieve that.

2 And I will be voting in the
3 affirmative for that reason, Mr. President.

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

6 Senator LaValle to explain his vote.

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

9 This issue has been discussed,
10 debated for 30 or 40 years -- so much so that a
11 number of years ago a very distinguished
12 researcher from Stony Brook, Dr. Lee Koppelman,
13 did a study on whether we gained anything by
14 going to the income tax. I have a report, it's
15 on my shelf in my district office, we'll make a
16 copy and send it to you, Senator Brooks, so you
17 won't have to wait any longer than a couple of
18 days to get a copy of what one research report
19 showed.

20 I vote no.

21 ACTING PRESIDENT BENJAMIN: Senator
22 LaValle to be recorded in the negative.

23 Senator Jacobs to explain his vote.

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

1 And to Senator Brooks, I will be
2 voting for this bill to create this task force,
3 but with some trepidations, because I really
4 believe it misses the mark.

5 The task force is going to look at
6 the New York State income tax to pick up the
7 costs of our education system, compared to our
8 current methodology of local property taxes and
9 income taxes. Whether it is our split system of
10 paying for it, as we have now, or transferring to
11 the income tax completely, in my mind this
12 completely misses the mark and it ignores the
13 elephant in the room.

14 The elephant in the room is why does
15 New York State spend 90 percent more per pupil in
16 education than the national average and have only
17 marginally better results?

18 Unless we get our arms around the
19 amount we are spending on an annual basis -- and
20 if this spending continues to outpace everything
21 else in our state, or most everything else in our
22 state, whether it's property tax or income taxes,
23 this state over the long term will go bankrupt on
24 these unsustainable expenses.

25 We are leading the nation in record

1 education spending with little to show for it,
2 and we are leading the nation with the most
3 people fleeing the state. And they are very much
4 connected. I believe this connection is really
5 what we need to focus on, and I hope we focus on
6 this more in the future here.

7 Thank you.

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

10 Senator Lanza to explain his vote.

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

13 I'm going to vote yes in spite of
14 the fact that I agree with the issues being
15 raised by my colleagues on this side of the
16 aisle. Why not? Another three years, keep
17 looking, keep studying. I don't have faith that
18 the problem is going to be solved by then, so
19 maybe this lightning will strike here. I doubt
20 it.

21 You know, I know that Senator Brooks
22 is bringing this to the floor because he's as
23 frustrated as we are with respect to what's
24 happening with respect to the tax burden faced by
25 our constituents all across the state.

1 But I have to tell you, I'm amused
2 every time I hear about this myth of the days
3 when the Republicans controlled the entire state
4 government and we had our crack and we couldn't
5 solve it. I mean, people back home, they know
6 better. They know how to add. They know how
7 government works.

8 In the years that I've been here,
9 the Republicans controlled the Senate for a
10 number of those years. Let's not forget, the
11 Governor has been a Democrat, the Assembly has
12 been controlled by Democrats. And so nothing
13 could happen without the Assembly Democrats
14 agreeing to it -- who were, in the years that
15 I've been here, not supportive of cutting taxes.
16 And again, the Governor has been a Democrat.

17 So -- but times are different. I've
18 heard it a number of times here. In fact, for
19 six months, guess what, your party controls all
20 three branches of government. So if you don't
21 cut property taxes and you don't cut income taxes
22 and you don't create a better environment for
23 businesses and families across New York State,
24 well, guess what? There will truly be no one
25 else to blame but you.

1 So let's stop talking about why
2 things didn't happen in the past. Let's move
3 forward. And if you have an answer with respect
4 to property taxes and regulations and income
5 taxes, let's hear them.

6 I know this. I don't need 43 people
7 to tell me what the problem is. The problem in
8 the State of New York is -- remember that guy
9 that talked about rent? -- the taxes are too damn
10 high.

11 Thank you, Mr. President.

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

14 Senator Griffo to explain his vote.

15 SENATOR GRIFFO: Senator Lanza just
16 kind of stole some of it, because Jimmy McMillan
17 was right, the rent was too damn high, but more
18 importantly, the taxes are too damn high. And
19 statistics prove that out.

20 The outward migration of this state
21 continues to each and every year flow south and
22 flow to different parts of this nation. That's
23 unacceptable. We need to stem that and stop
24 that.

25 And history will show that the

1 initiatives that you were talking about that were
2 really important relative to property tax relief
3 were read by the Republican conference. Whether
4 it was the STAR program, the middle-class tax
5 cuts, most of the -- the recommendation for a
6 state spending cap, all the things that really
7 will make a difference and truly bring relief to
8 the taxpayers of this state were originated here.
9 And we welcome people to come on board and to
10 embrace this, and also to accept this, and let's
11 bring them into reality.

12 So while well-intentioned, in this
13 particular instance, it's still problematic,
14 because we want real results, not rhetoric. We
15 can do this with committees of the Legislature,
16 not wait three years. The people of this state
17 are leaving. Statistics prove it. The census
18 accentuates that. So it is imperative right now
19 that we take actions, because studies aren't
20 going to make a difference. Real action and
21 results will make that difference.

22 So I think right now, from my
23 perspective, you know, let's cut the rhetoric and
24 let's really produce results. Let's not wait
25 three years. So while this is well-intentioned,

1 and I love to hear perspective and opinions, I
2 want to see something done to stem this erosion.
3 And this conference has proposed a number of
4 things. We welcome even new ideas that will
5 bring real relief to the taxpayers of this city
6 and state so that we are not leading the nation
7 in an exodus of population.

8 So I will vote no.

9 ACTING PRESIDENT BENJAMIN: Senator
10 Griffo to be recorded in the negative.

11 Senator Ortt to explain his vote.

12 SENATOR ORTT: I'll add my voice to
13 the chorus.

14 You know, I'm going to support this,
15 like many of my colleagues. I mean, it's a task
16 force, right? We've voted on I don't know how
17 many task forces. It's a task force agenda.

18 We voted on a task force for
19 cricket, a task force for suicide prevention. We
20 have a task force on task forces, probably.

21 So I'll support it. What's one
22 more? And I think the point, if it results in a
23 better formula for our schools -- I happen to
24 represent a lot of rural poor school districts,
25 who probably will always be rural poor school

1 districts because their property tax base is
2 poor. So if this results in some better funding
3 formula, if this results in lower property taxes,
4 that would be fantastic.

5 But there's a lot of people on this
6 side of the chamber that aren't holding their
7 breath. Because the expectation is if there's
8 even a report in three years -- I mean, there's
9 been several task forces since I've been here
10 never issued any final report. We have a bill,
11 somebody goes home, "I supported a task force,"
12 people applaud, no result.

13 So if there's an actual result, an
14 actual report, if these 43 people, God bless
15 them, meet and actually come up with a finding
16 that results in lower taxes, I can think of
17 several people in this chamber that will support
18 that.

19 But there's a lot of skepticism
20 surrounding that, and I think rightfully so --
21 not only on whether they meet, but on what the
22 report would come back. Maybe it will come back
23 and say we need to increase taxes. Taxes aren't
24 high enough, we need to increase taxes because
25 our poor districts aren't getting enough money.

1 So we're going to keep the property taxes and
2 we're going to increase income taxes to help
3 cover the deficit.

4 That's what a lot of folks think
5 might happen. And that would be a real shame,
6 considering we're the highest-taxed state in the
7 country and, as my colleague Senator Jacobs said,
8 we already spend more than almost any other
9 state, if not more than any state, on higher
10 education.

11 So I'm going to support it because,
12 what the heck, what's one more task force. If it
13 results in less taxes, great. But let's not
14 engage in revisionist history when it comes to
15 who's for lowering taxes and who's not.

16 Mr. President, I vote aye.

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

19 Senator Skoufis to explain his vote.

20 SENATOR SKOUFIS: Thank you very
21 much, Mr. President.

22 It's been interesting listening to
23 this debate, where one colleague from across the
24 aisle gets up, one of my good colleagues, and
25 talks about how we haven't been able to cut taxes

1 because the Assembly has always been controlled
2 by the Democrats and the Governor has always been
3 a Democrat: You can't blame us for high taxes.

4 Okay. And one of my other good
5 colleagues subsequently gets up and says, Well,
6 we deserve credit for the STAR program and the
7 property tax cap and the middle-class income tax
8 cuts.

9 Ladies and gentlemen, You can't have
10 it both ways. You can't say, oh, well, you can't
11 blame us for high taxes, we can't do anything
12 about it because of everyone else, and then in
13 the next breath say, Oh, well, we take credit,
14 we're responsible for all these actual tax
15 actions that have provided relief in recent
16 years.

17 And so let me just conclude by this.
18 Yes, property taxes are too damn high. We've all
19 identified that problem. This task force doesn't
20 look to identify that problem. This task force
21 looks to solve that problem that we all identify.

22 And so I thank the sponsor,
23 Senator Brooks. And just like a couple of weeks
24 ago, we took the action of finally having a
25 hearing -- finally having a hearing about how we

1 can find a better way to fund our schools,
2 something that this chamber has never done
3 before. We're now taking another small step,
4 admittedly, but at least a step forward.

5 I vote aye. Thank you.

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

8 Senator Robach to explain his vote.

9 SENATOR ROBACH: Yes. You know
10 what? I changed my mind on everything. I was
11 going to vote yes; I'm now going to vote no.

12 But I do think it is important that
13 we talk about this, because this is what people
14 where I live talk about the most: Taxes. And I
15 agree with Senator Griffo. People are voting
16 with their feet. Whether you live in New York
17 City or you live in upstate New York, people
18 leaving the state should be a concern to
19 everyone.

20 And people do -- Senator Skoufis,
21 you were in the Assembly. You know we negotiate
22 budgets. We give up spending so we can try and
23 help taxpayers. That's the truth. Did you vote
24 for the budget? I think you did.

25 We voted no because we didn't want

1 to do a billion dollars in new taxes and fees.
2 So it's not rhetoric. It's trying to be
3 responsive to the people we represent.

4 And while I applaud Senator Brooks,
5 this quite frankly is a Band-Aid on a limb being
6 cut off. The time to act is now. And you're
7 right, good or bad, you have the responsibility.
8 What I can pledge to you is if you put something
9 out that will cut taxes, I can almost guarantee
10 you that everybody on this side of the aisle will
11 vote for it, because it's what taxpayers where we
12 live are desperately crying for. Not rhetoric,
13 not studies, not groups of political people being
14 appointed to do it, but to take some action.
15 Just once, maybe cut taxes.

16 And you know what? The only time we
17 did it was when the Governor and the Senate was
18 Republican, and only the Assembly was Democratic.
19 That's the truth. That's the facts.

20 So let's get real. Thank you for
21 your efforts, Senator Brooks, but we've got to do
22 better, we've got to do more. I'm voting no.

23 ACTING PRESIDENT BENJAMIN: Senator
24 Robach to be recorded in the negative.

25 Senator Jackson to explain his vote.

1 SENATOR JACKSON: Thank you,
2 Mr. President and my colleagues. I rise to
3 comment. I'm listening to what is being said.

4 And even though I'm on this side of
5 the aisle, because I'm way over here and all of
6 you are in front of me --

7 (Laughter.)

8 SENATOR JACKSON: -- so when you
9 say "this side of the aisle," are you speaking
10 for me also?

11 (Laughter.)

12 SENATOR JACKSON: Because I'm a
13 Democrat from New York City.

14 And we're talking about a task
15 force. And I sure hope when this task force to
16 talk about tax relief for public education task
17 force, when it's established, I hope and pray
18 that it comes back with good results from good
19 research and analysis in three years. And I
20 think we all would hope and expect that.

21 And some of you have said -- and I
22 know, because I extended one, I guess, task force
23 for two more years, and it didn't do anything.
24 No members had any meetings for two years. So I
25 agree, to establish a task force and do nothing

1 is not good at all.

2 But I do say to all of you that I've
3 been to districts in this state, when it comes to
4 education -- many of you know my involvement in
5 education. And sometimes you have to go the full
6 distance to get the results that you need. And
7 the State of New York owes our children
8 \$4 billion right now. And our attorney, Michael
9 Rebel, and others are litigating that case.
10 Because quite frankly, if we want our state to be
11 the Empire State and we want our children to get
12 a good education so they can get a good job,
13 whether it's here in New York State or via the
14 internet to earn money to support their family,
15 we're going to have to make sure they get a good
16 education. So if the task force comes up with a
17 recommendation to improve the situation, I
18 support it wholeheartedly.

19 And I ask you, on behalf of the
20 children of New York State, especially if the
21 task force is going to come back with real
22 recommendations, that you support it.

23 And I wholeheartedly support the
24 task force. Senator Brooks, I've been on
25 Long Island, I've been up in Rochester, I've been

1 up in Syracuse, I've been in many parts of our
2 state looking at education -- and some small
3 rural districts. And they need a lot of help.
4 So if it's going to help all of the children in
5 New York State, I support it wholeheartedly.

6 I vote aye.

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

9 Senator Boyle to explain his vote.

10 SENATOR BOYLE: Mr. President, to
11 explain my vote.

12 Hope springs eternal, so that's why
13 I'm going to support Senator Brooks' legislation.

14 We are probably, if not past the
15 point of no return, we're very close to it.
16 People are being taxed out of their homes. In my
17 years I've probably done almost a thousand real
18 estate closings, many hundreds. And it's very,
19 very common that you have a senior citizen,
20 usually the widow, and we're doing the closing
21 and she's selling her house. The kids all live
22 in the neighborhood around, and she's selling her
23 house and moving south. The mortgage has been
24 paid off many years ago. And I ask them why are
25 you selling the house? The taxes.

1 We are literally taxing people out
2 of their houses. They cannot afford the taxes,
3 when the mortgage and everything else is long
4 paid off.

5 When we're looking at a task force,
6 I hope -- I think we should make it shorter than
7 three years, I'll give you that much. But other
8 states have tried this. Right? Michigan tried
9 it. It didn't go very well, changing the funding
10 system. And other states have tried it. So
11 maybe we have that task force do it in a year and
12 a half, or a year, and look at what some other
13 states did.

14 But the significant thing for me --
15 and I've had groups come into my district office
16 advocating -- I've always supported going to the
17 income tax. Despite the possible negative
18 aspects of it, I've supported doing that, and I
19 hope we do. However, the groups that come into
20 my district office have been supportive going to
21 the income tax. I say, "That's great, let's talk
22 about that." They want to add.

23 If we're going to go to an income
24 tax, it's going to replace the property taxes,
25 not add on top of what we have for property taxes

1 and income taxes. That's going to be an
2 important part of this task force.

3 I vote in favor.

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

6 Senator Tedisco to explain his vote.

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

9 It's a beautiful day outside, as we
10 all know. And you probably know the answer has
11 been, unrealistically, when the second floor has
12 asked, Why do we have taxes so high in New York
13 State, it's the weather. Everybody knows it's
14 not the weather. Individuals, 189,000, couldn't
15 afford to live here last year. That's why
16 they're leaving the State of New York.

17 If you talk about blaming people,
18 one side or another, in terms of why we have high
19 taxes here, I think we can take credit for the
20 STAR program. I think we can take credit for the
21 Enhanced STAR program. I think we can take
22 credit for doing everything we can on this side
23 of the aisle to get the message out: We live in
24 upstate New York, property taxes are out of
25 control in upstate New York, and we need some

1 resolve to that particular problem.

2 But every time we take one step
3 forward, these proposals, and we're able to
4 convince the other side, kicking and screaming,
5 to do them, the Executive level, the Assembly and
6 this body now takes two steps backwards. That's
7 the reason why there continue to be high taxes.
8 Because you can do all the events that make it
9 look better and feel better and actually be
10 better than take two steps backwards to make it
11 worse.

12 If you look at the situation in,
13 when this new majority took place, here are
14 majorities, realize this. We have one voice from
15 one affiliation from one region of the state
16 controlling the State of New York. And I
17 remember last year during the campaigns, "don't
18 worry about upstate New York, we're going to take
19 care of it, we're going to" -- ladies and
20 gentlemen, I listened. I don't even hear
21 crickets.

22 I hear silence for any upstate
23 economic expansion plan creating jobs, workers'
24 compensation reform, broadband in my district in
25 the 49th. We couldn't even get Amazon there. We

1 can't create 25,000 jobs or \$27 billion. We
2 don't have any broadband infrastructure in the
3 corners of my district. As I've said before, we
4 don't even have cellphone usage. You need homing
5 pigeons or smoke signals to get an emergency
6 vehicle. It's dangerous to live in the upper
7 parts of my particular district.

8 When you got elected, the Executive
9 said on the agenda, that progressive -- but I
10 call it regressive, because progressive has
11 "progress" in it. If your agenda was a time
12 machine, it would only go backwards in time,
13 because that's what the agenda has been for six
14 months here for this session. Social
15 experimentation. Either tax something or
16 legalize it. We'll legalize marijuana, we want
17 to legalize injection sites, we want to legalize
18 prostitution, we want to legalize driver's
19 licenses for people who break the law. Education
20 with taxpayers' money, healthcare -- and I know
21 what the end run is on that. Because if you give
22 them everything else, you know what, they deserve
23 to decide on their elected officials in the
24 government. We're going to have to give them
25 voters' rights.

1 The Business Council was wrong.
2 They were playing the short-term game. The
3 short-term game is yeah, that will create some
4 low-level jobs. The long-term game is when you
5 get them elected, they're going to vote for that
6 regressive radical liberal agenda that's gotten
7 us to the point where 200,000 people left the
8 State of New York last year, a million over the
9 last eight years. There will be a half a million
10 who left after we're done with this agenda, this
11 particular -- think about it.

12 We're number one in taxes overall,
13 or two. We're in the top five, at least. We're
14 number one in Tax Freedom Day in New York State.
15 We got there finally. We were number two.
16 Connecticut and Massachusetts -- or New Jersey
17 were tied, I believe. Do you know, I think it's
18 at least at the end of May or June, for those
19 people who are watching, the taxpayers, you're
20 number one in Tax Freedom Day in New York State.
21 For five and a half or six months, all of your
22 money goes government, local, state and federal.
23 You only take a dollar home the end of May or
24 June. One dollar to pay your mortgage. One
25 dollar to pay your kid's college tuition. One

1 dollar to buy a vehicle to get to work. That's
2 what tax freedom represents.

3 Well, socialization will make it
4 12 months. Why don't we just give all their
5 money for all 12 months and you dole it out, like
6 we want to do with rent control when that comes
7 up, what AOC wants to do. The cows, they can't
8 do their business, the planes can't fly. It's
9 not going to work.

10 ACTING PRESIDENT BENJAMIN: Senator
11 Tedisco --

12 SENATOR TEDISCO: It's never going
13 to be socialization --

14 ACTING PRESIDENT BENJAMIN: How do
15 you vote?

16 SENATOR TEDISCO: -- in New York
17 State.

18 ACTING PRESIDENT BENJAMIN: Senator
19 Tedisco, how do you vote?

20 SENATOR TEDISCO: I'm going to vote
21 yes on this, for the reason that --

22 (Laughter.)

23 SENATOR TEDISCO: -- for the reason
24 that --

25 (Scattered applause from Democrats.)

1 SENATOR TEDISCO: -- because I'll
2 try anything to get property taxes down in
3 New York State. But what you've got us to with
4 your agenda is causing us to have a lot of loss
5 in population, a lot of loss in economic
6 development.

7 And here's the last point I want to
8 make. Millennials, the last research that came
9 out, 35 years of age or younger who make over
10 \$100,000, 5500 of them have left the State of
11 New York. Number one in millennials leaving
12 since this agenda took place earlier in January,
13 of all the states in the nation.

14 ACTING PRESIDENT BENJAMIN: Senator
15 Tedisco -- Senator Tedisco to be recorded --

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

18 ACTING PRESIDENT BENJAMIN: -- in
19 the affirmative.

20 Senator Savino to explain her vote.

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

23 And as entertaining as that was, you
24 know, I've been here pretty long now. I've been
25 here through Republican governors, Democratic

1 governors, some have left, multiple sides of the
2 aisle. And so here's what I recall, because
3 we've been through many task forces trying to
4 figure out how to solve this problem.

5 And the interesting thing about
6 being an elected official in New York State is,
7 on the one hand, we like to brag about the amount
8 of spending we do on programs. When we go to our
9 school districts, we like to brag that we are --
10 as a state, we spend more per pupil than any
11 state in the country. That's what we say.

12 And then in other rooms we complain
13 about that, because we say our taxes are too
14 high. We make those decisions here in this room.
15 Nobody else did that. We make those decisions
16 here in this room, aided and abetted by our local
17 governments that make those decisions as well.

18 We've tried, over the years, efforts
19 to reduce spending at the local level. We have
20 700 school districts, right? One of them has
21 only five students in it, but they still have a
22 superintendent that earns \$365,000 a year. Makes
23 no sense to me. But that's what local government
24 does.

25 We've tried to reduce the size of

1 local government, we've tried to incentivize
2 that, they refused to do it. I remember when
3 Senator Saland was here and he was chair of the
4 Education Committee, he convened a blue-ribbon
5 panel to study how to reduce education spending,
6 school property taxes, and he came back, after a
7 task force, with some recommendations. And
8 number one on the list was local income tax.
9 Promptly took that study, put it in a desk drawer
10 somewhere, and no one has ever seen it since.

11 It's not that complicated to figure
12 this out. What it takes is the political will to
13 go back to our local districts and tell them that
14 if they want us to reduce our overall spending,
15 they have to reduce their overall spending. And
16 none of us want to do that, because we like what
17 we spend the money on. We just don't like the
18 way we raise the money.

19 So if we want to be senators, let's
20 be supportive of each other's efforts to try and
21 find solutions to these problems. Because we
22 want to be able to say that we spend more money
23 per pupil than any state in the country and get a
24 good result out of it. We provide healthcare to
25 people better than any other state in the

1 country, and we should be proud of that. But it
2 costs money. We should be proud of what we spend
3 our money on, and try to figure out ways to
4 reduce the cost of it, though. We can do that
5 working together.

6 I vote in favor of this. And
7 hopefully this task force and this study won't be
8 stuck in the bottom of a desk drawer somewhere
9 never to be seen again.

10 Thank you, Mr. President.

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

13 Senator Gaughran to explain his
14 vote.

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

17 Well, I've been here for almost six
18 months now, and I've been listening to a lot of
19 these arguments on both sides. And I think to
20 a large extent many of us are saying the same
21 thing on both sides of the aisle.

22 But where I do disagree with some of
23 the comments that were made on the other side of
24 the aisle is that this has absolutely nothing to
25 do with the fact that we no longer have a real

1 state and local tax deduction in this country and
2 it is really hurting us in this state. We lost
3 \$2.3 billion in revenue by the time we got to the
4 budget. And that wasn't just a number that was
5 made up, it was a fact, because there were people
6 who were changing their residence to other states
7 because they could not fully deduct their taxes,
8 including their property taxes.

9 So I thank Senator Brooks for doing
10 this. This is such a vital bill. Obviously it
11 can't be the only thing we do here to try to
12 reduce the property tax burden. But if we don't
13 address this situation now, especially in light
14 of the fact that we are getting killed by the
15 federal government, I don't know what else we're
16 going to be able to do. We have to reduce the
17 burden of property taxes to people on Long Island
18 that I represent, and all over the state.

19 So I vote in the affirmative,
20 Mr. President.

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

23 Senator Harckham to explain his
24 vote.

25 SENATOR HARCKHAM: Thank you,

1 Mr. Chair.

2 It's been an interesting
3 conversation. I originally was not going to
4 speak, but I'd like to follow up on what Senator
5 Savino started. It was about the local drivers
6 of this. You know, we're here talking about
7 ideology and Republicans and Democrats and, you
8 know, what we do in this room, you know, driving
9 up costs.

10 And you know, we started the
11 discussion in Westchester, and so I take it to
12 Westchester, where I'm from, and we have over
13 40 police departments in Westchester County. We
14 have over 40 departments of sanitation in
15 Westchester County, over 40 departments of parks
16 and rec in Westchester County, 40 zoning boards
17 in Westchester County, 40 planning boards,
18 40 court systems in Westchester County.

19 So those are the kind of local cost
20 drivers that are driving up the property tax, and
21 that 60 to 70 percent of the property taxes for
22 local education and the rest is for municipal and
23 county government.

24 So what political capital are we
25 going to use locally? When I was on the county

1 board, we were able to merge the Mount Kisco
2 police in with the county police. We saved them
3 a million dollars a year. And for a small
4 village, that's a lot of money. It was a lot of
5 work, a lot of political capital, but we got it
6 done.

7 Do we want one countywide police
8 department? No, that may not work. But we've
9 got to think in a lot of different terms.

10 And that's why I applaud
11 Senator Brooks for doing this, because this is
12 complex stuff. Yes, stuff we do in this room
13 obviously impacts the taxes we pay and how we
14 fund education. But there are also a lot of
15 local drivers to those property tax bills, and we
16 have to identify what they are so we can show
17 them to our constituents and they can make
18 choices.

19 You know, if you want to keep this
20 local police department, it's going to cost X,
21 but if you merge with the three towns next to
22 you, you're going to save Y.

23 And those are the kind of
24 computations that we need to do, and I look
25 forward to this commission doing it.

1 Thank you, Senator Brooks. I vote
2 aye.

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

5 Senator Brooks to close.

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

8 An interesting evening. This
9 debate, for me, started back in the '90s when I
10 was on the school board. One night our State
11 Assemblyman informed us he was coming into a
12 board meeting with a group, a tax PAC group, to
13 discuss our situation in secret. We had the
14 highest tax rate in Nassau County.

15 So I prepared a little study for
16 him. When he came in, he was surprised to learn
17 that Seaford had the lowest-paid superintendent
18 in Nassau County. The school district was in the
19 lowest quadrant of pay in Nassau County. Our
20 per-student spending was the lowest in the Nassau
21 County. Yet we had the highest tax rates.

22 We had the highest tax rate because
23 of the system we designed to pay for education.
24 It didn't recognize the fact that there was no
25 commercial property in Seaford. There still

1 isn't. There's two candy stores and a milk box.
2 There's no business there. We were a community
3 that got no additional aid, we had no commercial
4 tax base. While we had the lowest per-student
5 spending, we had the highest taxes.

6 We built the system built on
7 property taxes, residential property taxes. The
8 comment was made that in the bill it makes
9 reference to the new federal tax law. Of course
10 it does. We pay for education by state and local
11 taxes, just what the federal government put a cap
12 on. We've got people on Long Island and across
13 this state that their tax deduction from the
14 federal government is gone just on their school
15 taxes, before they've gone anyplace else.

16 Right now we're in the situation,
17 the numbers I've seen, the cost of the new
18 federal tax law in this state was about
19 \$15 billion in additional taxes. On Long Island,
20 \$2.3 billion. That's a lot of money. That's a
21 lot of money we could have put into education to
22 help bring these schools down.

23 But when you look at the studies,
24 the spending rate from district to district is
25 dramatically different. Sometimes, because of

1 the makeup of the district, they may have a lot
2 of special ed students. Sometimes, if you're in
3 the right district and you have a lot of
4 commercial property, you can spend all kinds of
5 money.

6 Senator LaValle remembers in the
7 Shoreham-Wading River School District, because of
8 Shoreham, they had all kinds of money to spend.
9 They were spending a fortune. They were sending
10 kids to Europe as part of school because they had
11 all that revenue. There was no control. We
12 don't control education spending in this state.

13 You look at the committee that we
14 put together, 43 people. What a crazy number.
15 What do you want all those people for? Because
16 the way the thing was set up, it involved --
17 everybody that takes part in education is in
18 there: The teachers, the administrators, the
19 whole nine yards. Everybody comes to the table.

20 And we've got to realize that we're
21 at a break point now. We can't go on the way
22 this is going. People can't afford these taxes
23 anymore.

24 You know, I had an opportunity --
25 before I came here, I was doing some risk

1 management work and helping some of the counties
2 in northern New York and Western New York. And
3 one day I was out playing golf with a teacher up
4 in Montgomery County -- St. Lawrence County,
5 rather. And he said to me, "You're from
6 Long Island. Do you still have polo teams there
7 for the schools?" That was the image they had.

8 No, we don't have polo teams. But
9 you know what we have? We have food banks.
10 Because people aren't rich. We've got people in
11 my community that bought houses years ago, maybe
12 paid \$15,000 for them. They're retired, on
13 limited incomes. But the house now is worth
14 \$800,000. You don't have the option to send a
15 window to pay your taxes, you've got to come up
16 with the money.

17 We've got to realize that this
18 system is broken. We've got to realize it's not
19 you did, we did, you did -- we all did. We
20 didn't do the job. The whole idea here is to put
21 a committee together with everybody involved in
22 education and look at the entire problem. The
23 role of education is changing, the demographic
24 profile of our school districts is dramatically
25 changing, and it brings tremendous expense.

1 We're not recognizing that, we're not providing
2 the funding. Phil and I are dealing with a
3 school district that basically is broke, and it's
4 all because of the demographic change that went
5 on.

6 We've got to realize we've got a
7 problem here and sit down and work at it
8 together. And we've got to realize that the new
9 federal tax laws absolutely compounded that
10 problem. The people that were paying the highest
11 property taxes are now paying taxes on their
12 taxes. And it's not right.

13 We've got to reexamine what we're
14 doing in this state. There's a bill that I
15 introduced, it's S1707. Look at it. It's a
16 bridge to take care of these three years. It's a
17 proposal that puts a cap on the maximum
18 percentage of tax levy we can put on property as
19 a percentage of their total spending.

20 When you look at the numbers -- and
21 years ago, the first time I got the runs for
22 every school district and I broke down every
23 single school district in the state with certain
24 numbers, and I went to Chuck Fuschillo with it.
25 He said, "God, you're dangerous with this, the

1 information you have."

2 You've got districts in this state
3 that more than 70 percent of the cost of
4 education is being paid by the homeowners in the
5 form of taxes. And you've got districts in this
6 state that 80 percent of the cost of education is
7 being funded by state aid.

8 You know, we look at the difference
9 in tax from upstate to downstate. The fellow I
10 was playing with, he said his taxes are much
11 higher than mine. I said, "What are your taxes?"
12 He says \$2500. I said, "Mine's 13,000." His
13 comment was, "Yeah, I'm paying more than you
14 are." I says, "How does that work?" He said,
15 "Well, the percentage of taxes to the value of my
16 house versus your house is much higher."

17 The truth of the matter is we've got
18 to develop a system where we provide, using
19 regional cost factors and expense controls, the
20 funds that they need for every student in your
21 district. Take into consideration those with
22 learning disabilities and people that are new to
23 this country and the assistance they need, give
24 every school what they need for the required
25 programs. Don't use property taxes. If you want

1 to expand the program further, then you make
2 property taxes then, and it's just for the
3 district.

4 But we have a real problem here.
5 It's not a Republican problem, it's not a
6 Democratic problem, it's a problem here. Yes,
7 people are leaving here because they can't afford
8 it. We need to sit down, put a group together,
9 and work this out.

10 I'm voting aye, Mr. President.

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

13 Announce the results.

14 THE SECRETARY: In relation to
15 Calendar 1285, those Senators voting in the
16 negative are Senators Antonacci, Flanagan, Funke,
17 Griffo, Helming, LaValle and Robach.

18 Ayes, 55. Nays, 7.

19 ACTING PRESIDENT BENJAMIN: The
20 bill is passed.

21 Senator Gianaris, that completes the
22 reading of the supplemental calendar.

23 SENATOR GIANARIS: Mr. President,
24 if we could return to motions and resolutions, I
25 have motions.

1 On behalf of Senator Rivera, I wish
2 to call up Senate Print 1026A, recalled from the
3 Assembly, which is now at the desk.

4 ACTING PRESIDENT BENJAMIN: The
5 Secretary will read.

6 THE SECRETARY: Calendar Number 51,
7 Senate Print 1026A, by Senator Rivera, an act to
8 amend the Vehicle and Traffic Law and the
9 Executive Law.

10 SENATOR GIANARIS: I move to
11 reconsider the vote by which this bill was
12 passed.

13 ACTING PRESIDENT BENJAMIN: The
14 Secretary will call the roll on reconsideration.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 62.

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

20 SENATOR GIANARIS: I offer the
21 following amendments.

22 ACTING PRESIDENT BENJAMIN: The
23 amendments are received.

24 SENATOR GIANARIS: Mr. President,
25 amendments are offered to the following bills:

1 On page 14, Calendar Number 431,
2 Senate Print 3937A, by Senator Hoylman;
3 Page 15, Calendar Number 455, Senate
4 Print 1693A, by Senator Krueger;
5 Page 43, Calendar 999, Senate Print
6 2724A, by Senator Krueger.
7 And page 16, Calendar Number 497,
8 Senate 4008B, by Senator Mayer.
9 ACTING PRESIDENT BENJAMIN: The
10 amendments are received, and the bills shall
11 retain their place on the Third Reading Calendar.
12 SENATOR GIANARIS: I move to amend
13 Senate 1026A, on behalf of Senator Rivera, by
14 striking out the amendments made on June 4th and
15 restoring it to its original print, 1026.
16 ACTING PRESIDENT BENJAMIN: It is
17 so ordered.
18 SENATOR GIANARIS: Please recognize
19 Senator Griffo.
20 ACTING PRESIDENT BENJAMIN: Senator
21 Griffo.
22 SENATOR GRIFFO: Thank you,
23 Mr. President.
24 On behalf of Senator Lanza, I move
25 that Senate Bill 815 be discharged from its

1 respective committee and be recommitted with
2 instructions to strike the enacting clause.

3 ACTING PRESIDENT BENJAMIN: It is
4 so ordered.

5 SENATOR GRIFFO: Thank you.

6 ACTING PRESIDENT BENJAMIN: Senator
7 Gianaris.

8 SENATOR GIANARIS: Is there any
9 further business at the desk?

10 ACTING PRESIDENT BENJAMIN: There
11 is no further business at the desk.

12 SENATOR GIANARIS: Move to adjourn
13 until tomorrow, Thursday, June 13th, at 1:00 p.m.

14 ACTING PRESIDENT BENJAMIN: On
15 motion, the Senate stands adjourned until
16 Thursday, June 13th, at 1:00 p.m.

17 (Whereupon, at 5:45 p.m., the Senate
18 adjourned.)

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