

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 13, 2019

11 2:43 p.m.

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13
14 REGULAR SESSION

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18 SENATOR BRIAN A. BENJAMIN, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

4 I ask everyone present to please
5 rise and recite the Pledge of Allegiance.

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

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

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

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

15 THE SECRETARY: In Senate,
16 Wednesday, June 12, 2019, the Senate met pursuant
17 to adjournment. The Journal of Tuesday, June 11,
18 2019, was read and approved. On motion, Senate
19 adjourned.

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

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: On page 14,

1 Senator Comrie moves to discharge, from the
2 Committee on Rules, Assembly Bill Number 6019A
3 and substitute it for the identical Senate Bill
4 2767A, Third Reading Calendar 428.

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

7 THE SECRETARY: On page 15,
8 Senator Bailey moves to discharge, from the
9 Committee on Rules, Assembly Bill Number 754A and
10 substitute it for the identical Senate Bill
11 1950A, Third Reading Calendar 467.

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

14 THE SECRETARY: On page 25,
15 Senator Kavanagh moves to discharge, from the
16 Committee on Elections, Assembly Bill Number 2264
17 and substitute it for the identical Senate Bill
18 2346, Third Reading Calendar 710.

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

21 THE SECRETARY: On page 26,
22 Senator Comrie moves to discharge, from the
23 Committee on Rules, Assembly Bill Number 1320A
24 and substitute it for the identical Senate Bill
25 3045B, Third Reading Calendar 711.

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

3 THE SECRETARY: On page 26,
4 Senator Skoufis moves to discharge, from the
5 Committee on Elections, Assembly Bill Number 4668
6 and substitute it for the identical Senate Bill
7 4910, Third Reading Calendar 712.

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

10 THE SECRETARY: On page 26,
11 Senator Metzger moves to discharge, from the
12 Committee on Elections, Assembly Bill Number 202
13 and substitute it for the identical Senate Bill
14 5199, Third Reading Calendar 713.

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

17 THE SECRETARY: On page 30,
18 Senator Carlucci moves to discharge, from the
19 Committee on Local Government, Assembly Bill
20 Number 5765 and substitute it for the identical
21 Senate Bill 4113, Third Reading Calendar 791.

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

24 THE SECRETARY: On page 41,
25 Senator Bailey moves to discharge, from the

1 Committee on Codes, Assembly Bill Number 748 and
2 substitute it for the identical Senate Bill 3672,
3 Third Reading Calendar 1005.

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

6 THE SECRETARY: On page 42,
7 Senator Mayer moves to discharge, from the
8 Committee on Rules, Assembly Bill Number 3771A
9 and substitute it for the identical Senate Bill
10 5589, Third Reading Calendar 1048.

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

13 THE SECRETARY: On page 43,
14 Senator Mayer moves to discharge, from the
15 Committee on Rules, Assembly Bill Number 3781 and
16 substitute it for the identical Senate Bill 5590,
17 Third Reading Calendar 1049.

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

20 THE SECRETARY: On page 44,
21 Senator Metzger moves to discharge, from the
22 Committee on Transportation, Assembly Bill Number
23 3860A and substitute it for the identical
24 Senate Bill 4945, Third Reading Calendar 1077.

25 ACTING PRESIDENT BENJAMIN: The

1 substitution is so ordered.

2 Messages from the Governor.

3 Reports of standing committees.

4 Reports of select committees.

5 Communications and reports from
6 state officers.

7 Motions and resolutions.

8 Senator Gianaris.

9 SENATOR GIANARIS: Mr. President,
10 on behalf of Senator Krueger, I move the
11 following bill be discharged from its respective
12 committee and be recommitted with instructions to
13 strike the enacting clause: Senate Bill 6422.

14 ACTING PRESIDENT BENJAMIN: It is
15 so ordered.

16 SENATOR GIANARIS: Amendments are
17 offered to the following Third Reading Calendar
18 bills:

19 Senator Parker, page 8, Calendar
20 Number 211, Senate Print 1411;

21 Senator Montgomery, page 15,
22 Calendar Number 480, Senate Print 724;

23 Senator Parker, page 35, Calendar
24 Number 888, Senate Print 5782;

25 Senator Gounardes, page 48, Calendar

1 Number 1261, Senate Print 5905;

2 Senator Kaminsky, page 22, Calendar

3 Number 634, Senate Print 97A;

4 Senator Kennedy, page 44, Calendar

5 Number 1083, Senate Print 6052;

6 Senator Comrie, page 48, Calendar

7 Number 1262, Senate Print 5932A;

8 Senator Kennedy, page 44, Calendar

9 Number 1082, Senate Print 6014.

10 ACTING PRESIDENT BENJAMIN: The
11 amendments are received, and the bills shall
12 retain their place on the Third Reading Calendar.

13 SENATOR GIANARIS: Without
14 objection, I wish to call up the following bills,
15 which were recalled from the Assembly and are now
16 at the desk:

17 Senate Print Numbers 2100A, 1631,
18 5575A, 5763A, and 3965.

19 ACTING PRESIDENT BENJAMIN: The
20 Secretary will read.

21 THE SECRETARY: Calendar Number
22 309, Senate Print 2100A, by Senator Mayer, an act
23 to require the Department of Environmental
24 Conservation to report on coyote management
25 techniques in urban and suburban areas.

1 Calendar Number 687, Senate Print
2 1631, by Senator Skoufis, an act to amend the
3 General Business Law.

4 Calendar Number 1094, Senate
5 Print 5575A, by Senator Thomas, an act to amend
6 the General Business Law and the State
7 Technology Law.

8 Calendar Number 926, Senate Print
9 5763A, by Senator Skoufis, an act to amend the
10 Retirement and Social Security Law.

11 Calendar Number 1305, Senate Print
12 3965, by Senator Kennedy, an act to amend the
13 Vehicle and Traffic Law.

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

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

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 55.

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

24 SENATOR GIANARIS: I offer the
25 following amendments.

1 ACTING PRESIDENT BENJAMIN: The
2 amendments are received.

3 SENATOR GIANARIS: Please recognize
4 Senator Griffo.

5 ACTING PRESIDENT BENJAMIN: Senator
6 Griffo.

7 SENATOR GRIFFO: Thank you,
8 Mr. President.

9 On behalf of Senator Flanagan, on
10 page 41 I offer the following amendments to
11 Calendar Number 1031, Senate Print 2854A, and ask
12 that the bill retain its place on third reading.

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

16 SENATOR GRIFFO: And on behalf of
17 Senator Little, on page 46 I offer the following
18 amendments to Calendar Number 1155, Senate Print
19 1997A, and ask that said bill retain its place on
20 third reading.

21 ACTING PRESIDENT BENJAMIN: The
22 amendments are received, and the bill shall
23 retain its place on the Third Reading Calendar.

24 SENATOR GRIFFO: And Mr. President,
25 on behalf of Senator Lanza, I move that

1 Senate Bill 815 be discharged from its respective
2 committee and be recommitted with instructions to
3 strike the enacting clause.

4 ACTING PRESIDENT BENJAMIN: It is
5 so ordered.

6 Senator Gianaris.

7 SENATOR GIANARIS: Mr. President,
8 at this time we're going to call an immediate
9 meeting of the Rules Committee in Room 332 and
10 simultaneously continue with resolutions.

11 ACTING PRESIDENT BENJAMIN: There
12 will be an immediate meeting of the
13 Rules Committee in Room 332.

14 SENATOR GIANARIS: Can you please
15 take up previously adopted Resolution 1912, by
16 Senator Martinez, read it in its entirety, and
17 recognize Senator Martinez.

18 ACTING PRESIDENT BENJAMIN: The
19 Secretary will read.

20 THE SECRETARY: Senate Resolution
21 1912, by Senator Martinez, memorializing Governor
22 Andrew M. Cuomo to proclaim July 6, 2019, as got
23 checked? Day in the State of New York.

24 "WHEREAS, It is the custom of this
25 Legislative Body to recognize official days that

1 are set aside to increase awareness of health
2 issues that affect the lives of citizens of
3 New York State; and

4 "WHEREAS, Attendant to such concern,
5 and in full accord with its long-standing
6 traditions, this Legislative Body is justly proud
7 to memorialize Governor Andrew M. Cuomo to
8 proclaim Saturday, July 6, 2019, as got checked?
9 Day in the State of New York; and

10 "WHEREAS, Sponsored by First Company
11 Pink, got checked? Day is a vital, lifesaving
12 campaign meant to educate and inspire youth to
13 seek change, through breast-health interactive
14 workshops and an array of valuable initiatives
15 educating our young women about their breast
16 cancer risks, allowing them to discover the
17 lifesaving power of intervention and lead them to
18 early detection; and

19 "WHEREAS, First Company Pink is an
20 independent not-for-profit organization founded
21 in April of 2010, by Donna Cioffi, as a selfless
22 act of courage, following her own personal battle
23 with breast cancer; she, along with others close
24 to her, have experienced firsthand what it is
25 like to be on the front line of the battlefield;

1 these passionate women work together to give
2 every woman an equal lifesaving opportunity; and
3 "WHEREAS, Since its inception, First
4 Company Pink has been passionately committed to
5 raising funds to support lifesaving breast cancer
6 research and promoting wellness and increasing
7 public awareness; through its partnership with
8 The Breast Cancer Research Foundation, First
9 Company Pink strives to fund clinical and
10 translational research, seeking prevention before
11 a cure is needed; and

12 "WHEREAS, With a 2 percent yearly
13 increase in metastatic breast cancer found in
14 young women, and the fact that 1 in 227 women in
15 the United States will be diagnosed with breast
16 cancer between the ages of 30 and 40, we can no
17 longer overlook this, it is now an epidemic; and

18 "WHEREAS, In 2015, Linda Bonanno, a
19 fellow survivor, joined forces with Donna Cioffi,
20 as cofounder, partner, and creative director, to
21 form the got checked? Campaign; and

22 "WHEREAS, This vital campaign is
23 focused on revising the current mammogram age
24 recommendation, and advocating for a breast
25 health mandate for the State of New York and

1 beyond, making it a permanent part of young
2 women's lives; and

3 "WHEREAS, Through a fresh and
4 current approach, using tools such as music,
5 videos, and a book entitled Decode Your Future,
6 the got checked? Campaign has reached a new
7 audience of young women, educating them about
8 their breasts and their risks for breast cancer;
9 and

10 "WHEREAS, In remembrance of the
11 women who have lost their lives to breast cancer,
12 and in support of those who are currently
13 fighting this disease, it is appropriate to
14 recognize got checked? Day in the State of
15 New York in order to foster public awareness and
16 understanding of breast cancer and to encourage
17 early detection and prompt treatment; now,
18 therefore, be it

19 "RESOLVED, That this Legislative
20 Body pause in its deliberations to memorialize
21 Governor Andrew M. Cuomo to proclaim July 6,
22 2019, as got checked? Day in the State of
23 New York; and be it further

24 "RESOLVED, That copies of this
25 resolution, suitably engrossed, be transmitted to

1 the Honorable Andrew M. Cuomo, Governor of the
2 State of New York; and Linda Bonanno and Donna
3 Cioffi, cofounders of the got checked? Campaign."

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

6 SENATOR MARTINEZ: Thank you,
7 Mr. President. Good afternoon.

8 It is such a pleasure to stand here
9 before you today to present to you two wonderful
10 women, and they are Donna and Linda from First
11 Company Pink, two powerful women who I have had
12 the privilege of knowing for quite a few years
13 now, because the first time I met them was when
14 they came to the Suffolk County Legislature
15 advocating for the same thing they're here
16 advocating for today.

17 And we do have a got checked? Day in
18 Suffolk, and it's so nice to know that we're
19 bringing it to the State of New York.

20 And these two ladies have done such
21 a great job making sure that we raise awareness
22 on the importance of getting mammograms done and
23 getting diagnosed and making sure that the health
24 and safety of our constituents is of utmost
25 priority.

1 We are seeing women and men -- which
2 is the real important thing that we need to
3 concentrate on this, is that it's not just women
4 who are diagnosed with breast cancer, but also
5 men. And this company, First Company Pink, they
6 do such great work in raising awareness and
7 making sure that people go to their doctors. But
8 the problem that we have encountered is that many
9 people do not go to see their doctors because
10 they may not have the financial means to do so.

11 And by just raising awareness and
12 making sure that we have this campaign out there
13 and allowing men and women to go out there and
14 get checked, I think it is so important. And we
15 need to realize that we have to do preventive
16 medicine first before we do reaction and reactory
17 medicine afterwards, because it is so important
18 to safeguard the health and make sure that we
19 save lives. And if this is one way to do so, I
20 completely, 100 percent, wholeheartedly support
21 it.

22 Ladies, I am so proud of you. And
23 please continue this great effort that you are
24 doing, this campaign, because it is just the
25 beginning. All right? And I know that we're

1 going to be hearing more from you.

2 And for all of you who are here
3 today, please help us raise this awareness,
4 because it is so important that we not only
5 educate our women, but we educate our children to
6 know that this is a very important cause that we
7 need to be behind and make sure that our doctors
8 are behind us as well, to make sure that our
9 cancer is diagnosed at an early age and therefore
10 being more preventive than treatment afterwards.

11 Thank you.

12 ACTING PRESIDENT BENJAMIN: To
13 Donna and Linda from the got checked? Campaign,
14 I welcome you on behalf of the Senate. We extend
15 to you all of the privileges and courtesies of
16 this house.

17 Please be recognized at this time.

18 (Standing ovation.)

19 ACTING PRESIDENT BENJAMIN: The
20 resolution was previously adopted on June 12th.

21 Senator Biaggi.

22 SENATOR BIAGGI: Thank you. Please
23 take up previously adopted Resolution 1663, by
24 Senator Carlucci, read that resolution in title
25 only, and recognize Senator Carlucci on that

1 resolution.

2 ACTING PRESIDENT BENJAMIN: The
3 Secretary will read.

4 THE SECRETARY: Senate Resolution
5 1663, by Senator Carlucci, memorializing Governor
6 Andrew M. Cuomo to proclaim August 2019 as
7 Indian-American Heritage Month in the State of
8 New York.

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

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

13 It's with great pride that I rise to
14 speak on this resolution to proclaim August as
15 Indian-American Heritage Month in the State of
16 New York.

17 And August 15th is the date when
18 India proclaimed its independence over the United
19 Kingdom, or from the United Kingdom. And so we
20 celebrate -- each year in New City, we have a
21 great parade that goes down Main Street in
22 New City, usually the hottest day of the year,
23 and we celebrate with pride India's independence
24 and, more importantly to us, the Indian-American
25 experience.

1 And I'm truly blessed that in
2 Rockland County we have a vibrant, growing
3 Indian-American community. And we're fortunate
4 today that we're joined by many guests. Some of
5 them had to leave, with session delayed, but
6 we're fortunate in the crowd today we have Aney
7 Paul, who is a county legislator in Rockland
8 County, and the first female Indian-American
9 county legislator in the nation.

10 And we're just honored to have her
11 here with us today. Thank you for being here,
12 and also other members from the community.

13 But many Senators might not realize
14 that in the United States we have over 3 million
15 Indian-Americans. And in the New York
16 metropolitan area, it's one of the most densely
17 populated areas for Indian-Americans in the
18 country. And that's something that is good for
19 all of us.

20 One of the distinct tributes to
21 Indian-American culture is that over 70 percent
22 of Indian-Americans have at least a bachelor's
23 degree. And we know the contributions that
24 Indians have made to New York State are profound,
25 whether it's in medicine, technology, music, art,

1 cuisine -- the list goes on and on.

2 And we are all grateful to the
3 Indian-Americans that have contributed to
4 New York State, to our economy, to our social
5 fabric. I just want to say thank you. I'm
6 blessed to be a part of such a vibrant Indian
7 community in Rockland County and in Westchester
8 County. So I'm excited that we'll be proclaiming
9 August as Indian American Heritage Month in the
10 State of New York.

11 Thank you, Mr. President.

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

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

16 I also am standing here with immense
17 pride because I'm the first Indian-American State
18 Senator in this chamber. And I thank Senator
19 Carlucci for introducing this, or else I would
20 have.

21 But it's just great to see my
22 community out here. It's just great to see that
23 this chamber is recognizing the Indian-American
24 community in this New York State and how much
25 they have done for this state to basically, you

1 know, just make it great as it is right now.

2 They're not just our friends and our
3 neighbors, these are doctors, engineers,
4 pharmacists, elected officials. They're just
5 there to make New York great.

6 And I thank the Senator for
7 introducing this and want to thank everyone for
8 showing up today as well.

9 Thank you.

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

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

14 And I too want to welcome my friend
15 Aney Paul back to Albany and to celebrate with
16 Senator Carlucci the contributions of the South
17 Asian -- particularly the Indian -- community.

18 And I'm proud to represent a
19 district in Queens which includes the Hindu
20 Temple of North America, where I have been on
21 many, many occasions. It's a wonderful
22 community.

23 And we welcome you to Albany and
24 celebrate your rich cultural heritage.

25 Thank you, Mr. President.

1 ACTING PRESIDENT BENJAMIN: To our
2 guests from the Indian-American community, I
3 welcome you on behalf of the Senate. We extend
4 to you all of the privileges and courtesies of
5 the house. Please rise and be recognized.

6 (Standing ovation.)

7 ACTING PRESIDENT BENJAMIN: The
8 resolution was previously adopted on May 30th.

9 Senator Biaggi.

10 SENATOR BIAGGI: At the request of
11 the sponsors, all of today's resolutions are open
12 for cosponsorship.

13 ACTING PRESIDENT BENJAMIN: The
14 resolutions are open for cosponsorship. Should
15 you choose not to be a cosponsor of the
16 resolutions, please notify the desk.

17 Senator Biaggi.

18 SENATOR BIAGGI: The Senate will
19 stand at ease.

20 ACTING PRESIDENT BENJAMIN: The
21 Senate will stand at ease.

22 (Whereupon, the Senate stood at ease
23 at 3:01 p.m.)

24 (Whereupon, the Senate reconvened at
25 3:11 p.m.)

1 ACTING PRESIDENT BENJAMIN: The
2 Senate will return to order.

3 Senator Gianaris.

4 SENATOR GIANARIS: Can we please
5 return to reports of standing committees.

6 I believe there's a report of the
7 Rules Committee at the desk.

8 ACTING PRESIDENT BENJAMIN: There
9 is a report of the Rules Committee at the desk.
10 The Secretary will read.

11 THE SECRETARY: Senator
12 Stewart-Cousins, from the Committee on Rules,
13 reports the following bills:

14 Senate Print 103A, by
15 Senator Kaminsky, an act authorizing The New
16 Horizon Counseling Center, Inc., to receive
17 retroactive real property tax exempt status;

18 Senate Print 104, by
19 Senator Kaminsky, an act authorizing the
20 alienation of certain parklands in the Town of
21 Hempstead, County of Nassau;

22 Senate Print 1234A, by
23 Senator Gallivan, an act to amend the
24 Environmental Conservation Law;

25 Senate Print 1736, by

1 Senator Jacobs, an act to amend the
2 General Municipal Law;

3 Senate Print 1827A, by
4 Senator Ritchie, an act to amend the Highway Law;

5 Senate Print 2459A, by
6 Senator Akshar, an act making certain findings
7 and determinations with respect to certain bond
8 anticipation notes issued by the City School
9 District of the City of Binghamton;

10 Senate Print 2857, by
11 Senator Flanagan, an act to amend the
12 Highway Law;

13 Senate Print 2994A, by
14 Senator Hoylman, an act to amend the
15 Public Health Law;

16 Senate Print 3658B, by
17 Senator Seward, an act to amend the Highway Law;

18 Senate Print 4098B, by
19 Senator Ranzenhofer, an act to amend Chapter 635
20 of the Laws of 1963;

21 Senate Print 4330, by
22 Senator Kaminsky, an act authorizing Seventh Day
23 Church of God of the Apostolic Faith to receive
24 retroactive real property tax exempt status;

25 Senate Print 5136B, by

1 Senator Carlucci, an act to amend the
2 Public Health Law;

3 Senate Print 5381, by
4 Senator Comrie, an act to direct the New York
5 State Department of Health to conduct a study on
6 the high incidence of asthma in the Fifth
7 Congressional District in the City of New York;

8 Senate Print 5487, by
9 Senator Carlucci, an act in relation to
10 authorizing Cong. K'hal Yereim of Woodridge to
11 file an application for a retroactive real
12 property tax exemption;

13 Senate Print 5554A, by Senator Liu,
14 an act to amend the Real Property Tax Law;

15 Senate Print 5614, by Senator Liu,
16 an act to amend the Real Property Law;

17 Senate Print 5803, by
18 Senator Gounardes, an act to amend the
19 Civil Service Law;

20 Senate Print 5808, by
21 Senator Montgomery, an act to establish a task
22 force on educator diversity in New York State;

23 Senate Print 5815B, by
24 Senator Kaplan, an act to amend the
25 Executive Law;

1 Senate Print 5890A, by
2 Senator Gounardes, an act to amend the
3 General Municipal Law and the Administrative Code
4 of the City of New York;

5 Senate Print 5927, by
6 Senator Stavisky, an act to amend the
7 Education Law;

8 Senate Print 5933A, by
9 Senator Comrie, an act to amend the State Finance
10 Law;

11 Senate Print 5941, by
12 Senator Carlucci, an act to amend the
13 Mental Hygiene Law;

14 Senate Print 5974, by
15 Senator Carlucci, an act to amend the
16 Election Law;

17 Senate Print 5987, by
18 Senator Sanders, an act to amend the Tax Law and
19 the State Finance Law;

20 Senate Print 6057, by
21 Senator Brooks, an act to amend the
22 Executive Law;

23 Senate Print 6083, by
24 Senator Hoylman, an act to amend the
25 Navigation Law;

1 Senate Print 6152, by
2 Senator Sepúlveda, an act to amend the
3 Criminal Procedure Law and the Civil Practice
4 Law and Rules;

5 Senate Print 6159, by
6 Senator Brooks, an act to amend the
7 Executive Law;

8 Senate Print 6164A, by
9 Senator Carlucci, an act to amend the
10 Mental Hygiene Law;

11 Senate Print 6165, by
12 Senator Sanders, an act to amend the
13 State Finance Law;

14 Senate Print 6171, by
15 Senator Kennedy, an act to amend the Vehicle and
16 Traffic Law and the Highway Law;

17 Senate Print 6181, by
18 Senator Metzger, an act to amend the
19 Alcoholic Beverage Control Law;

20 Senate Print 6229, by Senator May,
21 an act to amend the Transportation Law;

22 Senate Print 6243, by
23 Senator Persaud, an act in relation to requiring
24 the commissioner of Motor Vehicles to provide
25 information on motor vehicle manufacturer safety

1 recalls;

2 Senate Print 6294, by
3 Senator Skoufis, an act in relation to
4 authorizing Girl Scouts Heart of the Hudson,
5 Inc., to file an application for a real property
6 tax exemption;

7 Senate Print 6316, by
8 Senator Stavisky, an act to amend the
9 Education Law;

10 Senate Print 6317, by
11 Senator Rivera, an act to amend Chapter 81 of the
12 Laws of 1995;

13 Senate Print 6318, by
14 Senator Rivera, an act to amend Chapter 451 of
15 the Laws of 2007;

16 Senate Print 6329, by
17 Senator Kaminsky, an act to amend Chapter 413 of
18 the Laws of 2015;

19 Senate Print 6330A, by
20 Senator Krueger, an act to amend the
21 Domestic Relations Law;

22 Senate Print 6341, by
23 Senator Breslin, an act to amend the
24 Insurance Law;

25 Senate Print 6388, by

1 Senator Persaud, an act to amend Chapter 81 of
2 the Laws of 1995;

3 And Senate Print 6429A, by
4 Senator Carlucci, an act in relation to
5 authorizing the Yeshiva Shaar Ephraim of Monsey
6 to file an application for a retroactive real
7 property tax exemption.

8 All bills ordered direct to third
9 reading.

10 SENATOR GIANARIS: Move to accept
11 the report of the Rules Committee.

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

15 (Response of "Aye.")

16 ACTING PRESIDENT BENJAMIN:
17 Opposed, nay.

18 (Response of "Nay.")

19 ACTING PRESIDENT BENJAMIN: The
20 Rules Committee report is accepted.

21 SENATOR GIANARIS: Can we now take
22 up the reading of the calendar.

23 ACTING PRESIDENT BENJAMIN: The
24 Secretary will read.

25 THE SECRETARY: Calendar Number

1 181, Senate Print 727A, by Senator Montgomery, an
2 act to amend the Banking Law.

3 ACTING PRESIDENT BENJAMIN: Read
4 the last section.

5 THE SECRETARY: Section 4. 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: Senator
11 Montgomery to explain her vote.

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

14 I am very happy that we are doing
15 this bill today. It is a bill that will
16 strengthen the credit unions in our state by
17 allowing their participation in a program that is
18 extremely important to banking and communities in
19 our state. It's the Banking Development
20 District. So credit unions will now be eligible
21 to participate in the Banking Development
22 District Program.

23 What that means to them is that they
24 are located in communities, and if they're not
25 already located, they can open branches in

1 communities, specifically those areas in our
2 state that are underbanked or, unfortunately,
3 even unbanked, which is a large part of our state
4 these days.

5 Those credit unions will be eligible
6 to receive below-market loans or deposits from
7 the state, which the credit union can then use to
8 make loans in those communities. This will allow
9 them to become a part of the building out of
10 financial institutions, especially for those
11 communities that have traditionally been limited
12 to the use of what I consider to be, and many of
13 us consider to be, predatory financial
14 operations.

15 So I'm very happy to have been able
16 to work with the banking chair, Senator Sanders,
17 with our staff, and over the years we've worked
18 and worked to make sure that we get to this day.

19 I am happy to have the support of
20 SEFCU and SPX Federal Credit Union and Hudson
21 Valley Federal Credit Union, and CFCU Community
22 Credit Union, and MCU, and definitely what most
23 of us consider our credit union, SEFCU, here in
24 Albany.

25 And let me just say I acknowledge

1 the first credit union that I was a member of as
2 a young banker many, many years ago was Concord
3 Federal Credit Union from my church in Brooklyn.
4 So I am indeed indebted to those institutions --
5 and there are many more, I just named a few in
6 our state -- that have been very much involved in
7 helping us get to this point.

8 And I want to recognize some of the
9 members of the credit union. And since credit
10 unions are member-owned and community-based, it's
11 a not-for-profit organization, so we really
12 represent what I believe to be the future of
13 financial activity in our state.

14 I'd like to recognize some of the
15 members who have come today to join us in the
16 upstairs: Earl Young, of SEFCU; Dawn Donovan, of
17 Sunmark; Joy David, of Sunmark; Matthew Linden,
18 of Sunmark; Douglas Pekola, SEFCU; Nicholas
19 Fiducia, SEFCU; Ryan Waterman, SEFCU; Amanda
20 Stallmer, SEFCU; Michael Clemente, SEFCU; Andrea
21 Johnson, SEFCU; Michael Galligan, CAP COM; Bob
22 Bascom, CAP COM; Kelly Smith, CAP COM; and Chris
23 D'Ambro, CAP COM. And there is also support from
24 the Credit Union Association of New York State.

25 So, Mr. President, we have a lot of

1 support for this. We have a lot of people in our
2 state, thousands and thousands of members of
3 credit unions in our state, who now, based on
4 this legislation and the fact that once it's
5 passed and signed by the Governor, we will be
6 offering people in our state access to credit
7 that they have not had in the past.

8 So thank you, Mr. President. I vote
9 aye.

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

12 Order in the chamber, please. I
13 know there's conversations. Please keep it down.

14 Senator Sanders to explain his vote.

15 SENATOR SANDERS: On the bill,
16 Mr. President.

17 I just wanted to thank our sponsor
18 for getting us to this historic moment where we
19 are understanding that the business of New York
20 is business. And enabling everybody to have a
21 share, have a possibility, is what this bill is
22 about. And I just wanted to commend you and
23 commend this body for taking this historic step.

24 Thank you very much, Mr. President.

25 ACTING PRESIDENT BENJAMIN: Senator

1 Sanders to be recorded in the affirmative.

2 Announce the results.

3 THE SECRETARY: In relation to
4 Calendar Number 181, those Senators voting in the
5 negative are Senators Antonacci, Flanagan,
6 Griffo, Jacobs, Jordan, LaValle, Little, O'Mara,
7 Ranzenhofer, Seward and Tedisco.

8 Ayes, 51. Nays, 11.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 337, Senate Print 2115B, by Senator Sanders, an
13 act to establish a commission to determine what
14 benefits a public bank or network of public banks
15 owned by the State of New York or by a public
16 authority constituted by the State of New York
17 can provide.

18 ACTING PRESIDENT BENJAMIN: Read
19 the last section.

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

22 ACTING PRESIDENT BENJAMIN: Call
23 the roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BENJAMIN: Senator

1 Sanders to explain his vote.

2 SENATOR SANDERS: Mr. President,
3 I'm sure my colleagues on the other side were
4 actually trying to vote for it but were -- raised
5 their hand at the wrong moment.

6 I think that this is a way that we
7 can study ways that we can stimulate the
8 agriculture of the north, the commerce of every
9 part of our state. We have to look at this and
10 see how can we use the people's money in a wiser
11 fashion to get New York back to being the
12 Empire State and make New York great again.

13 Thank you, Mr. President.

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

16 Announce the results.

17 THE SECRETARY: In relation to
18 Calendar Number 337, those Senators voting in the
19 negative are Senators Akshar, Amedore, Antonacci,
20 Boyle, Flanagan, Funke, Gallivan, Griffio,
21 Helming, Jacobs, Jordan, LaValle, Little, O'Mara,
22 Ortt, Ritchie, Serino, Seward and Tedisco.

23 Ayes, 43. Nays, 19.

24 ACTING PRESIDENT BENJAMIN: The
25 bill is passed.

1 THE SECRETARY: Calendar Number
2 459, Senate Print 2387A, by Senator Persaud, an
3 act to amend the General Business Law.

4 SENATOR GIANARIS: Lay it aside for
5 the day, please.

6 ACTING PRESIDENT BENJAMIN: The
7 bill will be laid aside for the day.

8 THE SECRETARY: Calendar Number
9 465, Senate Print 3852A, by Senator Martinez, an
10 act to amend the Insurance Law.

11 ACTING PRESIDENT BENJAMIN: Read
12 the last section.

13 THE SECRETARY: Section 4. This
14 act shall take effect on the 30th 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 Boyle to explain his vote.

21 SENATOR BOYLE: Mr. President, to
22 explain my vote.

23 I'd like to thank Senator Martinez
24 for bringing this bill forward. I sponsored it
25 for many years as a member of the Senate.

1 It will allow for treatment and
2 testing of breast cancer at an earlier age, at 35
3 and over. And I want to also commend the men and
4 women advocates, Donna and Linda from First
5 Company Pink, for being here and for their
6 advocacy for this legislation, in memory of
7 Shannon Saturno, a young woman who was a teacher
8 in my district, died at age 31 from breast
9 cancer, she was pregnant at the time.

10 We have to get checked earlier,
11 younger and younger. We're losing too many
12 people who are not getting checked. Young
13 adults, they do not think about getting a breast
14 cancer exam, they just don't think about it till
15 they're older. Well, this is going to allow
16 insurance coverage for this.

17 And with the great advocacy of all
18 the colleagues in the room and First Company
19 Pink, we're going to save lives in the State of
20 New York.

21 I vote aye.

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

24 Announce the results.

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT BENJAMIN: The
2 bill is passed.

3 THE SECRETARY: Calendar Number
4 467, Assembly Print Number 754A, substituted
5 earlier by Assemblymember Joyner, an act to amend
6 the Judiciary Law.

7 ACTING PRESIDENT BENJAMIN: Read
8 the last section.

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

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: In relation to
18 Calendar Number 467, those Senators voting in the
19 negative are Senators Antonacci, Jordan, Seward,
20 Akshar, Ortt and Lanza.

21 Ayes, 56. Nays, 6.

22 ACTING PRESIDENT BENJAMIN: The
23 bill is passed.

24 THE SECRETARY: Calendar Number
25 539, Senate Print 4475, by Senator Montgomery, an

1 act to amend the Public Health Law and the
2 Education Law.

3 ACTING PRESIDENT BENJAMIN: Read
4 the last section.

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

7 THE SECRETARY: Call the roll.
8 (The Secretary called the roll.)

9 ACTING PRESIDENT BENJAMIN: Senator
10 Montgomery to explain her vote.

11 SENATOR MONTGOMERY: Yes, briefly,
12 Mr. President.

13 This bill is meant to make sure that
14 no child is left without a guardian who is in a
15 position to make decisions on their health,
16 access to healthcare, education, and other needs
17 of that child.

18 So it simply says that anyone who is
19 a legally authorized guardian -- based on a court
20 decision -- of a child, that person has all of
21 the rights and responsibilities to make sure that
22 that child gets healthcare, has education, and
23 accesses services for that young person.

24 So, Mr. President, I'm very happy
25 that we're doing this today because as we know,

1 every child needs -- and I believe that children
2 need healthcare, including vaccinations. And if
3 they live in a household and they have been
4 placed by protective services, that that person
5 who is their now-guardian, even though it's not
6 their parent, that person should be able to make
7 those decisions.

8 So thank you, and I vote aye.

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

11 Announce the results.

12 THE SECRETARY: Ayes, 62.

13 ACTING PRESIDENT BENJAMIN: The
14 bill is passed.

15 THE SECRETARY: Calendar Number
16 649, Senate Print 3227A, by Senator Sanders, an
17 act to amend the Banking Law.

18 ACTING PRESIDENT BENJAMIN: Read
19 the last section.

20 THE SECRETARY: Section 2. 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:

2 Announce the results.

3 THE SECRETARY: In relation to
4 Calendar Number 649, those Senators voting in the
5 negative are Senators Akshar, Amedore, Antonacci,
6 Boyle, Gallivan, Griffio, Helming, Jordan, Lanza,
7 LaValle, Little, O'Mara, Ortt, Ranzenhofer,
8 Ritchie, Robach, Serino and Tedisco. Also
9 Senator Seward.

10 Ayes, 43. Nays, 19.

11 ACTING PRESIDENT BENJAMIN: The
12 bill is passed.

13 THE SECRETARY: Calendar Number
14 659, Senate Print 2910, by Senator Griffio, an act
15 to amend the Highway Law and the Vehicle and
16 Traffic Law.

17 ACTING PRESIDENT BENJAMIN: Read
18 the last section.

19 THE SECRETARY: Section 4. This
20 act shall take effect on the 120th 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:

1 Announce the results.

2 THE SECRETARY: In relation to
3 Calendar Number 659, voting in the negative:
4 Senator Skoufis.

5 Ayes, 61. Nays, 1.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 666, Senate Print 3664A, by Senator Gianaris, an
10 act to amend the Insurance Law.

11 ACTING PRESIDENT BENJAMIN: Read
12 the last section.

13 THE SECRETARY: Section 2. This
14 act shall take effect January 1, 2021.

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: In relation to
21 Calendar Number 666, voting in the negative:
22 Senator Ranzenhofer.

23 Ayes, 61. Nays, 1.

24 ACTING PRESIDENT BENJAMIN: The
25 bill is passed.

1 THE SECRETARY: Calendar Number
2 700, Senate Print 3822, by Senator Savino,
3 Concurrent Resolution of the Senate and Assembly
4 proposing an amendment to Section 1 of Article 2
5 of the Constitution.

6 ACTING PRESIDENT BENJAMIN: Call
7 the roll on the resolution.

8 (The Secretary called the roll.)

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

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

13 I have carried this Concurrent
14 Resolution of the Senate and the Assembly for
15 several years now. The Assembly has passed it
16 several times. We've seen an unprecedented
17 interest in young people wanting to participate
18 in the political process. So let me just remind
19 people what we're doing here.

20 We're asking to allow 17-year-olds
21 who would otherwise be eligible to vote in the
22 general election later that year -- they'd have
23 to be 18 at the time of that election -- to be
24 able to participate in the presidential primary.
25 That's it. That's it.

1 And remember, a primary is not an
2 election. It is a partisan candidate selection
3 process. And we think it should be an
4 opportunity for those 17-year-olds who are going
5 to be saddled with the decision that we make in
6 April that they have to then choose from in
7 November to have a shot to have a say as to who's
8 going to be on the ballot that November.

9 This is a constitutional amendment.
10 Let the people decide. And hopefully a lot of
11 young people will participate in voting for this.

12 I vote in the affirmative,
13 Mr. President. Thank you.

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

16 Announce the results.

17 THE SECRETARY: In relation to
18 Calendar Number 700, those Senators voting in the
19 negative are Senators Akshar, Amedore, Antonacci,
20 Boyle, Flanagan, Funke, Gallivan, Griffo,
21 Helming, Jacobs, Jordan, Lanza, LaValle, Little,
22 O'Mara, Ortt, Ranzenhofer, Ritchie, Robach,
23 Serino, Seward and Tedisco.

24 Ayes, 40. Nays, 22.

25 ACTING PRESIDENT BENJAMIN: The

1 resolution is adopted.

2 THE SECRETARY: Calendar Number
3 710, Assembly Print Number 2264, substituted
4 earlier by Assemblymember Lavine, an act to amend
5 the Election Law.

6 ACTING PRESIDENT BENJAMIN: Read
7 the last section.

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

10 ACTING PRESIDENT BENJAMIN: Call
11 the roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BENJAMIN:
14 Announce the results.

15 THE SECRETARY: In relation to
16 Calendar Number 710, those Senators voting in the
17 negative are Senators Akshar, Amedore, Antonacci,
18 Boyle, Flanagan, Funke, Gallivan, Griffio,
19 Helming, Jacobs, Jordan, Lanza, LaValle, Little,
20 O'Mara, Ortt, Ranzenhofer, Ritchie, Robach,
21 Serino, Seward and Tedisco.

22 Ayes, 40. Nays, 22.

23 ACTING PRESIDENT BENJAMIN: The
24 bill is passed.

25 THE SECRETARY: Calendar Number

1 711, Assembly Print Number 1320A, substituted
2 earlier by Assemblymember Cahill, an act to amend
3 the Election Law.

4 ACTING PRESIDENT BENJAMIN: Read
5 the last section.

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

8 ACTING PRESIDENT BENJAMIN: Call
9 the roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BENJAMIN:
12 Announce the results.

13 THE SECRETARY: In relation to
14 Calendar Number 711, those Senators voting in the
15 negative are Senators Akshar, Amedore, Antonacci,
16 Boyle, Flanagan, Funke, Gallivan, Griffio,
17 Helming, Jacobs, Jordan, Lanza, LaValle, Little,
18 O'Mara, Ortt, Ranzenhofer, Ritchie, Robach,
19 Serino, Seward and Tedisco.

20 Ayes, 40. Nays, 22.

21 ACTING PRESIDENT BENJAMIN: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 712, Assembly Print 4668, substituted earlier by
25 Assemblymember Zebrowski, an act to amend the

1 Election Law.

2 ACTING PRESIDENT BENJAMIN: Read
3 the last section.

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

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: In relation to
12 Calendar Number 712, voting in the negative:
13 Senator Akshar.

14 Ayes, 61. Nays, 1.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

17 THE SECRETARY: Calendar Number
18 713, Assembly Print Number 202, substituted
19 earlier by Assemblymember Cahill, an act to amend
20 the Election 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
9 718, Senate Print 1544, by Senator Kennedy, an
10 act to amend the Public Health Law and
11 Chapter 802 of the Laws of 1947.

12 ACTING PRESIDENT BENJAMIN: Read
13 the last section.

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

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
25 732, Senate Print 4653, by Senator Metzger, an

1 act to amend the Agriculture and Markets 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
16 755, Senate Print 987, by Senator Breslin, an act
17 to amend the Public Health Law.

18 ACTING PRESIDENT BENJAMIN: Read
19 the last section.

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

22 ACTING PRESIDENT BENJAMIN: Call
23 the roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BENJAMIN:

1 Announce the results.

2 THE SECRETARY: In relation to
3 Calendar 755, those Senators voting in the
4 negative are Senators Akshar, Antonacci, Funke,
5 Griffo, Helming, Jacobs, Jordan, O'Mara, Ortt,
6 Ranzenhofer, Ritchie, Serino and Tedisco.

7 Ayes, 49. Nays, 13.

8 ACTING PRESIDENT BENJAMIN: The
9 bill is passed.

10 THE SECRETARY: Calendar Number
11 777, Senate Print 3090, by Senator Ranzenhofer,
12 an act to amend the Public Authorities 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

1 778, Senate Print 4278, by Senator Krueger, an
2 act to amend the Business Corporation Law.

3 ACTING PRESIDENT BENJAMIN: Read
4 the last section.

5 THE SECRETARY: Section 4. This
6 act shall take effect on the 30th day after it
7 shall have become a law.

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 778, voting in the negative:
15 Senator Akshar.

16 Ayes, 61. Nays, 1.

17 ACTING PRESIDENT BENJAMIN: The
18 bill is passed.

19 THE SECRETARY: Calendar Number
20 791, Assembly Print 5765, substituted earlier by
21 Assemblymember Zebrowski, an act to amend the
22 Real Property Tax 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
11 794, Senate Print 4676A, by Senator Kavanagh, an
12 act to amend the Real Property Tax Law.

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

15 ACTING PRESIDENT BENJAMIN: The
16 bill will be laid aside for the day.

17 THE SECRETARY: Calendar Number
18 834, Senate Print 2655A, by Senator Stavisky, an
19 act to amend the Public Health Law.

20 SENATOR GIANARIS: Lay it aside for
21 the day.

22 ACTING PRESIDENT BENJAMIN: The
23 bill will be laid aside for the day.

24 THE SECRETARY: Calendar Number
25 836, Senate Print 4770A, by Senator Salazar, an

1 act to amend the Social Services Law.

2 ACTING PRESIDENT BENJAMIN: Read
3 the last section.

4 THE SECRETARY: Section 3. 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
15 857, Senate Print 3652, by Senator Biaggi, an act
16 to amend the Domestic Relations Law and the
17 Executive Law.

18 ACTING PRESIDENT BENJAMIN: Read
19 the last section.

20 THE SECRETARY: Section 6. This
21 act shall take effect on the 90th 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: In relation to
4 Calendar Number 857, those Senators voting in the
5 negative are Senators Akshar, Flanagan, Funke,
6 Griffo, Helming, Jacobs, Jordan, Ortt,
7 Ranzenhofer and Tedisco.

8 Ayes, 52. Nays, 10.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 859, Senate Print 3966A, by Senator Salazar, an
13 act to amend the Executive Law.

14 ACTING PRESIDENT BENJAMIN: Read
15 the last section.

16 THE SECRETARY: Section 3. This
17 act shall take effect on the 90th day after it
18 shall have become a law.

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
3 887, Senate Print 5627, by Senator Parker, an act
4 to amend the Public Service Law.

5 ACTING PRESIDENT BENJAMIN: Read
6 the last section.

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

9 ACTING PRESIDENT BENJAMIN: Call
10 the roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BENJAMIN:
13 Announce the results.

14 THE SECRETARY: In relation to
15 Calendar Number 887, those Senators voting in the
16 negative are Senators Akshar, Amedore, Antonacci,
17 Boyle, Flanagan, Funke, Gallivan, Griffio,
18 Helming, Jacobs, Jordan, Lanza, Little, Metzger,
19 O'Mara, Ortt, Ranzenhofer, Ritchie, Seward and
20 Tedisco.

21 Ayes, 42. Nays, 20.

22 ACTING PRESIDENT BENJAMIN: The
23 bill is passed.

24 THE SECRETARY: Calendar Number
25 899, Senate Print 4188, by Senator Kennedy, an

1 act to amend the Banking 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
16 932, Senate Print 2936, by Senator Kaminsky, an
17 act to amend the Town Law.

18 ACTING PRESIDENT BENJAMIN: Read
19 the last section.

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

22 ACTING PRESIDENT BENJAMIN: Call
23 the roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BENJAMIN:

1 Announce the results.

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT BENJAMIN: The
4 bill is passed.

5 THE SECRETARY: Calendar Number
6 934, Senate Print 4230B, by Senator Kaminsky, an
7 act relating to assessment of property owned by
8 water-works corporations.

9 ACTING PRESIDENT BENJAMIN: Read
10 the last section.

11 THE SECRETARY: Section 7. 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: Senator
17 Kaminsky to explain his vote.

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

20 I rise today to speak on Bill Number
21 4230B, which concerns American Water.

22 Many Long Island ratepayers have
23 found billing spikes that they never believed
24 possible in just the last year. We're talking
25 seniors on fixed incomes who have seen their

1 bills in some cases quadruple or more. And
2 providing rate relief in the face of a private
3 water company that is really taking it to its
4 ratepayers is something that we need to
5 prioritize here in Albany.

6 So what this bill will do, it will
7 make sure that ratepayers receive a significant
8 reduction in Nassau County who have American
9 Water. And it will accomplish that by doing the
10 following: By having American Water no longer
11 pay a franchise tax on public right-of-way
12 properties and mandating by law that every penny
13 that they save must go directly to ratepayers.
14 This will result in substantial savings for
15 ratepayers.

16 But this also raises a larger issue
17 of what happens when private water companies
18 decide to take over municipal water
19 infrastructure. And almost inevitably, the
20 person who ends up paying the price is the
21 customer. It used to be that the water bill was
22 the one bill that you didn't have to wince when
23 you opened it coming out of your mail. That's no
24 longer the case. And it's a sad state for many
25 individuals on Long Island who find affordability

1 to be a problem.

2 So we're trying any way we can to
3 help. This bill will help people with their
4 water bills. That's why, Mr. President, I vote
5 in the affirmative.

6 ACTING PRESIDENT BENJAMIN: Senator
7 Kaminsky 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
13 937, Senate Print 5138, by Senator Mayer, an act
14 to amend the General Municipal Law.

15 ACTING PRESIDENT BENJAMIN: Read
16 the last section.

17 THE SECRETARY: Section 4. 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 937, those Senators voting in the

1 negative are Senators Akshar, Amedore, Gallivan,
2 Jacobs, O'Mara, Ortt, Ranzenhofer and Tedisco.

3 Ayes, 54. Nays, 8.

4 ACTING PRESIDENT BENJAMIN: The
5 bill is passed.

6 THE SECRETARY: Calendar Number
7 956, Senate Print 5240, by Senator Kaplan, an act
8 to amend the State Administrative Procedure Act.

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
22 960, Senate Print 1245A, by Senator Carlucci, an
23 act to amend the Alcoholic Beverage Control Law.

24 ACTING PRESIDENT BENJAMIN: Read
25 the last section.

1 THE SECRETARY: Section 2. 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
12 967, Senate Print 5509, by Senator Metzger, an
13 act to amend the Alcoholic Beverage Control Law.

14 ACTING PRESIDENT BENJAMIN: Read
15 the last section.

16 THE SECRETARY: Section 3. This
17 act shall take effect on the 30th day after it
18 shall have become a law.

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
3 990, Senate Print 6197, by Senator Breslin, an
4 act to amend the Insurance Law.

5 ACTING PRESIDENT BENJAMIN: Read
6 the last section.

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

9 ACTING PRESIDENT BENJAMIN: Call
10 the roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BENJAMIN:
13 Announce the results.

14 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

17 THE SECRETARY: Calendar Number
18 1005, Assembly Print 748, substituted earlier by
19 Assemblymember Cook, an act to amend the
20 County 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 Gaughran to explain his vote.

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

7 I'd like to thank Senator Bailey for
8 this important legislation.

9 And also we had a discussion
10 earlier, and I recognize that this is going to
11 impose some costs on localities and that we will
12 need to work very closely next year when we get
13 into the budget, as this bill is hopefully being
14 implemented, to try to provide some funding.

15 And I vote in the affirmative,
16 Mr. President.

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

19 Announce the results.

20 THE SECRETARY: Ayes, 62.

21 ACTING PRESIDENT BENJAMIN: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 1047, Senate Print 5528, by Senator Harckham, an
25 act to direct the Education Department to study,

1 review and report on the geographic cost
2 variation of counties in the Hudson Valley labor
3 force region.

4 ACTING PRESIDENT BENJAMIN: Read
5 the last section.

6 THE SECRETARY: Section 4. 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: Ayes, 62.

14 ACTING PRESIDENT BENJAMIN: The
15 bill is passed.

16 THE SECRETARY: Calendar Number
17 1048, Assembly Print Number 3771A, substituted
18 earlier by Assemblymember Barrett, an act to
19 amend the Education Law.

20 ACTING PRESIDENT BENJAMIN: Read
21 the last section.

22 THE SECRETARY: Section 2. 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:

3 Announce the results.

4 THE SECRETARY: In relation to
5 Calendar Number 1048, voting in the negative:
6 Senator Flanagan.

7 Ayes, 61. Nays, 1.

8 ACTING PRESIDENT BENJAMIN: The
9 bill is passed.

10 THE SECRETARY: Calendar Number
11 1049, Assembly Print Number 3781, substituted
12 earlier by Assemblymember Barrett, an act to
13 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 1077, Assembly Print Number 3860A, substituted
3 earlier by Assemblymember Magnarelli, an act to
4 amend the Vehicle and Traffic Law.

5 ACTING PRESIDENT BENJAMIN: Read
6 the last section.

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

9 ACTING PRESIDENT BENJAMIN: Call
10 the roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BENJAMIN:
13 Announce the results.

14 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

17 THE SECRETARY: Calendar Number
18 1101, Senate Print 5209A, by Senator Sanders, an
19 act to amend the Elder Law.

20 ACTING PRESIDENT BENJAMIN: Read
21 the last section.

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

24 THE SECRETARY: Call 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 1106, Senate Print 5367, by Senator Comrie, an
8 act to amend the Public Health Law.

9 ACTING PRESIDENT BENJAMIN: Read
10 the last section.

11 THE SECRETARY: Section 3. 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 1187, Senate Print 4416B, by Senator Kaplan, an
23 act to require the Office of Parks, Recreation
24 and Historic Preservation to create a plan
25 regarding non-motorized multi-use trails.

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

15 SENATOR GIANARIS: Thank you,
16 Mr. President. Can we now take up the
17 supplemental active list.

18 ACTING PRESIDENT BENJAMIN: The
19 Secretary will read.

20 THE SECRETARY: Calendar Number
21 428, Assembly Print Number 6019A, substituted
22 earlier by Assemblymember Ortiz, an act to amend
23 the Agriculture and Markets Law.

24 ACTING PRESIDENT BENJAMIN: Read
25 the last section.

1 THE SECRETARY: Section 2. 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
12 430, Senate Print 3873, by Senator May, an act to
13 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: Senator
22 May to explain her vote.

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

25 This supplemental active list of

1 eight bills highlights a number of efforts we
2 have been making to promote the agricultural
3 economy and rural interests. I want to thank the
4 leader and staff for making this a priority.

5 It has been one of the challenges
6 and rewards of my job to represent the interests
7 of a city, a number of suburban towns and college
8 towns, and an entire rural county. I'm learning
9 every day about how much our rural communities
10 and farms contribute to this state, and I'm
11 pleased that we can take action to support them.

12 This bill, establishing a Young
13 Farmer Apprentice Program, recognizes how hard it
14 can be for young people to get their start in
15 farming, especially given the current farm
16 economy. And it also recognizes what a valuable
17 resource our BOCES educational programs are for
18 rural communities. So I'm excited to be able to
19 bring them together and work on promoting our
20 next generation of farmers in New York State.

21 I vote aye. Thank you.

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

24 Announce the results.

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT BENJAMIN: The
2 bill is passed.

3 THE SECRETARY: Calendar Number
4 554, Senate Print 251, by Senator Kennedy, an act
5 to amend the Agriculture and Markets Law.

6 ACTING PRESIDENT BENJAMIN: Read
7 the last section.

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

10 ACTING PRESIDENT BENJAMIN: Call
11 the roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BENJAMIN:
14 Announce the results.

15 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT BENJAMIN: The
17 bill is passed.

18 THE SECRETARY: Calendar Number
19 733, Senate Print 4655, by Senator Metzger, an
20 act to amend the Agriculture and Markets 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
9 912, Senate Print 5437, by Senator Metzger, 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 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 1006, Senate Print 3804A, by Senator May, an act
25 to amend the State Finance Law and the Tax Law.

1 ACTING PRESIDENT BENJAMIN: Read
2 the last section.

3 THE SECRETARY: Section 3. This
4 act shall take effect on the 90th day after it
5 shall have become a law.

6 ACTING PRESIDENT BENJAMIN: Call
7 the roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BENJAMIN: Senator
10 Montgomery to explain her vote.

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

13 I want to compliment Senator May for
14 these -- the two bills, the apprentice program,
15 Young Farmer Apprentice Program, and this one,
16 which is the Farm to School and School Garden
17 Fund.

18 And I would just like to make it
19 very clear that while we are talking about
20 farmers in particular and farms in particular and
21 upstate in particular, I want Senator May to know
22 that we do have farms in the city, and there are
23 a lot of young people who are very excitedly
24 working in their farms, their community farms,
25 their community gardens. And I hope that you do

1 not leave the city out of this program.

2 And I really am so excited to see
3 that we're now preparing the next generations to
4 be great farmers in the State of New York as
5 well. So I vote aye, Senator, and Mr. President.

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

8 Announce the results.

9 THE SECRETARY: In relation to
10 Calendar Number 1006, voting in the negative:
11 Senator Antonacci.

12 Ayes, 61. Nays, 1.

13 ACTING PRESIDENT BENJAMIN: The
14 bill is passed.

15 THE SECRETARY: Calendar Number
16 1199, Senate Print 5822A, by Senator Metzger, an
17 act to amend the Parks, Recreation and Historic
18 Preservation Law and the General Municipal 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 1258, Senate Print 5715, by Senator Metzger, an
8 act to amend the Education Law.

9 ACTING PRESIDENT BENJAMIN: Read
10 the last section.

11 THE SECRETARY: Section 2. This
12 act shall take effect on the 90th 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: Senator
18 Metzger to explain her vote.

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

21 As chair of the Agriculture
22 Committee, I also want to thank the leader and
23 thank my colleague Senator May for her bills.
24 And, you know, we have a really robust package of
25 bills to help farmers today.

1 You know, one real problem we face
2 in New York is a succession problem with our
3 farms. About a third of our farmers are 65 or
4 older. We need to be doing what we can to
5 support young farmers in getting into these
6 professions. Expanding eligibility for the
7 student debt forgiveness program is extremely
8 important. Apprenticeship programs in farming
9 are extremely important. Other legislation we
10 pass today is also important -- reducing the
11 regulatory burden, for instance, in registering
12 farm vehicles.

13 And there is this regulation --
14 actually, I encountered this in my own experience
15 in my own town trying to site our farmer's market
16 in a town park, and I learned that you're not
17 allowed to do that under state law with regard to
18 parks. Nor can you have community gardens in
19 parks.

20 So, you know, we need to be looking
21 at regulations that are onerous and unnecessary
22 and reducing them. We need to be supporting our
23 young farmers. We need to be protecting farmland
24 and making sure they have access to it at a price
25 they can afford. And we need to do what we can

1 to help them expand access to markets, which is
2 the subject of several bills we've passed today.

3 So I vote aye on this, and I thank
4 you all for your support.

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

7 Announce the results.

8 THE SECRETARY: Ayes, 62.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 Senator Gianaris, that completes the
12 reading of the supplemental active list.

13 SENATOR GIANARIS: Mr. President,
14 can we now take up the reading of the
15 supplemental calendar.

16 ACTING PRESIDENT BENJAMIN: The
17 Secretary will read.

18 THE SECRETARY: Calendar Number
19 1330, Senate Print 103A, by Senator Kaminsky, an
20 act authorizing The New Horizon Counseling
21 Center, Inc., to receive retroactive real
22 property tax exempt status.

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: In relation to
8 Calendar 1330, those Senators voting in the
9 negative are Senators Akshar, Antonacci and
10 O'Mara.

11 Ayes, 59. Nays, 3.

12 ACTING PRESIDENT BENJAMIN: The
13 bill is passed.

14 THE SECRETARY: Calendar Number
15 1331, Senate Print 104, by Senator Kaminsky, an
16 act authorizing the alienation of certain
17 parklands in the Town of Hempstead, County of
18 Nassau.

19 ACTING PRESIDENT BENJAMIN: There
20 is a home-rule message at the desk.

21 Read the last section.

22 THE SECRETARY: Section 7. 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:
3 Announce the results.
4 THE SECRETARY: Ayes, 62.
5 ACTING PRESIDENT BENJAMIN: The
6 bill is passed.
7 THE SECRETARY: Calendar Number
8 1332, Senate Print 1234A, by Senator Gallivan, an
9 act to amend the Environmental Conservation Law.
10 ACTING PRESIDENT BENJAMIN: Read
11 the last section.
12 THE SECRETARY: Section 2. This
13 act shall take effect on the 180th day after it
14 shall have become a law.
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 There is a substitution at the desk.
24 The Secretary will read.
25 THE SECRETARY: Senator Jacobs

1 moves to discharge, from the Committee on Rules,
2 Assembly Bill Number 3628 and substitute it for
3 the identical Senate Bill Number 1736, Third
4 Reading Calendar 1333.

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

7 The Secretary will read.

8 THE SECRETARY: Calendar Number
9 1333, Assembly Print Number 3628, by
10 Assemblymember Schimminger, an act to amend the
11 General Municipal 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 1334, Senate Print 1827A, by Senator Ritchie, an

1 act to amend the Highway Law.

2 ACTING PRESIDENT BENJAMIN: Read
3 the last section.

4 THE SECRETARY: Section 3. 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 1335, Senate Print 2459A, by Senator Akshar, an
16 act making certain findings and determinations
17 with respect to certain bond anticipation notes
18 issued by the City School District of the City of
19 Binghamton.

20 ACTING PRESIDENT BENJAMIN: Read
21 the last section.

22 THE SECRETARY: Section 3. 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:

3 Announce the results.

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT BENJAMIN: The
6 bill is passed.

7 THE SECRETARY: Calendar Number
8 1338, Senate Print 2994A, by Senator Hoylman, an
9 act to amend the Public Health Law.

10 SENATOR GRIFFO: Lay it aside.

11 ACTING PRESIDENT BENJAMIN: Lay it
12 aside.

13 THE SECRETARY: Calendar Number
14 1340, Senate Print 4098B, by Senator Ranzenhofer,
15 an act to amend Chapter 635 of the Laws of 1963.

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 1341, Senate Print 4330, by Senator Kaminsky, an
5 act authorizing Seventh Day Church of God of the
6 Apostolic Faith to receive retroactive real
7 property tax exempt status.

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: In relation to
18 Calendar 1341, those Senators voting in the
19 negative are Senators Akshar, Antonacci and
20 O'Mara.

21 Ayes, 59. Nays, 3.

22 ACTING PRESIDENT BENJAMIN: The
23 bill is passed.

24 THE SECRETARY: Calendar Number
25 1342, Senate Print 5136B, by Senator Carlucci, an

1 act to amend the Public Health Law.

2 ACTING PRESIDENT BENJAMIN: Read
3 the last section.

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

6 ACTING PRESIDENT BENJAMIN: Call
7 the roll.

8 (The Secretary called the roll.)

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

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

13 I want to thank my colleagues for
14 supporting this legislation.

15 And this legislation is gearing
16 towards a long-term strategy to fight back
17 against the measles outbreak that we've seen.
18 This legislation would require the Department of
19 Health to create a robust public awareness
20 campaign talking about the importance of
21 vaccinations.

22 We've seen that the World Health
23 Organization tells us that one of the greatest
24 threats to public health is vaccination
25 hesitancy. And we need to make sure we're

1 fighting back against misinformation that's out
2 there. We want to make sure that the Department
3 of Health, our scientists, the medical community
4 is getting the right information out there.

5 Right now in New York State we have
6 the majority of measles cases in the country.
7 The CDC is telling us that if we don't get a
8 handle on the measles outbreak, that the measles
9 will take a foothold and be a serious problem
10 that's here to stay. We cannot allow that to
11 happen. We've got to make sure we're doing
12 everything possible to eradicate the measles once
13 again.

14 And it seems that 19 years ago, in
15 the year 2000, when the CDC declared the measles
16 eradicated in the United States, we not only
17 eradicated the measles but we eradicated the
18 memory of the measles. This is a serious
19 disease, one of the most highly contagious
20 diseases known to man. We need to do everything
21 we can to stop the spread of measles, and one of
22 the best things we can do is to have a robust
23 education campaign to make sure that New Yorkers
24 are aware of what vaccines do and don't do and
25 how important they are for public health.

1 So I'll be supporting this measure.
2 I want to thank my colleagues for doing the same.
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 Number 1342, voting in the negative:
9 Senator Antonacci.
10 Ayes, 61. Nays, 1.
11 ACTING PRESIDENT BENJAMIN: The
12 bill is passed.
13 THE SECRETARY: Calendar Number
14 1343, Senate Print 5381, by Senator Comrie, an
15 act to direct the New York State Department of
16 Health to conduct a study on the high incidence
17 of asthma in the Fifth Congressional District in
18 the City of New York.
19 ACTING PRESIDENT BENJAMIN: Read
20 the last section.
21 THE SECRETARY: Section 3. This
22 act shall take effect on the 120th 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 THE SECRETARY: Calendar Number
8 1344, Senate Print 5487, by Senator Carlucci, an
9 act in relation to authorizing Cong. K'hal
10 Yereim of Woodridge to file an application for a
11 retroactive real property tax exemption.

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 1344, those Senators voting in
23 the negative are Senators Akshar, Antonacci and
24 O'Mara.

25 Ayes, 59. Nays, 3.

1 ACTING PRESIDENT BENJAMIN: The
2 bill is passed.

3 THE SECRETARY: Calendar Number
4 1345, Senate Print 5554A, by Senator Liu, an act
5 to amend the Real Property Tax Law.

6 ACTING PRESIDENT BENJAMIN: Read
7 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: In relation to
16 Calendar Number 1345, those Senators voting in
17 the negative are Senators Antonacci, Jacobs and
18 Ortt.

19 Ayes, 59. Nays, 3.

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 Rules,

1 Assembly Bill Number 2554 and substitute it for
2 the identical Senate Bill Number 5614, Third
3 Reading Calendar 1346.

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

6 The Secretary will read.

7 THE SECRETARY: Calendar Number
8 1346, Assembly Print Number 2554, by
9 Assemblymember Otis, an act to amend the
10 Real Property 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: In relation to
21 Calendar Number 1346, those Senators voting in
22 the negative are Senators Akshar, Amedore,
23 Antonacci, Boyle, Flanagan, Funke, Gallivan,
24 Griffio, Helming, Jacobs, Jordan, Lanza, LaValle,
25 Little, O'Mara, Ortt, Ranzenhofer, Ritchie,

1 Robach, Serino, Seward and Tedisco.

2 Ayes, 40. Nays, 22.

3 ACTING PRESIDENT BENJAMIN: The
4 bill is passed.

5 THE SECRETARY: Calendar Number
6 1347, Senate Print 5803, by Senator Gounardes, an
7 act to amend the Civil Service Law.

8 ACTING PRESIDENT BENJAMIN: Read
9 the last section.

10 THE SECRETARY: Section 4. 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 1348, Senate Print 5808, by Senator Montgomery,
22 an act to establish a task force on educator
23 diversity in New York State.

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 1349, Senate Print 5815B, by Senator Kaplan, an
13 act to amend the Executive 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 1351, Senate Print 5890A, by Senator Gounardes,
3 an act to amend the General Municipal Law and the
4 Administrative Code of the City of New York.

5 ACTING PRESIDENT BENJAMIN: Read
6 the last section.

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

9 ACTING PRESIDENT BENJAMIN: Call
10 the roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BENJAMIN: Senator
13 Gounardes to explain his vote.

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

16 I rise to say that I'm proudly
17 supporting this legislation. I'm proud to have
18 sponsored it. And I'm glad to see that we're
19 going to be passing it in this chamber today.

20 Last year this body took great
21 measures to help protect our 9/11 first
22 responders who are getting sick as a consequence
23 of their service down at Ground Zero, and they
24 covered employees across the state except for the
25 first responders in New York City. And across

1 the state we have about 90,000 first responders
2 who answered the call that day. About 10,000 of
3 them are sick now. In the last 18 years, 2,000
4 have died of cancer.

5 What we're doing today is we are
6 saying that every first responder should have
7 unlimited, unrestricted sick leave to take care
8 of themselves as a consequence of the illnesses
9 that they have gotten because of their service
10 down at Ground Zero -- no exceptions, no
11 questions asked.

12 And it's beyond time for us to
13 ensure that these workers, these first
14 responders, those who answered the call of duty,
15 are given the utmost protection, especially now
16 when we see what's happening down at the federal
17 level at Congress's failure, yet again, to fully
18 fund the Victims Compensation Fund.

19 This is a great moment for us in
20 this chamber to stand up and right the wrongs
21 that have been done in the past and ensure that
22 every single person who served our city in that
23 time gets the treatment they deserve.

24 So I proudly vote aye. Thank you.

25 ACTING PRESIDENT BENJAMIN: Senator

1 Gounardes to be recorded in the affirmative.

2 Senator Carlucci to explain his
3 vote.

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

6 I want to thank Senator Gounardes
7 for putting this bill forward. This is an
8 extremely important measure. On the day that the
9 towers fell, so many were trying to escape, to
10 run away, and our first responders were running
11 in to help, many not knowing and not caring about
12 the side effects that might happen.

13 This is the right thing to do. It's
14 overdue to have this legislation passed. We need
15 to make sure that our first responders have the
16 sick time available to take care of themselves.

17 I appreciate the work that our
18 colleagues have done to put this forward. Thank
19 you for supporting it. I'll be voting in the
20 affirmative.

21 Thank you, Mr. President.

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

24 Senator Jackson to explain his vote.

25 SENATOR JACKSON: Thank you,

1 Mr. President and my colleagues.

2 I rise -- and you heard Senator
3 Gounardes speak about this, and he's in charge of
4 the Civil Service and Pension Committee. And we
5 were at a press conference today listening to
6 some of the leaders speak about this particular
7 bill. And also several of them who spoke at the
8 press conference, they have cancer right now.

9 And in fact I represent Manhattan --
10 not down near the World Trade Center, but I
11 worked down there. And on 9/11, I was running
12 for office up in Washington Heights, but my staff
13 of my office -- and my office is only three
14 blocks from the Trade Center -- they were all
15 running north to get away from the collapse of
16 the Trade Center. But not for me running for
17 office, I may have been down there that day
18 myself. But I continued to work down there for
19 years after that.

20 And as I said before, you heard me
21 say that when there's an emergency, when there's
22 a fire, we dial 911 and we expect them to come
23 right away to save us and save our families and
24 our property. In my opinion, we have an
25 obligation to make sure that they are given the

1 leave that they're entitled to in order to make
2 sure that they take care of any illness that they
3 have, and also to make sure that we stand up and
4 give them everything they rightfully deserve,
5 especially those that are suffering from cancer
6 right now.

7 So I proudly vote yes on behalf of
8 the 330 representatives of constituents that I
9 represent in Manhattan.

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

12 Senator Savino to explain her vote.

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

15 I also want to congratulate
16 Senator Gounardes for picking up the mantle on
17 this and bringing it across the finish line.

18 Senator Lanza and I represent
19 Staten Island, and there's no doubt that we
20 represent more people that were affected by 9/11
21 than anyone else, civilian and uniformed
22 services.

23 And I've been a member of the
24 Civil Service Committee since the day I got
25 elected. In the last couple of years we held

1 several hearings around some of the individuals
2 who were civilian employees who responded and for
3 some reason were not entitled to the same level
4 of sick leave coverage that uniform employees
5 were, or others. And volunteers who showed up on
6 that day -- they didn't have to be there -- who
7 then went to work for the city later on and now
8 we are seeing the long term effects of their
9 exposure on 9/11. Not to mention sanitation
10 workers who worked on not just the pile, but then
11 at Fresh Kills Landfill, when they transferred
12 the entire operation there to sift through the
13 remains.

14 This is going to be an issue that
15 affects us for generations. But we have
16 constituents who are sick and are dying right
17 now, and this is a step that we can take to help
18 provide them something that they have been
19 denied.

20 And I want to thank Senator
21 Gounardes for bringing us this far, and I proudly
22 vote in favor, Mr. President.

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

25 Announce the results.

1 THE SECRETARY: Ayes, 62.

2 ACTING PRESIDENT BENJAMIN: The
3 bill is passed.

4 THE SECRETARY: Calendar Number
5 1352, Senate Print 5927, by Senator Stavisky, an
6 act to amend the Education Law.

7 ACTING PRESIDENT BENJAMIN: Read
8 the last section.

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

11 ACTING PRESIDENT BENJAMIN: Call
12 the roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BENJAMIN: Senator
15 Stavisky to explain her vote.

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

18 This bill provides a ladder between
19 the EOP, the Educational Opportunity Program, and
20 faculty membership at SUNY. It's a good bill
21 because it will improve the diversity at SUNY, it
22 will provide opportunities for students to pursue
23 their Ph.D. and ultimately teach at the State
24 University of New York.

25 And I thank my colleagues for their

1 support, and I vote aye.

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

4 Senator Jackson to explain his vote.

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

7 I rise again in order to support
8 this particular bill, with the understanding that
9 when you look at SUNY overall, it needs more
10 diversity overall in our system.

11 Children going to school like to see
12 people that look like them as teachers and
13 educators. And I say that knowing the situation
14 in Community School Board 6, where I was elected
15 for many years. And my colleague who is now an
16 Appellate Division justice approached me and
17 said, "Our school district is majority Latino and
18 majority Dominican, and we would like to have a
19 representative as a president of the community
20 board that looks like us and represents us and
21 speaks the same language as the majority of the
22 people that we represent."

23 And I agreed with that, so the
24 following year I supported this individual to be
25 the president of the school board.

1 But this here is a ladder, this bill
2 is a ladder for individuals involved in the EOP
3 program to get a Ph.D. so they can be professors
4 in SUNY. And that's a good thing. We should all
5 encourage diversity.

6 And so with that, thank you,
7 Senator, for introducing this bill on behalf of
8 those individuals that want to rise to be
9 professors of SUNY, and I support it
10 wholeheartedly.

11 Thank you, Mr. President.

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

14 Announce the results.

15 THE SECRETARY: In relation to
16 Calendar 1352, those Senators voting in the
17 negative are Senators Akshar, Amedore, Antonacci,
18 Funke, Gallivan, Griffo, Helming, Jacobs, Jordan,
19 Lanza, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach
20 and Serino. Also Senator Tedisco.

21 Ayes, 45. Nays, 17.

22 ACTING PRESIDENT BENJAMIN: The
23 bill is passed.

24 THE SECRETARY: Calendar Number
25 1354, Senate Print 5941, by Senator Carlucci, an

1 act to amend the Mental Hygiene 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 Carlucci to explain his vote.

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

13 I want to thank my colleagues for
14 supporting this legislation. This is an
15 important bill when we talk about mental health
16 and making sure that there's access to inpatient
17 treatment in New York State.

18 And what this legislation does is it
19 requires the Office of Mental Health to do a
20 census and provide it to the Legislature on a
21 monthly basis. Because the reality is -- I'm
22 sure many Senators here have had the situation --
23 you talk to OMH, you get one story. You talk to
24 the clinicians on the ground, or the nurses, you
25 get another story. You talk to the people that

1 need treatment, and you get another story.

2 We need to have a real picture about
3 what's going on in our psychiatric centers, in
4 our community investment for mental health. We
5 need to know exactly where are the shortages,
6 where are the discrepancies in the state. And if
7 we're going to really tackle mental health, if
8 we're going to make sure that this is a priority,
9 we need to know what's happening. We can't check
10 in -- in a 10-year census, we can't check in
11 every year. We have to know what's happening on
12 the ground, in real time.

13 And that's what this legislation
14 does, so that we can end these discrepancies, we
15 can make sure there's not a shortage, we can make
16 sure that everyone that needs inpatient
17 treatment, that needs a bed, has it. And that's
18 how we'll really improve our mental health system
19 here in New York State.

20 So I want to thank my colleagues for
21 voting for this measure.

22 Thank you, Mr. President.

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

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 Sanders
7 moves to discharge, from the Committee on Budget
8 and Revenue, Assembly Bill Number 4632 and
9 substitute it for the identical Senate Bill 5987,
10 Third Reading Calendar 1356.

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

13 The Secretary will read.

14 THE SECRETARY: Calendar Number
15 1356, Assembly Print Number 4632, by
16 Assemblymember Englebright, an act to amend the
17 Tax Law and the State Finance Law.

18 ACTING PRESIDENT BENJAMIN: Read
19 the last section.

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

22 ACTING PRESIDENT BENJAMIN: Call
23 the roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BENJAMIN: Senator

1 May to explain her vote.

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

4 I want to thank Senator Sanders for
5 bringing this bill forward.

6 I have volunteered with Meals on
7 Wheels, and I know what an amazingly important
8 lifeline it is for seniors -- not just because it
9 brings them nutritious food, but for many of them
10 it's the only human being they get to talk to in
11 the course of a day. And volunteers with these
12 organizations are often the first ones to
13 discover something seriously wrong with a person
14 and help them to get the medical care or other
15 care that they need.

16 So this is a really important bill,
17 I think, and I very gladly vote aye.

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

20 Senator Sanders to explain his vote.

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

23 Senator May of course has said it
24 best. But we have to remember, as America ages,
25 as we all are getting older, it would be a wise

1 investment to ensure that those who want to bring
2 a meal, those who want to bring some comfort,
3 have the ability to do so. And that's what this
4 bill is about.

5 Thank you very much, Mr. President.
6 Thank you, Senator May.

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

9 Announce the results.

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT BENJAMIN: The
12 bill is passed.

13 THE SECRETARY: Calendar Number
14 1357, Senate Print 6057, by Senator Brooks, an
15 act to amend the Executive 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 1358, Senate Print 6083, by Senator Hoylman, an
5 act to amend the Navigation 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 1358, those Senators voting in
18 the negative are Senators Akshar, Amedore,
19 Antonacci, Boyle, Flanagan, Funke, Gallivan,
20 Griffo, Helming, Jacobs, Jordan, Lanza, Little,
21 O'Mara, Ortt, Ranzenhofer, Ritchie, Robach,
22 Serino, Seward and Tedisco.

23 Ayes, 41. Nays, 21.

24 ACTING PRESIDENT BENJAMIN: The
25 bill is passed.

1 THE SECRETARY: Calendar Number
2 1359, Senate Print 6152, by Senator Sepúlveda, an
3 act to amend the Criminal Procedure Law and the
4 Civil Practice Law and Rules.

5 ACTING PRESIDENT BENJAMIN: Read
6 the last section.

7 THE SECRETARY: Section 4. This
8 act shall take effect on the 180th 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 1360, Senate Print 6159, by Senator Brooks, an
20 act to amend the Executive Law.

21 ACTING PRESIDENT BENJAMIN: Read
22 the last section.

23 THE SECRETARY: Section 13. 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 Ortt to explain his vote.

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

7 I struggle with this bill. I want
8 to thank the sponsor, my colleague Senator
9 Brooks, who's the chair of the Veterans and
10 Military Affairs Committee.

11 But after going back and forth, I
12 think the problem with this bill -- and know the
13 supporters will say we're just bringing the
14 definition of -- the federal definition of
15 veteran in line -- or the state definition now in
16 line with the federal definition.

17 But I think the problem that I see
18 is that this bill expands those who would qualify
19 as a veteran to include those who have never worn
20 a uniform of the five major services, while not
21 expanding any additional resources for those
22 veterans. So I feel we're opening up benefits or
23 potential benefits to those who haven't served in
24 the military -- who haven't served in the Army,
25 the Navy, the Marine Corps, the Coast Guard, or

1 the Air Force -- and yet we're not identifying
2 any more resources for these veterans.

3 I do believe everyone in this
4 chamber sincerely wants to support our men and
5 women who have worn the uniform. I don't know
6 that in New York State this bill does that. In
7 fact, I think it might do the opposite and water
8 down the definition of who is a veteran and who
9 is qualified for those sacred benefits that they
10 have earned.

11 And so for those reasons, I'll be in
12 the no, Mr. President.

13 ACTING PRESIDENT BENJAMIN: Senator
14 Ortt to be recorded in the negative.

15 Announce the results.

16 THE SECRETARY: In relation to
17 Calendar Number 1360, those Senators voting in
18 the negative are Senators Akshar, Amedore,
19 Antonacci, Boyle, Flanagan, Gallivan, Helming,
20 Jacobs, Jordan, Lanza, LaValle, Little, O'Mara,
21 Ortt, Robach and Tedisco. Also Senator Funke and
22 Senator Serino.

23 Ayes, 44. Nays, 18.

24 ACTING PRESIDENT BENJAMIN: The
25 bill is passed.

1 THE SECRETARY: Calendar Number
2 1361, Senate Print 6164A, by Senator Carlucci, an
3 act to amend the Mental Hygiene Law.

4 ACTING PRESIDENT BENJAMIN: Read
5 the last section.

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

8 ACTING PRESIDENT BENJAMIN: Call
9 the roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BENJAMIN:
12 Announce the results.

13 THE SECRETARY: Ayes, 62.

14 ACTING PRESIDENT BENJAMIN: The
15 bill is passed.

16 THE SECRETARY: Calendar Number
17 1362, Senate Print 6165, by Senator Sanders, an
18 act to amend the State Finance Law.

19 ACTING PRESIDENT BENJAMIN: Read
20 the last section.

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

23 ACTING PRESIDENT BENJAMIN: Call
24 the roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BENJAMIN:

2 Announce the results.

3 THE SECRETARY: In relation to
4 Calendar Number 1362, those Senators voting in
5 the negative are Senators Akshar, Amedore,
6 Antonacci, Boyle, Flanagan, Gallivan, Griffio,
7 Helming, Jacobs, Jordan, LaValle, O'Mara, Ortt,
8 Ranzenhofer, Ritchie, Skoufis and Tedisco.

9 Ayes, 45. Nays, 17.

10 ACTING PRESIDENT BENJAMIN: The
11 bill is passed.

12 THE SECRETARY: Calendar Number
13 1363, Senate Print 6171, by Senator Kennedy, an
14 act to amend the Vehicle and Traffic Law and the
15 Highway 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 1364, Senate Print 6181, by Senator Metzger, an
5 act to amend the Alcoholic Beverage Control Law.

6 ACTING PRESIDENT BENJAMIN: Read
7 the last section.

8 THE SECRETARY: Section 6. 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 1365, Senate Print 6229, by Senator May, an act
20 to amend the Transportation Law.

21 ACTING PRESIDENT BENJAMIN: Read
22 the last section.

23 THE SECRETARY: Section 3. 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 May to explain her vote.

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

7 This bill didn't make it into the
8 rural package that we passed a little bit earlier
9 today, but it is of a piece with those bills
10 because it addresses a real problem that we have
11 in rural areas.

12 Public transportation is almost
13 impossible to do in an efficient way in
14 low-density areas like our rural areas, and this
15 bill helps to provide coordination between public
16 and private means of transportation so that we
17 can have the best outcomes at the lowest cost for
18 people who are in need of mobility in our rural
19 areas, including people with physical
20 disabilities and elderly people.

21 So I am proud of this bill, and I
22 thank my colleagues for supporting it, and I vote
23 aye.

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

1 Announce the results.

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT BENJAMIN: The
4 bill is passed.

5 There is a substitution at the desk.

6 The Secretary will read.

7 THE SECRETARY: Senator Persaud
8 moves to discharge, from the Committee on Rules,
9 Assembly Bill Number 3366A and substitute it for
10 the identical Senate Bill 6243, Third Reading
11 Calendar 1366.

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

14 The Secretary will read.

15 THE SECRETARY: Calendar Number
16 1366, Assembly Print Number 3366A, by
17 Assemblymember Colton, an act in relation to
18 requiring the commissioner of Motor Vehicles to
19 provide information on motor vehicle manufacturer
20 safety recalls.

21 ACTING PRESIDENT BENJAMIN: Read
22 the last section.

23 THE SECRETARY: Section 2. This
24 act shall take effect one year after it shall
25 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 1367, Senate Print 6294, by Senator Skoufis, an
11 act in relation to authorizing Girl Scouts Heart
12 of the Hudson, Inc., to file an application for a
13 real property tax exemption.

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: In relation to
24 Calendar Number 1367, those Senators voting in
25 the negative are Senators Akshar, Antonacci and

1 O'Mara.

2 Ayes, 59. Nays, 3.

3 ACTING PRESIDENT BENJAMIN: The
4 bill is passed.

5 There is a substitution at the desk.

6 The Secretary will read.

7 THE SECRETARY: Senator Stavisky
8 moves to discharge, from the Committee on Rules,
9 Assembly Bill Number 3937A and substitute it for
10 the identical Senate Bill Number 6316, Third
11 Reading Calendar 1368.

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

14 The Secretary will read.

15 THE SECRETARY: Calendar Number
16 1368, Assembly Print Number 3937A, by
17 Assemblymember Hyndman, an act to amend the
18 Education Law.

19 ACTING PRESIDENT BENJAMIN: Read
20 the last section.

21 THE SECRETARY: Section 2. This
22 act shall take effect 18 months after it shall
23 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 THE SECRETARY: Calendar Number
8 1369, Senate Print 6317, by Senator Rivera, an
9 act to amend Chapter 81 of the Laws of 1995.

10 ACTING PRESIDENT BENJAMIN: Read
11 the last section.

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

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 THE SECRETARY: Calendar Number
23 1370, Senate Print 6318, by Senator Rivera, an
24 act to amend Chapter 451 of the Laws of 2007
25 amending the Public Health 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 1371, Senate Print 6329, by Senator Kaminsky, an
15 act to amend Chapter 413 of the Laws of 2015.

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: Senator
24 Kaminsky to explain his vote.

25 SENATOR KAMINSKY: Thank you,

1 Mr. President.

2 It is now June of 2019, a long time
3 after October of 2012 when Superstorm Sandy
4 ravaged so many communities in our state. And
5 yet still people find themselves rebuilding, find
6 themselves out of money, out of their homes, out
7 of their communities.

8 And a few years ago I was able to
9 work across the aisle with Senator Croci, and we
10 were able to pass a bill together that demanded
11 that the New York Rising Program account on how
12 many cases it's closing and on how many
13 communities it's rebuilding and how far along
14 those projects are, on a quarterly basis every
15 year.

16 It's important we extend this law
17 and keep it going, because we will not leave
18 anyone behind. We must continue to hold our
19 state accountable and make sure that those that
20 are relying on our state for assistance are not
21 left out. This tool will continue to keep our
22 government accountable. We need more
23 accountability, now more than ever, because the
24 people who are not yet home have been suffering
25 for far too long.

1 I vote in the affirmative. Thank
2 you, Mr. President.

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

5 Announce the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT BENJAMIN: The
8 bill is passed.

9 THE SECRETARY: Calendar Number
10 1372, Senate Print 6330A, by Senator Krueger, an
11 act to amend the Domestic Relations Law.

12 ACTING PRESIDENT BENJAMIN: Read
13 the last section.

14 THE SECRETARY: Section 4. 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 1372, voting in the negative:
23 Senator Griffo.

24 Ayes, 61. Nays, 1.

25 ACTING PRESIDENT BENJAMIN: The

1 bill is passed.

2 THE SECRETARY: Calendar Number
3 1373, Senate Print 6341, by Senator Breslin, an
4 act to amend the Insurance Law.

5 ACTING PRESIDENT BENJAMIN: Read
6 the last section.

7 THE SECRETARY: Section 3. This
8 act shall take effect July 1, 2020.

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 There's a substitution at the desk.

18 The Secretary will read.

19 THE SECRETARY: Senator Persaud
20 moves to discharge, from the Committee on Rules,
21 Assembly Bill Number 7788 and substitute it for
22 the identical Senate Bill Number 6388,
23 Third Reading Calendar 1374.

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

1 The Secretary will read.

2 THE SECRETARY: Calendar Number
3 1374, Assembly Print Number 7788, by
4 Assemblymember Bichotte, an act to amend
5 Chapter 81 of the Laws of 1995.

6 ACTING PRESIDENT BENJAMIN: Read
7 the last section.

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

10 ACTING PRESIDENT BENJAMIN: Call
11 the roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BENJAMIN:
14 Announce the results.

15 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT BENJAMIN: The
17 bill is passed.

18 Senator Gianaris, that completes the
19 reading of the supplemental calendar.

20 SENATOR GIANARIS: Let us proceed
21 to the reading of the controversial calendar,
22 please.

23 ACTING PRESIDENT BENJAMIN: The
24 Secretary will ring the bell.

25 The Secretary will read.

1 THE SECRETARY: Calendar Number
2 1338, Senate Print 2994A, by Senator Hoylman, an
3 act to amend the Public Health Law.

4 ACTING PRESIDENT BENJAMIN: Senator
5 Griffo, why do you rise?

6 SENATOR GRIFFO: Mr. President, I
7 believe there's an amendment at the desk. I
8 waive the reading of that amendment and ask that
9 Senators Boyle and Ranzenhofer be called and
10 heard on the amendment.

11 ACTING PRESIDENT BENJAMIN: Thank
12 you, Senator Griffo. Upon review of the
13 amendment and in accordance with Rule 6,
14 Section 4B, I rule it nongermane and out of order
15 at this time.

16 SENATOR GRIFFO: Accordingly, I
17 appeal your ruling, Mr. President, and
18 respectfully request that you call upon
19 Senator Boyle first, followed by Senator
20 Ranzenhofer, to be heard on the amendment and the
21 ruling of the chair.

22 ACTING PRESIDENT BENJAMIN: The
23 appeal has been made and recognized, and
24 Senators Boyle and Ranzenhofer may be heard.

25 Senator Boyle.

1 SENATOR BOYLE: Mr. President, on
2 the amendment.

3 The bill-in-chief repeals the
4 religious exemptions for immunization
5 requirements. The proposed amendment for this
6 bill is germane because it would preserve the
7 religious exemption here in New York State while
8 ensuring that parents and guardians are fully
9 informed of the medical risks associated with
10 forgoing vaccinations.

11 The proposed amendment would require
12 that a parent or guardian file a religious
13 exemption from mandatory vaccinations. A parent
14 or guardian would also be required to submit an
15 affidavit signed by a licensed physician stating
16 that the physician has informed and discussed
17 with the parent or guardian the medical risks to
18 the child and other individuals for failing to be
19 immunized.

20 Mr. President, this commonsense
21 amendment is actually based on legislation
22 sponsored for years by Deputy Majority Leader
23 Senator Gianaris. It preserves the individual
24 rights of First Amendment freedom while also
25 ensuring that parents and guardians are fully

1 informed of the medical risks associated with
2 their decisions.

3 Mr. President, many of my colleagues
4 on both sides of the aisle have felt uneasy about
5 this bill, and you're not alone. I don't know if
6 any of you heard what happened today in the
7 New York State Assembly. The bill came to the
8 Assembly Health Committee and was tied 13-13.
9 Last time I checked, there's a pretty
10 overwhelmingly Democratic majority in the
11 New York State Assembly. The Speaker had to come
12 the Assembly Health Committee, maybe twist an arm
13 or two, and it passed by one vote when a new
14 Democratic member switched his vote. Otherwise,
15 it would have never passed the New York State
16 Assembly.

17 I would close in reading a couple of
18 remarks. "Recently there's been an increasingly
19 large movement by parents choosing not to
20 vaccinate their children for deadly infectious
21 diseases. As the anti-vaccination movement has
22 grown in the past few years, this country has
23 experienced the worst outbreak of measles in
24 20 years and the worst outbreak of whooping cough
25 in seven years. This bill seeks to ebb the

1 dangerous trend while still respecting the
2 religious rights of those who truly object to
3 vaccines on religious grounds."

4 I wish I could take credit for
5 writing this. It's actually from the
6 "Justification" section of the bill memo from
7 Senator Gianaris's legislation.

8 This is a compromise we can all live
9 with. Please allow us to protect religious
10 freedoms in New York State and also protect our
11 children. I find myself in the unusual position,
12 as a minority member, of pleading with you,
13 Mr. President, to allow us to vote on a bill by
14 Senator Gianaris. Please allow us.

15 Thank you.

16 (Laughter.)

17 ACTING PRESIDENT BENJAMIN: Senator
18 Ranzenhofer.

19 SENATOR RANZENHOFER: Thanks,
20 Mr. President. On the amendment.

21 The bill before us today would
22 repeal the religious exemption for mandatory
23 immunization requirements for children attending
24 school and daycare.

25 This proposed amendment, which is a

1 Senator Martinez bill, is germane because it
2 would establish a uniform statewide religious
3 exemption form which will standardize the
4 procedure for a parent or guardian to obtain a
5 religious exemption under the bill.

6 This would ensure uniform treatment
7 across the state. A parent or guardian with
8 sincere and genuine religious beliefs in this
9 state should not have to stifle his or her
10 beliefs out of fear for their child's academic
11 future.

12 This amendment will ensure uniform
13 treatment to those who wish to file a religious
14 exemption throughout the state.

15 Mr. President, I urge you to support
16 this amendment. Thank you.

17 ACTING PRESIDENT BENJAMIN: Thank
18 you, Senators Ranzenhofer and Boyle.

19 I want to remind the house that the
20 vote is on the procedures of the house and the
21 ruling of the chair. Those in favor of
22 overruling the chair signify by saying aye.

23 (Response of "Aye.")

24 SENATOR GRIFFO: Request a show of
25 hands, please.

1 ACTING PRESIDENT BENJAMIN: A show
2 of hands has been requested and so ordered.

3 (Show of hands.)

4 THE SECRETARY: Ayes, 22.

5 ACTING PRESIDENT BENJAMIN: The
6 ruling of the chair stands, and the bill-in-chief
7 is before the house.

8 SENATOR GRIFFO: Mr. President,
9 would you recognize Senator Antonacci.

10 ACTING PRESIDENT BENJAMIN: Senator
11 Antonacci.

12 SENATOR ANTONACCI: Thank you,
13 Mr. President. I rise as a proud member of the
14 Health Committee --

15 ACTING PRESIDENT BENJAMIN: On
16 the -- Senator Antonacci, on the bill?

17 SENATOR ANTONACCI: Yes, I'm going
18 to --

19 ACTING PRESIDENT BENJAMIN: Senator
20 Antonacci on the bill.

21 SENATOR ANTONACCI: No, sir, I'm
22 going to ask the sponsor to yield, I just wanted
23 to --

24 ACTING PRESIDENT BENJAMIN: So on
25 the bill and then --

1 SENATOR ANTONACCI: I'll go on the
2 bill first, then.

3 ACTING PRESIDENT BENJAMIN: Senator
4 Antonacci on the bill.

5 SENATOR ANTONACCI: Thank you.

6 I rise as a proud member of the
7 Health Committee. I want to thank Senator Rivera
8 for his leadership this year as our chairman.
9 And it's been a lot of work on the Health
10 Committee, but we've had a lot of good issues
11 come before us.

12 I'm a little disappointed that this
13 bill, as important as it is -- and as we've seen
14 from our colleagues in the Assembly, there's
15 certainly both sides to this story.

16 That being said, I would ask if the
17 sponsor would be willing to yield for a few
18 questions.

19 ACTING PRESIDENT BENJAMIN: Does
20 the sponsor yield?

21 SENATOR HOYLMAN: Yes.

22 ACTING PRESIDENT BENJAMIN: The
23 sponsor yields.

24 SENATOR RITCHIE: Through you,
25 Mr. President. Is there a reason why this bill

1 did not come before the Health Committee?

2 SENATOR HOYLMAN: Through you,
3 Mr. President. This is a public health crisis,
4 and New York State is at the epicenter. If I
5 could explain what the bill does.

6 In Section 2164 of the Public Health
7 Law, it would require children between the ages
8 of two months and 18 years old to have been
9 immunized against a whole series of diseases,
10 including measles -- and, as was mentioned by my
11 colleague across the aisle -- whooping cough.

12 It repeals an exemption to those
13 requirements for children whose parent or
14 guardian hold, quote, a genuine and sincere
15 religious belief which are contrary to the
16 practices herein required.

17 The bill would allow unvaccinated
18 children a grace period during which they can
19 attend school or daycare while making an effort
20 to come in compliance with the law, provided they
21 can demonstrate they've received at least the
22 first dose of each required immunization series
23 and have age-appropriate appointments scheduled
24 to complete such immunization series. I just
25 wanted to get that out there.

1 In response to my colleague's
2 questions, we are dealing with a public health
3 emergency that requires immediate action. There
4 are a number of instances, one just mentioned by
5 my colleague a few minutes ago, where this body
6 and our colleagues on the other side of the
7 Capitol have acted swiftly in the face of an
8 emergency, such as Superstorm Sandy.

9 I believe that we are, in fact, in
10 many ways living up to our responsibilities to
11 the public. The question of public safety is at
12 issue. This dates back decades -- hundreds of
13 years, in fact, Mr. President. It was George
14 Washington, not far from here, who required his
15 troops to be immunized with the smallpox vaccine
16 because they had been decimated in a battle in
17 Quebec during the Revolutionary War.

18 It was a predecessor in this very
19 chamber of ours, Mr. President, who founded an
20 organization called the National Foundation for
21 Infantile Paralysis because, as a 39-year-old, he
22 had been paralyzed from the waist down by polio.
23 And we all know him to be President Franklin
24 Delano Roosevelt.

25 We have a responsibility to the

1 public to address this crisis, which is
2 ballooning before our eyes, which is -- at this
3 moment has infected at least 924 young people
4 across the State of New York, out of a total
5 nationwide number of cases of 1,022. We have to
6 act swiftly, we have to act now.

7 SENATOR ANTONACCI: Thank you,
8 Mr. President. Will the sponsor continue to
9 yield?

10 ACTING PRESIDENT BENJAMIN: Does
11 the sponsor yield?

12 SENATOR HOYLMAN: Yes.

13 ACTING PRESIDENT BENJAMIN: The
14 sponsor yields.

15 SENATOR ANTONACCI: Thank you.
16 Through you, Mr. President.

17 I appreciate your passion, but I
18 don't think you answered my question. This bill
19 was introduced on January 31st of this year, and
20 it did not come before the Health Committee.
21 You've said it's a public health crisis. I'm
22 just curious, again, why didn't the committee
23 charged with evaluating these type of issues, why
24 didn't the committee get a shot at this bill?

25 SENATOR HOYLMAN: Through you,

1 Mr. President. The information, the evidence,
2 the science is clear. And I support my
3 colleagues when we determined that we do not want
4 to give credence to the anti-vaxxers.

5 We do not want to give credence to
6 those who dispute the scientific evidence around
7 the safety and efficacy of vaccine. We do not
8 want to give credence to those who dispute the
9 fact that vaccines save lives and that herd
10 immunity of at least 95 percent is necessary to
11 protect a community from vaccine-preventable
12 illnesses like the measles. We do not want to
13 give credence to those who would use a religious
14 exemption as a guise because they have suspicions
15 about Big Pharma, about the government, about
16 vaccines and the contaminants they supposedly
17 contain, notwithstanding the mounds of evidence
18 to the contrary.

19 It is us, it is our responsibility
20 to stand up for evidence-based policy and
21 scientific research and make certain that all of
22 our young people are vaccinated. And I'll tell
23 you what, Mr. President. The reason we're doing
24 this is not just to protect the children of
25 parents who may have these suspicions about

1 vaccines. Because the First Amendment, as you
2 know, does allow you to hold sincere, of course,
3 religious beliefs. The First Amendment does not
4 extend to endangering the lives of your children,
5 as a number of Supreme Court cases have laid out,
6 Mr. President. And worst, the First Amendment
7 does not allow you to endanger the life of
8 someone else's child.

9 I think about those children who are
10 immunocompromised. I think about those children
11 who can't be vaccinated -- maybe they're too
12 young, maybe it's a pregnant woman, maybe it's a
13 senior, maybe it's someone with HIV. They're the
14 people who should feel safe going to our public
15 schools, going to our private schools and our
16 daycare centers. We need to look out for them,
17 Mr. President. That's why we're acting swiftly
18 today to end all nonmedical exemptions.

19 SENATOR ANTONACCI: Thank you,
20 Mr. President. Will the sponsor continue to
21 yield?

22 ACTING PRESIDENT BENJAMIN: Does
23 the sponsor yield?

24 SENATOR HOYLMAN: Yes.

25 ACTING PRESIDENT BENJAMIN: The

1 sponsor yields.

2 SENATOR ANTONACCI: Thank you,
3 Senator.

4 You mentioned 924 cases, and
5 obviously I realize you're against any religious
6 exemption. But is the religious exemption
7 currently in New York State law the sole
8 responsibility for the ongoing measles outbreak
9 downstate?

10 SENATOR HOYLMAN: Through you,
11 Mr. President. There is evidence that the
12 nonmedical exemption, the religious exemption, as
13 you term it, is responsible for this current
14 outbreak.

15 I will describe to you a letter that
16 I received from the New York City health
17 commissioner dated May 24, 2019. I had written
18 to the health commissioner seeking information
19 about the nonmedical exemptions, and I'll read
20 you an excerpt from Commissioner Barbot. "Our
21 experience shows that religious exemptions are
22 inconsistently applied. Through case and contact
23 investigations, which includes discussion with
24 parents, it is clear that many parents' religious
25 exemptions are based on concerns regarding the

1 safety or efficacy of vaccines, not religious
2 concerns.

3 "Likewise, a review of religious
4 exemption documentation during school audits
5 shows many exemptions to be philosophical" --
6 philosophical -- "or anti-vaccination" --
7 anti-vaccination -- "in nature. Exemption
8 documents often use the same 'cookie cutter'
9 language that is not reflective of individual
10 religious beliefs. In fact, there are websites
11 devoted to providing templates for parents to use
12 to obtain a religious exemption in New York
13 State.

14 "Our experience is buttressed by
15 studies that show that states with more lax
16 religious exemption requirements have higher
17 overall rates of exemption than states with more
18 burdensome religious exemptions, suggesting
19 religious exemptions being a substitute for
20 philosophical or other objections."

21 Let me repeat that. Suggesting
22 religious exemptions being a substitute for
23 philosophical or other objections.

24 And the letter goes on to say that
25 in certain populations, in nonpublic schools in

1 particular, the rates of nonmedical
2 exemptions are as high as 25 percent throughout
3 New York.

4 There is a direct correlation, I
5 would attest, Mr. President, between nonmedical
6 exemptions and the current outbreak. And let me
7 just give you another piece of information about
8 that. The New York City Department of Health
9 noted that one infected child with a religious
10 exemption resulted in 44, 44 additional cases of
11 measles, 26, 26 of whom were fellow students with
12 religious exemptions.

13 Measles is an incredibly dangerous
14 disease. There has been talk among the anti-vaxx
15 community that they will hold measles parties so
16 they can obtain immunity for their children. I
17 find that absolutely abhorrent and grotesque. It
18 is up to the State of New York to step in and to
19 redirect parents and make certain, make certain
20 that their kids are vaccinated. The best way we
21 can do it -- California showed us the way, I say
22 that to you, Mr. President. When they eliminated
23 nonmedical exemptions, their rates of
24 immunization increased by 5 percent, achieving
25 that important gold standard of herd immunity

1 that protects all of these folks -- seniors,
2 infants, women who are pregnant, children who
3 have cancer and can't be vaccinated -- from
4 conditions like measles.

5 SENATOR ANTONACCI: Thank you,
6 Mr. President. Will the sponsor continue to
7 yield?

8 ACTING PRESIDENT BENJAMIN: Does
9 the sponsor yield?

10 SENATOR HOYLMAN: Yes.

11 ACTING PRESIDENT BENJAMIN: The
12 sponsor yields.

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

15 So am I to understand -- and again,
16 your number, 924 out of 1,022 cases of measles,
17 am I to understand that all 924 cases are
18 individuals, children or adults, that are
19 claiming the religious exemption under New York
20 State law?

21 SENATOR HOYLMAN: The answer is no,
22 probably not.

23 But we have good evidence, as I have
24 recited, that there is a direct correlation
25 between nonmedical exemptions and this current

1 outbreak.

2 This current outbreak is so bad,
3 Mr. President, that the United States of America,
4 here in the 20th century {sic}, is about to lose
5 its measles extermination status. In 2000,
6 measles was declared defeated in the
7 United States. We are about to join other
8 countries, a handful in the Western Hemisphere,
9 that have lost their measles eradication status.

10 I say that this is a public health
11 emergency, I say it's a public safety emergency.
12 And the suggestion I think is that -- from the
13 health commissioner -- that in fact it is related
14 to nonmedical exemptions. We need to do
15 everything we can to make certain that children
16 are vaccinated.

17 And let me add something else. We
18 need to crystallize thinking around the safety
19 and efficacy of measles {sic}. I appreciate
20 attempts to distribute public information, like
21 we passed today, about the importance of
22 vaccines, particularly given the measles
23 outbreak. But government has a police power to
24 keep people safe, to keep vulnerable populations
25 safe. And that's what we're doing today here

1 with this legislation.

2 SENATOR ANTONACCI: Thank you,
3 Mr. President. Will the sponsor continue to
4 yield?

5 ACTING PRESIDENT BENJAMIN: Does
6 the sponsor yield?

7 SENATOR HOYLMAN: Yes,
8 Mr. President.

9 ACTING PRESIDENT BENJAMIN: The
10 sponsor yields.

11 SENATOR ANTONACCI: Senator, what
12 percentage of the population in New York State is
13 claiming the religious exemption?

14 ACTING PRESIDENT BENJAMIN: The
15 percent --

16 SENATOR ANTONACCI: I can repeat
17 it.

18 SENATOR HOYLMAN: It's -- the
19 percent of religious exemptions is 0.80 percent.

20 But let me add to that, that that
21 has increased dramatically from 2013 and '14 when
22 it was only 0.52 percent.

23 And let me also add, Mr. President,
24 that it's not the overall rate of religious
25 exemptions that we should be looking at. We

1 should be looking at particular clusters of
2 religious exemptions throughout the state. And
3 if you look at these populations in Brooklyn and
4 Rockland, for example, you see much higher rates
5 of religious exemptions.

6 For example, according to the city
7 health commissioner, the number and percentage of
8 religious exemptions in nonpublic schools
9 increased from 0.54 percent to 1.53 percent
10 during the 2018-2019 school years.

11 In another neighborhood, it
12 increased from 0.73 percent to 13.97 percent and
13 from 2.73 percent to 28.48 percent -- tripling,
14 quadrupling in certain neighborhoods.

15 So what we're looking at is the loss
16 of herd immunity in certain communities, and
17 that's what we have to safeguard against.
18 Because once a child is unvaccinated, he or she
19 cannot only infect other children whose parents
20 have taken a religious exemption, but completely
21 vulnerable people who are afraid to go out in the
22 public because of their immunocompromised
23 position. Parents who are afraid to send their
24 kids to school because they are
25 immunocompromised. That's not acceptable.

1 SENATOR ANTONACCI: Thank you,
2 Mr. President. Will the sponsor continue to
3 yield?

4 ACTING PRESIDENT BENJAMIN: Does
5 the sponsor yield?

6 SENATOR HOYLMAN: Yes,
7 Mr. President.

8 ACTING PRESIDENT BENJAMIN: The
9 sponsor yields.

10 SENATOR ANTONACCI: Through you,
11 Mr. President. You mentioned New York City and a
12 couple of different neighborhoods that have a
13 higher use of the religious exemption. I've been
14 told, and I'm looking for your information on
15 this, that New York City in particular, the
16 de Blasio administration has been very difficult
17 on recognizing religious exemptions. Is this
18 true?

19 SENATOR HOYLMAN: Through you,
20 Mr. President, that's not my understanding, so I
21 have no direct knowledge.

22 I do know that you can go online and
23 find a consultant and pay him or her to help you
24 get a religious exemption. It's pretty clear, as
25 the Health Department commissioner has attested

1 in this letter, that individuals, sadly
2 misinformed about the safety and efficacy of
3 vaccines, are using the religious exemption as a
4 loophole to keep their children from being
5 vaccinated. As a result, they are not only
6 endangering the welfare and health of their own
7 children but, as I said earlier, the health and
8 welfare of other children.

9 SENATOR ANTONACCI: Through you,
10 Mr. President, will the sponsor continue to
11 yield?

12 ACTING PRESIDENT BENJAMIN: Does
13 the sponsor yield?

14 SENATOR HOYLMAN: Yes,
15 Mr. President.

16 ACTING PRESIDENT BENJAMIN: The
17 sponsor yields.

18 SENATOR ANTONACCI: Thank you.
19 Through you, Mr. President.

20 Senator, a few seconds ago you
21 talked about those children with immuno --
22 immun -- I can't even say it. But compromised
23 immunization systems. I'll have to practice that
24 later. And I recognize that the medical
25 exemption will continue in law, that this bill

1 before the house today is only looking to
2 eliminate the religious exemption.

3 But isn't it true that there are
4 children with both the religious exemption and
5 the medical exemption in our population certainly
6 at risk of, you know, drawing a contagious
7 disease? Why do we make a difference between the
8 two exemptions?

9 SENATOR HOYLMAN: Through you,
10 Mr. President. If a parent has a child who is
11 going to school, they will still be eligible for
12 a medical exemption. They need to go to a
13 doctor, fill out the appropriate form, and
14 present it to their school official.

15 SENATOR ANTONACCI: Through you,
16 Mr. President, will the sponsor continue to
17 yield?

18 ACTING PRESIDENT BENJAMIN: Does
19 the sponsor yield?

20 SENATOR HOYLMAN: Yes,
21 Mr. President.

22 ACTING PRESIDENT BENJAMIN: The
23 sponsor yields.

24 SENATOR ANTONACCI: But of course
25 children that do not have the immunization

1 because of a medical reason are still at risk of
2 contracting measles or any other contagious
3 disease. Would that be a fair statement?

4 SENATOR HOYLMAN: Through you,
5 Mr. President, that's the whole point. If you
6 have a medical exemption, you can't be
7 vaccinated. You may be suffering from cancer.
8 You may have been vaccinated, by the way, from
9 measles, but let's say you had a stem cell
10 transplant. Your entire immune system has been
11 wiped out and a new one has been grafted in. You
12 can't be vaccinated for months until that immune
13 system grafts successfully into your body.

14 So why should that young person not
15 be able to go to school or a daycare center,
16 through no fault of their own? Mr. President,
17 that's exactly the point, that these individuals
18 who seek medical exemptions need protection from
19 the rest of us who are healthy and well and
20 guided by science and by evidence and get
21 vaccinated.

22 SENATOR ANTONACCI: Mr. President,
23 will the sponsor continue to yield?

24 ACTING PRESIDENT BENJAMIN: Does
25 the sponsor yield?

1 SENATOR HOYLMAN: Yes,
2 Mr. President.

3 ACTING PRESIDENT BENJAMIN: The
4 sponsor yields.

5 SENATOR ANTONACCI: How many states
6 currently allow the religious exemption?

7 SENATOR HOYLMAN: Through you,
8 Mr. President. The number is -- I'm sorry, I
9 didn't hear the question. How many don't or do.

10 SENATOR ANTONACCI: I'm happy to
11 repeat it. How many states currently allow the
12 religious exemption?

13 SENATOR HOYLMAN: Oh. I think it
14 is -- you may know the answer, since you asked me
15 that question. But I do know that there are just
16 a handful of states who do not permit so-called
17 religious exemptions.

18 California, as I mentioned earlier,
19 eliminated their nonmedical so-called religious
20 and personal belief exemption back in 2014. And
21 they did so, Mr. President, after an outbreak of
22 measles at Disneyland in 2014. There were only
23 131 cases then, but they recognized the need to
24 tighten their vaccination requirements for
25 children in the wake of that outbreak.

1 It is no coincidence, the experts
2 say, that California has not been the epicenter
3 of this latest measles outbreak, nor have two
4 other states you might be surprised to learn that
5 also do not have religious exemptions:

6 West Virginia and Mississippi. Neither of those
7 have been subject to this measles outbreak.

8 But the number of states that do
9 have a religious exemption is -- 46 states
10 currently have a religious exemption.

11 SENATOR ANTONACCI: Thank you.

12 SENATOR HOYLMAN: I was
13 stonewalling until I found the answer.

14 (Laughter.)

15 SENATOR ANTONACCI: No, that's
16 okay. Will the sponsor continue to yield?

17 ACTING PRESIDENT BENJAMIN: Does
18 the sponsor yield?

19 SENATOR HOYLMAN: Yes.

20 ACTING PRESIDENT BENJAMIN: The
21 sponsor yields.

22 SENATOR ANTONACCI: I find it
23 interesting, obviously, that the federal
24 government has not I guess come down with a heavy
25 hand and blanketly eliminated all religious

1 exemptions.

2 I find it interesting that, you
3 know, we're north of 45 states that still
4 recognize a religious exemption.

5 And I also understand that
6 Pennsylvania, our neighbor for the south, will
7 allow an exemption for any reason. And I guess
8 my question to you, the sponsor, is that seems
9 pretty close. And this is a very important
10 topic. I wouldn't joke about the fact that
11 Pennsylvania is also stealing all of our gas from
12 underneath us. But how are we going to prevent
13 transportation and visitation from residents of
14 Pennsylvania that can get an exemption for any
15 reason, and yet here we are in New York
16 eliminating the religious exemption?

17 So I guess my question is, are you
18 concerned that Pennsylvania, a neighbor
19 immediately to our south that shares a lot of
20 residents with Philadelphia and commuters and
21 people that work in both states, are you
22 concerned about the fact that they have an
23 unlimited exemption?

24 SENATOR HOYLMAN: Through you,
25 Mr. President. Well, I'm not suggesting that

1 Pennsylvanians who aren't vaccinated not be
2 allowed to come into the State of New York -- or
3 anyone, for that matter.

4 We're talking about New York's
5 schoolchildren, which is how the law is applied.
6 It is applied through our school system. And I'd
7 add that Maine is another state that just added a
8 requirement eliminating their religious and
9 philosophical exemption in the wake of the
10 current measles outbreak. Other states are
11 considering the same.

12 So the fact that there are 40-odd
13 states that do have a religious or philosophical
14 exemption I think belies the fact that these
15 outbreaks have occurred in states where they have
16 acted to remove it. And that's what we're doing
17 here today.

18 But I don't think that we should be
19 concerned about Pennsylvania and its regulations
20 or laws around measles. All we can do, I say to
21 my colleague, is make certain that our
22 regulations and our laws are the tightest to
23 protect the children and vulnerable populations
24 in the State of New York.

25 SENATOR ANTONACCI: Thank you,

1 Mr. President. Will the sponsor continue to
2 yield?

3 ACTING PRESIDENT BENJAMIN: Does
4 the sponsor yield?

5 SENATOR HOYLMAN: Yes.

6 ACTING PRESIDENT BENJAMIN: The
7 sponsor yields.

8 SENATOR ANTONACCI: Thank you,
9 Senator.

10 Earlier you'd mentioned that
11 0.08 percent {sic} of the population was claiming
12 a religious exemption. And you've also mentioned
13 the herd immunity. My question is, how does this
14 bill address that? My reading shows that the
15 herd immunity is roughly 95 percent. If only
16 0.08 percent of the population are claiming the
17 religious exemption, how does that hurt the herd
18 immunity theory?

19 SENATOR HOYLMAN: Well, it's
20 important to point out it's 0.8 percent of
21 schoolchildren. There could be adults too that
22 aren't vaccinated; we don't, unfortunately, keep
23 statistics on that. Nor does the Health
24 Department or the CDC.

25 An interesting anecdote, if I may.

1 My husband and I are in a cohort, Generation X,
2 of individuals born after 1965 up to like 1975.
3 We have all been inoculated with two shots of the
4 measles vaccine. Apparently for a number of
5 individuals, the second shot was not effective
6 due to some defect in the batch nationwide.

7 My husband went to his physician the
8 other day just to check to see if he was still
9 inoculated from the measles vaccine. My
10 husband's doctor said, Well, let's do a test. It
11 turns out he wasn't, and had to get a booster
12 shot.

13 So the point of that story is that
14 there are a lot of individuals, in addition to
15 children, that would raise that 0.8 percent
16 upward. And as I mentioned earlier,
17 Mr. President, we're talking about concentrated
18 populations in different communities across the
19 City of New York where the percentage of
20 nonmedical exemptions is upwards of a quarter --
21 25 percent or more in some nonpublic schools.

22 SENATOR ANTONACCI: Thank you,
23 Mr. President. Will the sponsor continue to
24 yield?

25 ACTING PRESIDENT BENJAMIN: Does

1 the sponsor yield?

2 SENATOR HOYLMAN: Yes,
3 Mr. President.

4 ACTING PRESIDENT BENJAMIN: The
5 sponsor yields.

6 SENATOR ANTONACCI: Thank you,
7 Senator.

8 Through you, Mr. President. Will
9 eliminating the religious exemption guarantee all
10 of us that we will not see another measles
11 outbreak?

12 SENATOR HOYLMAN: Through you,
13 Mr. President. I think my colleague knows there
14 are no guarantees in life, and certainly no
15 guarantees we can make on the floor of the
16 New York State Senate.

17 But we can do everything we should
18 do in our power to protect children. I think
19 that is our foremost responsibility as public
20 officials, to protect innocent people who aren't
21 making health decisions, who do not know what the
22 dangers are because they are infants.

23 And we have to impress it upon their
24 parents to act wisely, to disabuse their parents
25 of the anti-vaxx, suspicious anti-science,

1 non-evidence-based decision making that leads so
2 many people to claim a religious exemption when
3 in fact they don't have a religious belief as it
4 pertains to vaccinations.

5 I think that we only need look to
6 California and their closure of the medical
7 exemption loophole. And in California, when the
8 State Senate of California closed their loophole
9 as we are proposing to do today, vaccination
10 rates rose by 5 percent. Herd immunity went from
11 92 percent, Mr. President, to 96 percent. And 95
12 percent is the gold standard where the community
13 is protected -- adults who can't be vaccinated,
14 children who may have cancer, old folks and
15 people with immunocompromised conditions.

16 SENATOR ANTONACCI: Thank you,
17 Mr. President, will the sponsor continue to
18 yield?

19 ACTING PRESIDENT BENJAMIN: Does
20 the sponsor yield?

21 SENATOR HOYLMAN: Yes,
22 Mr. President.

23 ACTING PRESIDENT BENJAMIN: The
24 sponsor yields.

25 SENATOR ANTONACCI: Thank you.

1 Through you, Mr. President.

2 Senator, was any consideration given
3 to only eliminating the religious exemption for
4 measles vaccine only, instead of an
5 across-the-board elimination that applies to all
6 vaccinations, or I should say the vaccinations
7 that are in your bill?

8 In other words, could you have
9 limited it to just the measles vaccine?

10 SENATOR HOYLMAN: Through you,
11 Mr. President. I think the goal here is to make
12 certain that all children are protected from
13 vaccine-preventable illnesses.

14 That's what FDR wanted to do when he
15 started the March of Dimes. I'm sure when you
16 were a child you saw that March of Dimes poster
17 on the drugstore counter, and you could put in a
18 coin and help vaccinate children from the
19 dangers of polio.

20 Well, in effect we're doing that
21 today. We are creating a virtual protection
22 device for New York State children by ending this
23 nonmedical exemption loophole and making certain
24 that kids who go to school and can be vaccinated
25 are vaccinated.

1 SENATOR ANTONACCI: Thank you,
2 Mr. President. Will the sponsor continue to
3 yield?

4 ACTING PRESIDENT BENJAMIN: Does
5 the sponsor yield?

6 SENATOR HOYLMAN: Yes,
7 Mr. President.

8 ACTING PRESIDENT BENJAMIN: The
9 sponsor yields.

10 SENATOR ANTONACCI: Thank you,
11 Senator. Through you, Mr. President.

12 Not that prohibiting a child from
13 public school is an easy consequence. I realize
14 that is a heavy police burden -- or, you know,
15 polic -- use of a police force. I recognize that
16 the courts give us this police power. It doesn't
17 mean we have to use it. I recognize that
18 constitutionally we can eliminate the religious
19 vaccination exemption. But are there any other
20 penalties or enforcement actions that would
21 guarantee every individual gets vaccinated, not
22 just children?

23 SENATOR HOYLMAN: Through you,
24 Mr. President. Our goal through this legislation
25 is to make sure that kids are vaccinated.

1 Unfortunately, adults can do what
2 they want when it comes to their medical
3 decisions. It's their decision, and we respect
4 that.

5 But as it pertains to children,
6 that's where government steps in. And as it
7 pertains to the host of vaccination requirements,
8 I think one of the reason Maine closed its
9 loophole on medical exemptions is because they
10 had a serious outbreak of vaccine-preventable
11 whooping cough. And if you've ever been around
12 an infant that has had whooping cough, you know
13 how serious that is.

14 And that's why all of these
15 conditions listed in the legislation are
16 important to ensure that children are protected
17 from vaccine-preventable illnesses.

18 SENATOR ANTONACCI: Thank you,
19 Mr. President. Will the sponsor continue to
20 yield?

21 ACTING PRESIDENT BENJAMIN: Does
22 the sponsor yield?

23 SENATOR HOYLMAN: I do.

24 ACTING PRESIDENT BENJAMIN: The
25 sponsor yields?

1 SENATOR ANTONACCI: Thank you.
2 Through you, Mr. President.

3 Senator, I note a quote from an NPR
4 article by James Goodson, who is a senior measles
5 scientist at the CDC, and he says that largely
6 the U.S. outbreak is being driven by a surge in
7 measles globally.

8 And you mentioned adults can do what
9 they want. Should we be looking to mandate every
10 person getting off a plane at an international
11 airport have proof of vaccine?

12 SENATOR HOYLMAN: Through you,
13 Mr. President, no.

14 SENATOR ANTONACCI: That's the
15 shortest answer he had today.

16 (Laughter.)

17 SENATOR ANTONACCI: Mr. President,
18 will the sponsor continue to yield?

19 ACTING PRESIDENT BENJAMIN: Does
20 the sponsor yield?

21 SENATOR HOYLMAN: Yes. That's
22 pretty short too.

23 ACTING PRESIDENT BENJAMIN: The
24 sponsor yields.

25 SENATOR ANTONACCI: Thank you,

1 Senator. Through you, Mr. President.

2 As I said, this didn't come before
3 the Health Committee. And I appreciate the
4 questions that are being answered. I think
5 there's some very important information that we
6 all need.

7 And I guess my question involves the
8 medical exemption. I'm told by advocates that
9 are against your bill that have come into my
10 office that one of the reasons -- and in fairness
11 to the sponsor, he's right. I think that in some
12 cases the religious exemption has been abused.
13 But they've said that the medical exemption is
14 very difficult to get.

15 I note in the -- let me see if I can
16 find it. Well, if I need to get it, I'll look
17 for it again. But I note in the Education Law
18 that it doesn't really lay forth the requirements
19 for a medical exemption. So my question to you,
20 the sponsor, is did you look at expanding the
21 medical exemption, making that a little more
22 liberal, laying down rules that would help
23 families that are truly more concerned about the
24 medical exemption but may be falling back on the
25 religious exemption?

1 SENATOR HOYLMAN: Through you,
2 Mr. President, no.

3 The goal here is to let science,
4 physicians, scientific experts make these types
5 of decisions. That's why in so many ways the
6 medical exemption is so bizarre and unworkable.
7 You're asking a parent to fill out a form
8 attesting to their sincere religious belief, then
9 presenting it to a school principal or
10 supervisor, who is supposed to look at this and
11 confirm that the parent has this sincere and
12 religious belief. That doesn't make sense.

13 The only person who should be
14 deciding medical issues about a patient is a
15 doctor. And that's why the medical exemption
16 will remain. And that's why physicians will
17 remain the gatekeepers of medical exemptions.
18 We're not liberalizing them, we're letting
19 physicians do their work.

20 SENATOR ANTONACCI: Thank you,
21 Mr. President. Will the sponsor continue to
22 yield?

23 ACTING PRESIDENT BENJAMIN: Does
24 the sponsor yield?

25 SENATOR HOYLMAN: Yes.

1 ACTING PRESIDENT BENJAMIN: The
2 sponsor yields.

3 SENATOR ANTONACCI: Thank you.
4 Thank you. Through you, Mr. President.

5 Was there any consideration given to
6 tightening up the religious exemption -- I think
7 we're on the same page that there may, in certain
8 circumstances, be some abuse of that. But I'm
9 going to reference Senator Gianaris's bill. I
10 think it's a good bill. I think it's something
11 that may have worked as a compromise. Our
12 colleague, in his justification memo, says while
13 the religious rights of those who truly object to
14 vaccines on residence grounds, this bill requires
15 that a physician discuss the health risks with a
16 parent.

17 My question to you is, why was this
18 bill unworkable? Obviously you favor your bill.
19 But why was this bill not taken up?

20 SENATOR HOYLMAN: Through you,
21 Mr. President, I don't know the -- I don't have
22 the answer to that.

23 I do think that we are all sincerely
24 trying to address this health crisis, this public
25 safety crisis that is, you know, like ballooning

1 in front of our eyes, upwards of a thousand cases
2 in the State of New York. We're trying to avoid
3 really a tragedy, I think, Mr. President. The
4 statistics show that one or two cases of measles
5 out of a thousand will result in a fatality. I
6 think we're being responsible today by closing
7 the nonmedical exemption and making certain we
8 avert a tragedy.

9 I do also think that if a parent is
10 seeking a religious exemption to be counseled by
11 a physician about their religious belief seems to
12 be unworkable. I mean, it's like to going to
13 my -- I don't know, going to my doctor and asking
14 them, you know, about my politics. I don't think
15 that the physician is an expert on all matters,
16 particularly necessarily religious ones.

17 SENATOR ANTONACCI: Mr. President,
18 will the sponsor continue to yield?

19 ACTING PRESIDENT BENJAMIN: Does
20 the sponsor yield?

21 SENATOR HOYLMAN: Yes.

22 ACTING PRESIDENT BENJAMIN: The
23 sponsor yields.

24 SENATOR ANTONACCI: Through you,
25 Mr. President. I don't believe that Senator

1 Gianaris's bill was asking for a doctor to be a
2 priest or a rabbi or hold confession. I think
3 what the bill's intent was, was that if someone
4 was claiming a religious exemption that they
5 would meet with a doctor and have an affidavit
6 and documents executed of how serious the
7 decision was.

8 So that being said, was there any
9 consideration given by you with regard to
10 tightening up the religious exemption, whether it
11 be court intervention, affidavits, a statement
12 from the religious entity that this individual is
13 claiming they have a religious exemption under?
14 Was any consideration given to those type of
15 options?

16 SENATOR GIANARIS: Mr. President.

17 ACTING PRESIDENT BENJAMIN: Senator
18 Gianaris.

19 SENATOR GIANARIS: Just a point of
20 personal privilege, because -- I appreciate
21 Mr. Antonacci continuing to reference my bill,
22 but there is no bill. The enacting clause on
23 that bill was stricken.

24 So Senator Antonacci is free to
25 introduce it himself if he so chooses, but there

1 is no Gianaris bill on vaccinations. I am in
2 full support of Senator Hoylman's bill.

3 SENATOR HOYLMAN: (Inaudible.)

4 SENATOR ANTONACCI: Mr. President,
5 as a point of order, I would substitute Senator
6 Gianaris's bill then for Senator Boyle's
7 amendment.

8 Will the sponsor continue to yield?

9 ACTING PRESIDENT BENJAMIN: Does
10 the sponsor yield?

11 SENATOR HOYLMAN: Yes.

12 ACTING PRESIDENT BENJAMIN: The
13 sponsor yields.

14 SENATOR ANTONACCI: Kind of a
15 sidebar here on liability for pharmaceutical
16 companies. Do you see any issues with New York
17 State imposing stricter liability than are
18 allowed under federal statutes?

19 SENATOR HOYLMAN: Through you,
20 Mr. President, that's not within the scope of
21 this bill. But I'd be happy to discuss it in the
22 Judiciary Committee.

23 SENATOR ANTONACCI: Thank you,
24 Mr. President. Will the sponsor continue to
25 yield?

1 ACTING PRESIDENT BENJAMIN: Does
2 the sponsor yield?

3 SENATOR HOYLMAN: Yes.

4 ACTING PRESIDENT BENJAMIN: The
5 sponsor yields.

6 SENATOR ANTONACCI: Through you,
7 Mr. President, is this bill retroactive? Would
8 all kids in school now have to be immunized no
9 matter what age -- for example, a junior in high
10 school -- or leave school? So I guess my
11 question is, is the bill retroactive?

12 SENATOR HOYLMAN: Through you,
13 Mr. President, no. It's prospective.

14 And there's a grace period built in
15 where if a parent is making a good faith effort
16 to catch up their child with their vaccinations
17 according to the State Department of Health's
18 vaccine schedule, they of course can remain in
19 school. It's the same principle that currently
20 applies to all children going to school or
21 daycare centers.

22 SENATOR ANTONACCI: Thank you.

23 On the bill, Mr. President.

24 ACTING PRESIDENT BENJAMIN: Senator
25 Antonacci on the bill.

1 SENATOR ANTONACCI: First off, I'd
2 like to thank Senator Hoylman for his answers to
3 my questions today.

4 I take my Health Committee
5 responsibilities very seriously. I recognize his
6 beautiful family, I've seen his two daughters on
7 Twitter, and I certainly don't want to see
8 anybody get sick, including my own family. My
9 wife is a registered nurse and, you know, fully
10 supportive of immunization.

11 I think I would like to say to
12 people, get your shots. I don't disagree with
13 the sponsor of this bill that immunizations are
14 important and that they work. I am not into
15 voodoo science. I don't believe that the zombie
16 virus was in the flu shots or any of those kind
17 of things.

18 But as someone in my district -- we
19 don't have any outbreaks in my district, by the
20 way. But in my new duties, this is probably the
21 toughest decision that I'm going to have to make
22 as a new Senator. And when we're talking about
23 State Police powers, we need to balance that.
24 And in this case we're balancing it against
25 public health. But because we have the police

1 powers doesn't mean that we have to use those
2 police powers. As I said, this is a very serious
3 issue. And I think we are definitely talking
4 about religious freedoms and family concerns
5 versus, you know, medically challenged
6 individuals that have a compromised immune
7 system.

8 And ultimately we're talking about
9 children not being able to go to school. I think
10 if this is really the serious problem that some
11 of us believe it is, then maybe we need to step
12 up efforts even farther. I know that's not the
13 purpose of this bill today. The purpose of this
14 bill today is to eliminate a religious exemption.
15 And I don't take that lightly. I mean, we're
16 talking about freedom of religion; pick your
17 amendment to the Constitution. It is not an easy
18 decision. But I thought it was very important to
19 gather the facts, and I appreciate those thoughts
20 from the sponsor.

21 As my colleagues know, I'm a numbers
22 guy. And again, struggling to balance those
23 beliefs with the small percentage of our
24 population claiming the religious exemption, I'm
25 not sure eliminating the exemption will

1 prevent -- and I know there's no guarantees
2 except probably death and taxes, but I'm not sure
3 eliminating the exemption will prevent for all
4 eternity any more measles outbreaks.

5 And yet we're going to exercise our
6 police power, and I think that's a very serious
7 matter. We're talking about international
8 travel, we're talking about programs like the
9 refugee program that doesn't require immunization
10 upon entering the country. Pennsylvania, to our
11 south, allows unlimited exemption from measles.
12 They're traveling to and from New York all the
13 time. But we are, to the Senator's point, going
14 to affect our citizens by eliminating the
15 medical -- or the religious -- I'm sorry, the
16 medical exemption. I'm sorry, the religious
17 exemption.

18 It's a tough decision, but I
19 appreciate everybody's patience. And I thank the
20 sponsor again for answering my questions.

21 ACTING PRESIDENT BENJAMIN: Senator
22 Lanza.

23 SENATOR LANZA: Thank you,
24 Mr. President. Briefly on the bill.

25 ACTING PRESIDENT BENJAMIN: Senator

1 Lanza on the bill.

2 SENATOR LANZA: I only have one
3 question that I'm going to ask the sponsor to
4 yield, and that's because my colleagues, both of
5 them -- Senator Antonacci did a great job asking
6 questions, very thorough, and Senator Hoylman did
7 an equally great job responding. But I do have
8 one question, if the sponsor will yield.

9 ACTING PRESIDENT BENJAMIN: Does
10 the sponsor yield?

11 SENATOR HOYLMAN: Sure, yes. Thank
12 you.

13 ACTING PRESIDENT BENJAMIN: The
14 sponsor yields.

15 SENATOR HOYLMAN: After that
16 compliment.

17 (Laughter.)

18 SENATOR LANZA: Thank you. Through
19 you, Mr. President.

20 Given the fact that the sponsor has
21 described this as a health crisis and a health
22 emergency, which I do not disagree with, and also
23 given the fact that as I read all the accounts of
24 the measles outbreak in New York City that the
25 source of the infection is entirely from outside

1 of the borders of this country, wouldn't the best
2 first step be a requirement that any visitor to
3 the state, whether it's from another state,
4 whether it's from another country, whether here
5 vacationing or whether here as an immigrant, be
6 required to receive their vaccines?

7 SENATOR HOYLMAN: Through you,
8 Mr. President, this legislation follows the
9 time-tested tradition of vaccinating children
10 through our schools and daycare centers. I think
11 any suggestion that we should be forcing
12 vaccinations on individuals who are visiting or
13 getting off planes is far beyond the scope of
14 this bill. And I think we'd all have a lot of
15 questions and concerns about forcing adults to
16 undergo vaccinations.

17 The point of this bill is to protect
18 innocent children, is to protect children from
19 infecting other children and immunocompromised
20 individuals, seniors, people with cancer,
21 infants, pregnant women.

22 SENATOR LANZA: Thank you,
23 Mr. President. On the bill.

24 ACTING PRESIDENT BENJAMIN: Senator
25 Lanza on the bill.

1 SENATOR LANZA: I thank the sponsor
2 for his response to that question.

3 And first let me immediately make a
4 comment based on that response, which is to say
5 that if this is a public health crisis and an
6 emergency, and the emergency being that there are
7 people who are not inoculated who are among us
8 here in the State of New York, New York City and
9 all the way to Buffalo, if that is the risk, then
10 does it really matter whether or not someone
11 contracts measles from an adult or from a child?
12 It doesn't.

13 And again, as I read all the
14 accounts, the source of every infection as
15 reported by the New York City Health Department
16 is from outside of this country. So it would
17 seem to me that if we are serious about doing
18 something about this epidemic, we start there.
19 I'm a firm believer, when you have a problem, you
20 go right to the source. And if the source is
21 from outside the country, then we have, I think,
22 a public safety responsibility to do something
23 about it.

24 So this issue sits right in the
25 middle of the three-way intersection between

1 parents' rights to raise their children without
2 government interference, religious freedom and
3 tolerance, and public safety. As a result,
4 emotions run very deep.

5 I happen to believe that there are
6 compelling arguments to be made on each side of
7 this issue. Whenever that happens, sadly, given
8 the current state of politics today, what that
9 ultimately ends up meaning is that each side
10 derides the other as bad people, less than human,
11 bigoted. So in the context here, let me tell you
12 how it will play out.

13 If you are for this legislation,
14 someone is going to call you a religious
15 intolerant bigot. If you vote against it,
16 they're going to call you an anti-vaxxer. Both
17 are lies. Both are dishonest. Both injure the
18 body politic. Sadly, both will happen. And one
19 day maybe we'll be able to disagree, respect each
20 other, have a discussion on the merits. Today is
21 not that day -- not by virtue of anything that's
22 happened in this chamber, but I mean in general,
23 today is not that day, sadly.

24 When you have an issue like this
25 that's so emotional, there's so much pathos

1 involved, each side tries to raise hysteria to
2 advance their cause. Not logic, not facts,
3 hysteria. Emotions, we feel, rule the day
4 whenever we have a cause, more than the facts.

5 I remember a few years ago Senator
6 Savino and I sat at a hospital meeting on
7 Staten Island when Staten Island was experiencing
8 the Ebola outbreak and hysteria. I was part of
9 it. I read in the paper that there were Ebola
10 outbreaks on Staten Island. And unlike measles,
11 when you read about Ebola, there are no
12 survivors. You're exposed, you die. And so we
13 were hysterical. And that hysteria, I will say
14 today, did not serve the public's interest.

15 We sat with medical professionals
16 and others and we were assured that everything
17 was in hand, and that the people of Staten Island
18 really had nothing to fear.

19 So what is some of the
20 misinformation here with respect to this
21 outbreak? First of all, I listened to Senator
22 Antonacci ask some questions about the cause. I
23 agree with the sponsor's opinion -- or I should
24 say the sponsor read a letter or an opinion from
25 the Health Department commissioner about some of

1 the problems with the religious exemption. I
2 agree completely with what was being said, which
3 is that there are people who don't like vaccines,
4 don't trust vaccines, don't want vaccines, who
5 will then dishonestly advance a religious
6 exemption in order to be exempted from the
7 program.

8 But that didn't answer the question.
9 Because since the health commissioner knows that,
10 the health commissioner rejects those
11 applications every time. And in fact in New York
12 City, the health commissioner has not given a
13 single exemption based on religious beliefs --
14 not one. Not one. A few dozen people have asked
15 for it in the City of New York, and they've all
16 been told: We don't believe you, and we're not
17 accepting it.

18 And so how could the religious
19 exemption be the problem with respect to this
20 public health crisis in New York City?

21 Now, I don't want people across the
22 state, especially in New York City, to run around
23 hysterical the way I did with the Ebola outbreak
24 in New York City. Because let's put it into
25 perspective. Measles is not a good thing. So

1 please, don't misunderstand what I'm saying here.
2 But I also read that strep throat poses a greater
3 danger, a health risk, to people who contract it
4 than the measles.

5 Again, measles bad. Let's make sure
6 nobody gets the measles. But as we advance our
7 arguments, I think there's this idea out there --
8 you know, this hysteria on both sides -- there
9 are a lot of people running around because of
10 misinformation from politicians, not doctors, who
11 have people believing that the measles are
12 stalking their kids and death is imminent.

13 You know, this is sort of a silly
14 anecdote, but just, again, to reassure the people
15 back home. My mom and dad married a couple of
16 years before the measles vaccination was okayed.
17 And when she was married, her sister called her,
18 my aunt, and said, "Hey, my daughter, your niece,
19 has the measles. Why don't you come over and
20 play with your niece so that you might contract
21 the measles so in case you're blessed with a
22 pregnancy, you will have been inoculated."
23 Because we do know that contracting measles
24 during pregnancy poses a danger to the unborn
25 child -- which all of a sudden it sounds like we

1 care about here today on this floor, and we
2 should.

3 And my aunt didn't call my mom
4 because she wanted my mom to contract some fatal
5 disease. She called her to come over because
6 measles is not deadly in almost every case. I
7 was amazed when I looked at the list of dangerous
8 diseases in America. Measles was way, way, way,
9 way down. Again, it's not good. I don't want
10 anybody to get the measles.

11 So I want the people back home to
12 understand that they ought not be hysterical
13 about this measles epidemic, crisis, emergency.
14 We've got to be rational about this, and we've
15 got to do whatever it takes to make sure there's
16 not a single additional case of measles in the
17 State of New York. I agree with that.

18 And before someone calls me an
19 anti-vaxxer, I'm not. I have three beautiful
20 children -- Olivia, Abigail, and A.J. -- and
21 there's nothing that means more to me in the
22 world, period, than their health and their
23 happiness. They're all vaccinated, as am I. And
24 if anybody ever asks me, I tell them "You ought
25 to get vaccinated." That's my belief. That's

1 who I am.

2 But when we're talking about
3 beliefs, this is where it gets a little dodgy.
4 You know, there are a lot of -- I'm Catholic.
5 There are a lot of religious beliefs and
6 practices that people adhere to, especially here
7 in this state -- I don't know if we're allowed to
8 call it a melting pot anymore, but I used to -- I
9 thought that was a good way of describing it. I
10 thought David Dinkins did a better job, calling
11 it a mosaic.

12 So we see it all here. Many of
13 those practices and beliefs are foreign to me. I
14 don't get them. I don't understand them. But I
15 was raised and continue to believe that in this
16 country, one of the things that truly
17 distinguishes us and makes us great is the
18 First Amendment. That irrespective of whether or
19 not I understand what you're doing, agree with
20 what you're doing, I'm going to stand up and
21 defend what you're doing when it comes to
22 religious expression.

23 I'll go a step further. I can't
24 imagine an argument based on a religious belief
25 that would allow for an exemption for

1 vaccinations. I can't think of one. It's
2 foreign to me. It doesn't make sense to me. But
3 that doesn't mean I ought not listen. Everyone
4 in New York City who has asked for one has been
5 denied. Let's understand what the religious
6 exemption is in the State of New York. It
7 doesn't say you get it. It says you're allowed
8 to ask for it. That's all it does. And it says
9 someone has to listen to you. Because in
10 America, we listen to people and we defend people
11 when it comes to their religious beliefs and
12 their religious expression.

13 And yes, no right is absolute. I
14 get it. Which is why, in every case in New York
15 City, the answer has been no. Every time. You
16 know, I believe that people ought to be
17 vaccinated. But I can't bring myself to a place
18 where I, as part of this government, will refuse
19 to listen to anyone who brings a case for
20 religious beliefs.

21 This bill says we don't even want to
22 hear you. Your beliefs are so foreign to me that
23 I reject them out of hand. You don't get a
24 hearing, you don't get a conversation, you get
25 nothing. I believe what I believe, you believe

1 what you believe, and that's your problem.

2 I think that's wrong. And I think
3 it's a terrible precedent. As I said, there are
4 a lot of things people believe that don't make
5 sense to me. That's not a good way to put it;
6 foreign to me is more like it.

7 You know, I remember over the years
8 people would say, Hey, you know that religious
9 practice poses a danger to society. You know,
10 the things those people wear as part of their
11 religion, that's not safe for us. That poses a
12 risk to us. We've all heard those arguments
13 through the years. I've always rejected that as
14 nonsense. I've always stood up for the principle
15 that in America I'll fight to the death for your
16 right to believe what you believe.

17 And so I can't imagine agreeing with
18 someone suggesting that their religious beliefs
19 should prohibit or preclude their child from
20 being vaccinated. But you know, that's part of
21 my problem and my prejudice. That's because of
22 my beliefs, my values, my traditions. And guess
23 what? Shame on me.

24 But I think this is a step too far
25 and this is too great an infringement on people's

1 religious beliefs. Again, not to say that you
2 get it just because you say you believe it. But
3 to say we won't even listen to you is wrong.

4 Mr. President, when it comes time to
5 vote, I'm going to vote no.

6 ACTING PRESIDENT BENJAMIN: Are
7 there any other Senators wishing to be heard?

8 Senator Jacobs.

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

11 This has been a very interesting
12 conversation --

13 ACTING PRESIDENT BENJAMIN: Are you
14 on the bill or are you --

15 SENATOR JACOBS: I'm on the bill,
16 yes.

17 ACTING PRESIDENT BENJAMIN: Senator
18 Jacobs on the bill.

19 SENATOR JACOBS: It's been a very
20 interesting conversation, one I wish would have
21 happened first in the Health Committee. And my
22 understanding is this bill was offered early in
23 the session. And due to the critical nature of
24 it, I don't see why it couldn't have come up
25 several months ago in Health Committee. But it

1 is what it is today.

2 We have three -- today we had three
3 pieces of legislation, one that passed, Senator
4 Carlucci's legislation about creating a state
5 vaccination awareness campaign. I think an
6 excellent idea. And I think with the funding
7 concept to support it, to make sure it actually
8 can sustain itself, campaigns like this could be
9 very effective in decluttering the noise in the
10 environment we have right now in terms of
11 vaccinations. And as somebody who has a newborn,
12 who is going through vaccinating that newborn, I
13 believe in vaccination.

14 We also had a bill that Senator
15 Gianaris had that talked about requiring, if
16 somebody was pursuing a religious exemption, that
17 they had to go meet with a doctor and the doctor
18 inform them about the importance of vaccination
19 and the potential consequences of not
20 vaccinating. Again, I think a very pragmatic and
21 could be an effective piece of legislation.

22 And finally, Senator Martinez's
23 legislation regarding a standardization of the
24 religious exemption process and form. It was
25 talked about that one of the real problems here

1 is not those that truly are seeking the exemption
2 for religious purposes, but it's those that are
3 using the religious exemption really not for
4 religious grounds but other grounds, to get out
5 of vaccination. And the standardization of the
6 form would help cull that out, of those that are
7 truly not pursuing it on religious grounds. And
8 also, as Senator Lanza mentioned, some areas
9 which are denying all exemptions and really
10 infringing on religion, those limited number of
11 people that are actually trying to utilize
12 religious exemptions and their religious
13 expression.

14 Now, it was mentioned time and time
15 again in this discussion that the concern here,
16 the danger zone here, this herd determination of
17 95 percent, meaning that communities, schools
18 that are over 5 percent unvaccinated is where the
19 danger begins.

20 And I just wanted to mention in my
21 community, the districts that I represent, in
22 terms of the percentage of those in those
23 districts that are not vaccinated. The City of
24 Buffalo, 0.28 percent. Frontier School District,
25 0.71 percent. Grand Island, 1.04 percent.

1 Kenmore-Tonawanda, 0.29 percent. Orchard Park,
2 0.73 percent. Tonawanda, 0.06 percent. Hamburg,
3 1.31 percent. So I think the highest,
4 1.31 percent. We have a long way to go in any
5 one of those districts to hit 5 percent.

6 I would think that there could very
7 much be a reasonable piece of legislation
8 narrowly tailored that when a community, when a
9 school district comes close that 5 percent, then
10 that would trigger some controls in terms of
11 limiting the amount of exemptions.

12 This piece of legislation is across
13 the board and limits any sort of religious
14 exemption, doesn't make the effort to, again,
15 cull out those that are not really using it for
16 religious exemption.

17 I think it goes too far and too
18 broad, and for that reason I will be in the
19 negative.

20 ACTING PRESIDENT BENJAMIN: Are
21 there any other Senators wishing to be heard?

22 Seeing and hearing none, debate is
23 closed.

24 There is a substitution at the desk.

25 The Secretary will read.

1 THE SECRETARY: Senator Hoylman
2 moves to discharge, from the Committee on Rules,
3 Assembly Bill Number 2371A and substitute it for
4 the identical Senate Bill Number 2994A, Third
5 Reading Calendar 1338.

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

8 The Secretary will ring the bell.
9 Senator Gianaris.

10 SENATOR GIANARIS: Mr. President,
11 without objection, can we return this bill to the
12 noncontroversial calendar.

13 ACTING PRESIDENT BENJAMIN: Without
14 objection, so ordered.

15 Read 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: Senator
22 Savino to explain her vote.

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

25 I want to thank Senator Hoylman for

1 his extensive work on this, and I want to thank
2 my colleagues for the really reasoned debate on
3 this very sensitive topic.

4 I would like to remind you all of
5 how different life was for the parent of a child
6 just a hundred years ago. And I always think
7 back on my great-grandmother. She was pregnant
8 18 times, gave birth to 14 live children, and
9 buried six of them before they were 10 years old,
10 six of them to early childhood diseases that are
11 now preventable because of vaccines.

12 I'm also very sensitive to the fact
13 that I don't have children of my own. And it's
14 rare that government should intervene between the
15 relationship of a parent and child. But as a
16 former Child Protective Service worker, I also
17 know that while we in New York State have this
18 wonderful thing called the right of
19 self-determination -- we can decide for ourselves
20 when we want to reject treatment, when we want to
21 reject medicine, when we want to reject
22 intervention for our own health -- we don't have
23 the right to make those decisions for our
24 children. The Family Court Act says very clearly
25 that you cannot place your children at risk to

1 life and/or health. Nor can you endanger the
2 lives of other children.

3 And while it may not seem that
4 that's what's happening, that really is what is
5 happening when you make a decision to not
6 immunize your children. And so we strive to make
7 sure as many children as possible are immunized.
8 And we try and recognize that there are medical
9 exemptions that should be made.

10 And I'm not sure there is such a
11 thing as a real religious exemption. I'm not a
12 theologian, even though I took a lot of theology
13 at St. John's University. But I know one thing's
14 for sure. I've been to a lot of doctors in my
15 life, and I don't know how a single one of them
16 could determine what my sincerely held religious
17 beliefs are. And that's what this bill is
18 correcting. Doctors are issuing religious
19 exemptions about the state of someone's soul when
20 the only thing they're really trained to make
21 decisions about is the state of someone's health.

22 I'm voting in favor of this bill
23 because I recognize the public health crisis,
24 with a sensitivity, though, of what we are doing
25 is substituting our judgment, sometimes, for what

1 we believe is a parent's right. But that parent
2 doesn't have the right to endanger their child.
3 No one should bury all of their children because
4 of childhood diseases that we have almost
5 eradicated in our lifetime. And we don't want to
6 see a resurgence of them.

7 And so while the measles may not
8 seem that frightening to people, they can be.
9 But along with the measles comes the mumps,
10 rubella, and -- heaven forbid -- a polio
11 outbreak.

12 So I'm going to vote in favor of
13 this, and I would hope all of my colleagues would
14 join me. Thank you, Mr. President.

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

17 Senator Mayer to explain her vote.

18 SENATOR MAYER: Thank you,
19 Mr. Speaker.

20 And I'd like to thank Senator
21 Hoylman for his leadership, and all of my
22 colleagues for a very thoughtful and sensitive
23 debate.

24 You know, I've spent the last
25 several months meeting with many parents in my

1 district who have sought and obtained religious
2 objections to vaccination and feel passionately
3 about it. I have treated them with great
4 respect, as they deserve, as parents and as those
5 who have heartfelt feelings about vaccination. I
6 understand the passion that they bring as a
7 parent, as a grandparent, to the concerns of
8 their children, and I respect that.

9 I also have heard, as chair of the
10 Senate Education Committee, from those in the
11 school world, including the New York State School
12 Boards, the Council of School Superintendents,
13 and the New York State PTA, probably the most
14 important to me, because they represent the voice
15 of other parents.

16 And today I have come to the
17 conclusion that we must take the step and modify
18 the law and eliminate the religious exemption and
19 couple it with a very robust public awareness
20 campaign. And I want to thank Senator Carlucci
21 for his bill, because the fact is we have a
22 movement against vaccines, let's be honest, and
23 we have to deal with it. We have to confront it
24 with correct education and information.

25 But in the meanwhile, we have a

1 public health crisis. And I believe it is our
2 responsibility as state legislators to do
3 something which is clearly difficult, clearly
4 emotional, clearly sensitive. But we have to
5 stand up for the public health. In my opinion,
6 this is that moment. We do have a public health
7 crisis. And therefore, we need to change course,
8 and we need to modify the law and preserve the
9 medical exemption and, other than the medical
10 exemption, require students to be immunized.

11 You know, I'd like to quote from the
12 Council of School Superintendents, because I
13 think they get the tone right when they say: "We
14 do not take this stance with ease or with any
15 lack of respect for individuals with a sincerely
16 held religious belief against vaccinations. Nor
17 have we arrived at this conclusion lightly or
18 without debate. However, school districts are
19 now struggling to deal with an illness that was
20 effectively eliminated from the country two
21 decades ago. This is unacceptable."

22 Sometimes we have to do very
23 difficult things here. This is one of them, in
24 my opinion. But I believe the time is right. I
25 believe we have to do the hard thing and make the

1 difficult choice. I'm voting in the affirmative.
2 I think we need to change New York's laws and we
3 need to protect the next generation, all of its
4 children, from the risk of childhood disease.

5 And I vote in the affirmative.

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

8 Senator Carlucci to explain his
9 vote.

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

12 I want to thank Senator Hoylman and
13 Assemblyman Dinowitz for leading the charge on
14 this very important effort.

15 I represent Rockland and Westchester
16 counties. And in Rockland County, as of today,
17 we have 266 cases of the measles. And we've seen
18 our local health departments have to just run
19 like crazy to try to mitigate the effects of the
20 measles outbreak.

21 The Journal of American Medicine
22 recently put out a report and said that one
23 measles case, with all the investigation that has
24 to go to track down to see who could have
25 possibly been exposed, could cost up to \$140,000.

1 For one case.

2 So we in this chamber have to be
3 preventative. The old adage, an ounce of
4 prevention is worth a pound of cure -- and that's
5 what we're dealing with today.

6 There was comments on the floor that
7 measles isn't that bad. Well, we've been blessed
8 because we've had access to this vaccination.
9 We've seen the measles eradicated in the
10 United States in the year 2000. And I say that
11 when we eradicated the measles, we eradicated the
12 memory of the measles. And we cannot only be a
13 reactionary body, we have to be preventive. We
14 have to make sure that the children that cannot
15 be vaccinated are protected. And that's what
16 this is about.

17 We often hear people say, Well, I'm
18 healthy, I'm strong, I don't need to be
19 vaccinated, or my kids don't need to be
20 vaccinated. It's not about the individual. It's
21 about a community. It's about making sure we
22 have that herd immunity.

23 The World Health Organization tells
24 us that one of the biggest threats to public
25 health is vaccination hesitation. And we've seen

1 this in Disneyland. When it happens in
2 Disneyland, they act quick, because it is a small
3 world after all.

4 (Laughter.)

5 SENATOR CARLUCCI: But it happens
6 in Rockland, it happens in Brooklyn, and it takes
7 a lot more effort to get it done.

8 But I'm just thankful to all my
9 colleagues for finally putting this over the top
10 to remove all nonmedical exemptions for children
11 attending school. We passed earlier today
12 legislation that will be a robust public
13 awareness campaign. That's a long-term effort.
14 And that will work towards preventing outbreaks
15 in the future. But this measure that we're
16 voting on right now today will be the biggest
17 step forward in getting as many people vaccinated
18 as possible, and I believe in saving lives.

19 So we're doing the right thing.
20 I want to thank my colleagues for supporting this
21 measure. And I'll be voting in the affirmative.

22 Thank you, Mr. President.

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

25 Senator Thomas to explain his vote.

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

3 Senator Hoylman is my hero. And the
4 Senate Majority Leader is also my hero for
5 bringing this the floor for a vote, as well as
6 Senator Carlucci for all his leadership in his
7 constituency.

8 Twenty years ago, measles was
9 virtually eradicated in the United States.
10 Today, New York is experiencing its worst measles
11 outbreak in decades. This is a reminder of the
12 challenges we face in this age as we grapple with
13 social media's role in shaping public opinion
14 during a health crisis.

15 Misinformation can have serious
16 consequences, as we've seen over the course of
17 this outbreak. It is our responsibility as
18 lawmakers to ensure that we take responsible
19 action not just to combat misinformation, but to
20 protect the health and well-being of all
21 New Yorkers. Vaccinations are one of the
22 greatest public health triumphs of human history.
23 They have saved millions of lives, expanded our
24 life expectancies, and prevented needless
25 suffering caused by preventable diseases.

1 Scientific evidence and medical
2 experts overwhelmingly support the benefits of
3 vaccinations. Choosing not to vaccinate without
4 a legitimate medical reason is an affront to the
5 rights of children and parents across New York
6 State. Children have a right to attend our
7 schools without being exposed to preventable
8 diseases. Parents have a right to feel safe
9 sending their children to childcare, camp, and
10 other group activities without fear of putting
11 the health of their families at risk.

12 We all have a responsibility to
13 protect the thousands of vulnerable people in our
14 community who cannot receive vaccinations due to
15 health conditions or young age.

16 I am a father of a daughter who is
17 too young to receive several vaccines. Her
18 health depends on the collective immunity of
19 those around her. This is the reality for
20 thousands of children and immunocompromised
21 people who reside in my district. I have
22 received incredibly moving words of support from
23 pediatricians, neonatal nurses, expectant
24 parents, and families of children battling cancer
25 over the past few months. They are the reason

1 that this issue is so important to me. I firmly
2 believe in the right to practice one's religion
3 freely. This is not a religious issue; it is an
4 issue of public health.

5 Vaccinations give us the power to
6 protect ourselves, our children, and our
7 neighbors from highly contagious, potentially
8 life-threatening diseases. I am grateful to my
9 colleagues in the State Legislature recognizing
10 the importance of this legislation in protecting
11 the health and well-being of everyone in this
12 society.

13 Thank you. I vote aye.

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

16 Senator Skoufis to explain his vote.

17 SENATOR SKOUFIS: Thank you very
18 much, Mr. President.

19 Among other communities, I represent
20 part of Rockland County, alongside my colleague
21 Senator Carlucci. And as he noted, Rockland
22 County is one of the epicenters of the measles
23 outbreak. And so for that reason I do want to
24 express my gratitude to Senator Hoylman and
25 everyone involved in getting us to this essential

1 point.

2 In hearing the debates, I believe
3 some of my good colleagues and some members of
4 the public are conflating two very separate items
5 here. One, a religious exemption, which exists,
6 as we all know, right now in New York State law.
7 And the other is a personal belief exemption
8 which does not exist in state law, it exists in
9 some other states.

10 The matter of fact is the religious
11 exemption in New York State is made up. It's
12 fake. Because there is no religion that objects
13 to vaccines. Not Islam, not Catholicism, not
14 Judaism. There is no organized religion that
15 condemns immunization.

16 Even putting that aside, however, if
17 one does believe that is somehow a matter of
18 religious liberties, one's religious freedom, I
19 would argue, ends where that freedom starts to
20 impose dangers on the rest of society. And
21 that's what we're dealing with here.

22 And lastly, Mr. President, I'll just
23 note that this bill -- there's a stark contrast
24 in who is supporting this bill institutionally
25 and who is opposing this bill. Some groups

1 supporting this bill include American Academy of
2 Pediatrics, American College of OB-GYNs, American
3 Nurses Association of New York, Columbia
4 University Medical Center, Council of School
5 Superintendents, Medical Society of the State of
6 New York, Nurse Practitioners, New York State
7 Academy of Family Physicians, New York State
8 Association of County Health Officials, and the
9 list goes on and on.

10 Opponents, the only two groups I
11 believe that are opposed to this bill -- I don't
12 even know what these groups are -- My Kids, My
13 Choice, and the New York Alliance for Vaccine
14 Rights.

15 I stand with the scientists and the
16 public health experts in this state. I vote yes.

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

19 Senator Krueger to explain her vote.

20 SENATOR KRUEGER: Thank you,
21 Mr. President.

22 I'm a proud cosponsor of this bill.
23 And I thank Senator Hoylman and I thank my leader
24 for getting this to the floor today.

25 I come from a family of

1 pediatricians, and they tell me that this is the
2 biggest crisis facing the next generations of
3 Americans if we can't reverse the damage that is
4 happening because of the lack of herd
5 vaccination, as we've heard today.

6 And I would argue it's not a freedom
7 issue. Because remember, when we talk about
8 constitutional freedoms and protections, an
9 example that gets raised all the time, you can't
10 yell "fire" in a crowded theater. Right? You
11 can't put other people's lives at risk.

12 And in fact that's exactly what
13 happens when some people decide not to vaccinate
14 their children. They're putting everyone's
15 else's lives at risk. And that can't be allowed,
16 and that can't be acceptable.

17 And you know, the American Medical
18 Association this week took a vote and said we
19 need to do this, but it doesn't go far enough.
20 They're recommending a bill of mine that's not on
21 the floor, a bill that would say if minors
22 weren't vaccinated because their parents don't
23 believe in vaccination, they should have the
24 right to go to doctors and get the vaccination
25 anyway. Because sometimes young people are

1 smarter than their parents and want to protect
2 themselves and others. And so the American
3 Medical Association is now recommending not just
4 the things we are doing today, but that we
5 actually take another step. But maybe that will
6 be a discussion for another day.

7 And please, no one believe this is
8 just about measles. This is about an entire
9 collection of diseases that we thought we
10 eradicated -- and guess what, a new potential
11 list of diseases, because with climate change
12 comes new threats. And we will need to ensure
13 that we have new, improved vaccines to address
14 the growing threats to our health now and in the
15 future. So we have to reverse this terrible,
16 terrible pattern of people thinking they don't
17 have to do this for their kids. Yes, they do.

18 And we're the state, and so
19 sometimes we have to step in and stop people from
20 yelling "fire" in a crowded theater. I proudly
21 vote yes.

22 Thank you, Mr. President.

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

25 Senator May to explain her vote.

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

3 With all due respect to Senator
4 Savino, you don't have to go back a hundred years
5 to remember what it was like to live through a
6 measles outbreak. My brother came home from
7 school when he was about 10 with measles, and I
8 got it, and our baby sister got it. And my
9 mother talked about the hell she was going
10 through taking care of three very sick children,
11 when my father got it. And he developed
12 pneumonia, he very nearly died.

13 Measles outbreaks are no joke. Back
14 then, virtually all children in America got the
15 measles. And people -- the death rate wasn't
16 very high, partly because people recognized the
17 symptoms, they knew how to treat it. Most adults
18 were immune, with the exception of a few like my
19 father, and so the adults were able to treat the
20 children safely. And people recovered.

21 But now we have very different
22 demographics in terms of who is vulnerable to
23 this disease and others. And so the need for the
24 very high vaccination rates is much greater now.
25 So anything that we can do to reduce the number

1 of unvaccinated children out there is worth
2 doing, to prevent that kind of hell that my
3 mother went through and mothers all across this
4 country at that time.

5 So I am grateful to Senator Hoylman
6 for this bill, and I vote aye.

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

9 Senator Jackson to explain his vote.

10 SENATOR JACKSON: Thank you,
11 Mr. President and my colleagues.

12 I rise to let you know that I have
13 met with several parents of children that were
14 not vaccinated, and they requested that I support
15 their right to have a religious exemption. And I
16 told them that I respect their right. And I have
17 said to them that I will never tell a parent
18 what's best for their child. I said that not
19 only to them when they came to my office, but I
20 said that in speaking to parents about education.
21 Parents have to decide what's best for their
22 children.

23 But in listening to the discussion
24 and hearing all the news, that measles is a
25 highly contagious virus, and that as of June 10,

1 2019, 588 confirmed cases in New York City
2 alone -- not even talking about Rockland County.
3 And that's been since 2018.

4 And as of June 8th, in the
5 United States of America, over 1,000 cases have
6 been confirmed in 28 states. And this is an
7 increase of 41 cases from the previous week. The
8 greatest number of cases reported in the U.S.
9 since 1992, and since measles was declared
10 eliminated in 2000.

11 I've gone on the internet. The
12 country with the highest number of measles cases
13 is Madagascar. And in fact it's reported that
14 over 800 people have been killed, died, as a
15 result of measles, and approximately 45,000 cases
16 reported in that country. And if you do the
17 research yourself, Ukraine and other countries
18 around the world have tens of thousands of people
19 that have been infected.

20 So while I did not sign on to the
21 bill, I'm voting yes today because I am looking
22 after, in my opinion, the best interests of the
23 people of our great state, the Empire State. And
24 I vote aye on this particular matter.

25 ACTING PRESIDENT BENJAMIN: Senator

1 Jackson to be recorded in the affirmative.

2 Senator Liu to explain his vote.

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

5 I support this bill. But in doing
6 so, I also wanted to at the same time
7 respectfully caution my colleagues not to dismiss
8 what I think are deep and sincere concerns that
9 people have.

10 I've met on numerous occasions with
11 constituents whom I represent in this body. They
12 feel very strong convictions about their beliefs.
13 They chafe at the term "anti-vaxxer." They are
14 absolutely outraged that anybody would suggest
15 they don't care about the health of their own
16 children. And in fact they have brought their
17 children to my office on multiple occasions.

18 So we can respectfully disagree with
19 what appears to be a minority of the opinions of
20 our constituents, but we shouldn't simply dismiss
21 them or outright offend them.

22 Thank you, Mr. President.

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

25 Senator Antonacci to explain his

1 vote.

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

4 I will be recorded in the negative
5 on this vote, but I do appreciate the debate and
6 the respectfulness with which this issue was
7 approached today.

8 And to my constituents in the
9 50th Senate District, I'll say it very simply, as
10 I said earlier. Get your shots. Get your
11 immunizations up-to-date. They work.

12 I don't think that someone should
13 avail themselves of a religious exemption if they
14 truly don't believe it or if their chosen faith
15 doesn't subscribe to the belief. I'm a Roman
16 Catholic, and but for contents of a particular
17 vaccine, the Roman Catholic faith does not frown
18 on immunizations. But I do respect those that
19 truly believe that their religion or their
20 religious belief -- not beliefs in general, but
21 religious beliefs -- are valid and important to
22 them.

23 I have talked to these individuals.
24 I have sensed their passion, just as I sensed the
25 sponsor's passion and respect his belief in this

1 bill. Could we have made the medical exemption a
2 little more broad, a little more liberal, put in
3 some rules for that to not send people to the
4 religious exemption? That's again what I was
5 advised. Could we have tightened up the
6 religious exemption? I don't know if that
7 matters anymore.

8 What I will say is I'm proud of this
9 body. We balanced everybody's interests. The
10 decision has been made, and I will certainly
11 respect that vote.

12 As a proud member of the Health
13 Committee, I want to thank Chairman Rivera, my
14 ranker, Senator Gallivan, and the sponsor. I
15 stand ready and willing to work on this issue.
16 It's going to continue to be an issue that we're
17 going to have to address and work on.

18 Thank you, Mr. President.

19 ACTING PRESIDENT BENJAMIN: Senator
20 Antonacci to be recorded in the negative.

21 Any other Senators wishing to
22 explain their vote?

23 Seeing and hearing none, Senator
24 Hoylman to close.

25 SENATOR HOYLMAN: Thank you,

1 Mr. President.

2 I wish to thank Senate Leader
3 Stewart-Cousins for bringing this to the floor.
4 It takes a great deal of courage, I think, to
5 take this issue head-on, as she and this chamber
6 have done, and I want to thank my colleagues
7 across the aisle for the very respectful debate,
8 and my colleagues on this side of the aisle for
9 reminding us to be respectful of those with whom
10 we may disagree. That's very important,
11 especially parents looking out for the well-being
12 of their children.

13 I just wanted to close by sharing
14 with you a letter I received today from a young
15 woman named Teela Wyman. She writes:

16 "Dear Senator Hoylman:

17 "Today the New York Legislature will
18 vote on a bill to require children attending
19 school to be vaccinated unless they have a
20 medical exemption. I hope it passes.

21 "When I was 22, I was diagnosed with
22 cancer. Treatment was hard, but being a survivor
23 has also been hard. For many cancer survivors,
24 treatment is just the beginning. I am currently
25 immunocompromised for the foreseeable future. In

1 the past year I've been hospitalized for
2 complications due to infections" -- {voice
3 catching} I apologize -- "such as the flu:
4 Something I can't be vaccinated for.

5 "I wear a mask when I am outside to
6 protect myself against measles and other
7 infectious diseases. I begin law school" -- so
8 sorry -- "this fall, and I'm honestly terrified
9 of what I'm going to do if a classmate or my
10 teacher comes to class sick.

11 "These aren't things that I want,
12 but that's the price of living.

13 "Sometimes strangers ask me things
14 like: 'Why don't you just stay inside? Why
15 don't you stay at home?' To that I say, 'Why do
16 we put people in prison?'

17 "When I was in quarantine for my
18 transplant, I could see Central Park from my
19 hospital room. I detached myself from my
20 breathing machine and reattached myself to a
21 portable oxygen canister and wheeled myself to
22 the window to look at the trees, and I'd remind
23 myself that one day I'd be able to go outside and
24 touch their bark.

25 "I've spent most of the last few

1 days of my life inside a hospital room. When
2 they'd let me go home, I'd try not to cry at how
3 beautiful the world was. There's nothing nicer
4 than poking your head out of a taxi window on a
5 summer's day and feeling the wind on your skin
6 for the first time in weeks; at breathing air
7 that isn't filtered.

8 "We put people in prison to punish
9 them. We don't deserve to be punished. We
10 didn't do anything wrong. We are just trying to
11 live and be normal people.

12 "This is such a small thing. These
13 diseases are preventable.

14 "The tradeoff between not giving
15 children vaccines and giving children vaccines is
16 the difference between me and other cancer
17 survivors being able to be normal people, live
18 normal lives and not be afraid of dying because
19 somebody near us has the measles. We have
20 already put in so much work in just to be alive.

21 "We are asking you to pass this bill
22 to repeal nonmedical vaccination exemptions for
23 schools, because it will protect us. It will let
24 us be a step closer to the lives we've prayed for
25 for so long. The measles is an extra complexity

1 that might not seem frightening to you but it's
2 terrifying to us."

3 I vote aye, Mr. President.

4 ACTING PRESIDENT BENJAMIN:

5 Announce the results.

6 THE SECRETARY: In relation to
7 Calendar Number 1338, those Senators voting in
8 the negative are Senators Amedore, Antonacci,
9 Boyle, Brooks, Felder, Flanagan, Funke, Gallivan,
10 Griffo, Harckham, Helming, Jacobs, Jordan,
11 Kavanagh, Lanza, LaValle, Little, Martinez,
12 O'Mara, Ortt, Ranzenhofer, Ritchie, Robach,
13 Serino, Seward and Tedisco.

14 Ayes, 36. Nays, 26.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

17 Senator Gianaris, that completes the
18 reading of the supplemental calendar.

19 SENATOR GIANARIS: Mr. President,
20 if we could return briefly to motions and
21 resolutions.

22 ACTING PRESIDENT BENJAMIN: Motions
23 and resolutions.

24 SENATOR GIANARIS: I offer
25 amendments to the following Third Reading

1 Calendar bills:

2 On page 43, Calendar --

3 ACTING PRESIDENT BENJAMIN: Order
4 in the chamber, please.

5 SENATOR GIANARIS: -- Calendar
6 Number 1063, Senate Print 4281, by Senator
7 Biaggi.

8 On page 36, Calendar Number 924,
9 Senate Print 5205, by Senator Gounardes.

10 On page 15, Calendar Number 459,
11 Senate Print 2387A, by Senator Persaud.

12 ACTING PRESIDENT BENJAMIN: The
13 amendments are received, and the bills shall
14 retain their place on the Third Reading Calendar.

15 SENATOR GIANARIS: On behalf of
16 Senator Thomas, I move to amend Senate Print
17 5799B by striking out the amendments made on
18 June 11, 2019, and restoring it to original
19 print, 5799.

20 ACTING PRESIDENT BENJAMIN: So
21 ordered.

22 SENATOR GIANARIS: Is there any
23 further business at the desk?

24 ACTING PRESIDENT BENJAMIN: There
25 is no further business at the desk.

1 SENATOR GIANARIS: I move to
2 adjourn until tomorrow, Friday, June 14th, at
3 12:00 noon.

4 ACTING PRESIDENT BENJAMIN: On
5 motion, the Senate stands adjourned until Friday,
6 June 14th, at 12:00 noon.

7 (Whereupon, at 6:12 p.m., the Senate
8 adjourned.)

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