

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 14, 2019

11 11:29 a.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: We have
9 today Father John Canorro, pastor of Christ the
10 Good Shepherd Parish, to deliver the invocation.

11 Father?

12 PASTOR CANORRO: Let us pray.

13 God, giver of all gifts and source
14 of life, we ask You to pour out Your wisdom and
15 grace on these New York State Senators today and
16 every day.

17 As our nation honors our Flag today,
18 may these men and women be ever mindful of the
19 symbol of our country. As they see the white of
20 the Flag, may they be reminded that they are
21 called to serve with purity of heart, and reflect
22 that purity in the laws that they pass.

23 As they see the red, may it remind
24 them of the sacrifices of so many to give us the
25 freedoms that we cherish, and they protect those

1 freedoms in the decisions they make.

2 As they look at the field of blue
3 and the 50 stars, may they do all they can to
4 make the State of New York a star that shines
5 bright for life, liberty and the pursuit of
6 happiness, and to safeguard it.

7 And we ask all of this through
8 Christ our Lord. Amen.

9 ACTING PRESIDENT BENJAMIN: Father
10 Canorro is from Oswego, New York.

11 Reading of the Journal.

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

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

19 Presentation of petitions.

20 Messages from the Assembly.

21 The Secretary will read.

22 THE SECRETARY: On page 5,
23 Senator Hoylman moves to discharge, from the
24 Committee on Children and Families --

25 ACTING PRESIDENT BENJAMIN: Order

1 in the chamber, please.

2 THE SECRETARY: -- Assembly Bill
3 Number 3619A and substitute it for the identical
4 Senate Bill 1481A, Third Reading Calendar 134.

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

7 THE SECRETARY: On page 16,
8 Senator Mayer moves to discharge, from the
9 Committee on Investigations and Government
10 Operations, Assembly Bill Number 6542 and
11 substitute it for the identical Senate Bill
12 Number 5081, Third Reading Calendar 503.

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

15 THE SECRETARY: On page 16,
16 Senator Skoufis moves to discharge, from the
17 Committee on Rules, Assembly Bill Number 7418 and
18 substitute it for the identical Senate Bill 5191,
19 Third Reading Calendar 506.

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

22 THE SECRETARY: On page 22,
23 Senator Sepúlveda moves to discharge from the
24 Committee on Crime Victims, Crime and Correction,
25 Assembly Bill Number 4336 and substitute it for

1 the identical Senate Bill 2692, Third Reading
2 Calendar 630.

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

5 THE SECRETARY: On page 25,
6 Senator Stewart-Cousins moves to discharge, from
7 the Committee on Investigations and Government
8 Operations, Assembly Bill Number 2218A and
9 substitute it for the identical Senate Bill 3404,
10 Third Reading Calendar 722.

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

13 THE SECRETARY: On page 28,
14 Senator Comrie moves to discharge, from the
15 Committee on Local Government, Assembly Bill
16 Number 2947 and substitute it for the identical
17 Senate Bill 2769, Third Reading Calendar 787.

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

20 THE SECRETARY: On page 30,
21 Senator Addabbo moves to discharge, from the
22 Committee on Rules, Assembly Bill Number 5767A
23 and substitute it for the identical Senate Bill
24 4165A, Third Reading Calendar 819.

25 ACTING PRESIDENT BENJAMIN: The

1 substitution is so ordered.

2 THE SECRETARY: On page 31,
3 Senator Metzger moves to discharge, from the
4 Committee on Rules, Assembly Bill Number 6751 and
5 substitute it for the identical Senate Bill 5438,
6 Third Reading Calendar 849.

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

9 THE SECRETARY: On page 36,
10 Senator Kaplan moves to discharge, from the
11 Committee on Commerce, Economic Development and
12 Small Business, Assembly Bill Number 1971 and
13 substitute it for the identical Senate Bill 5427,
14 Third Reading Calendar 957.

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

17 THE SECRETARY: On page 40,
18 Senator Harckham moves to discharge, from the
19 Committee on Judiciary, Assembly Bill Number
20 4766B and substitute it for the identical
21 Senate Bill 5491, Third Reading Calendar 1067.

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

24 THE SECRETARY: Senator
25 Stewart-Cousins moves to discharge, from the

1 Committee on Finance, Assembly Bill Number 6694
2 and substitute it for the identical Senate Bill
3 4466, Third Reading Calendar 1214.

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

6 Messages from the Governor.

7 Reports of standing committees.

8 Reports of select committees.

9 Communications and reports from
10 state officers.

11 Motions and resolutions.

12 Senator Gianaris.

13 SENATOR GIANARIS: On behalf of
14 Senator Comrie, on page 28 I offer the following
15 amendments to Calendar Number 783, Senate Print
16 5591, and ask that said bill retain its place on
17 Third Reading Calendar.

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

21 SENATOR GIANARIS: I wish to call
22 up the following bills, which were recalled from
23 the Assembly and are now at the desk:

24 Senate Print 5473, by Senator
25 Martinez;

1 5522, by Senator Skoufis;

2 5815B, by Senator Kaplan.

3 ACTING PRESIDENT BENJAMIN: The
4 Secretary will read.

5 THE SECRETARY: Calendar Number
6 1195, Senate Print 5522, by Senator Skoufis, an
7 act to direct the Department of Education to
8 study the frequency of residents who are being
9 assessed library taxes.

10 Calendar Number 1349, Senate Print
11 5815B, by Senator Kaplan, an act to amend the
12 Executive Law.

13 Calendar Number 942, Senate Print
14 5473, by Senator Martinez, an act to amend the
15 Town Law.

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

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

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 55.

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

1 SENATOR GIANARIS: I offer the
2 following amendments.

3 ACTING PRESIDENT BENJAMIN: The
4 amendments are received.

5 SENATOR GIANARIS: On behalf of
6 Senator Comrie, I move to amend Senate 5932B by
7 striking out the amendments made on June 13,
8 2019, and restoring it to its previous print
9 number, 5932A.

10 ACTING PRESIDENT BENJAMIN: It is
11 so ordered.

12 SENATOR GIANARIS: I move to adopt
13 the Resolution Calendar.

14 ACTING PRESIDENT BENJAMIN: All in
15 favor of adopting the Resolution Calendar please
16 signify by saying aye.

17 (Response of "Aye.")

18 ACTING PRESIDENT BENJAMIN:
19 Opposed, nay.

20 (No response.)

21 ACTING PRESIDENT BENJAMIN: The
22 Resolution Calendar is adopted.

23 Senator Gianaris.

24 SENATOR GIANARIS: At this time,
25 Mr. President, once again we're going to be

1 simultaneously calling a Rules Committee meeting
2 immediately in Room 332 and taking up the
3 resolutions.

4 ACTING PRESIDENT BENJAMIN: There
5 will be an immediate meeting of the
6 Rules Committee in Room 332.

7 Senator Gianaris.

8 SENATOR GIANARIS: Thank you.
9 Please take up previously adopted Resolution 795,
10 by Senator Serino, read its title only, and
11 recognize Senator Serino.

12 ACTING PRESIDENT BENJAMIN: The
13 Secretary will read.

14 THE SECRETARY: Senate Resolution
15 795, by Senator Serino, memorializing Governor
16 Andrew M. Cuomo to proclaim June 15, 2019, as
17 Elder Abuse Awareness Day in the State of
18 New York.

19 ACTING PRESIDENT BENJAMIN: Order
20 in the chamber, please. Order in the chamber,
21 please.

22 Senator Serino on the resolution.

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

25 Tomorrow, June 15th, people from

1 around the world will come together to observe
2 World Elder Abuse Awareness Day, in an effort to
3 shed light on the epidemic that has flown under
4 the radar for far too long.

5 This morning in my district, at our
6 community college, we had hundreds and hundreds
7 of people come together, and organizations, that
8 are all working on combating elder abuse. Each
9 and every single person has the passion to work
10 and do the things that all of us here need to do
11 as well.

12 Elder abuse is one of the most
13 underreported crimes out there. And when you
14 think about our seniors, all of us here are to be
15 their voice. So it was such an honor and a
16 privilege to speak there this morning and know
17 how much hard work they're doing for our
18 communities, for our parents and our
19 grandparents. We want to see more events like
20 this in communities throughout New York State.

21 While the statistics vary, we know
22 that for every known case of elder abuse, reports
23 estimate that at least 20 cases actually go
24 unreported. Financial abuse costs our seniors
25 over a billion dollars each year. And I can tell

1 you this morning I had people that were coming up
2 and talking to me, whether they were accountants,
3 from a variety of organizations, that said they
4 want to get together with me because it is such a
5 problem.

6 Our seniors were born and raised in
7 a generation defined by industrious independence,
8 a generation where self-sufficiency was valued
9 above all else. And I think each and every one
10 of us in this room know that too. You don't see
11 seniors asking for help. You know, they try to
12 take care of things on their own. So can you
13 imagine someone that's a victim of elder abuse?
14 It's very hard and very challenging for them to
15 come forward.

16 And these statistics make it
17 painfully clear that we can and we must do better
18 to more effectively identify and combat abuse.
19 Older New Yorkers play an invaluable role in the
20 fabric of our society, and we have a
21 responsibility to make sure that they can live
22 out their lives and enjoy the communities that
23 they have built, free from harm and safe from
24 abuse.

25 With World Elder Abuse Awareness Day

1 just around the corner, I hope everyone here
2 today will take the opportunity to bring this
3 important message back to their communities.

4 Thank you, Mr. President.

5 ACTING PRESIDENT BENJAMIN: The
6 resolution was previously adopted on March 26th.

7 Senator Biaggi.

8 SENATOR BIAGGI: At the request of
9 the sponsor of today's resolution, it is open for
10 cosponsorship.

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

15 Senator Biaggi.

16 SENATOR BIAGGI: Yes. The Senate
17 will stand at ease, Mr. President.

18 ACTING PRESIDENT BENJAMIN: The
19 Senate will stand at ease.

20 (Whereupon, the Senate stood at ease
21 at 11:39 a.m.)

22 (Whereupon, the Senate reconvened at
23 11:52 a.m.)

24 ACTING PRESIDENT BENJAMIN: The
25 Senate will return to order.

1 Senator Gianaris.

2 SENATOR GIANARIS: Can we return to
3 reports of standing committees.

4 I believe there's a report of the
5 Rules Committee at the desk.

6 ACTING PRESIDENT BENJAMIN: There
7 is a report of the Rules Committee at the desk.

8 The Secretary will read.

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

12 Senate Print 1239A, by
13 Senator Serino, an act to legalize, validate,
14 ratify and confirm the actions of the
15 Spackenkill Union Free School District;

16 Senate Print 1810, by
17 Senator Rivera, an act to amend the Public Health
18 Law and the Insurance Law;

19 Senate Print 2176, by
20 Senator Bailey, an act to amend the New York
21 State Urban Development Corporation Act and the
22 Economic Development Law;

23 Senate Print 2371B, by
24 Senator Kaminsky, an act to amend the Penal Law;

25 Senate Print 3158, by Senator Ramos,

1 an act to amend the Public Health Law and the
2 Insurance Law;

3 Senate Print 3200A, by
4 Senator Parker, an act to amend the
5 Mental Hygiene Law;

6 Senate Print 3221, by
7 Senator Sanders, an act to amend the
8 Real Property Law;

9 Senate Print 3766, by
10 Senator Parker, an act to amend the
11 Mental Hygiene Law;

12 Senate Print 4417, by
13 Senator Helming, an act in relation to
14 authorizing the Town of Webster, County of
15 Monroe, to alienate and convey certain parcels of
16 land used as parklands;

17 Senate Print 4454, by
18 Senator Brooks, an act to amend the
19 Insurance Law;

20 Senate Print 4915A, by
21 Senator Akshar, an act to amend the Highway Law;

22 Senate Print 5006A, by
23 Senator Parker, an act to amend the
24 Executive Law;

25 Senate Print 5047, by

1 Senator Krueger, an act to --

2 ACTING PRESIDENT BENJAMIN: Excuse
3 me. Order in the chamber, please. People are
4 having a hard time hearing. Please.

5 Thank you.

6 THE SECRETARY: Senate Print 5047,
7 by Senator Krueger, an act to amend the New York
8 Civil Court Act and the Real Property Actions and
9 Proceedings Law;

10 Senate Print 5402, by
11 Senator Persaud, an act to amend the
12 Social Services Law;

13 Senate Print 5466, by
14 Senator LaValle, an act to amend Chapter 399 of
15 the Laws of 2017;

16 Senate Print 5514A, by
17 Senator Montgomery, an act to amend the
18 Civil Practice Law and Rules;

19 Senate Print 5545, by
20 Senator Addabbo, an act to amend the Tax Law and
21 the Labor Law;

22 Senate Print 5582, by
23 Senator Breslin, an act to amend the Tax Law;

24 Senate Print 5595A, by Senator Liu,
25 an act to amend the Tax Law;

1 Senate Print 5625A, by Senator May,
2 an act to amend the State Finance Law;

3 Senate Print 5640B, by
4 Senator Skoufis, an act to amend the Town Law;

5 Senate Print 5644B, by
6 Senator Skoufis, an act to amend the Town Law;

7 Senate Print 5659, by
8 Senator Gounardes, an act to amend the
9 Administrative Code of the City of New York;

10 Senate Print 5673, by
11 Senator Gaughran, an act to amend the
12 Public Service Law;

13 Senate Print 5716, by
14 Senator Metzger, an act to amend the
15 Urban Development Corporation Act;

16 Senate Print 5741, by
17 Senator Skoufis, an act to amend the
18 Social Services Law;

19 Senate Print 5812, by
20 Senator Kaplan, an act to amend the
21 State Administrative Procedure Act;

22 Senate Print 5820, by
23 Senator Metzger, an act to direct the New York
24 State Energy Research and Development Authority
25 to study and make recommendations regarding the

1 state's electric vehicle inventory;

2 Senate Print 5849, by Senator May,
3 an act to amend the Environmental Conservation
4 Law;

5 Senate Print 5864A, by
6 Senator Jackson, an act to amend the Tax Law;

7 Senate Print 5871, by
8 Senator Martinez, an act to amend the
9 Environmental Conservation Law;

10 Senate Print 6031, by Senator Mayer,
11 an act to amend the Social Services Law and the
12 Public Health Law;

13 Senate Print 6358, by Senator Lanza,
14 an act to amend Chapter 759 of the Laws of 1973;
15 and

16 Senate Print 6458, by
17 Senator Stewart-Cousins, an act to amend
18 Chapter 576 of the Laws of 1974.

19 All bills reported direct to third
20 reading.

21 SENATOR GIANARIS: Move to accept
22 the report of the Rules Committee.

23 ACTING PRESIDENT BENJAMIN: All in
24 favor of accepting the report of the
25 Rules Committee signify by saying aye.

1 (Response of "Aye.")

2 ACTING PRESIDENT BENJAMIN:

3 Opposed, nay.

4 (No response.)

5 ACTING PRESIDENT BENJAMIN: The
6 Rules Committee report is accepted.

7 SENATOR GIANARIS: Mr. President,
8 can we now take up the supplemental calendar, but
9 begin with Calendar Number 1407, by Leader
10 Stewart-Cousins.

11 ACTING PRESIDENT BENJAMIN: The
12 Secretary will read.

13 THE SECRETARY: Calendar Number
14 1407, Senate Print 6458, by
15 Senator Stewart-Cousins, an act to amend
16 Chapter 576 of the Laws of 1974.

17 SENATOR GRIFFO: Lay it aside.

18 ACTING PRESIDENT BENJAMIN: Lay it
19 aside.

20 SENATOR GIANARIS: Mr. President,
21 can we proceed with the controversial reading off
22 of the supplemental calendar.

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

25 The Secretary will read.

1 THE SECRETARY: Calendar Number
2 1407, Senate Print 6458, by Senator
3 Stewart-Cousins, an act to amend Chapter 576 of
4 the Laws of 1974.

5 ACTING PRESIDENT BENJAMIN: Senator
6 Amedore.

7 SENATOR AMEDORE: Thank you,
8 Mr. President. Will the sponsor yield for some
9 questions, please?

10 SENATOR GIANARIS: Mr. President,
11 Senator Kavanaugh will be addressing questions on
12 this bill.

13 ACTING PRESIDENT BENJAMIN: Does
14 the sponsor yield?

15 SENATOR KAVANAGH: Yes,
16 Mr. President.

17 ACTING PRESIDENT BENJAMIN: The
18 sponsor yields.

19 SENATOR AMEDORE: Thank you,
20 Senator Kavanaugh.

21 Through you, Mr. President. I have
22 a few questions here, so hopefully we can get all
23 through and the answers are not pontificated as
24 long as some other answers have been in the past.
25 So we'll start with the first question here.

1 Are there currently any
2 qualifications for individuals to lease a
3 rent-stabilized unit?

4 SENATOR KAVANAGH: Mr. President,
5 you know, I appreciate the gentleman from the
6 other side of the aisle's advice on the length of
7 answers. And that is indeed a complicated
8 question, so I'm going to give a bit of a
9 complicated answer for the various aspects of the
10 bill.

11 So, you know, throughout this
12 session -- indeed, for many years -- New Yorkers
13 have made one thing clear, and that is our state
14 needs stronger laws to empower and protect
15 tenants and halt the displacement that's ravaged
16 many of our communities.

17 The Housing Committee held five
18 hearings that were attended by many members of
19 this house, including members from both sides of
20 the aisle, and during those hearings, we heard
21 testimony from dozens and dozens of New Yorkers
22 across this state indicating that these laws are
23 not working for them today.

24 After 13 years of advocating in the
25 Assembly and the Senate for housing justice and

1 decency, I'm proud to say that the Housing
2 Stability and Tenant Protection Act represents an
3 enormous progress towards fundamental fairness
4 for every New Yorker who rents their home.

5 Before I get into the key points of
6 the bill, I just want to thank our legislative
7 leaders in both houses, Andrea Stewart-Cousins
8 and Carl Heastie, all of my colleagues in this
9 chamber and the Assembly who worked hard to get
10 to this moment, and especially Senator Zellnor
11 Myrie, whose work was truly essential. And of
12 course the many tenants who courageously told
13 their stories on behalf of millions of their
14 fellow tenants.

15 So this bill makes many dramatic
16 changes in the law that address the Senator's
17 question. First, the bill makes sweeping reforms
18 to the system of affordability and tenant
19 protection in the rent stabilization and rent
20 control laws. We're putting an end to the notion
21 that these laws expire.

22 As you know, Mr. President, our
23 state laws authorizing localities to adopt rent
24 regulation have previously expired every four
25 years or so, and they are currently scheduled to

1 expire tomorrow. This bill will make them
2 permanent in the same manner as most other laws,
3 so they will not sunset at any time in the future
4 without an act of the Legislature to repeal them.

5 We are authorizing any city, town
6 and village in the state to determine whether
7 they have a low vacancy rate that constitutes a
8 housing emergency under the terms of rent
9 stabilization and to adopt the program for their
10 locality if they believe it to be beneficial in
11 addressing that emergency.

12 Currently that option is only
13 available in New York City and localities in
14 Westchester, Nassau and Rockland counties. Now
15 it will be available statewide.

16 We're repealing many loopholes that
17 have undermined the basic purposes of rent
18 stabilization. We're repealing the regulation
19 provisions and the so-called vacancy bonus -- an
20 increase in the legal rate of 20 percent or more
21 at each vacancy -- which some of us think is more
22 aptly named an eviction bonus. These provisions
23 have caused rampant speculation centered around
24 the financial benefits to landlords of displacing
25 their tenants and rapidly increasing rents.

1 We're also limiting the
2 circumstances in which landlords can remove
3 tenants from rent-stabilized apartments to house
4 themselves or their families. We're protecting
5 tenants whose current rent is below the legal
6 rent, commonly known as preferential rent, from
7 excessive increases for the duration of their
8 tenancy.

9 We're also protecting 22,000 or so
10 tenants in the rent control program by limiting
11 rent increases to the reasonable level set by
12 their local rent guidelines board. We are
13 ensuring that when landlords charge rents that
14 are higher than the laws allow, tenants have an
15 opportunity to prove they've been overcharged and
16 receive refunds, and damages when the overcharge
17 was a willful act of the landlord.

18 We're reforming the rules that allow
19 landlords to raise rents when they spend money on
20 major capital improvements to their buildings or
21 improvements to individual apartments, ensuring
22 that landlords get reasonable compensation for
23 this work while ending the huge windfalls and
24 excessive rent increases they can get under
25 current laws. And we're making these increases

1 temporary and not permanent.

2 We're also very significantly
3 reforming the laws that protect tenants in
4 buildings in New York City with rent-regulated
5 apartments when the owner seeks to convert a
6 co-op or a condominium. In essence, we're saying
7 that these conversions can only occur when a
8 majority of the tenants want to participate by
9 buying their apartment. And we're extending
10 protections to tenants who choose not to buy and
11 to tenants who move in later.

12 So those, Mr. President, are the
13 major changes to the rent-stabilization and
14 rent-control laws that protect about 2.5 million
15 New Yorkers and may protect many more in the
16 years to come. We're also in this bill, of
17 course, dealing with other laws that have
18 statewide effect, and to manufactured homes. But
19 since those aren't relevant to the gentleman's
20 question, I'll proceed to the particulars.

21 The laws, the rent-stabilization
22 laws, are in place to protect the affordability
23 of a particular group of apartments. They do not
24 apply to any building built after 1974 unless the
25 landlord has voluntarily chosen to adopt rent

1 regulation in exchange for some public benefit.
2 They don't apply to buildings with fewer than six
3 units. But there are no qualifications under the
4 law that we're passing today that apply directly
5 to the tenants.

6 SENATOR AMEDORE: Through you,
7 Mr. President, will the sponsor continue to
8 yield?

9 ACTING PRESIDENT BENJAMIN: Will
10 the sponsor yield?

11 SENATOR KAVANAGH: Happily,
12 Mr. President.

13 ACTING PRESIDENT BENJAMIN: The
14 sponsor yields.

15 SENATOR AMEDORE: I think as my
16 first question I should have asked for an
17 explanation of the bill. But thank you for that
18 detailed explanation.

19 But my question was are there
20 currently -- because I didn't hear the answer --
21 are there currently any qualifications for an
22 individual, someone who is leasing a
23 rent-stabilized unit, in the current laws that
24 are about to expire tomorrow?

25 SENATOR KAVANAGH: The

1 qualifications for tenants to lease are the
2 qualifications that landlords choose to impose
3 when they seek to rent an apartment. They can do
4 the usual process of checking the background of
5 their tenants. They can do credit checks.

6 Once they lease an apartment and
7 once a tenant is in place, these laws are
8 intended to protect their tenancy as long as
9 they're able to pay their rent and as long as
10 they're able to pay the reasonable increases that
11 are available to them under the
12 rent-stabilization and rent-control laws.

13 SENATOR AMEDORE: Through you,
14 Mr. President, will the sponsor continue to
15 yield?

16 ACTING PRESIDENT BENJAMIN: Does
17 the sponsor yield?

18 SENATOR KAVANAGH: Yes,
19 Mr. President.

20 ACTING PRESIDENT BENJAMIN: The
21 sponsor yields.

22 SENATOR AMEDORE: Thank you,
23 Senator Kavanagh.

24 Those qualifications were probably
25 to be -- some of them would be to disqualify.

1 But I'm just trying to get an answer, because I
2 know the bill is fairly lengthy, and the issue is
3 very important because it affects millions of
4 New Yorkers.

5 I believe that there are current
6 qualifications, threshold qualifications, or a
7 means set for those who will qualify for a
8 stabilization unit, is that correct?

9 SENATOR KAVANAGH: No. Through
10 you, Mr. President, that's not quite correct. I
11 think perhaps the gentleman is referring to the
12 deregulation provisions that are applied to what
13 is sometimes called high-income deregulation.
14 But there are no qualifications that are mandated
15 for anybody to rent one of these apartments.

16 SENATOR AMEDORE: Through you,
17 Mr. President, if the sponsor will continue to
18 yield.

19 ACTING PRESIDENT BENJAMIN: Does
20 the sponsor yield?

21 SENATOR KAVANAGH: Yes,
22 Mr. President.

23 ACTING PRESIDENT BENJAMIN: The
24 sponsor yields.

25 SENATOR AMEDORE: So then if a

1 person or a household has an annual income of a
2 million dollars annually, would that household
3 then be eligible to rent a stabilized unit?

4 SENATOR KAVANAGH: Through you,
5 Mr. President. If a landlord chooses to rent a
6 rent-stabilized apartment to a household with a
7 million-dollar income, and if a household with a
8 million-dollar income that presumably could rent
9 many different kinds of apartments chooses to
10 rent a rent-regulated apartment, then that
11 transaction would be valid under this law.

12 SENATOR AMEDORE: Through you,
13 Mr. President, if the sponsor will continue to
14 yield.

15 ACTING PRESIDENT BENJAMIN: Does
16 the sponsor yield?

17 SENATOR KAVANAGH: Yes,
18 Mr. President.

19 ACTING PRESIDENT BENJAMIN: The
20 sponsor yields.

21 SENATOR AMEDORE: Do you know how
22 many units have left stabilization due to the
23 high-rent, high-income deregulation program?

24 SENATOR KAVANAGH: About 6500
25 units, is my understanding, is the number that

1 have been deregulated through what is sometimes
2 called the high-income vacancy deregulation. An
3 additional over 200,000 units have left the
4 system through what's sometimes called high-rent
5 vacancy deregulation.

6 SENATOR AMEDORE: Through you,
7 Mr. President, if the sponsor will continue to
8 yield.

9 ACTING PRESIDENT BENJAMIN: Does
10 the sponsor yield?

11 SENATOR KAVANAGH: Yes,
12 Mr. President.

13 ACTING PRESIDENT BENJAMIN: The
14 sponsor yields.

15 SENATOR AMEDORE: Thank you,
16 Senator Kavanagh.

17 Does this bill prevent those
18 households who can afford to pay market rate from
19 renting stabilized apartments --

20 SENATOR KAVANAGH: {Inaudible.}

21 SENATOR AMEDORE: -- in turn -- in
22 turn allowing those more likely who need help in
23 housing allowance or housing itself to rent a
24 stabilized unit?

25 SENATOR KAVANAGH: Mr. President, I

1 don't think I understood the conjunction there.

2 But the --

3 SENATOR AMEDORE: I could clarify
4 it for you.

5 SENATOR KAVANAGH: Yes.

6 ACTING PRESIDENT BENJAMIN: Go
7 ahead, clarify. Please clarify.

8 SENATOR AMEDORE: Through you,
9 Mr. President. So those who are -- who have the
10 means to afford market rate but yet live in a
11 stabilized unit take away -- because programs
12 like this should help those who need a little
13 assistance or help within the housing allowance
14 versus to the ratio to their annual income.

15 So someone who has a household
16 income of maybe \$60,000 living in New York
17 City -- real small, housing is expensive -- I
18 would think would qualify for a stabilized unit
19 more than someone who has a household annual
20 income of seven figures.

21 So would this bill, would this bill
22 prevent that from happening?

23 SENATOR KAVANAGH: Mr. President,
24 just a few points.

25 First of all, I appreciate the fact

1 that the gentleman thinks that a \$60,000 income
2 is a relatively low income and that people at
3 that income are worthy of protection under these
4 kinds of laws. The current median income of
5 people renting a rent-stabilized apartment in
6 New York City is \$45,753. So the great majority
7 of people renting these apartments currently rent
8 at a level that -- have incomes at a level that
9 is below the \$60,000 threshold that the gentleman
10 cites.

11 In addition, it should be noted that
12 under the current system, apartments that -- when
13 somebody with a higher income leaves the unit, it
14 is not the case that the rent goes down to a more
15 affordable level that somebody with a lower
16 income could afford. And I think that folks in
17 this chamber, especially those on the other side
18 of the aisle, have defended repeatedly the
19 ability of landlords to raise rents, and
20 sometimes raise them very rapidly, on those
21 apartments.

22 The current -- the provision that we
23 are -- one of the provisions that we are
24 repealing in this bill is a bill that ends the
25 availability of apartments when somebody is

1 making \$200,000 or more in two consecutive years.
2 That is at the option of the landlord. But it
3 doesn't provide that apartment as an affordable
4 apartment for anybody. What it does is it takes
5 the apartment entirely out of the rent-regulated
6 system and it deregulates, the unit making it
7 available for someone with an even higher income.

8 We are eliminating that provision
9 today, along with many other provisions that we
10 believe causes landlords to speculate on their
11 ability to remove tenants to make excessive
12 profits, and that diminish the ability of this
13 program to protect affordability for the very
14 people the gentleman is talking about.

15 SENATOR AMEDORE: Through you,
16 Mr. President, if the sponsor would continue to
17 yield.

18 ACTING PRESIDENT BENJAMIN: Does
19 the sponsor yield?

20 SENATOR KAVANAGH: Yes,
21 Mr. President.

22 ACTING PRESIDENT BENJAMIN: The
23 sponsor yields.

24 SENATOR AMEDORE: Thank you,
25 Senator Kavanagh.

1 The latest New York City housing
2 vacancy survey stated that housing maintenance
3 conditions were very good. And more than half of
4 all renter-occupied units reported no maintenance
5 deficiency in 2017.

6 This bill drastically reduces the
7 amount a landlord is able to receive in increased
8 rent after providing major capital improvements,
9 MCIs, or individual apartment improvements, IAIIs.
10 What effects will this have on maintenance
11 conditions of the units?

12 SENATOR KAVANAGH: Through you,
13 Mr. President. We think that maintenance
14 conditions in these buildings will continue to be
15 at their current level. We believe that this
16 bill will continue to permit landlords to do the
17 capital improvements that are necessary to keep
18 their buildings in good shape and to comply with
19 the many laws that require them to provide heat
20 and decent housing conditions and habitability.

21 With respect to individual apartment
22 improvements, those are often done, as the name
23 suggests, to dramatically improve the apartment,
24 to take it from a modest apartment that one
25 person can afford to a much better, nicer, more

1 expensive apartment that a different kind of
2 person with a much higher income can afford.

3 We don't believe that's about basic
4 housing quality. That is often about
5 gentrification and displacement.

6 But again, we are retaining both the
7 individual apartment improvements and the major
8 capital improvement provisions at a level that we
9 believe gives landlords a reasonable return for
10 the work they choose to do in these buildings.

11 SENATOR AMEDORE: Through you,
12 Mr. President, if the sponsor will continue to
13 yield.

14 ACTING PRESIDENT BENJAMIN: Does
15 the sponsor yield?

16 SENATOR KAVANAGH: Yes,
17 Mr. President.

18 ACTING PRESIDENT BENJAMIN: The
19 sponsor yields.

20 SENATOR AMEDORE: Thank you.

21 So with these reforms that you want
22 to enact today, is there consideration for a
23 landlord that needs to make improvements to a
24 building? Are they allowed to increase rent to
25 make those improvements?

1 SENATOR KAVANAGH: Through you,
2 Mr. President. First of all, I would just add
3 that the kinds of things the gentleman was
4 talking about, maintenance improvements, the cost
5 of maintenance is included in the calculations of
6 reasonable rent increases that occur every year
7 through the Rent Guidelines Board. So routine
8 maintenance that keeps the apartments and the
9 buildings in decent shape should be covered in
10 that manner.

11 In addition, as I said, this law
12 continues the major capital improvement increase
13 program and the individual apartment improvement
14 increase program, and it continues those at
15 reasonable rates to prevent the enormous
16 increases we've often seen in those programs in
17 recent years and yet continue to give landlords a
18 reasonable return on the amount of money that
19 they spent so that they're appropriately
20 incentivized to maintain roofs and boilers and
21 windows and all the basic systems of the
22 building, and also to make modest improvements in
23 the quality of apartments, particularly when they
24 become vacant.

25 SENATOR AMEDORE: Through you,

1 Mr. President, if the sponsor will continue to
2 yield.

3 ACTING PRESIDENT BENJAMIN: Does
4 the sponsor yield? Does the sponsor yield?
5 Sponsor, do you yield?

6 SENATOR KAVANAGH: Yes,
7 Mr. President.

8 ACTING PRESIDENT BENJAMIN: The
9 sponsor yields.

10 SENATOR AMEDORE: Thank you.

11 Understanding maintenance and
12 improvements, particularly when we're talking
13 about buildings that were built before 1974 --
14 and you think about even the environmental
15 hazards in those structures, they definitely need
16 capital improvements. And when a capital
17 improvement is made, landlords typically use
18 either out-of-pocket capital, equity, or they go
19 and seek financing to pay for those projects.

20 Could reducing the amount that the
21 landlord is able to recover in higher rent hinder
22 their ability to receive funding to make these
23 very expensive improvements?

24 SENATOR KAVANAGH: Mr. President,
25 through you. It is true that hypothetically

1 reducing the rate of return that a landlord gets
2 could impede the ability to get financing, but
3 not at the rates that are available under this
4 bill.

5 Under this bill, the landlord who
6 makes a major capital improvement gets 1/12th of
7 the amount they spend each year for the next
8 30 years. It's 1/12th or 1/12.5 for a slightly
9 larger building. For individual apartment
10 improvements, they get 1/14th or 1/15th of that
11 amount for the next 30 years.

12 Currently, the gentleman may know
13 that under the individual apartment improvement,
14 in a small building they get 30 percent of the
15 amount they spend each year indefinitely. We
16 believe that that equates to a return on that
17 investment of roughly 23 percent. A 23 percent
18 annual return on the amount they're investing.
19 That means that a landlord that chooses to spend
20 \$40,000 on an apartment can get -- can raise the
21 rent by \$1000 a month forever as a result of that
22 work. And again, that equates to a return of
23 about 23 percent.

24 We do not believe that an
25 unleveraged rate of return of 23 percent is

1 necessary to secure funding for their buildings
2 and the continued work they need to do.

3 SENATOR AMEDORE: Will the sponsor
4 continue to yield?

5 ACTING PRESIDENT BENJAMIN: Does
6 the sponsor yield?

7 SENATOR KAVANAGH: Yes,
8 Mr. President.

9 ACTING PRESIDENT BENJAMIN: The
10 sponsor yields.

11 SENATOR AMEDORE: This bill would
12 cap the amount the building owner would be able
13 to recover, up to \$15,000 over a 15-year period,
14 for no more than 3 units. Do you have the
15 average cost of any IAI?

16 SENATOR KAVANAGH: Mr. President,
17 the gentleman -- it is a complicated bill, and
18 the gentleman is stating it slightly
19 inaccurately.

20 There would be -- the rule would be
21 that they can make up to \$15,000 in improvements
22 on any one unit over the course of 15 years. So
23 they could do that in three different
24 improvements to that one apartment. And they
25 would have that ability to do that for each of

1 their apartments.

2 Under current law there is basically
3 no limit to these improvements. So we have had
4 landlords come tell us that making a \$60,000 or a
5 \$120,000 improvement to a single apartment is an
6 appropriate thing to do.

7 For the record, a \$120,000 apartment
8 improvement would raise the rent, say, from
9 \$1,000 a month to \$4,000 a month. We don't
10 believe public policy is well-served by that.

11 Having said that, the rules that we
12 are enacting today in this bill balance the needs
13 of landlords to continue to invest in their
14 buildings, both in the major systems of the
15 buildings and improvements to individual
16 apartments, with the needs of tenants to continue
17 to be able to live in their communities.

18 SENATOR AMEDORE: Through you,
19 Mr. President, if the sponsor will continue to
20 yield.

21 SENATOR KAVANAGH: Yes,
22 Mr. President.

23 ACTING PRESIDENT BENJAMIN: Does
24 the sponsor yield? The sponsor yields.

25 SENATOR AMEDORE: So on average,

1 how many units receive IAI over a given year?

2 SENATOR KAVANAGH: Slightly over --

3 I don't have lots of historical data on this.

4 But we believe there are slightly over 100,000
5 individual apartment improvements approved each
6 year.

7 SENATOR AMEDORE: Through you,
8 Mr. President, will the sponsor continue to
9 yield?

10 ACTING PRESIDENT BENJAMIN: Does
11 the sponsor yield? Does the sponsor yield?

12 SENATOR KAVANAGH: Thank you,
13 Mr. President, yes.

14 ACTING PRESIDENT BENJAMIN: The
15 sponsor yields.

16 SENATOR AMEDORE: I know, Senator
17 Kavanagh, you went around the state, you had some
18 housing hearings. In most hearings we heard from
19 tenants that they feared retaliation if they
20 filed a complaint against the landlord. Does
21 this legislation provide any protection?

22 SENATOR KAVANAGH: Mr. President,
23 with respect to the previous answer, to clarify,
24 I checked with the staff of the Housing
25 Committee; the number of IAIs is slightly under

1 100,000. It's many tens of thousands, it's not
2 quite 100,000, but it's something in that --
3 that's the right ballpark for those.

4 SENATOR AMEDORE: I thought you
5 were going to correct it. I thought you were
6 going to correct it.

7 SENATOR KAVANAGH: Okay. But it's
8 still a similarly substantial number.

9 The gentleman is referring to other
10 provisions of the building that are beyond the
11 rent-regulation provisions. This bill creates a
12 new set of rules for all tenants, regardless of
13 whether they're rent-regulated or what part of
14 the state they're in, addressing situations in
15 which they are seeking to rent an apartment or
16 when they are in an apartment and they're looking
17 to continue to live in that apartment or when
18 they're facing eviction. I could go through
19 those provisions if the gentleman would like.

20 SENATOR AMEDORE: Will the sponsor
21 continue to yield?

22 ACTING PRESIDENT BENJAMIN: Does
23 the sponsor yield? Does the sponsor yield?

24 SENATOR KAVANAGH: Yes,
25 Mr. President.

1 ACTING PRESIDENT BENJAMIN: The
2 sponsor yields.

3 SENATOR AMEDORE: So there is
4 anonymity protection for tenants who file a
5 complaint? Did you say that there was?

6 SENATOR KAVANAGH: There's -- there
7 are a series of protections. These are various
8 stronger laws that protect security of tenants
9 statewide and not just, again, in rent-regulated
10 units.

11 We're banning so-called tenant
12 blacklists, protecting tenants from
13 discrimination based on the fact that they've
14 chosen to defend their rights in court. We're
15 eliminating application fees and limiting fees
16 for background checks and other costs landlords
17 sometimes impose before even agreeing to rent an
18 apartment. We're limiting security deposits to
19 one month's rent and requiring landlords to
20 return them promptly when the tenant is entitled
21 to get them back. And we're requiring landlords
22 to provide notice to tenants if they intend to
23 increase the rent more than 5 percent or if they
24 intend not to renew the lease.

25 We have a wide variety of

1 protections in eviction proceedings as well. We
2 are strengthening the protections against
3 retaliatory evictions, making it clear that the
4 predicate act for a retaliatory eviction could be
5 a complaint to the landlord. If you're a tenant
6 and you complain repeatedly about the fact that
7 your apartment has rodents or your apartment has
8 no heat, you can go to a court and you can --
9 when the landlord is trying to evict you and you
10 can assert that that is the basis for -- that is
11 the actual reason they're evicting you. And the
12 landlord then would have to show a different
13 reason.

14 We are providing tenants with more
15 time in those eviction proceedings -- to get a
16 lawyer, to fix any violation of their leases, or
17 to pay the rent they owe. And we're expanding
18 the ability of judges to stay an eviction if it
19 would cause extreme hardship for tenants.

20 SENATOR AMEDORE: Thank you.

21 Will the sponsor continue to yield?

22 ACTING PRESIDENT BENJAMIN: Does
23 the sponsor yield?

24 SENATOR KAVANAGH: Yes,
25 Mr. President.

1 ACTING PRESIDENT BENJAMIN: The
2 sponsor yields.

3 SENATOR AMEDORE: Senator Kavanagh,
4 the ETPA allows for an emergency declaration to
5 any class of housing accommodations within a
6 locality. For localities outside of New York
7 City, who will define what a class of housing
8 would be?

9 SENATOR KAVANAGH: Thank you.
10 Mr. President, through you.

11 The ETPA permits localities to study
12 market conditions in their own locality and
13 choose whether to opt into the rent stabilization
14 system if they meet the minimum qualifications.

15 Under the state law, no apartment in
16 any building with fewer than six units built
17 after 1974 can be regulated. Whatever the
18 locality decides, they can't regulate anything
19 that is in a building with fewer than six units
20 or anything that was built after 1974.

21 What they must do is choose a class
22 of housing within that restriction. Most
23 localities that have chosen to opt in simply
24 study the vacancy rate within all buildings of
25 six units or more built before 1974. Some have

1 chosen to study the housing within, say, 10 units
2 or more built before 1974.

3 Once they do that, if they determine
4 there is a vacancy rate of less than 5 percent,
5 they may opt into this program.

6 SENATOR AMEDORE: Through you,
7 Mr. President, will the sponsor continue to
8 yield?

9 ACTING PRESIDENT BENJAMIN: Does
10 the sponsor yield?

11 SENATOR KAVANAGH: Yes,
12 Mr. President.

13 ACTING PRESIDENT BENJAMIN: The
14 sponsor yields.

15 SENATOR AMEDORE: How would a rent
16 guideline board decide the rent of a newly
17 stabilized apartment?

18 SENATOR KAVANAGH: Through you,
19 Mr. President. There is -- basically there is a
20 review -- again, a review of the housing
21 conditions to determine there is in fact a
22 housing emergency.

23 A rent guidelines board is created.
24 The rent guidelines board is generally about
25 setting increases going forward. So the rent

1 guidelines board each year -- and this already
2 happens, again, in localities across Westchester,
3 Nassau and Rockland counties and in the City of
4 New York -- each year studies market conditions,
5 studies the costs of maintaining buildings,
6 studies other factors that are enumerated in this
7 law, and sets a rent-increase level that they
8 believe is appropriately balancing the
9 affordability needs of the tenants and the needs
10 of landlords to pay their expenses.

11 SENATOR AMEDORE: Through you,
12 Mr. President, will the sponsor continue to
13 yield?

14 ACTING PRESIDENT BENJAMIN: Does
15 the sponsor yield?

16 SENATOR KAVANAGH: Yes,
17 Mr. President.

18 ACTING PRESIDENT BENJAMIN: The
19 sponsor yields.

20 SENATOR AMEDORE: So would a
21 property owner have any say or appeal during the
22 process of the building becoming stabilized?

23 SENATOR KAVANAGH: Through you,
24 Mr. President. Again, it is the governing body
25 of the locality who makes this choice.

1 Presumably property owners and other residents of
2 that jurisdiction have an opportunity to weigh in
3 on the decision of their local governing body on
4 whether rent stabilization is a sensible program
5 for them.

6 But there is no individual ability
7 for landlords to opt in or out of the program
8 once it's created.

9 SENATOR AMEDORE: Through you,
10 Mr. President, will the sponsor yield?

11 ACTING PRESIDENT BENJAMIN: Will
12 the sponsor yield?

13 SENATOR KAVANAGH: Yes,
14 Mr. President.

15 ACTING PRESIDENT BENJAMIN: The
16 sponsor yields.

17 SENATOR AMEDORE: So if a locality
18 decides that they want to enact the ETPA and they
19 select a neighborhood, that neighborhood has
20 private property that's owned by an individual or
21 a family or a corporation or a not-for-profit,
22 that entity has no say whether those units are in
23 or out of the program?

24 SENATOR KAVANAGH: Through you,
25 Mr. President. First of all, just to clarify one

1 thing the gentleman said, localities don't have
2 the option of choosing to regulate one
3 neighborhood but not another neighborhood. They
4 can either choose to adopt rent regulation
5 throughout their jurisdiction or not to do so.

6 They can choose the types of
7 buildings that are regulated, but basically that
8 has been limited to the size of the building.

9 With respect to the particular
10 examples the gentleman gave, there is a general
11 exemption for buildings that are used for
12 nonprofit -- exclusively for nonprofit purposes.
13 Those are generally not rent-regulated. There's
14 an exception that's actually being adopted in
15 this bill for situations where nonprofits are
16 going out and renting units to house homeless or
17 formerly homeless people or other people who need
18 that kind of housing. In that case, when they're
19 renting from private owners, those will continue
20 to be rent-regulated under this system.

21 But whether it's a corporation or a
22 private owner of the building has no bearing on
23 whether it's rent-regulated. It's simply a
24 question of whether the building was built before
25 1974 and whether it meets the standard that the

1 locality has chosen to adopt in terms of the size
2 of the building and any other qualifications.

3 SENATOR AMEDORE: Through you,
4 Mr. President, if the sponsor would continue to
5 yield.

6 ACTING PRESIDENT BENJAMIN: Does
7 the sponsor yield?

8 SENATOR KAVANAGH: Yes,
9 Mr. President.

10 ACTING PRESIDENT BENJAMIN: The
11 sponsor yields.

12 SENATOR AMEDORE: So if determined
13 that the locality no longer has an emergency
14 housing crisis because they fixed it, they fixed
15 their vacancy crisis, how does a locality go
16 about leaving the stabilization system? And do
17 the units go back on market rate?

18 SENATOR KAVANAGH: Through you,
19 Mr. President. First of all, the locality may,
20 at its option, opt out of rent stabilization at
21 any time, even if they have not solved their
22 emergency housing crisis. A simple review of the
23 conditions and a decision that rent stabilization
24 is no longer serving the needs of the locality is
25 sufficient to opt out. They simply need to enact

1 a law or a resolution or whatever their local
2 governing body does to speak for the locality,
3 and they opt out of the program.

4 In addition, the current law
5 requires that the program be eliminated if the
6 vacancy rate in the relevant housing stock
7 exceeds 5 percent.

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

11 ACTING PRESIDENT BENJAMIN: Does
12 the sponsor yield?

13 SENATOR KAVANAGH: Yes,
14 Mr. President.

15 ACTING PRESIDENT BENJAMIN: The
16 sponsor yields.

17 SENATOR AMEDORE: How many
18 localities which would now be covered under this
19 bill -- because we're talking about a statewide
20 approach here, not just limiting it to New York
21 City -- is believed to have vacancy rates under
22 5 percent in buildings with at least 6 units or
23 more?

24 SENATOR KAVANAGH: Through you,
25 Mr. President, it's a difficult question to

1 answer.

2 The way this has typically worked is
3 localities that believe they have a tight housing
4 market and believe that a low vacancy rate is
5 making it difficult for landlords and tenants to
6 make free decisions that -- where they have equal
7 bargaining power, must engage in a study to
8 determine whether the vacancy rate in their
9 particular housing stock that would be regulated
10 is below 5 percent.

11 There is census data at the sort of
12 locality level and the county level as to overall
13 vacancy rates. But that kind of granular data
14 about whether your building is built before 1974
15 and with six or more units is not readily
16 available.

17 So for example, we're standing now
18 in the City of Albany, which by some measures has
19 a vacancy rate of below 5 percent. But I don't
20 think anybody knows at this moment whether this
21 city has a vacancy rate below 5 percent in
22 buildings built before 1974 with six or more
23 units. So if the City of Albany were to choose
24 to go down this path, the first thing they would
25 do is have to do a more detailed study of their

1 vacancy rate.

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

5 ACTING PRESIDENT BENJAMIN: Does
6 the sponsor yield?

7 SENATOR KAVANAGH: Yes,
8 Mr. President.

9 ACTING PRESIDENT BENJAMIN: The
10 sponsor yields.

11 SENATOR AMEDORE: To give you your
12 answer, according to -- as of 2017, the vacancy
13 rate in the City of Albany was 5.10 percent.
14 That's according to the census of the American
15 Community Survey.

16 SENATOR KAVANAGH: {Inaudible.}

17 SENATOR AMEDORE: But my
18 question -- my question to you, Senator Kavanagh,
19 is do localities in counties not subject to rent
20 regulation have an affordability crisis due to
21 low vacancy rates?

22 SENATOR KAVANAGH: Through you,
23 Mr. President. The testimony that we heard and
24 many other indicators are -- lead to the
25 conclusion that there is a very broad

1 affordability and housing crisis in this state
2 that goes beyond vacancy rates.

3 We have eviction rates, we have
4 housing quality standards that suggest to us that
5 this is a much broader crisis. But this law
6 we're talking about today defines the housing
7 emergency as a low vacancy rate because of the
8 simple fact if the vacancy rate is low enough,
9 tenants don't have enough options to choose from
10 and landlords have excessive bargaining power in
11 their relationships with tenants.

12 That's the theory of this. It's
13 been the theory of this for decades. And it is
14 the theory that is the basis of the legislative
15 finding that we'll be enacting today.

16 SENATOR AMEDORE: Through you,
17 Mr. President, if the sponsor will continue to
18 yield.

19 ACTING PRESIDENT BENJAMIN: Does
20 the sponsor yield?

21 SENATOR KAVANAGH: Yes,
22 Mr. President.

23 ACTING PRESIDENT BENJAMIN: The
24 sponsor yields.

25 SENATOR AMEDORE: Does this bill

1 provide any localities any additional resources
2 or tools for local code enforcement officials to
3 go after either bad landlords or, including those
4 buildings that are not subject to this program,
5 is there any help for the localities to enforce
6 old aging building codes? Make them --

7 SENATOR KAVANAGH: Mr. President,
8 as the gentleman knows as the ranking member of
9 the Housing Committee, the Housing Committee and
10 the Committee on Investigations and Governmental
11 Operations held joint hearings on this very
12 topic, the topic of code enforcement in smaller
13 localities throughout the state, and particularly
14 focusing on four, including the City of Albany.

15 And this bill does not reflect the
16 legislation that might be appropriate based on
17 our findings at those hearings, but I hope the
18 gentleman agrees that additional legislation and
19 perhaps additional resources would be
20 appropriate. And that is something that we
21 expect to take up in the near future.

22 SENATOR AMEDORE: Through you,
23 Mr. President, will the sponsor continue to
24 yield?

25 ACTING PRESIDENT BENJAMIN: Does

1 the sponsor yield?

2 SENATOR KAVANAGH: Yes,
3 Mr. President.

4 ACTING PRESIDENT BENJAMIN: The
5 sponsor yields.

6 SENATOR AMEDORE: We know that the
7 ETPA requires the HCR, Division of Home and
8 Community Renewal, to maintain an office in the
9 counties that they have the program, except in
10 Nassau, Rockland and Richmond.

11 So what is the fiscal associated
12 with -- in this bill that will require the
13 opening of the HCR offices in upstate counties
14 that don't have this program?

15 SENATOR KAVANAGH: Mr. President,
16 it's -- through you, it's very hard to predict,
17 because of course we don't know which localities
18 will qualify to opt into this program because we
19 don't yet know what the results of their
20 legalized studies of their own housing markets
21 might reveal.

22 We of course also don't know which
23 localities might decide that this is an
24 appropriate program for their locality.

25 But in the event that they do,

1 the -- under this bill, the law would require
2 that HCR provide an office so that people can
3 interact with the state agency that is
4 administering this program. And of course in
5 Albany County I think it's fair to say that HCR
6 already has an office, but they might have to
7 look to open other offices in other counties if
8 localities choose to opt in. And of course the
9 fiscal costs of that would be up to the Executive
10 to propose in the Executive Budget.

11 SENATOR AMEDORE: Through you,
12 Mr. President, will the sponsor continue to
13 yield?

14 ACTING PRESIDENT BENJAMIN: Does
15 the sponsor yield?

16 SENATOR KAVANAGH: Yes,
17 Mr. President.

18 ACTING PRESIDENT BENJAMIN: The
19 sponsor yields.

20 SENATOR AMEDORE: This is my last
21 question, Senator Kavanagh.

22 So this bill, has it -- have you
23 made any determination what the state fiscal
24 impact would be? It sounds like you haven't
25 considered that. You know that there's going to

1 be some, and now you're going to -- you just said
2 that you're going to rely on the Governor to come
3 up with some type of appropriation.

4 SENATOR KAVANAGH: Mr. President,
5 through you. A few points. First of all, we
6 considered this greatly. And we have had
7 hearings and we've heard from the commissioner of
8 HCR, who formally testified at one of our
9 hearings about this. And we also, of course,
10 have long experience with working on and passing
11 a State Budget that reflects these costs.

12 Just a few points to note. First of
13 all, under current law, the locality that opts
14 into this program must reimburse HCR for the cost
15 of administering the Rent Guidelines Board, which
16 is the main cost to HCR. HCR provides the staff
17 support for localities, and the localities --
18 who, again, have chosen voluntarily to opt into
19 this program -- reimburse HCR for the cost of
20 administering this program.

21 Secondly, this bill increases the
22 fee -- there is currently a fee of \$10 per
23 apartment for a rent-regulated apartment. This
24 bill increases that fee to \$20 for all the
25 apartments. Given that there are over a million

1 apartments already in the system, that is likely
2 to generate about \$10 million, and the bill
3 specifies that that money ought to be available
4 to administer this program for the costs of the
5 Office of Rent Administration and the Tenant
6 Protection Unit.

7 So we do not believe that there is a
8 meaningful state fiscal impact to this bill.

9 SENATOR AMEDORE: I found one more
10 question. So Mr. President --

11 ACTING PRESIDENT BENJAMIN: Does
12 the sponsor yield?

13 SENATOR KAVANAGH: Mr. President,
14 even though the gentleman promised that was his
15 last question --

16 SENATOR AMEDORE: It's an easy
17 question for you.

18 SENATOR KAVANAGH: -- I'd be happy
19 to take as many questions from him as he'd like
20 to offer.

21 ACTING PRESIDENT BENJAMIN: The
22 sponsor yields.

23 SENATOR AMEDORE: And if you could
24 just give it a yes or no, that would be great.

25 SENATOR KAVANAGH: Was that a

1 question, Mr. President?

2 SENATOR AMEDORE: Does this bill
3 loosen any zoning restrictions that would lead to
4 increased development of affordable housing?

5 SENATOR KAVANAGH: I actually --
6 it's difficult to hear. I missed the question,
7 Mr. President.

8 SENATOR AMEDORE: Does this bill
9 loosen zoning restrictions that would lead to
10 increased development of affordable housing?

11 SENATOR KAVANAGH: Mr. President,
12 as I'm sure the gentleman knows, zoning
13 restrictions are a very important matter of local
14 concern and local control.

15 This bill does not presume to reach
16 into the zoning resolutions of various
17 localities, so it does not have that effect. If
18 localities believe that changing the zoning might
19 increase availability of housing and affordable
20 housing, they can do so, as New York City
21 has done for many years now.

22 SENATOR AMEDORE: Thank you,
23 Senator Kavanagh.

24 SENATOR KAVANAGH: Thank you.

25 ACTING PRESIDENT BENJAMIN: Senator

1 Krueger. Are you on the bill, or are you asking
2 questions?

3 SENATOR KRUEGER: I'm on the bill.

4 ACTING PRESIDENT BENJAMIN: Senator
5 Krueger on the bill.

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

8 First off, I want to say how proud I
9 am of my leader, the sponsor of this bill, Andrea
10 Stewart-Cousins; my colleagues who have worked so
11 hard on this bill, Brian Kavanagh, Zellnor Myrie;
12 the amazing staff work that went into this
13 through endless statewide hearings and
14 discussions and meetings.

15 And I will say honestly, I came here
16 in 2003 -- I was basically drafted against my
17 will to run. I was doing eviction prevention and
18 antipoverty work. But I recognized that we
19 needed to change the housing and tenant
20 protection laws in this state as well as other
21 crucial programs for lower-income New Yorkers, or
22 I would live to see a skyrocketing crisis of
23 homelessness, of people having to decide between
24 feeding their children or paying their rent, of
25 people in panic and desperation over recurring

1 evictions.

2 I thought perhaps, when I came here
3 in 2002, we could accomplish those goals more
4 quickly than we have. Instead, it took us this
5 many years to get to this day. And during that
6 time period, guess what, Mr. President? I was
7 absolutely right. All the things that I feared
8 did occur. The homelessness rate in New York
9 City is beyond anyone's comprehension of what it
10 could have looked like when I got here in 2002.
11 The desperation we heard from people throughout
12 the State of New York in our hearings, as far
13 north as you can go and throughout the city and
14 Long Island -- that the crisis is there,
15 everywhere.

16 We've waited too long. So much
17 damage has happened. We won't be able to undo
18 the damage with this law, but at least we can put
19 a floor on trying to stop more harm coming to
20 more New Yorkers. This is one of the most
21 important pieces of legislation that will pass in
22 this house in a very, very long time. I don't
23 think it will be the last very important bill,
24 but it is perhaps the most important one I have
25 been here for.

1 And so I am very proudly voting yes.
2 I will back up any argument that is made against
3 any section of this bill, because each and every
4 piece has been thoroughly vetted and discussed
5 and analyzed. And what we are doing -- perhaps
6 not perfect, but in the best interests of, yes,
7 all 20 million New Yorkers.

8 It's not just the million who live
9 under rent regulation now, or the more than a
10 million in 900-and-something thousand units.
11 It's not just the other people who may be
12 impacted by some of the tenant protections that
13 go beyond just rent regulation. It actually is
14 good for the entire universe of people in housing
15 in the State of New York. Because if you are
16 avoiding throwing people out of their homes,
17 avoiding such an overheated real estate market,
18 you are actually holding the line for everybody a
19 step above or a step above that.

20 And so there's a domino impact when
21 there's bad housing policy, and we saw that for
22 40 years. And I also believe we will see a
23 domino impact for good housing policy and better
24 protections for now and into the future.

25 So again, Mr. President, really,

1 thank you to all of my colleagues and the staff
2 for their work. And I said to several people
3 today I just can't stop smiling today,
4 Mr. President, I'm so very happy that we have
5 come to this point. I vote yes.

6 ACTING PRESIDENT BENJAMIN: Senator
7 Myrie on the bill.

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

10 I want to start by thanking the
11 leader, Senator Andrea Stewart-Cousins, and the
12 Speaker of the Assembly, Carl Heastie, for making
13 this act a priority in both of our houses. We
14 were dared to legislate, and we did.

15 I want to thank Senator Kavanagh,
16 our chair of our Housing Committee, who worked
17 tirelessly and excellently to help put together
18 the best housing package that we could have
19 gotten. Every tenant in the State of New York
20 should thank Senator Kavanagh for his work on
21 this. And I really wanted to put that on the
22 record, because most people don't see that work,
23 but I want to make sure that people know it.

24 I want to thank our staff, who
25 worked side by side with us to help get the best

1 bill that we could. We could not have done this
2 without you, and I want to publicly recognize you
3 for that.

4 And I want to thank our tenants,
5 because without you, this would not be possible.
6 Our names are on the bill and we are the
7 cosponsors, but all your names should be on the
8 bill. You are the ones that brought us to this
9 point today. Tenants from Buffalo to Brooklyn,
10 tenants who are on the edge of eviction, our
11 tenants and neighbors in manufactured homes --
12 you brought us to this point today.

13 Now, this is a long bill and it's a
14 complicated bill and it's packed with policy.
15 And over the coming days and the coming weeks and
16 the coming months, we will take time to unpack
17 all of that.

18 But I want to step back for a
19 second, because the Housing Stability and Tenant
20 Protection Act of 2019 is a once-in-a-generation
21 bill. It is historic by any definition of the
22 word. And it will impact millions of people
23 across the State of New York.

24 This act is intended to do exactly
25 what the title suggests: To stabilize a

1 speculative housing market and to protect the
2 people most affected by that speculation, our
3 tenants.

4 "Profits over people" isn't just a
5 catch phrase, it is a reality in the State of
6 New York. I have lived it. My mom came to this
7 country 40 years ago, moved into a rent-
8 stabilized apartment. It is where I grew up. It
9 is where I live today. The district that I
10 represent, we have some of the most
11 rent-stabilized units in the entire State of
12 New York. So this is a personal issue for me.

13 We held hearings all across the
14 state, including in my district, and we heard
15 horror story after horror story after horror
16 story of tenants who saw the ground beneath them
17 shift, the communities that they made attractive
18 that they can no longer afford to live in. The
19 tools of speculation -- vacancy decontrol, MCIs,
20 the eviction bonus, IAIs, retaliatory
21 evictions -- all used to get people out of their
22 communities in the name of profit.

23 And it's not a new toolbox. It's
24 the same toolbox that has been used in this
25 country for a very long time.

1 Now, some people have called us
2 crazy for wanting to protect our tenants, for
3 wanting to adjust that toolbox. But luckily, I
4 came with my receipts today. I want to read a
5 couple of items, and I'd like for you to guess
6 what year it is from.

7 This is an article in the New York
8 Times. The title says "The Realty Market Breaks
9 All Records for Speculative and Investment Buying
10 During This Year." This happened to be 1919,
11 100 years ago. At its peak, when the real estate
12 industry was benefiting from speculative methods,
13 the City of New York decided to investigate. And
14 let me read a part of that investigation.

15 It says: "In the course of the
16 investigation instituted by this committee, it
17 has been found that the majority of the
18 complaints from month-to-month tenants of rent
19 increases exists in the Borough of the Bronx, the
20 Washington Heights section of the Borough of
21 Manhattan, and the Brownsville section in the
22 Borough of Brooklyn." This is an investigation
23 from 100 years ago.

24 Now, many people have said, Well, if
25 we try to tamp down that speculation, if we try

1 to fight for the tenants that are victims of that
2 speculation, no one will build anymore, the
3 economy will collapse.

4 By 1922, construction had climbed to
5 record levels. And during that entire decade,
6 New York experienced a net increase of over
7 100,000 apartments. That's two years after we
8 were the first state in the nation to institute
9 rent control. It was a response, the emergency
10 rent laws, to this speculation. And year after
11 year we have been fighting to renew this and
12 protect the tenants, and the same arguments are
13 being made.

14 Here's an article from 99 years ago.
15 It says: "The Attitude of the Real Estate Board
16 of New York Explained. Consensus of the opinion
17 that the restrictive legislation aimed to catch
18 profiteers will not produce housing."

19 It is the same argument a century
20 later to protect profits over people.

21 But today, in this chamber, the
22 tenants will win for once. This is about
23 protecting our communities, the communities that
24 make us who we are, the communities that make
25 this state great. Today we take a step to

1 protect them.

2 And it's just a first step. There
3 are many other issues that we have to fight for
4 to preserve affordable housing. We have to look
5 at our tax system. We have to look at the
6 incentives that we give to build. There's much
7 work to be done, and I look forward to working
8 with all of my colleagues from both sides of the
9 aisle to help in that development.

10 But I stand proudly today, shoulder
11 to shoulder with all of my colleagues, to support
12 a bill that will change the face of this state.
13 I urge you to consider the millions of people
14 that will be protected by what we are going to do
15 today.

16 Thank you very much.

17 ACTING PRESIDENT BENJAMIN: Senator
18 Boyle.

19 SENATOR BOYLE: Mr. President,
20 would the chairman yield for a couple of
21 questions?

22 ACTING PRESIDENT BENJAMIN: Does
23 the sponsor yield?

24 SENATOR KAVANAGH: Yes,
25 Mr. President.

1 ACTING PRESIDENT BENJAMIN: The
2 sponsor yields.

3 SENATOR BOYLE: Thank you.

4 Senator, just asking about the
5 makeup of these boards outside of New York City.
6 The municipality can opt in, correct -- and this
7 is a town and village -- but the board itself
8 would be on a county level; is that correct? How
9 is that going to work?

10 SENATOR KAVANAGH: Yes, thank you,
11 Mr. President, it's a good question.

12 The boards are currently done at the
13 county level. They are constituted by two
14 representatives of landlords, two representatives
15 of tenants, and five of what are called public
16 members, who cannot be people who are part of the
17 regulated community.

18 Under current law, it simply says
19 there's a county-level board. There are
20 nominations from the county legislature to the --
21 that are submitted to HCR, and HCR formally
22 constitutes the board.

23 We are adding a provision in this
24 bill that makes it clear that in the new counties
25 we are adding, the board must be representative

1 of the localities themselves, as well as being
2 done at the county level.

3 SENATOR BOYLE: Will the sponsor
4 continue to yield?

5 ACTING PRESIDENT BENJAMIN: Does
6 the sponsor yield?

7 SENATOR KAVANAGH: Yes,
8 Mr. President.

9 ACTING PRESIDENT BENJAMIN: The
10 sponsor yields.

11 SENATOR BOYLE: Just to expand on
12 that a little more, out on Long Island and in
13 upstate New York we have some small villages, for
14 example. And you're saying that this board would
15 perhaps have a representative of -- I mean, we
16 have some very small villages that may opt in.

17 So there would be a representative
18 from that village? Does the person have to live
19 in that village or town to be on the board?

20 SENATOR KAVANAGH: Through you,
21 Mr. President. Again, so first of all, the ETPA
22 has been in place for a very long time in Nassau
23 and Westchester and Rockland counties.

24 The provision that we've added that
25 is about how the boards are constituted applies

1 to the 54 counties that we are adding to the law
2 today. And it simply says that HCR shall
3 reconstitute the board such that it is
4 representative of the localities. And HCR
5 would -- it instructs HCR to provide rules as to
6 how they would do that.

7 And again, I would note that we're
8 adding new counties. Presumably the first
9 locality within a new county that opts in would
10 be the only locality at that moment. And
11 presumably the board would be particularly
12 reflective of that locality. But as additional
13 localities are added, the county and HCR need to
14 balance the membership of the board so that it's
15 representative of all the localities in that
16 county.

17 SENATOR BOYLE: Will the sponsor
18 continue to yield?

19 ACTING PRESIDENT BENJAMIN: Does
20 the sponsor yield?

21 SENATOR KAVANAGH: Yes,
22 Mr. President.

23 ACTING PRESIDENT BENJAMIN: The
24 sponsor yields.

25 SENATOR BOYLE: So I'm just

1 wondering how big a deal it is. I know Nassau
2 County, they have God knows how many villages.
3 They have a ton. I represent part of Suffolk
4 County; we have a lot of villages too, and towns.
5 And so how big could this board potentially be?
6 And how are you going to have these people
7 representative who don't live anywhere near the
8 village or locality?

9 SENATOR KAVANAGH: Right. So,
10 Mr. President, through you.

11 First of all, the board is a
12 nine-person board. It would have two
13 representatives of the landlord interests and two
14 representatives of the tenant interest, and five
15 public members.

16 The first thing that would have to
17 happen in Suffolk County is that multiple
18 localities would have to determine that they have
19 the relevant housing stock. So for example, a
20 place like Patchogue Village or Babylon Village
21 might decide that their vacancy rate is very low
22 in the relevant stock and make a resolution.

23 At the point one of those does that,
24 HCR and the county would have to create the first
25 Suffolk County rent guidelines board, and its

1 charge would be to set rent -- reasonable
2 increases only for that locality.

3 At the point where a second locality
4 opts in, this bill instructs HCR to ensure that
5 the board is representative of both of those
6 localities. The bill does not specify how that
7 will be done. That will be up to HCR, in
8 regulations.

9 Presumably if this Legislature does
10 not like the manner in which HCR chooses to do
11 that -- and again, we are expressing an intent
12 that this be representative of localities,
13 because we think it's very important that local
14 control be the core of this bill -- we could
15 certainly be more specific in how we tell HCR to
16 do that.

17 SENATOR BOYLE: Mr. President, on
18 the bill.

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

21 SENATOR BOYLE: My colleagues, this
22 is a historic day in Albany, but I'm not sure
23 it's a historic day for good reasons.

24 We have tried this rent regulation
25 for decades. Getting back -- World War II, we

1 had an emergency, I understand, a big war going
2 on and soon thereafter, finding housing stock --
3 but that emergency goes on and on and on. 2019,
4 we're still living under an emergency-related set
5 of housing laws.

6 Why don't we try something
7 different? Go to the free market, a truly free
8 market. And I'm not saying it's going to go away
9 tomorrow or next year or five years from now.
10 But in the 1990s we started on a slide towards a
11 free market system, giving incentives to
12 developers to create more housing stock, more
13 units. That will lower the price.

14 A good example is where I live in
15 Suffolk County. We have a thing that's caught on
16 in the last 15 years called transit-oriented
17 development, TOD. Apartments above retail
18 located near train stations, young millennials
19 are coming in by the droves. Rental units. Now,
20 Long Island has the lowest percentage of rental
21 property of any metropolitan area in the entire
22 country. But that is changing very rapidly
23 because of free-market-oriented, transit-oriented
24 development.

25 Let's try it a different way.

1 Instead of putting government rate decreases and
2 levels on these units, let's let the free market
3 decide. The developers will come in, they'll
4 create more units, and I guarantee you the prices
5 will go down. We'll see if I was right in about
6 five years.

7 Thank you, Mr. President.

8 ACTING PRESIDENT BENJAMIN: Senator
9 Little.

10 SENATOR LITTLE: Thank you,
11 Mr. President --

12 ACTING PRESIDENT BENJAMIN: Senator
13 Little, are you on the bill or are you asking
14 questions?

15 SENATOR LITTLE: I would like to
16 ask the sponsor a few questions, if I may, and
17 then speak on the bill.

18 ACTING PRESIDENT BENJAMIN: Sure.

19 SENATOR LITTLE: Thank you.

20 I am going to focus on Part O of the
21 bill, because it addresses mobile home parks.
22 And while we're talking mostly -- and actually,
23 my initial thought on the bill was this was about
24 metropolitan areas and rent control and all of
25 that.

1 So I was kind of surprised to find
2 this section in here about the mobile home parks.
3 But it does affect upstate New York and
4 Long Island, and we have some good ones, we have
5 some not-so-good ones. There are some good
6 things in the changes and the additions to this.

7 But I would like to ask, first of
8 all, if the sponsor would respond to a question
9 as to what is the definition --

10 ACTING PRESIDENT BENJAMIN: Will
11 the sponsor yield for a question?

12 SENATOR KAVANAGH: Yes,
13 Mr. President.

14 ACTING PRESIDENT BENJAMIN: The
15 sponsor yields.

16 SENATOR LITTLE: Thank you. I'd
17 like to know the definition of a mobile home
18 park. Is there a threshold on number, location,
19 or what?

20 SENATOR KAVANAGH: Mr. President,
21 just paging through this long bill to Part O.

22 This is -- as the Senator knows,
23 this is an issue that the Housing Committee took
24 up earlier this year, and we did advance a bill
25 to this floor sponsored by Senator May on this

1 issue. And other Senators have also
2 introduced -- including Senator Metzger, have
3 introduced legislation on this issue.

4 The mobile home and manufactured
5 home parks are already regulated entities under
6 HCR, and they are defined as such. So this is
7 not -- one is not a mobile home park if one -- or
8 a manufactured home park if one just drops a
9 manufactured home on a piece of land somewhere.

10 The purpose of this provision is to
11 recognize the fact that manufactured home owners,
12 who often own the structure they live in but not
13 the land underneath the structure, are
14 particularly vulnerable to some potentially very
15 bad practices. And we have heard testimony and
16 we have been contacted by many people, and the
17 Executive has also expressed a great concern --
18 HCR, which regulates these -- that there is
19 increasing speculation, where people will buy the
20 land and then rapidly increase the rents or, in
21 fact, convert the land to a different use.

22 So the purpose of this bill is to
23 take that already regulated kind of housing and
24 create some tougher restrictions on rent
25 increases and evictions.

1 SENATOR LITTLE: Thank you. If the
2 sponsor would yield to a clarification, perhaps.

3 ACTING PRESIDENT BENJAMIN: Does
4 the sponsor yield?

5 SENATOR KAVANAGH: Happily,
6 Mr. President.

7 ACTING PRESIDENT BENJAMIN: The
8 sponsor yields.

9 SENATOR LITTLE: My concern with
10 the number is I have some where there are three,
11 five, six, 10 mobile homes together on one parcel
12 of land, and yet I'm not sure that that
13 constitutes an official park.

14 And I have worked a lot on the
15 mobile home issue in my years as the Housing
16 chair.

17 SENATOR KAVANAGH: Mr. President, I
18 was remiss in not recognizing that fact. And the
19 Senator and I have discussed this issue at
20 various times during this year, and her
21 leadership on this issue has been very important
22 over the course of many years.

23 This is currently regulated under
24 Real Property Law and the Motor Vehicle Law,
25 interestingly. What is defined as a mobile or

1 manufactured home is under the Motor Vehicle Law,
2 which is a bit relic of a time when these things
3 typically were more likely to have wheels and be
4 more mobile than they are today.

5 The Real Property Law defines what a
6 mobile or manufactured home park is. And again,
7 these are really statewide. There are
8 manufactured home parks in Staten Island and all
9 the way upstate and all the way across to Western
10 New York. And again, it might surprise people in
11 this chamber to note that there are nearly
12 200,000 housing units that are in manufactured
13 home parks.

14 So this is a very big issue. We are
15 offering what we think of as a robust set of
16 protections for these residents. And if the
17 Senator wishes to review the laws that define
18 what constitutes a mobile home park and maybe
19 expand that or clarify that -- I don't believe
20 this bill does that, but it's certainly something
21 that we ought to take up. And I would be happy
22 to work with the Senator on that.

23 SENATOR LITTLE: Thank you. And I
24 too would be glad to work on it, because some of
25 the requirements --

1 ACTING PRESIDENT BENJAMIN: Are you
2 on the bill? Or are you asking a question?

3 SENATOR LITTLE: A little of both.
4 (Laughter.)

5 ACTING PRESIDENT BENJAMIN: What
6 are you doing first?

7 SENATOR LITTLE: I'm preparing my
8 question.

9 ACTING PRESIDENT BENJAMIN: Senator
10 Little on the bill.

11 SENATOR LITTLE: Thank you.

12 Some of the requirements that we see
13 in here in regard to sales, in regard to rent
14 increases, would really be inappropriate in a
15 small, even family gathering.

16 I have many, many mobile homes in my
17 district, some on land that they own themselves,
18 some in groups on land but not really named or
19 defined as a mobile home park, and they would
20 have difficult complying with all of this.

21 So I just would ask that -- I
22 assume, and I'm asking, all of this, would this
23 apply to those smaller groups? They're not even
24 parks.

25 SENATOR KAVANAGH: Yeah. Through

1 you, Mr. President, if something qualifies as a
2 mobile home park, this law would apply. It does
3 not apply in a situation where somebody owns the
4 land themselves who is the resident or owns
5 the -- the person who owns the manufactured home
6 also owns the land. It does not apply to a
7 single manufactured home that's sitting on a
8 piece of land owned by somebody else.

9 It applies to groups of manufactured
10 homes that are already defined in the Real
11 Property Law as parks. Generally speaking, that
12 is groupings on a single piece of land that are
13 three or more manufactured homes, if I'm not
14 mistaken. And again, we're not altering the
15 definition of that in this bill.

16 SENATOR LITTLE: Okay, thank you.

17 If the sponsor would respond to
18 another question.

19 ACTING PRESIDENT BENJAMIN: Does
20 the sponsor yield?

21 SENATOR KAVANAGH: Yes,
22 Mr. President.

23 ACTING PRESIDENT BENJAMIN: The
24 sponsor yields.

25 SENATOR LITTLE: This bill seems to

1 be more about the ability to increase -- there
2 are some things in here, I would just like to
3 say, that I do support.

4 Certainly the lease-to-purchase
5 agreement really needed to be addressed, and I
6 commend you for addressing that in here. Because
7 so many people we have run into think that their
8 rent is being applied to the purchase of the
9 mobile home they're in, and it's not.

10 Do the rent increase -- does that
11 apply only to the rent for the lot?

12 SENATOR KAVANAGH: First of all,
13 thank you for your comments. I hadn't mentioned,
14 but this does have very specific protections in
15 rent-to-own agreements. They're similar to
16 provisions that might apply in other kinds of
17 housing but have so far excluded manufactured
18 homes.

19 And yes, the rent-increase
20 provisions in this bill apply to the rent of the
21 land. And those provisions require that if the
22 rent increase is greater than 3 percent a year,
23 that it needs to be justified by specific costs.
24 And of course those costs could be many. Many
25 manufactured home park owners are responsible for

1 sewer lines and water lines and other utilities
2 or other aspects of the thing, or fuel costs.
3 All of those things might be a perfectly
4 reasonable justification for a greater than
5 3 percent increase.

6 What you can't do is raise the rent
7 because, you know, you want to speculate on just
8 how much rent you can extract from folks without
9 your costs changing.

10 And in addition, if your rent is
11 going to go above 6 percent, you would need to
12 apply to HCR and demonstrate that it would be a
13 hardship not to allow a 6 percent increase.

14 SENATOR LITTLE: If the sponsor
15 would yield to another question.

16 ACTING PRESIDENT BENJAMIN: Does
17 the sponsor yield?

18 SENATOR KAVANAGH: Yes,
19 Mr. President.

20 ACTING PRESIDENT BENJAMIN: The
21 sponsor yields.

22 SENATOR LITTLE: One of the things
23 in here it says is that you cannot -- the
24 manufactured home owner cannot increase the rent
25 unless the person has a lease. What if the

1 person refuses to sign a lease?

2 SENATOR KAVANAGH: I'm not sure
3 which -- do you have the provision you're
4 referring to so we can discuss it specifically?

5 SENATOR LITTLE: I didn't write
6 down which spot it was in, but it's definitely
7 here.

8 On page 67, No. 4, if a manufactured
9 home park owner or operator fails to offer a
10 tenant a lease, as provided in this subdivision,
11 the tenant shall have all the rights of a
12 leaseholder and may not be evicted for other than
13 the reasons specified.

14 But it also said that he could not
15 increase their rent, and that was elsewhere.

16 SENATOR KAVANAGH: Through you,
17 Mr. President, I wanted to actually look at the
18 language the Senator is referring to. But I
19 believe that she is referring to the provision
20 that basically it does not require -- it does not
21 say that if the person refuses to sign a lease
22 you can't evict them. It says that the owner
23 must offer them a lease, and it also says that
24 they can't evict them for nonpayment if they are
25 refusing to offer a lease.

1 But it does not require that a
2 tenant be able to stay there indefinitely if they
3 decline to sign a lease.

4 SENATOR LITTLE: Okay. If the
5 sponsor would yield to just a couple more
6 questions.

7 ACTING PRESIDENT BENJAMIN: Does
8 the sponsor yield?

9 SENATOR KAVANAGH: Yes,
10 Mr. President.

11 ACTING PRESIDENT BENJAMIN: The
12 sponsor yields.

13 SENATOR LITTLE: You know, I
14 believe in disclosure, and there's a lot of
15 disclosure in here that I think is good. But one
16 of the things is if the mobile home park owner
17 wants to sell or has an offer to sell, he must
18 disclose the price, who the offerer is, and
19 everything to the tenants or the manufactured
20 home organization if they have one, or their
21 homeowners association if they have one, to them.

22 And then they have like 140 days to
23 come back and offer to purchase the park
24 themselves. And in that meantime, it doesn't
25 appear -- and correct me if I'm wrong -- it does

1 not appear that the mobile home park owner can do
2 anything but sit on his hands and wait to see
3 what happens for 140 days. He has to disclose
4 the offer, and if there's a counteroffer, and
5 just wait to see if the park is going to organize
6 and be able to purchase.

7 And I have had a park in my district
8 who did form a co-op and is in the process of
9 purchasing. And thankfully, through Housing
10 Community Renewals there is a area where they can
11 get a loan to begin the process to purchase their
12 park.

13 So, I mean, there's a lot of good
14 things here, I'm not slamming the whole thing.
15 I'm just trying to get at how much more difficult
16 we're making it for a mobile home park owner.

17 SENATOR KAVANAGH: You know,
18 thank you. Through you, Mr. President.

19 First of all, I do want to clarify.
20 I misspoke before. To the extent that somebody
21 is applying for a hardship to get a large rent
22 increase, it would be to a court, not HCR. And I
23 misspoke and said they would be -- that would be
24 an application to HCR.

25 On the issue of the -- I think the

1 Senator may be conflating provisions that are
2 about the sale of individual -- about the rights
3 of individual owners -- residents of these parks
4 relative to the owner and the provisions that
5 deal with the entire parcel being sold.

6 But the latter are basically -- both
7 of those kinds of provisions are intended to
8 reflect the fact that somebody owns a home
9 that -- notwithstanding the fact that we
10 sometimes call it a mobile home -- is not
11 particularly mobile. In many cases these
12 structures are quite grounded on the land, they
13 are not easily movable without being damaged or
14 destroyed.

15 So what we're trying to do here is
16 balance the interests of the residents who have
17 this asset that they can't effectively move that
18 is in fact their home, and people who have chosen
19 to be in the business of renting land to people
20 for that purpose.

21 So we're setting a fairly lengthy
22 time frame in which the residents have to be
23 given notice that they're planning to sell the
24 park and turn it to a different use. And,
25 indeed, we're giving the opportunity for the

1 owners -- typically it would be collectively --
2 to put together an offer to purchase the park
3 that might be competitive with the offer that the
4 park owner is getting to sell it to a third party
5 for perhaps some different use that would require
6 them to vacate the property.

7 So again, we think that balances
8 those interests very well. And again, it's to
9 reflect the fact that residents of these
10 communities may be particularly vulnerable, given
11 that they've got so much of their assets invested
12 in this property that's really not movable.

13 SENATOR LITTLE: Thank you.

14 And on the bill, Mr. President.

15 ACTING PRESIDENT BENJAMIN: Senator
16 Little on the bill.

17 SENATOR LITTLE: Thank you.

18 One of the things that happens is if
19 a person -- someone is going to purchase a mobile
20 home park and change its use, they cannot evict
21 anyone for two years from after the notice, so
22 they have plenty of time to move. And if they
23 are going to keep the park and continue to use it
24 as a mobile home park, they cannot evict anyone
25 from the park for like five years.

1 So there are protections, and there
2 need to be, because as is pointed out by the
3 sponsor, it's very expensive to move a mobile
4 home as well.

5 But my goal here is I have many
6 mobile home parks, and we had one recently that
7 was flooded, in the Plattsburgh area. I mean,
8 water inside the mobile homes, all of that -- the
9 river, the ice jams caused that. And with the
10 help of our Department of Housing and Community
11 Renewal, we were able to replace 72 of these
12 homes for these people.

13 Some people had lived -- there were
14 families that had lived there over 40 years in
15 their mobile home. One woman, 35 years in her
16 mobile home. And it was a community just like
17 any other neighborhood.

18 You will find some bad tenants here
19 and there, but -- and you'll find some bad park
20 owners. But we have many, many really good park
21 owners. And this is an affordable way of
22 housing. It's affordable living in my district.
23 We have many people who own their own piece of
24 property and have a mobile home on that. We have
25 worked very hard to help them when they need to

1 replace or repair and get them assistance in
2 doing that.

3 But for the park owners, certainly
4 providing full disclosure to the tenants is very
5 important. It doesn't always take place, and we
6 need to emphasize that.

7 But I don't want to see something
8 that makes a mobile home park an unattractive
9 thing for purchase or improvement or investment.
10 And that's partially my fear in this, that there
11 may be no one to purchase these mobile homes at
12 some point.

13 It's been said that there are very
14 few mobile home parks that are being created, and
15 so it's important that we look at the tenant but
16 also look at the park owner and not restrict them
17 so much that it's impossible for them to
18 continue.

19 I also feel that this is a good type
20 of housing that is appreciated by many residents
21 of New York State. And I hate to see it thrown
22 in at the end of a bill that is basically dealing
23 with metropolitan areas and large housing. So I
24 would like to see it separated -- would have
25 liked to have seen it separated. I'm sure it's

1 too late now.

2 But I thank you for answering the
3 questions. And for the good parts of this, I'm
4 pleased, but I have a real concern with some of
5 those restrictions.

6 Thank you, Mr. President.

7 ACTING PRESIDENT BENJAMIN: Senator
8 Salazar on the bill.

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

11 It's been my own personal
12 experiences as a tenant in an apartment owned by
13 an egregiously neglectful landlord and abusive
14 management company that were once the strongest
15 motivation for me to eventually take the steps to
16 even be here in this chamber today.

17 Those firsthand experiences as a
18 former tenant in an unregulated apartment,
19 including enduring a winter without adequate heat
20 and having to defend myself and my neighbors in
21 housing court just to compel our landlord to make
22 basic repairs; being forced to move out even
23 after we successfully challenged our landlord,
24 because they retaliated by denying us a new lease
25 without any cause; and, in that process, losing

1 what I had of my late father's belongings due to
2 an illegal lockout.

3 All of this revealed to me at the
4 time just a glimpse of the similarly outrageous
5 injustices that fellow tenants across our state
6 face every day.

7 Throughout this session, tenants
8 from Brooklyn to Binghamton to Buffalo have
9 shared their own experiences with us to testify
10 to the failure of our current rent laws, our
11 failure to protect them from harmful and
12 predatory practices. Housing experts, attorneys
13 and community stakeholders have urged us to
14 finally pass rent laws that will alleviate the
15 rampant problems of homelessness and displacement
16 of families across our state. Their stories and
17 lived experiences should motivate all of us to
18 act and to support this legislation.

19 By passing this bill, I'm proud to
20 say that we are responding to their call. We are
21 finally taking long-overdue steps to confront the
22 injustices of our state's housing crisis and keep
23 more families in their homes. The paramount
24 purpose of rent regulation is to give tenants the
25 security of knowing that they can continue to

1 live in their homes without fear that their life
2 and their families' lives will be disrupted by
3 eviction.

4 But this purpose has long been
5 obstructed in New York because of various
6 mechanisms and tools within the law at landlords'
7 disposal to deregulate apartments, to preclude
8 tenants from exercising their rights, and to
9 privilege profits over people.

10 We are repealing the deregulatory
11 policies of vacancy decontrol and ending vacancy
12 bonuses that for years have directly led to the
13 loss of thousands of rent-stabilized apartments
14 from the rent regulation system, particularly in
15 my own district.

16 We're expanding the provisions of
17 the previous Emergency Tenant Protection Act so
18 that communities across the state can finally
19 choose to adopt policies that the tenants who
20 live there are begging us for.

21 We are codifying provisions for
22 families living in manufactured homes and mobile
23 homes who are so often left out of the rent laws
24 conversation. And we're doing much more than I
25 can concisely say.

1 Under current law, the rent
2 regulations would expire tomorrow. But because
3 we are passing this legislation today, and this
4 time without any arbitrary sunset date, we won't
5 have to say that again.

6 By making these laws permanent,
7 we're ending the cycle of only revisiting these
8 laws every four years -- a cycle that has vastly
9 favored the interests of big real estate over the
10 needs of working families.

11 I wholeheartedly support this bill,
12 even as I recognize that our efforts to secure
13 basic protections for millions of tenant
14 households are not finished. We celebrate
15 today's victory for tenants, but we will not rest
16 and our housing justice movement will not rest
17 until every tenant is empowered to live without
18 fear of eviction.

19 Thank you, Mr. President.

20 ACTING PRESIDENT BENJAMIN: Senator
21 Ranzenhofer --

22 SENATOR RANZENHOFER: Thank you,
23 Mr. --

24 ACTING PRESIDENT BENJAMIN: Are you
25 on the bill, or would you like to ask a question?

1 SENATOR RANZENHOFER: I have a few
2 questions for the sponsor, if the sponsor will
3 yield.

4 ACTING PRESIDENT BENJAMIN: Does
5 the sponsor yield?

6 SENATOR KAVANAGH: Yes,
7 Mr. President.

8 ACTING PRESIDENT BENJAMIN: The
9 sponsor yields.

10 SENATOR RANZENHOFER: Thank you,
11 Senator.

12 One of the things I wanted to ask
13 you is in my Senate district I have 29 separate
14 jurisdictions, some over 100,000 residents and
15 some with as few as 5,000 residents. So under
16 this bill, will each jurisdiction have to have
17 their own separate entity to determine whether
18 they're going to opt in or opt out?

19 SENATOR KAVANAGH: Through you,
20 Mr. President. The decision whether to opt in or
21 out of this program, of this set of laws, is a
22 decision that's made by the local government. So
23 presumably a village, through its village board
24 or whatever its governmental structure is; a
25 town, through, you know, its structure, which

1 might of course encompass villages; or a city --
2 each of those types of localities may choose,
3 through their own local process similar to
4 passing a local law, to opt into the program.

5 Once they do so, they are
6 effectively delegating to a rent guidelines board
7 constituted by HCR the role of administering the
8 basics of this program, choosing the appropriate
9 rent increases.

10 SENATOR RANZENHOFER: If the
11 sponsor will continue to yield.

12 ACTING PRESIDENT BENJAMIN: Does
13 the sponsor yield?

14 SENATOR KAVANAGH: Yes,
15 Mr. President.

16 ACTING PRESIDENT BENJAMIN: The
17 sponsor yields.

18 SENATOR RANZENHOFER: So does that
19 mean for the 29 separate jurisdictions that I
20 have within my Senate district, 29 separate
21 entities will have to make decisions about
22 whether they opt in or not? Is that fair?

23 SENATOR KAVANAGH: Mr. President,
24 through you. Each local government chooses for
25 the voters of their community whether this law

1 works appropriately for them. And presumably
2 they consider the -- you know, they might
3 consider whether it's available in neighboring
4 communities or how it fits in with the broader
5 context of the housing market in their locality
6 or their county.

7 But yeah, that's the way it works.
8 And again, I would remind the Senator that the
9 locality can only opt in if within their
10 jurisdiction they can demonstrate a vacancy rate
11 that is low enough to meet the threshold for the
12 program. Otherwise, they don't have the legal
13 authority to opt in under this law.

14 SENATOR RANZENHOFER: Thank you.
15 If the sponsor will continue to yield.

16 ACTING PRESIDENT BENJAMIN: Does
17 the sponsor yield?

18 SENATOR KAVANAGH: Yes,
19 Mr. President.

20 ACTING PRESIDENT BENJAMIN: The
21 sponsor yields.

22 SENATOR RANZENHOFER: So back to
23 the point that you had raised and that is very
24 relevant in my Senate district. So if you have a
25 town, and I'll give you an example, of over

1 100,000 people, and -- well, let me back up. So
2 I have a village with about 10,000 people. And
3 the village would qualify, and the village
4 decides that they do not want to opt in. The
5 town decides, their own independent board, that
6 they do want to opt in. Now, is the village then
7 bound by the decision of the town, since the
8 village is within that town?

9 SENATOR KAVANAGH: Mr. President, I
10 would say that this is probably a fairly
11 complicated question of conflicts of
12 jurisdictional authority that probably, I would
13 imagine, might come up in a variety of contexts.

14 But remember -- I would ask the
15 Senator to remember that if the town opts in, the
16 town is adopting a set of rules that would apply
17 to the regulated housing within that town. They
18 would not be requiring the village government or
19 the village as an entity to be doing anything in
20 particular. But again, there may be some
21 precedent for villages having their laws
22 supersede the law of the town, and that general
23 area of law might apply here. I'm not familiar
24 with that.

25 But my assumption would be that

1 under the current law, if a town opts in, then
2 the town is saying that all of the housing over
3 which they have jurisdiction, these laws now
4 apply.

5 SENATOR RANZENHOFER: If the
6 Senator will continue to yield.

7 ACTING PRESIDENT BENJAMIN: Does
8 the sponsor yield?

9 SENATOR KAVANAGH: Yes,
10 Mr. President.

11 ACTING PRESIDENT BENJAMIN: The
12 sponsor yields.

13 SENATOR RANZENHOFER: Yeah, that's
14 a very important issue in my hometown and in my
15 Senate district in particular, where villages
16 very often feel very strongly what they want to
17 do may not be what the town wants to do.

18 And if I'm hearing that the town
19 would have the authority over the entire housing
20 stock within the town, which would include the
21 village, is there any way the village can protect
22 itself, those 10,000 residents, if they feel
23 differently than the larger town? Is there any
24 protection for them?

25 SENATOR KAVANAGH: Again,

1 Mr. President, you know, the sort of overlapping
2 governmental structures is presumably a thing
3 that applies to a variety of areas. There's
4 nothing in this bill that addresses that conflict
5 specifically with respect to these laws. The law
6 says that the town can exercise its authority and
7 the village can exercise its authority under
8 these laws. And, you know, I think that is
9 probably a circumstance where lots of towns and
10 villages have to make choices.

11 And again, presumably the residents
12 of the village also have some say over -- some
13 influence over their town government, as all
14 citizens do. And, you know, presumably the
15 village as an entity and perhaps the residents of
16 that village can lobby their town to make a
17 different choice.

18 SENATOR RANZENHOFER: Will the
19 sponsor continue to yield?

20 ACTING PRESIDENT BENJAMIN: Does
21 the sponsor yield?

22 SENATOR KAVANAGH: Yes,
23 Mr. President.

24 ACTING PRESIDENT BENJAMIN: The
25 sponsor yields.

1 SENATOR RANZENHOFER: That answer
2 is very disturbing to me because in my area, you
3 know, to say that a village can then lobby its
4 town board and really has no control over its own
5 housing stock if the town decides to go in a
6 different direction is very, very problematic,
7 especially because when you're dealing with a law
8 which only applies to property which is more than
9 45 years old and the majority or a lot of that
10 property is within an older village, that could
11 be very problematic.

12 Let me ask and let me get to the
13 question. So if you have a town -- and we're
14 very concerned in my town with sprawl and
15 increasing development -- and you have a
16 developer or a landlord who owns property which
17 is more than 45 years of age -- you know, prior
18 to 1974 -- and these laws would apply, and they
19 could either fix up existing properties that they
20 have and be subject to those rules or they could
21 go to areas where there's more land and really
22 develop the land, which would create sprawl,
23 where would be the incentive for a developer or a
24 mobile park owner or whatever -- why would they
25 confine themselves and fix up the properties

1 which are now going to be governed by this law,
2 as opposed to just do new construction or newer
3 construction outside of the confines of this law?

4 SENATOR KAVANAGH: Again -- through
5 you, Mr. President -- I would emphasize that the
6 adoption of those laws is entirely a choice of
7 localities. So if a town is choosing whether to
8 adopt these laws, they would presumably be
9 grappling with the questions the Senator is
10 raising and they would be making a decision that
11 it is in the best interest of their town to adopt
12 these laws.

13 I would also note that buildings
14 that are gut renovated that are vacant now or in
15 very bad shape that are completely renovated,
16 often -- you know, it's a tricky question exactly
17 what constitutes such a renovation. But in many
18 cases, those would not be subject to rent
19 regulation if they are, you know, sort of
20 sufficiently changed that they would be deemed
21 new housing for the purpose of this law.

22 But in any case, these are questions
23 that localities across the state have been
24 answering since 1974 in Westchester, Rockland and
25 Nassau counties, and they now -- localities

1 across the state will have the opportunity to
2 answer that question and determine whether the
3 system works well for their locality.

4 SENATOR RANZENHOFER: If the
5 sponsor will continue to yield.

6 ACTING PRESIDENT BENJAMIN: Does
7 the sponsor yield?

8 SENATOR KAVANAGH: Yes,
9 Mr. President.

10 ACTING PRESIDENT BENJAMIN: The
11 sponsor yields.

12 SENATOR RANZENHOFER: Yeah, that
13 really didn't -- that really got at my last
14 question, but it really didn't address the
15 question that I have right now.

16 You know, if you have someone who
17 owns apartments and they have dozens or hundreds
18 of apartments and they get to make a decision on
19 what they want -- you know, where do they want to
20 put their money, where do they want to invest --
21 and I know that other jurisdictions have had to
22 do this, but upstate New York is very different
23 than Manhattan and very different than Rockland,
24 very different than Nassau.

25 So as someone who is developing

1 property and as someone, at least in my hometown,
2 who's very concerned with sprawl and spreading
3 out and losing farmland, where is the incentive
4 for a developer to work on his existing
5 properties which are not in that great shape?

6 The neighborhoods are becoming
7 rundown because the apartments are not as good.
8 Where's the incentive for the developer to fix up
9 those properties when it's going to be under this
10 new law, as opposed to going out and, you know,
11 fixing newer apartments in areas that are further
12 from the town or from the city center or simply
13 developing new property -- again, that are not
14 going to be bound by those restrictions?

15 SENATOR KAVANAGH: So again,
16 Mr. President, the first -- I'll just reiterate
17 that this is a decision that -- the Senator is
18 mentioning that there may be different economic
19 conditions, different housing conditions in
20 different parts of the state. This bill reflects
21 that. This is not a bill imposing a New York
22 City system on any other place. It is a bill
23 that allows localities to choose the set of tools
24 if they think that is in the public interest
25 within their jurisdiction.

1 On the specifics of how a landlord
2 might think about this, we believe that
3 responsible landlords who own rental housing will
4 continue to be appropriately incentivized to make
5 reasonable investments in their property. This
6 bill allows major capital improvements to be
7 amortized over a modest period of time and added
8 to the rents of the residents.

9 And it also allows individual
10 apartment improvements, basically improving the
11 quality of each apartment, to be added to the
12 rent.

13 Of course, in a situation where
14 there is not demand for higher-rent housing
15 that -- the economics of that may not make sense
16 whether this law is in place or not. But this
17 law does not impede reasonable investments to
18 maintain the housing stock. And the supposition
19 is that responsible landlords will continue to do
20 what's necessary to provide heat and to maintain
21 the integrity of their buildings.

22 SENATOR RANZENHOFER: If the
23 sponsor will continue to yield.

24 ACTING PRESIDENT BENJAMIN: Does
25 the sponsor yield? Does the sponsor yield?

1 SENATOR KAVANAGH: Yes,
2 Mr. President.

3 ACTING PRESIDENT BENJAMIN: The
4 sponsor yields.

5 SENATOR RANZENHOFER: So can you
6 tell me what was the -- and we're dealing now
7 with the manufactured home. What was the
8 rationale with the 6 percent threshold, and how
9 did you come up with 6 percent as opposed to
10 7 percent, 8 percent? What's the basis of the
11 6 percent as opposed to a different number?

12 SENATOR KAVANAGH: We've had
13 discussions with various stakeholders, including
14 with HCR, the state agency that currently has
15 some regulatory responsibility over this.

16 And again, we thought for clarity's
17 sake it was appropriate to set specific
18 thresholds so that the owners of this land know
19 when they need to go to court to -- if they need
20 rent increases that are higher. So again, if the
21 thresholds are above 3 percent, they need some
22 specific justification. And above 6 percent --
23 and again, this is 6 percent each year, which
24 could lead to a fairly rapid rent increase over
25 time -- if they want an increase of more than

1 6 percent a year, it needs to be justified
2 because of a hardship they can demonstrate. And
3 that 6 percent increase only lasts as long as the
4 hardship persists.

5 SENATOR RANZENHOFER: If the
6 sponsor will continue to yield.

7 ACTING PRESIDENT BENJAMIN: Does
8 the sponsor yield?

9 SENATOR KAVANAGH: Yes,
10 Mr. President.

11 ACTING PRESIDENT BENJAMIN: The
12 sponsor yields.

13 SENATOR RANZENHOFER: So if you're
14 anticipating a court challenge and this has to go
15 through the court system, which could take a
16 year, and the landlord has incurred these
17 expenses because of hardship, whether it's
18 increased taxes, whatever the reason is, and then
19 the landlord is successful in getting that
20 additional money, and it's taken, say, a year and
21 a half to make that decision, is the landlord
22 then allowed to go back and recoup that cost
23 against the tenants who have not had to pay that
24 during the year and a half while the case is
25 pending?

1 SENATOR KAVANAGH: Thank you. I
2 just wanted to check with counsel on that.

3 So this is a -- typically this would
4 come up in court in an eviction proceeding. So
5 an owner of the park might tell the residents
6 that, you know, the rent increase is going to be
7 particularly high this year because, you know, we
8 had to do this work or we had taxes going up or
9 other costs going up. If that explanation is
10 acceptable to the resident because they can see
11 that that work is going on, or they understand
12 that taxes are going up in the jurisdiction, they
13 could simply agree to pay the rent and there
14 would be no approval necessary.

15 This would come up in a context
16 where the resident does not accept that the
17 landlord needs a 6 percent increase due to any
18 hardship. At that point the owner would go to
19 court, presumably to dispossess the person of the
20 land, and the judge would have to determine
21 whether a hardship is present. And if the
22 hardship is present, the rent increase above that
23 is acceptable and the landlord can use the
24 refusal to pay that increase as an acceptable
25 reason to dispossess the person of the land.

1 And those proceedings are -- you
2 know, eviction proceedings are usually fairly
3 quick in courts around the state, and we expect
4 that that is a decision that could be made
5 promptly and the increase would either go through
6 or not go through.

7 SENATOR RANZENHOFER: Will the
8 sponsor continue to yield?

9 ACTING PRESIDENT BENJAMIN: Does
10 the sponsor yield?

11 SENATOR KAVANAGH: Yes,
12 Mr. President.

13 ACTING PRESIDENT BENJAMIN: The
14 sponsor yields.

15 SENATOR RANZENHOFER: So my
16 experience is a little bit different. I normally
17 don't see landlords and tenants agreeing on what
18 is a reasonable increase. And, you know, I'm not
19 as optimistic as you that tenants will say, Well,
20 yes, this 6 percent is fair. So I would
21 anticipate that there would be some sort of court
22 challenge.

23 But back to my original question,
24 whether it takes two months or a year and a half,
25 is the landlord allowed to then recoup that

1 additional monies from the tenant?

2 SENATOR KAVANAGH: The court would
3 decide in that case.

4 SENATOR RANZENHOFER: So the tenant
5 could be on the hook for the additional rent --
6 for the additional back rent increase. Okay.

7 SENATOR KAVANAGH: The court would
8 be empowered to determine what the appropriate
9 level of rent increase based on the evidence the
10 landlord is presenting that there's a hardship,
11 and the court would be allowed to determine
12 whether the equities require that the tenant pay
13 the increment.

14 Again, there would be no basis for
15 the tenant to refuse to pay that base rent that
16 does not include the increase.

17 And again, whether tenants decide to
18 enforce their rights in court and landlords
19 decide to enforce their rights in court is of
20 course decisions that all New Yorkers make every
21 day when they're in disputes. And, you know,
22 predicting whether landlords and tenants can
23 agree on rent or not I think is going to be very
24 specific to the individual circumstances.

25 SENATOR RANZENHOFER: On the bill.

1 ACTING PRESIDENT BENJAMIN: Senator
2 Ranzenhofer on the bill.

3 SENATOR RANZENHOFER: First of all,
4 I'd like to thank the sponsor for his answers to
5 the questions.

6 But there are a couple of things
7 that disturb me, and one of the things is that we
8 are really applying a New York City-based
9 structure -- and I shouldn't say just New York
10 City, but some of the larger towns in and around
11 New York City, and applying that across the state
12 when conditions in the rest of the state really
13 don't match what's going on downstate.

14 And there are two particular pieces
15 of information that the sponsor provided which
16 are troublesome to me, especially in the
17 jurisdictions that I represent. And that is in
18 many of the areas that I represent, you have
19 towns and villages. And villages are very,
20 very -- feel very, very strongly about their
21 self-determination and their ability to control
22 what happens to their own residents and what
23 happens to their own properties, what happens to
24 their housing stock.

25 Just for example, several years ago

1 there was an effort by some countywide folks to
2 dissolve a village, saying, We know better than
3 you, we don't need these little villages anymore.
4 You know, we know best. And the village spoke
5 very, very strongly that they wanted to continue
6 with their self-determination.

7 So it is very troubling to me that
8 under this bill you can have a larger town, a
9 town of 125,000 people, tell a village of
10 10,000 people that you really have no control,
11 you can't determine what's going to happen in
12 your community.

13 And the answers -- Well, the village
14 can petition the town board, or they can try to
15 lobby the town -- really are not the type of
16 protections that people in my area want to hear.

17 The second thing is, again, my
18 experience with respect to how people develop
19 properties and what's actually going to happen in
20 a community. We're dealing with properties here
21 that are 45 years old, which is an older housing
22 stock in my community. And if you have somebody
23 with limited resources -- you know, nobody has
24 unlimited resources, whether you are a building
25 owner or whether you are a developer -- and you

1 have a choice, where are you going to put your
2 money? Are you going to put your money in an
3 area where you can make a 3 percent return, or
4 are you going to put your money in an area where
5 you're going to make a 5 percent return?

6 Nobody that I know is going to put
7 their money into the area where they are going to
8 make less money. No matter how well-intentioned
9 they are, no matter what kind of community spirit
10 they have, these people are business individuals,
11 men and women. And when you don't have a balance
12 and you don't have a law which -- which really
13 this law really does not provide any incentive to
14 invest your money in older housing stock. You're
15 going to invest your money in a newer housing
16 stock, you're going to build new housing, just
17 because that's the economic principle I think
18 which controls almost all of us.

19 So I'm not going to talk about the
20 mobile home portion now; I'll get into that when
21 we explain our vote. But again, I just want to
22 thank the sponsor for his answers. I know what
23 he's doing he believes is best for tenants in
24 Manhattan, in his jurisdiction. But this bill
25 does not work for my community and the Senate

1 district that I represent.

2 ACTING PRESIDENT BENJAMIN: Senator
3 Rivera on the bill.

4 SENATOR RIVERA: Thank you,
5 Mr. President. Good afternoon, Mr. President.
6 It's a great, great day to be in this house.

7 I am a tenant, Mr. President. I've
8 been -- I was born and raised in Puerto Rico, as
9 I've said many times on this floor, came to
10 New York in 1998, lived for a very short period
11 of time in a dorm room on 44th between Sixth and
12 Broadway. Then I moved up to East Harlem, where
13 I bounced around a couple of apartments for a
14 year and ultimately found my way to the
15 boogie-down Bronx.

16 I've spoke many times about the
17 Bronx on this chamber floor. I moved into an
18 apartment that was a studio which, back in 2000,
19 was \$600. For a studio. In a community that I
20 still couldn't, you know, believe that it was the
21 Bronx, because it was the first time that I had
22 really been up there. I fell in love with it.
23 And I still live there in that building to this
24 day. I actually moved as soon as I won, from a
25 studio to a one-bedroom, and that's where I've

1 been living since then.

2 So I am a tenant. As I've said many
3 times, I would not be able to live in this city
4 or thrive in this city or in this state were it
5 not for rent stabilization. But the fact is that
6 considering the people that I represent, 318,000
7 of them, I am lucky. I am quite privileged. We
8 certainly can have a conversation about whether
9 we have the salary that we should have. But the
10 fact is that compared to my constituents, who to
11 this day, Mr. President, have less than \$30,000 a
12 year median income -- and when you consider that
13 my district, the 33rd District in the northwest
14 Bronx, has the second-highest number of units in
15 the entire state, about 67,000 right now -- and
16 Mr. President, the last time that we had this
17 debate, I said on the floor that I had
18 70,000 units of rent-stabilized apartments in my
19 district, and it was a fact. But now I have
20 67,000. And every one of those units is an
21 affordable unit that is no longer available to
22 the type of folks that currently live in the
23 Bronx and that find that they have less and less
24 places to be able to live or thrive in the City
25 or the State of New York.

1 So what we're doing here today, as
2 has been said before, is historic. Because for
3 once -- in a long time, Mr. President -- we
4 actually have the tenants, there are many of them
5 that are here to join us today -- who are being
6 victorious. Because the changes that we are
7 making, the incredible changes that we're making
8 today -- certainly as many of my colleagues will
9 probably guess, I am one of the crazy lefties
10 here, so I do think that there are some places
11 that we could have gone a little farther. But
12 the reality is that I am ecstatic about the
13 package that we're passing today.

14 And the main difference is this,
15 ladies and gentlemen. Why is it that it's so
16 important that we get this done? It is important
17 that we get this done because the system that
18 exists currently, before we pass this piece of
19 legislation, encourages and incentivizes bad
20 landlords to use housing as a speculative
21 commodity. There's a lot of technical words
22 there, but ultimately what that means is that you
23 have people that are making decisions about the
24 property that they own without considering the
25 people who live in those homes who, if they

1 didn't have rent stabilization, would have
2 nowhere to live.

3 We are changing the system to make
4 sure that we go away from a system of
5 incentivizing using this housing as a commodity.
6 We want to disincentivize that, we want to limit
7 the speculative market. We want to make sure
8 that we get people a place that they can live.

9 From Buffalo to the Bronx to
10 everywhere in the state, we are protecting
11 people. Because not only are we dealing with
12 rent-stabilized tenants, we are now dealing with
13 further protections. The conversation that we
14 had on the floor about tenants who live in mobile
15 homes -- these are things that are certainly not
16 in the Bronx, Mr. President, but the reality is
17 that we need to protect them too, and we are
18 doing this in this piece of legislation. And we
19 are putting protections in place which will make
20 sure that tenants are protected everywhere in
21 this state. This is a historic day.

22 As has been said before, I will
23 thank my leader, who made sure that we put this
24 in a highest priority. I will thank both Senator
25 Myrie and Senator Kavanagh who both -- and by the

1 way, up here I stay at a little apartment that I
2 share with Senator Kavanagh. So when Senator
3 Myrie said that he was tirelessly working on
4 this, he was absolutely right. I would get home
5 at 10:30 or 11:00, and I would go to sleep, and
6 then I would be woken by somebody coming in
7 2:00 a.m. in the morning, eating a sandwich and
8 getting right back to the office. I'm not even
9 lying, Mr. President.

10 This is the type of stuff that he
11 put this work in. The staff has done an
12 incredible job. But most of all -- and I want to
13 finish with this, Mr. President -- I want to
14 thank the tenants. Specifically, I want to -- I
15 want to point out two organizations, CASA and the
16 Northwest Bronx Community and Clergy Coalition,
17 which are in the heart of my district and have
18 been relentlessly fighting for the changes that
19 we're seeing on this floor today.

20 It is those folks that I think
21 deserve all the credit. And as was stated
22 earlier by Senator Myrie, without them, we would
23 not be here today. We celebrate you. But more
24 importantly, we protect you today.

25 I am very glad to be voting in the

1 affirmative, Mr. President, on this piece of
2 legislation. I encourage my colleagues to do the
3 same. Bottom line, it is a historic day. We
4 want to make sure that people can live and thrive
5 in this state. We will continue to protect
6 tenants. This is a historic piece of
7 legislation. I'm incredibly proud to be here.

8 Thank you, tenants. Thank you, my
9 leader. Thank you, my colleagues and my staff.
10 I vote in the affirmative.

11 ACTING PRESIDENT BENJAMIN: Are
12 there any other Senators wishing to be heard?

13 Seeing and hearing none, debate is
14 closed.

15 The Secretary will ring the bell.

16 Read the last section.

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

19 ACTING PRESIDENT BENJAMIN: Call
20 the roll.

21 (The Secretary called the roll.)

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

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

1 Today is a big and important day in
2 what has become a big and important session,
3 starting in January, when we had in our first
4 legislative day a historic package of electoral
5 reforms that are going to make it easier for
6 millions of New Yorkers to cast their ballot. We
7 have protected women's rights. We have enacted
8 responsible gun laws. We have protected victims
9 of child sex abuse. We have, for the first time
10 in eight years, allowed the letters L-G-B-T and Q
11 to be uttered on this floor again, thanks to
12 Senator Hoylman and his great work. We have
13 enacted critical criminal justice reforms. And
14 we have a week to go, where you'll see more
15 important progress made in this state.

16 But none of those things is more
17 important than what we're doing at this moment.

18 For decades the tenants in New York
19 have been on the short end of the conversations
20 in this chamber. When the rent laws were up for
21 renewal, there was a different majority that
22 cared about different things and had different
23 priorities and sought to use the expiration of
24 these laws as a cudgel against the people who
25 rent in this state, to open up more loopholes, to

1 deregulate apartments.

2 I heard some of my good colleagues,
3 as Senator Skoufis would say, talk about how
4 proud they were that we were on some slide
5 towards deregulation, when all that means is that
6 hundreds of thousands of New Yorkers were being
7 displaced at a faster and faster rate.

8 Well, today we start pushing back in
9 the other direction. There is a housing
10 affordability crisis in parts of our state where
11 people are being pushed out of their homes,
12 homelessness is growing as a result, and it seems
13 like all some people can care about is how to
14 make sure that some of the richest people in our
15 state are making even more money.

16 Well, we are a majority that cares
17 about working people, people who are struggling
18 to pay their rent. And today we are enacting the
19 strongest tenant protections this state has had
20 since these laws were enacted.

21 And what's more, we're going to make
22 them permanent so that no one can use it to
23 extort concessions again. Because it is time to
24 break the wheel of how Albany functions, and it's
25 time to say that everything the people of this

1 state have hated about Albany for so long is
2 over. We do things here not as a trade for
3 something else, but because it's the right thing
4 to do.

5 And so to the legislators that
6 worked on this, so many of the Majority -- of
7 course our leader, Senator Andrea
8 Stewart-Cousins, most of all -- but Senator
9 Kavanagh, Senator Myrie, people like
10 Senator Krueger , who has been fighting this
11 fight for many, many years, I say thank you.

12 But most of all, to the tenants who
13 were in this Capitol for so many years and yet
14 felt like it wasn't a place of their own. This
15 public building they felt was working against
16 them. I know many of them are in this room
17 today. They should be proud of what they have
18 done, including my good friends from Woodside,
19 who I know are up here in the chamber.

20 But today we say that this state
21 government stands for working people, stands for
22 those who are struggling to make it, and we take
23 big steps today. And they are not our last
24 steps, because we have more to do. We have more
25 to do to protect our tenants, and we have more to

1 do to protect all New Yorkers across this state.

2 I proudly cast my vote in the
3 affirmative, Mr. President, thank you.

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

6 Senator Bailey to explain his vote.

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

9 I am -- this is an extremely
10 important day, and I want to make sure we thank
11 our leader, Andrea Stewart-Cousins, for having --
12 again, this isn't a new topic we're speaking
13 about. Even when we weren't in the majority,
14 Senator -- Leader Stewart-Cousins was speaking
15 about the importance of rent regulation and
16 tenants' rights. And now that we're in a
17 position to do something, she's certainly done
18 so.

19 Speaker Carl Heastie, my mentor and
20 somebody who has been standing out in this
21 regard, I thank him as well. And for my
22 colleagues, I want to make sure we thank
23 Senator Kavanagh, who is a wealth of information
24 on many things, housing being one of them. And
25 Senator Myrie -- and I'll get to some comments

1 more about Senator Myrie, because I have a point
2 of personal privilege I'm going to speak about.

3 You know, I'm a tenant myself,
4 Mr. President. I happen to have a great
5 landlord, and that's the reason why I missed the
6 tenant hearing in Brooklyn, because my washer and
7 dryer broke in the house. Which is not a
8 necessary component, but I have two small
9 children. And as you may know, kids go through a
10 lot of laundry. My landlord is excellent. She
11 made sure that somebody was going to be there,
12 and they gave me one of those amazing windows
13 from 9 a.m. to 9 p.m., and you don't know what's
14 going to happen. That's why I couldn't go to
15 that hearing, because I have a landlord who
16 cares. Cares enough about my well-being and
17 cares enough about my children's well-being.

18 But our job is to protect those who
19 their landlord would -- sometimes they don't
20 care. What about those landlords from Gates
21 Place who came to my office -- those tenants from
22 Gates Place, in the northwest Bronx, speaking
23 about the inhumane conditions they live in. What
24 about them? What about those tenants from Gun
25 Hill Road, Mr. President? And they come to my

1 office in the same ways. And those throughout
2 Mt. Vernon and the Norwood section of the Bronx
3 and Wakefield and Williamsbridge. And they come
4 to our offices, and they call, and they say:
5 Help us. Well, help's on the way. Help's on the
6 way today.

7 And to Senator Myrie, somebody who
8 I've known for the better part of the last
9 decade -- And 10 years ago, I couldn't imagine
10 that either one of us would be an elected
11 official, to be honest with you. And now that
12 we're both elected officials -- Senator Myrie was
13 saying to me, "If I make it, I'm going to do
14 something about this rent situation. I'm going
15 to do something. It's what I'm going to make
16 sure that it's my calling card." And at his
17 inauguration, he spoke from the Book of Isaiah,
18 and he said, "I am doing a new thing."

19 We are doing a new thing in this
20 house. We are protecting tenants. Senator
21 Myrie, I am personally proud of everything that
22 you've done, my brother.

23 I proudly vote aye, Mr. President.

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

1 Senator Jackson to explain his vote.

2 SENATOR JACKSON: Thank you,
3 Mr. President. I rise today to speak in favor of
4 the bill.

5 I've heard my colleagues speak in
6 favor and against. And I heard my colleague --
7 Senator Gustavo Rivera indicated that he has the
8 second-highest number of rent-regulated
9 apartments not only in New York City but the
10 State of New York.

11 Well, I represent the 31st
12 Senatorial District, which includes part of
13 Marble Hill, Inwood, Washington Heights, West
14 Harlem, Upper West Side, Midtown, and part of the
15 Chelsea area. Thirteen miles long. For my
16 colleagues upstate, that may sound like a short
17 little distance. And it is, compared to some of
18 you that go 40 miles and many, many counties and
19 it takes a couple of hours to drive your
20 senatorial district.

21 But in Manhattan, it's a very
22 gerrymandered district, let me tell you that.
23 And it ranges from people that earn a lot of
24 money to people that are very poor. And the most
25 rent-regulated apartments in any Assembly

1 district is in the 72nd Assembly District,
2 represented by Carmen de la Rosa. And then,
3 obviously, Al Taylor, the 71st Assembly District.
4 Inez Dickens, in the 70th. Dick Gottfried in the
5 75th. Linda Rosenthal in the 67th. And Danny
6 O'Donnell in the 69th. These are all Assembly
7 districts that touch on my senatorial district.

8 And you may say, Well, why are you
9 mentioning them? Because we are all part of the
10 same solution in the Assembly and Senate, and
11 these individuals are advocating, like me, in
12 order for us to pass this bill, these bills.

13 And you heard Senator Myrie talk
14 about 1919 when rent regulations were put in
15 place. And one area that he mentioned, he said
16 the Bronx, and then he mentioned Washington
17 Heights. And quite frankly, I represent almost
18 all of Washington Heights. And you heard my
19 colleague talk about that they live in
20 rent-stabilized apartments. Well, my entire life
21 I've lived in rental apartments. And I say to
22 you that I wish that I owned, but I don't.

23 And I live in a rent-stabilized
24 apartment in Manhattan now. And the number-one
25 issue, the number-one issue during the campaign

1 was the affordability of housing. The number-one
2 issue that comes to our offices -- and I say
3 "ours" collectively: Many of my colleagues,
4 especially in the Assembly, and the Senators that
5 have the highest number of rent-regulated
6 apartments -- is housing. Over 70 percent of all
7 of the constituents that came into Al Taylor's
8 office -- and I mention him because when he came
9 to interview for an endorsement of our Democratic
10 Club, he had the number of people that came into
11 his office for services. And over 70 percent of
12 those individuals that came into his office was
13 for housing.

14 This is a bread-and-butter issue in
15 New York City. And I am so proud to be a part of
16 this body today that's going to vote in favor of
17 it, understanding that that's what I was elected
18 to do. And I can now go back home and say to my
19 residents, Thank you for sending me to Albany.
20 Thank you for continuing the fight for your
21 survival. And thank you to everyone --
22 obviously, Andrea Stewart-Cousins, our Majority
23 Leader; to Brian Kavanagh, who shepherded this
24 through as the chair of the Housing Committee,
25 along with Zellnor Myrie. And thank you to all

1 of those that put the energy and time and effort
2 and resources to bring us here today.

3 Mr. President, I respectfully vote
4 aye. Thank you.

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

7 Senator Hoylman to explain his vote.

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

10 I rise to echo the sentiments of my
11 colleagues in thanking our leader, Andrea
12 Stewart-Cousins, for this legislation; Deputy
13 Leader Senator Gianaris, and Professor Kavanagh
14 and Professor Myrie --

15 (Laughter.)

16 SENATOR HOYLMAN: -- for their
17 exposition this afternoon, and their deep
18 knowledge about an issue that is so important to
19 my district and so important to so many of our
20 colleagues' districts.

21 I agree, this is a watershed moment
22 for this chamber. It is a tectonic shift in the
23 way we conduct policy here. We are truly freeing
24 ourselves from the shackles of real estate and
25 the old thinking around real estate that has

1 hovered over this chamber for so many decades,
2 where the issue of the rent laws was often
3 bundled into extraneous issues during the
4 Big Ugly or during different times of this
5 chamber's history, whether it's charter schools
6 or 421-a or other laws that have nothing to do
7 with the well-being of our tenants -- 52,000
8 units in my district alone -- and making sure
9 their homes are preserved.

10 So just as we did at the beginning
11 of the session by closing the LLC loophole, at
12 the end of the session we are renewing the rent
13 laws, but doing so permanently. So all of those
14 headlines, Mr. President, all of those scandals
15 around real estate that we've seen repeated year
16 after year, today they come to an end.

17 So I thank my colleagues for their
18 support of this important legislation. I thank
19 my tenants who are here, including Michael McKee,
20 who's been fighting the good fight for the better
21 part of 50 years on this issue. I think we're
22 officially retiring his efforts -- although I
23 understand he wants to do this statewide, and we
24 have laid the groundwork for that. And of course
25 Ellen Davidson, from the Legal Aid Society, who's

1 been such a staunch advocate.

2 I proudly vote aye.

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

5 Senator Liu to explain his vote.

6 SENATOR LIU: Thank you,
7 Mr. President. I rise in support of this
8 watershed legislation.

9 You know, there are people who have
10 opposed these efforts for a long time, saying
11 that having such a complicated system of tenant
12 protections is nothing more than artificial price
13 controls. I think the reality, though, is that
14 because we have had such an emergency housing
15 shortage for a long time, this legislation is not
16 so much about price controls, it's more about
17 fighting or prohibiting price gouging. It is in
18 fact anti-price gouging legislation. It will
19 help -- it will not only help our constituents
20 and tenants, but it ultimately will serve to
21 stabilize our neighborhoods, the neighborhoods
22 that we rely on being strong, to be a strong
23 state, to be a strong community.

24 So I vote in favor of this
25 legislation. I also want to echo the many

1 accolades that have been heaped upon our leader,
2 Andrea Stewart-Cousins, our sponsor; as well as
3 Senator Brian Kavanaugh, who has spent countless
4 hours really corralling all of the votes as well
5 as making sure that people understand the
6 complicated issues surrounding this legislation;
7 and also, of course, somebody who's been at
8 Senator and Chairman Kavanaugh's side the entire
9 time. That would be Senator Zellnor Myrie.

10 Thank you.

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

13 Senator Mayer to explain her vote.

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

16 And it really is an honor to stand
17 here today and speak about this very important
18 moment, and so important for the rent-stabilized
19 tenants of Westchester. And I want to say that
20 I'm so proud that this bill and this conference
21 finally understood that there is a crisis of
22 affordable housing in Westchester and that the
23 ETPA and rent stabilization has been one of the
24 few ways we have been able to maintain a
25 declining stock of affordable housing.

1 But this bill finally understands
2 that the suburbs, and especially Westchester,
3 absolutely need to continue to preserve
4 affordable housing for the thousands of renters.
5 Between the leader, Senator Andrea
6 Stewart-Cousins, and myself, we have 27,000 units
7 of rent-stabilized housing in our districts.

8 People think, Oh, this is a New York
9 City issue. This is a suburban issue. This is
10 for the future of the people in our districts,
11 over half of whom are renters, who cannot find
12 affordable housing in our county. Today we are
13 saying we care about those people.

14 I want to thank the advocates,
15 particularly Mike McKee, who has stood up for
16 suburban renters. I want to especially thank,
17 obviously, Senator Kavanagh and Senator Myrie for
18 understanding that this issue of rental housing
19 belongs to every tenant, and particularly belongs
20 in the suburbs of New York, where the price of
21 housing has become absolutely prohibitive.

22 And I want to say, two issues that I
23 promised the tenants I would address -- one is
24 major capital improvements, which for years and
25 for no good reason were treated differently in

1 Westchester than in the City of New York.
2 Finally we have made a fairer calculation, both
3 for tenants and ultimately for landlords, in
4 having a flat amount that will be the same. And
5 while it is not -- does not end until 30 years,
6 it will not be permanent. And that just is an
7 issue of principle to the tenants in my district.
8 We have finally made a significant change for
9 that, and I'm so appreciative.

10 And also vacancy decontrol, which
11 was the leader's bill for the last 10 years, and
12 has led to the loss of 10 percent of our
13 affordable housing in Westchester, we are finally
14 going to end.

15 I'm so proud that we have recognized
16 there are thousands of people in the suburbs of
17 New York who are dependent on these protections
18 and our expansion of protections. Today is a
19 watershed moment, and I very proudly vote in the
20 affirmative.

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

23 Senator LaValle to explain his vote.

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

1 This may be a bread-and-butter issue
2 for New York City. I come from the great county
3 of Suffolk, and this legislation would have a
4 deleterious effect on providing affordable
5 housing that is much needed for our citizens, but
6 particularly our young people, who are looking
7 for rental housing.

8 That being said, for a period of
9 10 years I have fought for protections for
10 manufactured-home residents. And the provisions
11 that are in this bill are -- well, they mirror
12 provisions that I had in my stand-alone bill,
13 which are very good and will protect the
14 residents of our mobile homes. Many of them, as
15 you well know, are senior citizens. So we are
16 giving our seniors some peace of mind with the
17 passage of this bill.

18 However, given the overall impact
19 outside of the mobile home issue, I would have to
20 vote no on this bill.

21 ACTING PRESIDENT BENJAMIN: Senator
22 LaValle to be recorded in the negative.

23 Senator Ramos to explain her vote.

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

1 Today is yet another great example
2 of the unity of our conference and the leadership
3 of Andrea Stewart-Cousins.

4 I couldn't be prouder. I'm voting
5 yes because I'm a tenant. My parents are
6 tenants. We've been tenants all our lives, and
7 many people from my generation will likely be on
8 the same bandwagon too.

9 In New York City, the rent is too
10 damn high, but also so are our student loans.
11 And so while renting used to be a mechanism that
12 would allow for some savings to put a down
13 payment on a co-op, a condo, a house, that just
14 isn't the case anymore in the current economy.
15 And it was because this entire system had been
16 rigged against us in favor of landlords.

17 So this legislation -- and I don't
18 want to repeat all of the great points that my
19 colleagues have made, but really does make a
20 difference in a district like mine where
21 70 percent of renters are people of color. And I
22 want to particularly give a shout-out to my
23 neighbors in LeFrak City, who have been under the
24 guise of a myriad of unscrupulous, crazy MCIs
25 that have been slowly but surely resulting in the

1 gentrification of our neighborhoods.

2 We deserve to live where we work.

3 We deserve to live where we were born. We
4 deserve to live where we're raising our children.
5 And I couldn't be prouder to be a New Yorker
6 today. Thank you.

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

9 Senator Lanza to explain his vote.

10 SENATOR LANZA: Thank you,
11 Mr. President, to explain my vote.

12 It's true this is not a -- this is
13 nothing new. In fact, I think in the years I've
14 been here, I've twice voted for rent regulation.
15 I think ensuring that every citizen of this state
16 has a roof over their head is a basic right and a
17 solemn responsibility that we have to make it
18 happen.

19 You know, I first learned about rent
20 regulation when I came out of law school and took
21 a job working for one of the greatest bosses you
22 could ever have, which was Robert Morgenthau in
23 the Manhattan DA's office. I soon learned that I
24 was one of the few people who got there on my
25 grades, as I came to work with a bunch of

1 wonderful people, but people who came from very
2 wealthy families, people who were there because
3 of who their families knew or who they knew or
4 their celebrity status.

5 I also quickly learned that I was
6 the only one doing a Lewis and Clark commute
7 every day, taking a boat and a train and a bus to
8 commute back and forth from Staten Island.
9 Because many of my colleagues there lived in Stuy
10 Town and Peter Cooper Apartments. I didn't know
11 what they were, as a kid from Staten Island, but
12 I learned that they were rent-regulated
13 apartments. And it just never made sense to me
14 that all these wealthy people were living there.
15 It turns out most of them were cheating.

16 And the problem I have with this
17 legislation here and why I can't vote for it
18 today is because it changes something very
19 fundamental. It eliminates the means test. And
20 so it makes those people who were dishonest then,
21 cheating, it makes honest people of them now.
22 And it doesn't make sense to me.

23 You know, to hear that people making
24 \$110,000 are living in rent-regulated apartments
25 or that now, if you make \$150,000 or \$250,000 or

1 \$500,000 or a million dollars a year, you can
2 have one of these apartments -- which means
3 you're taking this apartment from someone making
4 \$30,000 or \$50,000. It just doesn't make sense
5 to me.

6 You know, \$110,000 and you live in a
7 rent-regulated apartment -- on Staten Island, if
8 you have a household income of \$110,000 or
9 \$150,000, you know what this state calls you? It
10 calls you rich. That's what it calls you. And
11 as such, you don't get TAP for your kids, you
12 don't get financial aid. But I'll tell you what
13 you do get. You know who the deadbeat landlord
14 is for you if you're lucky enough to scratch out
15 and buy a modest house on a little 40-by-100
16 piece of property, barely making ends meet -- do
17 you know who the deadbeat landlord is? It's
18 government. Because you know what they do? They
19 hand you a property tax check for \$10,000. They
20 hand you an income tax bill for \$15,000. They
21 hand you a water bill for \$2,000. And by the
22 way, whatever you have left, the bank wants.

23 Those are the owners of the house.
24 Those are your landlords, the bank and city
25 government and state government. And now to hear

1 that you could make \$150,000 or \$500,000 or
2 \$600,000 and have a rent regulated -- it just
3 doesn't make sense to me.

4 And that's the one reason why I
5 can't, as I've done in the past, which is
6 supported, I've supported rent regulation -- this
7 does not make any sense.

8 I want to thank all my colleagues.
9 I know a lot of hard work went here. I
10 especially was impressed and grateful to hear the
11 questions and answers between Senator Amedore and
12 Senator Kavanaugh. It's very -- I think we all
13 owe them a debt of appreciation, including all
14 the other people that worked here.

15 But to hear the comprehension and
16 the knowledge and the detail with which they
17 understand this topic as a colleague was -- it
18 makes me proud.

19 But unfortunately, Mr. President,
20 I'm going to vote no.

21 ACTING PRESIDENT BENJAMIN: Senator
22 Lanza to be recorded in the negative.

23 Senator Amedore to explain his vote.

24 SENATOR AMEDORE: Thank you,
25 Mr. President. I want to explain my vote.

1 And I first want to thank
2 Senator Kavanagh for the exchange, the questions.

3 This is a pretty complex issue. And
4 we all know, we dreaded the day that we would
5 have to face more rent-regulation laws. I've
6 been in the Legislature since 2007, and every
7 single -- so many years we dealt with more rent
8 regulations, whether it was extensions or whether
9 it was improvements or whether it was to
10 deregulate or decontrol or whether it was to
11 change the various thresholds.

12 And now, my colleagues, we're
13 talking about the most momentous moment in this
14 year's legislative session, which I just find a
15 little hypocritical. And the reason why I find
16 that is because we're talking about the housing
17 problem that we have, or the vacancy problem that
18 New York City has -- which, by the way, is on the
19 rise. It's not decreasing.

20 It was in the twos, the high twos,
21 low threes percentage, but now it's starting to
22 increase. And the reason for that is because of
23 market conditions. Because of the way the system
24 was built, because of other laws that were -- and
25 regulations that this body, years ago,

1 implemented.

2 But this bill today goes far beyond
3 trying to bring protection to just the tenants of
4 New York City. This bill now expands into the
5 entire State of New York, where we don't have a
6 housing crisis, as they say there is in New York
7 City, in upstate New York.

8 As a matter of fact, the vacancy
9 rates, whether -- you could talk about it in
10 Albany County, where here in Albany County it's
11 6.39 percent. In Broome County it's
12 11.1 percent. In Monroe County it's
13 5.18 percent. In Warren County it's 11 percent.
14 And the list goes on of many upstate counties, or
15 even cities.

16 The problem that we have in the
17 State of New York is not the fact that rent
18 regulations were going to expire in New York City
19 and we needed to do something which should have
20 been done -- and you had your chance of doing it,
21 and you could have done it right, but you failed.

22 Because the programs that we were
23 supposed to extend to bring the protections to
24 the tenants, those who make -- are on the lower
25 income spectrum now have a whole lot more

1 competition and are going to be put on the bottom
2 of the list because those who are making more
3 income and who are able to afford a market-rate
4 apartment are going to now go into a stabilized
5 unit. Which once again takes away from the
6 intent and the quality in a very well purposed
7 program, and that is to help those in need.

8 This bill does not help those in
9 need. It takes away the opportunity for them for
10 good housing and improved housing, because it
11 also went too far in eliminating the ability for
12 the landlord to really make the much-needed
13 improvements and to be able to get paid back or
14 even get the funding mechanism to make the
15 capital improvements or the unit improvements
16 necessary.

17 So, Mr. President, without the means
18 check that was taken out of this bill, as
19 Senator Lanza has mentioned, and other reasons,
20 and not having a housing crisis here in upstate
21 New York as there may be in New York City, I
22 don't believe that this is the best bill to bring
23 tenant protection as well as affordability and
24 fix the true problem that we have in the State of
25 New York with affordable housing.

1 Because it is affordability that
2 needs to be worked on -- property tax reduction,
3 energy cost reduction, the cost of construction
4 to make the necessary improvements, how you're
5 going to make that more affordable to do. None
6 of that is being addressed in this bill.

7 So it's not really doing much other
8 than allowing now those who make maybe seven
9 figures to be eligible for a stabilized unit.
10 And I think that's wrong. And because of that, I
11 will be voting in the negative.

12 ACTING PRESIDENT BENJAMIN: Senator
13 Amedore to be recorded in the negative.

14 Senator Stavisky to explain her
15 vote.

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

18 And I thank both Senator Kavanagh,
19 Senator Andrea Stewart-Cousins, and especially
20 the advocates who have been so tenacious in
21 making sure that we finally get it right. And I
22 think we finally did.

23 I feel a personal sense of
24 gratitude, although it's a bit late. I grew up
25 in a rent-controlled apartment on the Upper West

1 Side. And my mother was able to live there until
2 she passed away because it was rent-controlled.
3 It was an old apartment house built in 1925, but
4 it was subject to the rent control laws.

5 Yes, I remember the days when the
6 landlord would harass her because he really
7 wanted that apartment. He could have made a lot
8 of money. And instead, my mother was able to
9 continue to live in that apartment after my
10 father passed away.

11 When I got married, my husband and I
12 lived in a rent-regulated or rent-stabilized
13 apartment because we couldn't afford to buy a
14 house. My husband was a college professor
15 originally and then a legislator. And you know
16 what legislators were making in those days. It
17 hasn't changed.

18 It's the idea that we provide
19 assistance to the middle class. And I firmly
20 disagree, this is a middle class -- this is a
21 wonderful way for people to continue to live in
22 New York City. I represent a district in Queens
23 where we have rent-regulated apartments, and I
24 hope that we continue to make sure that it's
25 affordable for the people who need the help.

1 I proudly vote aye. Thank you,
2 Mr. President.

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

5 Senator Metzger to explain her vote.

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

8 I want to thank my colleagues
9 Senators Kavanagh and Myrie for their incredibly
10 hard work, and of course to our leader, Andrea
11 Stewart-Cousins.

12 I rise to speak on this legislation
13 as a Senator who represents rural communities and
14 small cities in the Hudson Valley and Catskills.
15 I rise to say that this is legislation that
16 benefits not just New York City but working
17 people, seniors, residents in our communities
18 upstate struggling to pay their bills. This is
19 legislation that benefits all New Yorkers across
20 the state -- upstate, downstate, small cities,
21 large cities.

22 I am very pleased that this
23 legislation encompasses manufactured housing and
24 mobile homes, which are an important affordable
25 housing option in our communities. These laws

1 will provide much-needed protections against
2 unreasonable lot rent increases and other
3 important protections to these residents. I
4 appreciated Senator Little's comments, and I am
5 also happy to work with you on fine-tuning any
6 legislation. But this is an incredibly important
7 first step.

8 The City of Kingston, which is about
9 ten minutes from my house, is not actually in my
10 district. It's in Senator Amedore's district.
11 And I have to differ with Senator Amedore, in
12 that this city faces an enormous affordable
13 housing crisis. We heard really tragic, horrible
14 stories by renters at the public hearing in
15 Newburgh from Kingston. It's facing incredible
16 gentrification pressures, and that city asked to
17 be able to have the ability to participate in
18 these rent regulations. And I am so pleased to
19 be able to give them that tool to address the
20 affordable housing crisis there.

21 We have taken a historic step today
22 to secure one of the most fundamental basic
23 needs, shelter. And I am so proud to vote aye
24 for this legislation. Thank you very much.

25 ACTING PRESIDENT BENJAMIN: Senator

1 Metzger to be recorded in the affirmative.

2 Senator Sepúlveda to explain his
3 vote.

4 SENATOR SEPÚLVEDA: Thank you,
5 Mr. President, for allowing me to explain my
6 vote.

7 So I come from -- at this bill with
8 certain experiences that I think many of my
9 colleagues don't have. I've been both a landlord
10 and a tenant. For 27 years, I practiced housing
11 law in the Bronx. I've defended the poorest
12 people in my district, in my county, and in my
13 state. I also defended -- when I was a former
14 attorney for the New York City Police Benevolent
15 Association, I defended police officers that were
16 tenants in buildings.

17 Unfortunately, the current housing
18 market right now has created an environment where
19 people who invested blood, sweat and tears,
20 people who raised their families, people who
21 stayed in our communities when everyone else was
22 leaving, people who worked to improve the
23 community that I live in, the district that I
24 represent -- which by the way has the sixth most
25 stabilized units, and is probably the poorest

1 district in the State of New York. These people
2 invested a lot of time, a lot of energy in this
3 community.

4 And what's happened with the housing
5 market with gentrification is that they're being
6 displaced. They are being displaced at a pace
7 that is unconscionable. These are people who
8 want to remain in their apartments until the day
9 they die. These are people who have family
10 members that want to live there. They're part of
11 the fabric of the community. And because of the
12 current market, they are now leaving in droves.
13 And that is something that we have to correct.

14 We need these housing laws now when
15 there's so much uncertainty. And this bill, this
16 law when we pass it here today will alleviate and
17 clear some of that uncertainty.

18 Now, I agree with my friend Senator
19 Lanza when he says that there are people who are
20 abusing rent regulation. There are people who
21 are making \$200,000, \$300,000 a year and living
22 in rent-stabilized apartments. And I have a
23 problem with that. I've litigated in court
24 against these people. I've defended some. But
25 it is inherently unfair that rent stabilization

1 laws, that were created to keep people in their
2 apartments years ago, are now being used in this
3 manner.

4 But let me tell you the main reason
5 why these rent-regulation laws now are necessary.
6 I've represented landlords, many landlords, who
7 are decent people, who care about their
8 buildings, who care about the tenants and do
9 their best to maintain their buildings in good
10 repair.

11 But you have a significant number of
12 other landlords, shady landlords, unscrupulous
13 landlords, that ruin it for those that do good
14 work, that follow the rules, follow the laws and
15 want to create a healthy environment for their
16 tenants in their buildings. They are the ones
17 that have made these laws necessary. They are
18 the ones that the landlord associations --
19 REBNY -- they're the ones that they should be
20 getting the wrath. Because they're the ones that
21 created an environment where we absolutely need
22 these laws.

23 Now, I want to thank Professor
24 Kavanagh and Professor Zellnor Myrie, because I
25 know that they worked so hard. Senator Kavanagh

1 and I served together in the Assembly, and he's a
2 very thoughtful legislator.

3 And so I'm very proud to vote on
4 this bill. I want to thank the leader for
5 bringing it to the floor. But please, don't
6 blame these advocates that are up here for this.
7 Don't blame my colleagues on this side. We are
8 reacting to a situation that I believe has been
9 created, exacerbated, made worse by those
10 unscrupulous landlords who refuse to do the right
11 thing. And now those that do a good job are
12 going to have to pay the price.

13 I vote in the affirmative.

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

16 Senator Harckham to explain his
17 vote.

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

20 This is a watershed moment. You
21 know, like many of us, end of session, I'm
22 running around, working the phones, speaking to
23 colleagues, trying to get things done. But the
24 political junkie, the political historian in me
25 is saying, you know, Wow, this is a big moment.

1 You know, this is a landmark shift that will
2 impact hundreds of thousands of people across
3 this state, not just in New York City.

4 And I want to thank Senator
5 Kavanagh, Senator Myrie, the leadership, the team
6 who worked on this. And I want to echo the words
7 of what Senator Mayer was talking about in
8 Westchester.

9 I first got into public service as
10 the head of a nonprofit that built and managed
11 affordable housing in northern Westchester. And
12 from there, I ran and won a county board seat in
13 Westchester. And immediately we dealt with
14 housing issues and a federal housing lawsuit.
15 And we fought and we fought to see that that suit
16 settlement was complied with and that we built
17 units. We spent tens of millions of dollars in
18 Westchester County to build 800 units. And we
19 all patted ourselves on the back at the great job
20 we did.

21 And you know what? At the same
22 time, we lost 1,000 ETPA units. One thousand.
23 So we spent tens of millions of dollars, all of
24 that hard work, for a net loss of 200 units.

25 So the first rule of affordable

1 housing is protect the stock that you have. And
2 that's what this regulation and that's what these
3 laws will do. We've got to protect what we have.
4 It's a heck of a lot cheaper to protect housing
5 stock than to build new stock.

6 And for all the Senators who have
7 talked about the need to build housing, I
8 certainly agree. And this bill is not
9 housing-creator legislation; this is
10 housing-protection legislation.

11 But colleagues are right, we need to
12 work much more aggressively, especially as the
13 federal government has pulled back on the tax
14 credit program. The state needs to be more
15 aggressive in investing in land and land banks
16 and things like that, tools that we know can help
17 facilitate the creation of affordable housing
18 both in and outside New York City.

19 So I'm proud to vote yea on this,
20 Mr. Chair. I really want to congratulate
21 colleagues and advocates on a job well done.
22 This has been many, many years in the coming.
23 But we have much, much more to do in terms of
24 creating new units throughout the state that are
25 affordable for all New Yorkers.

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

3 Senator May to explain her vote.

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

6 In Syracuse, one-quarter of tenant
7 households move every year. Many of them are
8 forced to move because of eviction or substandard
9 housing conditions. This kind of housing
10 instability has a cascade of negative effects.
11 Children do worse in school if they're moving all
12 the time. Adults have a harder time getting jobs
13 and keeping jobs. And neighborhoods are less
14 safe, because neighbors don't know each other.

15 This bill shifts the balance in
16 favor of housing stability. For renters in
17 Syracuse and for mobile home owners, this is
18 going to make an enormous difference.

19 I cannot thank enough Leader
20 Stewart-Cousins, Senators Kavanagh and Myrie, and
21 the staff who have worked so hard on this bill.
22 They faced a very tight deadline to try to avert
23 a crisis tomorrow. But even so, they took time
24 to listen to renters in my district and across
25 the state, and to come up with a bill that

1 addresses problems statewide in a way that I
2 think is going to make a difference for people
3 everywhere.

4 I want to thank you, and I proudly
5 vote aye.

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

8 Senator Biaggi to explain her vote.

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

11 Olinville Avenue, the Evergreen
12 Houses, Riverdale Avenue, Fifth Avenue. These
13 are just a handful of blocks spanning District 34
14 in the Bronx and Westchester that are inhabited
15 by tenants who for so many decades have been
16 waiting for Albany and, more broadly, for the
17 State of New York to prioritize their best
18 interests. In fact, there has not been a single
19 day that has gone by where the phones in my
20 office or the emails that have been received are
21 not from tenants who are pleading, who are
22 begging for Albany to act and to protect their
23 best interests.

24 And I have to say that on my
25 campaign, similar to so many of my colleagues,

1 the number-one issue that I heard when I knocked
2 on someone's door and they opened it was, How can
3 you help me with my housing? What can you do to
4 protect me? Strangers inviting me into their
5 homes to see the conditions that they were living
6 in.

7 And for the first time, I would
8 argue, in our state's history, New York is giving
9 tenants and renters the protection that they
10 deserve. I'm not saying anything new by
11 proclaiming that this is historic legislation.
12 This is an incredible moment that I am even in
13 awe of as I stand here and speak these words
14 right now.

15 The most important part, I think, of
16 this legislation is the fact that yes, it is a
17 tectonic shift. And it's a tectonic shift away
18 from the disturbing, disturbing stranglehold of
19 powerful special interests that have bought and
20 sold many of the members of this house who have
21 sold out tenants for far too long, putting their
22 bottom line over the well-being of those
23 New Yorkers.

24 And today, I am proud to be standing
25 here to vote aye for what is, in my opinion,

1 transformational government, transformational
2 politics. I am proud to go home to say that we
3 delivered, that what we promised we have
4 achieved.

5 And to those colleagues on the other
6 side of the aisle who are, you know, saying some
7 negative things about this bill, this bill does
8 help those in need. It helps thousands and
9 thousands of New Yorkers in need.

10 And lastly, I want to thank our
11 leader, Andrea Stewart-Cousins, Senator Kavanagh,
12 Senator Myrie and Senator Salazar, and the
13 thousands and thousands of tenant activists,
14 including Mike McKee, of course, and Northwest
15 Bronx Community and Clergy Coalition, Bronx Park
16 East, and all of those who have come together to
17 make this possible. It is because of your voices
18 and all of the fighting that you have done that
19 we are here today to vote on this historic
20 legislation. People over money always wins.

21 I vote aye, Mr. President.

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

24 Senator Gounardes to explain his
25 vote.

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

3 You know, I have to say as I was
4 sitting here listening to all of my colleagues
5 remark on this bill, and I heard Senator Gianaris
6 rattle off all of the achievements and
7 accomplishments that we've done in this session
8 so far, I got the chills. Because I like to go
9 back home and tell people that I've been given
10 the gift to represent my neighborhood here in
11 this chamber. And I don't know how long I'll
12 have this gift to use it to help other people,
13 but I can say without a single hesitation or
14 doubt that what we are doing today will be
15 transformational for the 40,000 rent-stabilized
16 tenants that I represent, the apartments I
17 represent, and the millions of people who will
18 benefit across the entire State of New York with
19 what we are doing here today.

20 No one in this day and age should
21 have to work two or three jobs just to put a roof
22 over their head. No one. That's criminal. No
23 one should have to face those circumstances.

24 As Senator Ramos was alluding to,
25 it's especially difficult for those of us who are

1 on the younger side in this chamber. Millennials
2 today, 300 percent more student loan debt than
3 our parents had a generation ago; the rising cost
4 of living; we're half as likely to be able to
5 afford to buy a home -- that makes many of us
6 tenants and renters for life. Seventy percent of
7 us here in New York live paycheck to paycheck. A
8 single rent increase, an illegal rent charge --
9 overcharge, a preferential rent jumping \$500 on a
10 dime's notice, that throws us out of our
11 apartment. We can't afford to throw people out
12 of their apartments, out of their homes. And
13 that is what this legislation will do today.
14 It's going to put an end to the most egregious
15 abuses that have been plaguing our housing system
16 for years. And for that, I'm incredibly proud to
17 vote in the affirmative.

18 And I want to thank Senators
19 Kavanagh and Myrie. And I want to also align
20 myself with the spirit and sentiments with which
21 Senator Myrie addressed this chamber a few hours
22 ago. And the passion that he brought to this
23 fight has truly been infectious. And I thank him
24 for his advocacy, and everyone who helped make
25 today a reality.

1 Thank you.

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

4 Senator Breslin to explain his vote.

5 SENATOR BRESLIN: Thank you very
6 much, Mr. President.

7 As relatively one of the
8 longer-standing members of this body, years ago
9 when we came up to tenant protections in New York
10 City, upstate Senators would kind of sit on the
11 sidelines. And they'd ask their brothers and
12 sisters in New York City, How should we vote?

13 And then we've watched over the
14 years as affordable housing moved up the Hudson
15 River, or it didn't move up the Hudson River to
16 cities like Newburgh and Kingston and Hudson, and
17 then to Albany. And then west towards Syracuse,
18 and west further towards Rochester and Buffalo.

19 We don't have a balance in
20 affordable housing. We're looking at families
21 who are working -- the breadwinner working more
22 than 40 hours a week, yet spending in excess of
23 50 percent of their income on housing, sometimes
24 60 percent on housing. And what does that do?
25 It allows landlords to be a little loose.

1 They're always going to have a tenant. So they
2 began to treat their tenants in a bad way, a way
3 that they had the balance over them.

4 This legislation is going to create
5 the balance we need. It creates it in New York
6 City on a permanent basis, and it gives 54 of our
7 counties the opportunity to opt in in a gentle
8 way -- not an overpowering way, a gentle way, to
9 say if there's 5 percent or less vacancy, then we
10 have the chance to come in and balance that, to
11 give the tenants some rights.

12 And over those years when I was
13 deferring to New York City, I was watching
14 upstate New York having more and more tenant
15 problems. And I saw people like Mike McKee
16 locally, Maria and Roger Markovics, who devoted
17 their life towards tenant problems. And those
18 problems increased on a yearly basis.

19 Finally, we're here in the year
20 2019, and we're blessed to have Brian Kavanagh
21 and Senator Myrie, who have done such a
22 phenomenal job putting this together, a
23 multidimensional task that I don't think I've
24 seen any legislator with their qualities to be
25 able to do what they've done.

1 So as my fellow Senators have said,
2 this is a monumental day in the New York State
3 Senate. It's a very, very special day. We're
4 going to protect tenants, and there's going to be
5 many counties around me -- I have five cities,
6 each of them have their own different kinds of
7 problems, and a lot of them deal with
8 landlord-tenant. But there's lots of areas in
9 upstate New York who don't need it now, but it
10 will available in case they do need it.

11 So I applaud again our leader,
12 Andrea Stewart-Cousins, for her leadership in
13 allowing us to do as many things as Mike Gianaris
14 outlined, which made us all think of these past
15 number of months and how proud we are to have
16 been led by Andrea down a path to protect
17 people's rights in so many different ways.

18 So this is a day that we will
19 remember for many, many years to come, and I vote
20 aye.

21 Thank you, Mr. President.

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

24 Senator Ranzenhofer to explain his
25 vote.

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

3 And thanks again to the sponsor for
4 addressing some of the concerns and answering
5 some of the questions.

6 I represent areas like the Village
7 of Williamsville, Town of Amherst, Town of
8 Clarence, Town of Newstead, Village of Akron,
9 Genesee County, City of Batavia, Village of
10 Leroy, Village of Churchville, Town of Riga, City
11 of Rochester, and a lot of the issues and
12 comments that I've heard about this bill don't
13 address the 300,000 residents that I represent.

14 I don't want to minimize the
15 concerns that you have, but this is a statewide
16 bill, or it's supposed to be statewide bill,
17 which really doesn't address statewide issues.
18 It may address some of the issues that your
19 constituents have, but as a statewide bill it
20 needs to address issues from across the state.
21 And the issues that I was discussing with the
22 sponsor before, it's very clear to me that those
23 are not addressed.

24 Now, there are just two other points
25 that I want to make, and I have not heard an

1 answer to the point that was raised by Senator
2 Lanza. I don't know what you say to your
3 constituents in New York City when they ask you,
4 Why did you remove the income limit? If this is
5 supposed to protect people that are making
6 \$35,000, \$45,000 a year, why are people that are
7 making \$150,000 and \$200,000 a year going to be
8 able to get these apartments that you once got?
9 I have not heard one member on this side of the
10 aisle address -- and maybe the reason for that is
11 there really is no answer. Why would you protect
12 wealthier people over people who are living
13 paycheck to paycheck?

14 The mobile home provisions are good.
15 But on balance, for my community, which is an
16 urban, rural, and suburban district, this bill
17 just doesn't cut it, and I'll be voting no.

18 Thank you.

19 ACTING PRESIDENT BENJAMIN: Senator
20 Ranzenhofer to be recorded in the negative.

21 Are there any other Senators wishing
22 to be -- Senator Sanders to explain his vote.

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

25 When you sit next to such a

1 distinguished Senator and close to another, it
2 really gives you a moment to pause and to
3 reflect. But I'm hoping that greatness does rub
4 off.

5 In my district, my friends, I come
6 from southeast Queens, and the middle class and
7 the working class communities there are under
8 attack, and they feel it every day. They feel
9 this attack coming from gentrification, they feel
10 this attack coming from high rents, and they are
11 buckling under those pressures. And therefore we
12 have to figure ways of aiding great New Yorkers
13 to stay in a great city and a great state.

14 And with that in mind, the
15 number-one issue of southeast Queens that people
16 come to me about is affordable rent. In the
17 words of that great sage, rents are too damn
18 high, and we need to do something about it.

19 This is a movement towards it. Is
20 this a perfect bill? No. But it's dang close to
21 it. We have to continue this. We have to
22 continue. We have to find ways of aiding good
23 small landlords and help them become even greater
24 landlords. We have to continue our promise that
25 we made to the people of New York that we would

1 put their interests first -- their interests
2 first, not any special interests, but their
3 interests.

4 I want to thank our leader, who was
5 able to marshal such great forces where, from the
6 first day that we've been out here till the last
7 day, history is made over and over and over. You
8 pick the department, we've made the history. And
9 if we haven't, give us another week.

10 (Laughter.)

11 SENATOR SANDERS: So I really want
12 to thank the leader. I want to thank these great
13 people who -- the doctors, who were able to teach
14 a lesson on how rent is supposed to be organized.

15 And having said that, I will just
16 say that we have something to take home. We can
17 say that we have not ignored the issues of the
18 people of New York, that we have addressed them
19 every way and every chance that we got, and their
20 investment in us as legislators was not wasted.

21 I adamantly, vigorously, and if I
22 could think of any other words -- I vote yes,
23 sir.

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

1 Any other Senators wishing to be
2 heard?

3 Senator Jacobs.

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

6 I represent parts of the City of
7 Buffalo and Erie County. In 1970, the County of
8 Erie had about 1.1 million people in it, 600,000
9 of them residing in the City of Buffalo. In
10 2010, Erie County had just under a million people
11 in it, but under 300,000 of them lived in the
12 City of Buffalo. Meaning our population in the
13 county shrank a little bit, but our population in
14 the city shrank immensely. The people spread all
15 over the county.

16 As a result, we did not grow, we
17 shrank a little bit, but we spread over more land
18 mass. A very unique thing. A lot of areas have
19 never experienced something like that.

20 It has been a real problem in our
21 area because of the fact we have no more people,
22 but they're spread over more land mass, using
23 more infrastructure, more costs on our
24 government. That is one of the reasons, one of
25 the reasons that our property taxes are so high.

1 The good news is in the last number
2 of years, there's been a bit of a renaissance, an
3 uptick in the City of Buffalo. And there's been
4 a little bit of a tide turned where people are
5 reinvesting in the City of Buffalo and the
6 suburban sprawl has slowed down. People are
7 reinvesting in older buildings downtown, and
8 people are looking to move back in.

9 My concern here is that this
10 legislation, which is really a New York
11 City-centric piece of legislation, is imposing
12 some new laws that can impact us and impact us
13 negatively. Because I believe it will be a real
14 disincentive for people to look at investing in
15 older buildings in our urban core.

16 And as Senator Ranzenhofer
17 mentioned, the option will be do I purchase an
18 older building, a residential building, and make
19 a major investment to revitalize it with the
20 threat that maybe there may be rent control
21 imposed on that, or do I go and take a vacant
22 piece of land in the suburbs that I can be
23 assured there would not be that sort of
24 regulation on, and build new.

25 So we have finally started to move

1 things in the right direction, and this piece of
2 legislation I believe can be very, very damaging.

3 I listened with interest to all the
4 comments and very personal stories of those
5 colleagues of mine from downstate. Clearly
6 New York City is a different place. And I don't
7 claim to know your area, but you don't know mine.
8 And I think this piece of legislation will be
9 very damaging. And that is why I'm voting no.

10 Thank you.

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

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

15 Seeing and hearing none, the
16 following order will close this conversation:
17 Senator Kavanagh, Senator Flanagan, and Senate
18 Majority Leader Andrea Stewart-Cousins.

19 Senator Kavanagh to explain his
20 vote.

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

23 Lots of people in this chamber have
24 probably heard enough of me on this topic at this
25 point, both during this debate and also darkening

1 their doorstep and buttonholing them in the
2 hallways of this Capitol for several months now.

3 But I did want to take a moment to
4 close. First of all, just to note very briefly
5 that the rent regulation laws that we are making
6 available statewide are not being imposed on any
7 locality unless they review these laws and review
8 the circumstances in their locality and decide
9 that this is a set of tools that are useful for
10 them.

11 I will note that New York City
12 maintains some of the densest housing in the
13 country. We are -- to the extent we continue to
14 experience an emergency, it's because, unlike
15 many other cities, we are at an all-time high
16 population because we have maintained the ability
17 of ordinary people to continue to live in our
18 communities, largely through our rent regulation
19 system.

20 I would also note that there are
21 provisions in this bill that are intended to
22 apply statewide, and they're intended to deal
23 with the basic fact that housing instability and
24 particularly evictions have become a scourge in
25 many communities of all kinds across this country

1 and across this state. Evictions have
2 increasingly become not just a result of economic
3 instability and poverty, but a cause of economic
4 instability and poverty.

5 So we are taking some very basic
6 steps today to make sure that tenants throughout
7 this state have some basic rights when they're
8 facing those situations when they're in disputes
9 with their landlords.

10 I would also just note that this is
11 a set of provisions specifically with respect to
12 manufactured housing. We may not agree on the
13 details, but I would acknowledge that my
14 predecessor as the Housing chair, Senator Little,
15 has worked very long and hard on that, and this
16 budget included some funding that she has
17 advocated long and hard for to make sure that
18 those communities remain stable, particularly
19 when they've been threatened by storms and other
20 threats from the outside. So we agree on a lot.

21 I do want to thank my colleagues,
22 not only my colleagues who are supporting this
23 bill, but my colleagues who helped to host our
24 hearings, which were put together very rapidly
25 and were very successful at getting many

1 perspectives -- Senator May, Senator Mayer,
2 Senator Metzger, Senator Myrie, the four Ms --
3 plus Senator Breslin, we had a hearing in his
4 district as well -- and the many supporters of
5 the bills and the many authors of provisions of
6 this bill that have now been incorporated into
7 our leader's bill on this.

8 I want to thank my colleagues on the
9 other side of the aisle for engaging in a real
10 debate. Very often in this chamber people make
11 speeches about bills that kind of talk past each
12 other. I think it's valuable that questions were
13 asked and answered, even though we didn't
14 necessarily agree.

15 To Senator Lanza, who I had the
16 experience of commuting from Staten Island for
17 four years to Manhattan. He called it the Lewis
18 and Clark expedition. I was in Manhattan for a
19 long time before I realized the term "schlep" for
20 that commute.

21 But, you know, it is very important,
22 I think, that we engage in this conversation.

23 I want to thank the many advocates.
24 There are too many to name. But, you know, so
25 much activity across the state, bringing people

1 to our hearings to make sure that we heard many
2 perspectives. I would be remiss if I did not
3 particularly acknowledge Ellen Davidson. To the
4 extent that I've been called a professor and some
5 other kind words today, I have learned over many,
6 many years about this issue on the ground in our
7 communities and how the laws work from
8 Ellen Davidson and from the people at Legal Aid.

9 I want to end by thanking the staff.
10 I decided not to do this at the beginning,
11 because of course we were still relying on the
12 staff throughout this very proceeding.

13 I just want to begin by thanking my
14 own office staff, who were very -- who had to
15 jump in and help get those hearings together and
16 provide support for this process -- Cleveland
17 Stair, Jonathan Shapiro, Venus Galarza-Mullins,
18 my director of community affairs, who deals with
19 these issues on the ground every day in our
20 community, Shana Mosher and Danielle Segall and
21 Danielle Zuckerman, and Zameena Mejia, who's
22 ready to tweet the results out about this vote
23 any minute.

24 And most importantly today, the
25 staff who worked tirelessly to put this package

1 together: Nic Rangel, Amber Marshall, Kenan
2 Kurt, Michael Szydlo, Allison Bradley, Rhett
3 Maiorana, and Nadia Gareeb, who led the
4 negotiating team from the staff perspective, and
5 of course Shontell Smith, who manages so much of
6 what we do here today. And I hope I'm not
7 leaving anybody out. But it really was an
8 extraordinary team.

9 And the depth with which we reviewed
10 this issue has been mentioned, and that would not
11 have been possible without those folks doing the
12 analysis, doing the drafting, and taking comments
13 from every possible kind of stakeholder
14 continuously now for months.

15 I will end by thanking our leader,
16 Andrea Stewart-Cousins. This is her bill. I
17 think we'll hear from her shortly on this. But I
18 think we began discussing what we were going to
19 try to do with housing last April, what we would
20 do if we were lucky enough to be in a position
21 where we'd have the ability to do this. I thank
22 her for the confidence that she has put in me and
23 in Senator Myrie to lead this effort, and the
24 extraordinary leadership that she has shown
25 throughout this session on bringing important

1 questions like this to the floor and bringing
2 powerful solutions that are going to affect the
3 lives of millions of people to a vote in this
4 chamber.

5 So thank you to our leader, and
6 thank you to all of you. And I will vote in the
7 affirmative.

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

10 Senator Flanagan to explain his
11 vote.

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

14 I rise and I want to join the voice
15 of a lot of my colleagues in speaking to the
16 bill, but in speaking about some of the folks who
17 are here today. And I'll add my voice. I'm
18 going to thank the leader, but not for the
19 reasons that you all have thanked her for.

20 I don't like this bill, and I'm
21 going to vote no. But I do want to thank her,
22 because it's a day early. It's a day early.

23 (Laughter.)

24 SENATOR FLANAGAN: It's done.
25 There's no midnight oil. The light of the day

1 and the sunshine is out there.

2 SENATOR STEWART-COUSINS:

3 {Inaudible.}

4 SENATOR FLANAGAN: So muchas
5 gracias, all right? I'm very happy about that.
6 And I think we all are.

7 And in looking at or listening very
8 carefully to all of the comments, I would concur
9 with the sponsor. This has been a good debate
10 and a good discussion about public policy and
11 about priorities and about people's desires and
12 what's important to them and to the people they
13 represent, myself included.

14 And there were references made to
15 people who have apparently gotten honorary
16 degrees today as professors. I'm going to add a
17 slightly different tack and say I want to thank a
18 small business owner and a builder, a man who's a
19 consummate professional, George Amedore, for his
20 acumen, his experience, his integrity, among
21 other things.

22 And I really embrace people like
23 Senator Amedore and all of my colleagues for
24 their backgrounds. And one of the reasons I
25 embrace Senator Amedore is because he's got no

1 axe to grind. He's the kind of person that could
2 leave here in five seconds, go off, have a good
3 life, make a great living. And there's nothing
4 wrong with that. We should all be able to say
5 that's the kind of system that we should have.

6 But I've spent many hours talking to
7 my colleagues, including Senator Amedore, about
8 what it's like to do business here in the State
9 of New York and what a challenge it can be. Even
10 if you're a great landlord or you're a great
11 tenant, it's still really hard to get from the
12 ground up and get something done and actually
13 provide housing, affordable or not, for people
14 here in the State of New York.

15 So I think back, and based on a
16 conversation I had earlier with Senator Lanza,
17 LeFrak City was invoked. You guys have all --
18 ladies and gentlemen -- have heard me talk about
19 my father. My father got elected to the Assembly
20 in 1972, but in 1975 he suffered the only loss of
21 his career in running for office. He ran for
22 supervisor of the Town of Huntington. And in
23 1975, my father was an advocate for affordable
24 housing. Jim Gaughran may be the only one,
25 Senator Gaughran may be only one who remembers

1 this.

2 And he lost that election. And one
3 of the reasons he lost that election was because
4 he advocated for affordable housing. And one of
5 the reasons he lost that election was because the
6 Democrats said -- unabashedly -- Flanagan wants
7 to bring LeFrak City to Long Island.

8 I doubt Senator Gaughran wrote that
9 brochure.

10 However, we all know -- I can
11 remember that very vividly.

12 Senator Lanza made a salient point
13 as well. He has voted for rent control. I have
14 voted for rent control on multiple occasions.
15 Did I like everything that was in there? No.
16 But I understood the need, and listening to
17 people like Mike Gianaris or Neil Breslin and
18 listening to Senator Stewart-Cousins, we
19 ultimately have to negotiate and compromise.

20 So when I hear about affordability
21 and stability and housing, I think of my
22 colleagues like Betty Little, who talks about
23 rural housing and things like neighborhood
24 preservation. Whether it's Ken LaValle or Rob
25 Ortt or Mike Ranzenhofer, who talk about mobile

1 home parks. I will very comfortably say there is
2 not one person in this room that doesn't care
3 about affordability and affordable housing. And
4 in fact, when I talk about property taxes,
5 forever -- and time and time and time and time
6 again -- I feel like I'm talking about
7 affordability. I feel like I'm talking about
8 affordable housing.

9 So when Senator Lanza talks about an
10 income tax and a water bill and property taxes, I
11 get it. Because we're thinking about whether or
12 not our constituents will have a good quality of
13 life. And can they afford to live somewhere.

14 Now, Senator Bailey, I heard him
15 talk about being a tenant, and I thought to
16 myself, You know what? I'm a tenant. I am a
17 tenant. And I'm lucky. And I have a very good
18 landlord. My washer and dryer doesn't work so
19 good, but I have a great landlord. And I know
20 the value of having that type of relationship.

21 So when I look at this, there are a
22 couple of things that I do want to mention with
23 specificity. And I've been here a long time.
24 And there's no question that this is a seminal
25 piece of legislation. I don't have to agree with

1 it, but this is big. This is really big. And I
2 don't doubt that for a second.

3 But I look at a lot of editorials
4 that have just come out, including in my own
5 region, in Newsday, the Wall Street Journal,
6 looking at entities like the Long Island Builders
7 Institute and a lot of memos that I've read, and
8 I know there are pro memos in support of this
9 legislation. I get that. But I think I look at
10 this, and I think a lot of my colleagues look at
11 this, in a slightly different way.

12 I am very concerned -- this is my
13 personal core philosophical belief, in looking at
14 a free market, democracy, capitalism and things
15 like that -- I am very concerned that the
16 long-term effect of this legislation will be a
17 diminution in housing, less affordable housing,
18 and far fewer incentives for people to get
19 involved in the building of housing. That's what
20 I really feel.

21 And in looking at the things that
22 have happened in the City of New York, you know,
23 I compare that to the rest of the state. Now,
24 the sponsor of this legislation knows a lot, an
25 incredible amount. But when there was a

1 discussion with Senator Ranzenhofer, I was like,
2 holy mackerel, because these are conversations
3 that we had. And I think about towns and
4 counties and villages and cities; there is a
5 distinct lack of clarity, in my opinion, about
6 what this legislation could do.

7 Basically, you could have a township
8 that could run roughshod over a village. And
9 there's no clear answer for that. And we know
10 there are plenty of towns and villages that could
11 be like the Hatfields and the McCoys.

12 So I'm desperately worried that that
13 is not ironed out. There's not something in the
14 legislative intent that says, by the way, a
15 village has local control and authority and can't
16 be run roughshod over by a town or a city or some
17 entity like a county. I believe that's a core
18 question, that's a legitimate question.

19 Also, within the housing itself, a
20 municipality can now turn around and say, We're
21 going to look at a class of housing. Which in my
22 opinion means you can have a village, say, with
23 5,000 people -- and Senator Amedore spoke to
24 this. You could have a village where they just
25 say, you know, we're going to look at one class

1 of housing. Two apartment buildings, they just
2 happen to be owned by one person, good, bad, or
3 indifferent. But we have now decided that that
4 housing stock is going to fall under this
5 umbrella. The owner has no say.

6 Yes, you have a local government.
7 But I think we have to be particularly careful
8 and perhaps a little circumspect in terms of how
9 to do that. And I'm not sure that that was
10 thought out, in my opinion, the way it should be.

11 There's another component in here --
12 and God knows this is technical and complicated.
13 But the whole thing with IAI and MCI. Looking at
14 MCI, I've read retroactive provisions of this
15 legislation where people have made investments,
16 taken risks. They've made investments and now
17 we're changing the rules midstream. There's a
18 retroactive component here that says the increase
19 you're able to get has now gone from 6 percent to
20 2 percent, changing the rules midstream.

21 You want to change them
22 prospectively, I respect that, even though I may
23 quibble with what the number is. But I think
24 that's a big component that goes right to the
25 question of affordability. And there are many

1 things within the bill that we could probably
2 discuss at further length.

3 I know when I go home -- and I think
4 of my colleagues -- I don't want to go home to
5 someone and say, We addressed the affordable
6 housing crisis as best we could, but we dropped a
7 means test. There is no rational explanation, in
8 my opinion and I think our colleagues' opinion,
9 for saying now there's not going to be any kind
10 of means test. That's a pretty gosh darn hard
11 sell, I think, for the taxpayers that I represent
12 and that my colleagues represent.

13 So what I think we are looking at is
14 a balance. I want people to be able to live in
15 good, clean, quality affordable housing. But I
16 also want to have entrepreneurs and investors and
17 financial institutions who are willing to take
18 those risks. And they don't have to be behemoth
19 landlords. They can be people who have decided,
20 you know what, I'm going to take my life savings,
21 I'm going to build an apartment building with
22 10 units -- but I don't know, you know,
23 government is telling me I can only do this or do
24 that.

25 So in my estimation, this pendulum

1 has swung too far. And I think we're not going
2 to see this overnight, but I believe we're going
3 to find ourselves in a situation that creates
4 significant problems.

5 Now, lastly -- and I promise,
6 lastly -- this is permanent. And I've listened
7 carefully to people say this is long overdue,
8 this should have been made permanent many, many
9 years ago. I don't agree, but I particularly,
10 particularly don't agree by virtue of the fact
11 that this is now applicable statewide.

12 This is a system -- you can make a
13 cogent argument, again, in my opinion, that you
14 should be able to permanentize this in the City
15 of New York. And the other outlying areas that
16 already have this in their governmental
17 structure. But for the rest of the state, now
18 it's permanent. We don't even know how it's
19 going to work. We don't know what's going to go
20 well, we don't know what's going to go poorly.

21 So I am grateful that this is being
22 addressed. I am clearly going to vote no. I
23 respect the divide and the philosophical
24 differences that we have. And I also know, as I
25 said before, everybody in this room -- Pam

1 Helming, Jim Seward, Daphne Jordan, Sue Serino --
2 and every member in the majority cares about
3 affordability and affordable housing. Sometimes
4 we just get there in a different way.

5 So I will be respectfully voting no,
6 but God knows I'm willing to work with any one of
7 my colleagues to see how we can make the lives of
8 our constituents better on housing and taxes and
9 otherwise.

10 Mr. President, thank you.

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

13 Majority Leader Stewart-Cousins to
14 explain her vote.

15 SENATOR STEWART-COUSINS: Thank
16 you, Mr. President.

17 And I really am happy that we are
18 doing this in the light of day and in a way that
19 people who have been dying to know what we would
20 be doing in this area can actually see, hear,
21 absorb, and understand the historic nature of
22 what has happened here.

23 I really do thank all of my
24 colleagues, because the thoughtful conversation
25 that we've had around this very important piece

1 of legislation underscores what we know. Housing
2 is important to every single one of us.

3 When my colleague Senator Flanagan
4 talks about the businesses and -- it all works
5 together. And we know that we need to have the
6 employees to be able to serve those businesses,
7 and we need housing on every single level, every
8 single strata. And these particular pieces of
9 legislation, this bill makes sure that affordable
10 housing is there for the people who need to get
11 to the businesses, to stabilize the businesses,
12 so that our economy can grow.

13 When I was growing up -- and I've
14 talked about this so much -- I grew up in public
15 housing. It wasn't fancy, it was public housing.
16 But my parents knew every day that there was a
17 place that we could afford to live from which we
18 could launch our dreams. If we had to move every
19 week or every month, if we were afraid that
20 tomorrow we weren't going to have heat, if no
21 matter how diligently my father juggled the
22 responsibilities on this little tiny paycheck, we
23 would not know whether somebody could just decide
24 tomorrow they needed the apartment, get out -- if
25 all of those things were part of that experience,

1 I know I would not be here today.

2 I know so many of us would not be
3 here today. Because without stability in those
4 very essential things, you can't possibly grow
5 roots that will make you strong.

6 What we're doing today says we get
7 it. What we're doing today says we don't want
8 people living in fear of not knowing that they
9 can afford a space or where they can get the next
10 space if this space is gone. We're saying that
11 you don't have to come back and beg and hope that
12 the right people are in the right place thinking
13 about you when these laws expire because maybe,
14 maybe those new people won't be sympathetic. You
15 don't have to do that, because these laws are
16 permanent. That's important.

17 Also, we've decided that we know
18 what we want to have happen, but we will have the
19 annual report, Senator. We will have a
20 commission that is able to assess what's happened
21 with these laws to make sure that we are doing
22 exactly what it is that will continue to grow our
23 economy by stabilizing our housing.

24 And by the way, I don't believe that
25 we should walk away from finding even a larger

1 plan, very much like Mitchell and Lama figured it
2 out. State legislatures figured out how to make
3 sustainable affordable housing so that it's not a
4 crisis that we refuse to address. Each and every
5 one of us, I'm sure, have these same experiences
6 that my colleagues in Westchester do -- I know
7 that Senator Mayer mentioned it -- with housing.
8 We have in Westchester, you know, 27,000, many in
9 my district.

10 But the reality is every single day
11 I am talking to people, seniors -- Where am I
12 going to live? I'm trying to find housing. I'm
13 on a list. Section 8 doesn't happen anymore,
14 it's 10 years. We can't continue to pretend it's
15 not a crisis. And I have a wide range of
16 districts. Affordable housing is an issue in
17 every district. Whether it is the empty nesters
18 in Scarsdale, whether it's how their kids can
19 afford to live in the neighborhoods they grew up
20 in. No matter where we are, housing and
21 affordability of housing is an issue. It's just
22 a fact.

23 So to pretend that it's just this
24 place or even to pretend that our statewide focus
25 is something that shouldn't apply is ridiculous.

1 Whether you're in a mobile home, whether you're
2 in Brooklyn or Buffalo, housing is critical. We
3 can't deny it.

4 So we've tried to say look, you
5 know, there's certain protections that everybody
6 should have, and there's an advocacy on the part
7 of the State Legislature that says we hear you.
8 Yes, the pendulum is swinging. Yes, it's been
9 swinging in one direction for 40 years. Guess
10 what? We've got to begin to address the fact
11 that unless we as a Legislature show a commitment
12 to the things that matter to people, none of us,
13 no matter how long we stay here, will feel that
14 we've succeeded.

15 When I got here in 2007, I got here
16 because of a great tenant momentum, the
17 housing law -- that's all I've heard: The
18 housing law is expiring, please help me. I never
19 would have dreamt -- I knew that I had to be part
20 of a solution, and I was so pleased that people
21 spent time investing in people like me and so
22 many of my colleagues here because they believed
23 that we could make a difference. And to be here
24 as the leader of this great chamber saying
25 because of the advocates' relentless struggle to

1 be heard, here we are with this great piece of
2 legislation that recognizes your concerns and
3 your fears -- who would have dreamt it?

4 But from the first day with these
5 incredible people, I promised that we would be
6 making history. I promised that we would take
7 every day seriously. I promised that we were
8 going to break down barriers. We promised that
9 we were going to build up opportunities. We
10 promised that we were not going to ignore the
11 voices of people who felt they'd been left out.

12 We've been here six months, and in
13 these six months we've made a difference. And
14 when I sit here and listen to my colleagues who
15 get up and thank me, I thank you, every single
16 person who spent the moments that they could have
17 been doing everything else to take an issue --
18 and in this case, this issue, under the
19 leadership of Brian Kavanaugh, the professor --

20 (Laughter.)

21 SENATOR STEWART-COUSINS: -- and
22 young Mr. Myrie.

23 (Laughter.)

24 SENATOR STEWART-COUSINS: You know,
25 to see that type of leadership and, you know, the

1 work groups, people who I begged -- not even. I
2 didn't have to beg. It was like, would you be
3 this? Yes. Everybody dropped everything, showed
4 up. Late into the nights. Drilling down,
5 hammering out, with the staff who -- when they
6 all left at midnight, the staff was there, 3:00,
7 4:00. Incredible. Incredible. You heard their
8 names, and certainly I'll give a special thank
9 you to Shontell Smith, who led up the operation
10 with the staff.

11 What happened here could only have
12 happened because people are not in any way
13 confused about what our priorities have to be.
14 And we're not even tired, because we know there's
15 so much to be done. You should be very, very
16 proud of what's been accomplished today. We know
17 that we've got still a few more days left, and
18 there's still more to do. But because -- because
19 we were able to keep our promise, no matter what
20 happens even in the next few days, we know that
21 we've changed the trajectory of New York State to
22 a state that responds to every person. No matter
23 who you are, what your zip code is, what your
24 affordability is, you have a place here.

25 I also want to thank my legislative

1 partner, the Speaker. Because this was rough in
2 every way for all of us because we had a deadline
3 looming. And again, the Speaker put his staff
4 together with mine, their members together with
5 ours, and we've come out with what I know is an
6 extraordinary, life-changing piece of
7 legislation.

8 Thank you. Mr. President, thank
9 you. I want you all to have a wonderful weekend,
10 which is why we're going to be finished. For the
11 fathers, happy -- I know. Well, you're not going
12 to be, but this is the big one. You can't leave
13 now, but --

14 (Laughter.)

15 SENATOR STEWART-COUSINS: But it
16 will be daylight.

17 (Laughter.)

18 SENATOR STEWART-COUSINS: I want
19 the fathers to have a happy Father's Day. Like I
20 said, this type of legislation really is a
21 tribute to, again, a man who worked so hard to
22 keep a roof over my head. And, you know, I
23 appreciate the work that's been done here.

24 I certainly vote aye.

25 ACTING PRESIDENT BENJAMIN:

1 Majority Leader Andrea Stewart-Cousins to be
2 recorded --

3 (Cheers from the galleries; extended
4 standing ovation.)

5 ACTING PRESIDENT BENJAMIN:
6 Majority Leader Stewart-Cousins to be recorded in
7 the affirmative.

8 Announce the results.

9 THE SECRETARY: In relation to
10 Calendar Number 1407, those Senators voting in
11 the negative are Senators Akshar, Amedore,
12 Antonacci, Boyle, Brooks, Flanagan, Funke,
13 Gallivan, Gaughran, Griffio, Helming, Jacobs,
14 Jordan, Kaplan, Lanza, LaValle, Little, Martinez,
15 O'Mara, Ortt, Ranzenhofer, Ritchie, Robach,
16 Serino, Seward and Tedisco.

17 Ayes, 36. Nays, 26.

18 ACTING PRESIDENT BENJAMIN: The
19 bill is passed.

20 (Extended applause; cheering from
21 galleries.)

22 ACTING PRESIDENT BENJAMIN: Senator
23 Gianaris.

24 SENATOR GIANARIS: Thank you,
25 Mr. President (laughing). Can we now --

1 ACTING PRESIDENT BENJAMIN: Senator
2 Gianaris.

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

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

9 The Secretary will read.

10 THE SECRETARY: Senator Serino
11 moves to discharge, from the Committee on Rules,
12 Assembly Bill Number 4069 and substitute it for
13 the identical Senate Bill 1239A, Third Reading
14 Calendar 1337.

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

17 The Secretary will read.

18 THE SECRETARY: Calendar Number
19 1337, Assembly Print Number 4069, by
20 Assemblymember Barrett, an act to legalize,
21 validate, ratify and confirm the actions of the
22 Spackenkill Union Free School District.

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 1350, Senate Print 1810 --

12 ACTING PRESIDENT BENJAMIN: Order
13 in the chamber, please. Please.

14 Continue.

15 THE SECRETARY: Calendar Number
16 1350, Senate Print 1810, by Senator Rivera, an
17 act to amend the Public Health Law and the
18 Insurance Law.

19 ACTING PRESIDENT BENJAMIN: Read
20 the last section.

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

24 ACTING PRESIDENT BENJAMIN: Call
25 the roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BENJAMIN:

3 Announce the results.

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT BENJAMIN: The
6 bill is passed.

7 THE SECRETARY: Calendar Number
8 1376, Senate Print 2176, by Senator Bailey, an
9 act to amend the New York State Urban Development
10 Corporation Act and the Economic Development 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 There is a substitution at the desk.

24 The Secretary will read.

25 THE SECRETARY: Senator Ramos moves

1 to discharge, from the Committee on Finance,
2 Assembly Bill Number 568 and substitute it for
3 the identical Senate Bill 3158, Third Reading
4 Calendar 1378.

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

7 The Secretary will read.

8 THE SECRETARY: Calendar Number
9 1378, Assembly Print Number 568, by
10 Assemblymember Paulin, an act to amend the
11 Public Health Law and the Insurance Law.

12 ACTING PRESIDENT BENJAMIN: Read
13 the last section.

14 THE SECRETARY: Section 3. This
15 act shall take effect one year after it shall
16 have become a law.

17 ACTING PRESIDENT BENJAMIN: Call
18 the roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BENJAMIN:
21 Announce the results.

22 THE SECRETARY: Ayes, 62.

23 ACTING PRESIDENT BENJAMIN: The
24 bill is passed.

25 There is a substitution at the desk.

1 The Secretary will read.

2 THE SECRETARY: Senator Parker
3 moves to discharge, from the Committee on Rules,
4 Assembly Bill Number 2758A and substitute it for
5 the identical Senate Bill Number 3200A, Third
6 Reading Calendar 1379.

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

9 The Secretary will read.

10 THE SECRETARY: Calendar Number
11 1379, Assembly Bill Number 2758A, by
12 Assemblymember Ortiz, an act to amend the
13 Mental Hygiene 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 There is a substitution at the desk.

2 The Secretary will read.

3 THE SECRETARY: Senator Sanders
4 moves to discharge, from the Committee on Rules,
5 Assembly Bill Number 5625A and substitute it for
6 the identical Senate Bill Number 3221, Third
7 Reading Calendar 1380.

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

10 The Secretary will read.

11 THE SECRETARY: Calendar Number
12 1380, Assembly Print Number 5625A, by
13 Assemblymember Weinstein, an act to amend the
14 Real Property Law.

15 ACTING PRESIDENT BENJAMIN: Read
16 the last section.

17 THE SECRETARY: Section 2. This
18 act shall take effect on the 180th day after it
19 shall have become a law.

20 ACTING PRESIDENT BENJAMIN: Call
21 the roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT BENJAMIN:
24 Announce the results.

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT BENJAMIN: The
2 bill is passed.

3 There is a substitution at the desk.

4 The Secretary will read.

5 THE SECRETARY: Senator Parker
6 moves to discharge, from the Committee on
7 Mental Health and Developmental Disabilities,
8 Assembly Bill Number 4482 and substitute it for
9 the identical Senate Bill Number 3766, Third
10 Reading Calendar 1381.

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

13 The Secretary will read.

14 THE SECRETARY: Calendar Number
15 1381, Assembly Print 4482, by Assemblymember
16 Cusick, an act to amend the Mental Hygiene Law.

17 ACTING PRESIDENT BENJAMIN: Read
18 the last section.

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

21 ACTING PRESIDENT BENJAMIN: Call
22 the roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BENJAMIN:
25 Announce the results.

1 THE SECRETARY: Ayes, 62.

2 ACTING PRESIDENT BENJAMIN: The
3 bill is passed.

4 THE SECRETARY: Calendar Number
5 1382, Senate Print 4417, by Senator Helming, an
6 act in relation to authorizing the Town of
7 Webster, County of Monroe, to alienate and convey
8 certain parcels of land used as parklands.

9 ACTING PRESIDENT BENJAMIN: There
10 is a home-rule message at the desk.

11 Read the last section.

12 THE SECRETARY: Section 5. 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 1383, Senate Print 4454, by Senator Brooks, an
24 act to amend the Insurance Law.

25 ACTING PRESIDENT BENJAMIN: Read

1 the last section.

2 THE SECRETARY: Section 6. This
3 act shall take effect on the first of January.

4 ACTING PRESIDENT BENJAMIN: Call
5 the roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BENJAMIN:
8 Announce the results.

9 THE SECRETARY: In relation to
10 Calendar Number 1383, those Senators voting in
11 the negative are Senators Akshar, Antonacci,
12 Funke, Gallivan, Griffio, Helming, Jacobs, Jordan,
13 Lanza, LaValle, Little, O'Mara, Ortt,
14 Ranzenhofer, Ritchie, Robach, Serino, Seward and
15 Tedisco.

16 Ayes, 43. Nays, 19.

17 ACTING PRESIDENT BENJAMIN: The
18 bill is passed.

19 THE SECRETARY: Calendar Number
20 1384, Senate Print 4915A, by Senator Akshar, an
21 act to amend the Highway Law.

22 ACTING PRESIDENT BENJAMIN: Read
23 the last section.

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

1 ACTING PRESIDENT BENJAMIN: Call
2 the roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BENJAMIN:
5 Announce the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT BENJAMIN: The
8 bill is passed.

9 There is a substitution at the desk.

10 The Secretary will read.

11 THE SECRETARY: Senator Parker
12 moves to discharge, from the Committee on
13 Veterans, Homeland Security and Military Affairs,
14 Assembly Bill Number 2459A and substitute it for
15 the identical Senate Bill 5006A, Third Reading
16 Calendar 1385.

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

19 The Secretary will read.

20 THE SECRETARY: Calendar Number
21 1385, Assembly Print Number 2459A, by
22 Assemblymember Fahy, an act to amend the
23 Executive Law.

24 ACTING PRESIDENT BENJAMIN: Read
25 the last section.

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

4 ACTING PRESIDENT BENJAMIN: Call
5 the roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BENJAMIN:
8 Announce the results.

9 THE SECRETARY: Ayes, 62.

10 ACTING PRESIDENT BENJAMIN: The
11 bill is passed.

12 THE SECRETARY: Calendar Number
13 1386, Senate Print 5047, by Senator Krueger, an
14 act to amend the New York City Civil Court Act
15 and the Real Property Actions and Proceedings
16 Law.

17 ACTING PRESIDENT BENJAMIN: Read
18 the last section.

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

22 ACTING PRESIDENT BENJAMIN: Call
23 the roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BENJAMIN:

1 Announce the results.

2 THE SECRETARY: In relation to
3 Calendar Number 1386, those Senators voting in
4 the negative are Senators Akshar, Amedore,
5 Antonacci, Flanagan, Funke, Gallivan, Helming,
6 Jacobs, Jordan, Griffo, Lanza, LaValle, O'Mara,
7 Ortt, Ranzenhofer, Ritchie, Robach, Serino,
8 Seward and Tedisco.

9 Ayes, 42. Nays, 20.

10 ACTING PRESIDENT BENJAMIN: The
11 bill is passed.

12 THE SECRETARY: Calendar Number
13 1387, Senate Print 5402, by Senator Persaud, an
14 act to amend the Social Services Law.

15 ACTING PRESIDENT BENJAMIN: Read
16 the last section.

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

19 ACTING PRESIDENT BENJAMIN: Call
20 the roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BENJAMIN:
23 Announce the results.

24 THE SECRETARY: Ayes, 62.

25 ACTING PRESIDENT BENJAMIN: The

1 bill is passed.

2 THE SECRETARY: Calendar Number
3 1388, Senate Print 5466, by Senator LaValle, an
4 act to amend Chapter 399 of the Laws of 2017.

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

7 Read 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 1389, Senate Print 5514A, by Senator Montgomery,
20 an act to amend the Civil Practice Law and Rules.

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 There is a substitution at the desk.

9 The Secretary will read.

10 THE SECRETARY: Senator Addabbo
11 moves to discharge, from the Committee on Budget
12 and Revenue, Assembly Bill Number 7475 and
13 substitute it for the identical Senate Bill
14 Number 5545, Third Reading Calendar 1390.

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

17 The Secretary will read.

18 THE SECRETARY: Calendar Number
19 1390, Assembly Print Number 7475, by
20 Assemblymember Cusick, an act to amend the
21 Tax Law and the Labor Law.

22 ACTING PRESIDENT BENJAMIN: Read
23 the last section.

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

1 ACTING PRESIDENT BENJAMIN: Call
2 the roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BENJAMIN:
5 Announce the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT BENJAMIN: The
8 bill is passed.

9 There is a substitution at the desk.

10 The Secretary will read.

11 THE SECRETARY: Senator Breslin
12 moves to discharge, from the Committee on Rules,
13 Assembly Bill Number 7574 and substitute it for
14 the identical Senate Bill 5582, Third Reading
15 Calendar 1391.

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

18 The Secretary will read.

19 THE SECRETARY: Calendar Number
20 1391, Assembly Print Number 7574, by
21 Assemblymember Lifton, an act to amend the
22 Tax Law.

23 ACTING PRESIDENT BENJAMIN: Read
24 the last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the same date and in the
2 same manner as Chapter 59 of the Laws of 2019.

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 1392, Senate Print 5595A, by Senator Liu, an act
13 to amend the Tax 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: In relation to
24 Calendar 1392, those Senators voting in the
25 negative are Senators Akshar, Lanza and Ortt.

1 Ayes, 59. Nays, 3.

2 ACTING PRESIDENT BENJAMIN: The
3 bill is passed.

4 THE SECRETARY: Calendar Number
5 1393, Senate Print 5625A, by Senator May, an act
6 to amend the State Finance Law.

7 ACTING PRESIDENT BENJAMIN: Read
8 the last section.

9 THE SECRETARY: Section 3. This
10 act shall take effect June 1, 2020.

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 1393, those Senators voting in
18 the negative are Senators Akshar, Amedore,
19 Antonacci, Flanagan, Funke, Gallivan, Griffio,
20 Helming, Jacobs, Jordan, Lanza, LaValle, Little,
21 O'Mara, Ortt, Ranzenhofer, Ritchie, Serino,
22 Seward and Tedisco.

23 Ayes, 42. Nays, 20.

24 ACTING PRESIDENT BENJAMIN: The
25 bill is passed.

1 THE SECRETARY: Calendar Number
2 1394, Senate Print 5640B, by Senator Skoufis, an
3 act to amend the Town Law.

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: In relation to
14 Calendar Number 1394, those Senators voting in
15 the negative are Senators Amedore, Antonacci,
16 Flanagan, Funke, Gaughran, Helming, Jacobs,
17 Jordan, Lanza, O'Mara, Ortt, Ranzenhofer, Serino,
18 and Tedisco. Also Senator Ritchie.

19 Ayes, 47. Nays, 15.

20 ACTING PRESIDENT BENJAMIN: The
21 bill is passed.

22 THE SECRETARY: Calendar Number
23 1395, Senate Print 5644B, by Senator Skoufis, an
24 act to amend the Town Law.

25 ACTING PRESIDENT BENJAMIN: Read

1 the last section.

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

4 ACTING PRESIDENT BENJAMIN: Call
5 the roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BENJAMIN:
8 Announce the results.

9 THE SECRETARY: In relation to
10 Calendar Number 1395, those Senators voting in
11 the negative are Senators Amedore, Antonacci,
12 Flanagan, Funke, Gaughran, Griffo, Helming,
13 Jacobs, Jordan, Lanza, O'Mara, Ortt, Ranzenhofer,
14 Serino and Tedisco.

15 Ayes, 47. Nays, 15.

16 ACTING PRESIDENT BENJAMIN: The
17 bill is passed.

18 THE SECRETARY: Calendar Number
19 1397, Senate Print 5673, by Senator Gaughran, an
20 act to amend the Public Service 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: Yes, very
6 quickly, Mr. President.

7 About a year ago, many constituents
8 of mine, and others on Long Island, faced their
9 water bills tripling, even some quadrupling,
10 because New York American Water had increased
11 their rates significantly after the Public
12 Service Commission granted that approval.

13 It turned out that some officials of
14 this company actually lied to the Public Service
15 Commission. And then there was an investigation
16 that was prompted by the residents. And after
17 that investigation, the rates were rolled back a
18 little bit.

19 So we don't want to -- we want to
20 make sure that this doesn't happen again. So
21 therefore what this legislation does, it says
22 that if a public utility or its employee
23 willfully lies before the Public Service
24 Commission about facts and figures involving a
25 rate increase, then they can be held accountable

1 with significant fines.

2 I vote in the affirmative,
3 Mr. President.

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

6 Announce the results.

7 THE SECRETARY: Ayes, 62.

8 ACTING PRESIDENT BENJAMIN: The
9 bill is passed.

10 THE SECRETARY: Calendar Number
11 1398, Senate Print 5716, by Senator Metzger, an
12 act to amend the Urban Development Corporation
13 Act.

14 ACTING PRESIDENT BAILEY: Read the
15 last section.

16 THE SECRETARY: Section 2. This
17 act shall take effect on the first of April.

18 ACTING PRESIDENT BAILEY: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT BAILEY: Announce
22 the results.

23 THE SECRETARY: Ayes, 62.

24 ACTING PRESIDENT BAILEY: The bill
25 is passed.

1 There is a substitution at the desk.

2 The Secretary will read.

3 THE SECRETARY: Senator Skoufis
4 moves to discharge, from the Committee on Health,
5 Assembly Bill Number 7492 and substitute it for
6 the identical Senate Bill 5741, Third Reading
7 Calendar 1399.

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

10 The Secretary will read.

11 THE SECRETARY: Calendar Number
12 1399, Assembly Print Number 7492, by
13 Assemblymember Steck, an act to amend the
14 Social Services Law.

15 ACTING PRESIDENT BAILEY: Read the
16 last section.

17 THE SECRETARY: Section 2. This
18 act shall take effect on the first of April.

19 ACTING PRESIDENT BAILEY: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BAILEY: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar 1399, voting in the negative:

1 Senator Lanza.

2 Ayes, 61. Nays, 1.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 There is a substitution at the desk.

6 The Secretary will read.

7 THE SECRETARY: Senator Kaplan
8 moves to discharge, from the Committee on Rules,
9 Assembly Bill Number 842 and substitute it for
10 the identical Senate Bill 5812, Third Reading
11 Calendar 1400.

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

14 The Secretary will read.

15 THE SECRETARY: Calendar Number
16 1400, Assembly Print Number 842, by
17 Assemblymember Simotas, an act to amend the
18 State Administrative Procedure Act.

19 ACTING PRESIDENT BAILEY: Read the
20 last section.

21 THE SECRETARY: Section 3. This
22 act shall take effect on the first of November.

23 ACTING PRESIDENT BAILEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BAILEY: Announce
2 the results.

3 THE SECRETARY: Ayes, 62.

4 ACTING PRESIDENT BAILEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1401, Senate Print 5820, by Senator Metzger, an
8 act to direct the New York State Energy Research
9 and Development Authority to study and make
10 recommendations regarding the state's electric
11 vehicle inventory.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

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

16 ACTING PRESIDENT BAILEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BAILEY: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar Number 1401, those Senators voting in
23 the negative are Senators Funke, O'Mara and Ortt.

24 Ayes, 59. Nays, 3.

25 ACTING PRESIDENT BAILEY: The bill

1 is passed.

2 There is a substitution at the desk.

3 The Secretary will read.

4 THE SECRETARY: Senator May moves
5 to discharge, from the Committee on Rules,
6 Assembly Bill Number 1599 and substitute it for
7 the identical Senate Bill 5849, Third Reading
8 Calendar 1402.

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

11 The Secretary will read.

12 THE SECRETARY: Calendar Number
13 1402, Assembly Print Number 1599, by
14 Assemblymember Hunter, an act to amend the
15 Environmental Conservation Law.

16 ACTING PRESIDENT BAILEY: Read the
17 last section.

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

21 ACTING PRESIDENT BAILEY: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BAILEY: Announce
25 the results.

1 THE SECRETARY: In relation to
2 Calendar Number 1402, those Senators voting in
3 the negative are Senators Akshar, Amedore,
4 Antonacci, Funke, Gallivan, Griffo, Helming,
5 Jacobs, Jordan, Lanza, Martinez, O'Mara, Ortt,
6 Ranzenhofer, Ritchie, Serino, Seward and Tedisco.

7 Ayes, 44. Nays, 18.

8 ACTING PRESIDENT BAILEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1403, Senate Print 5864A, by Senator Jackson, an
12 act to amend the Tax Law.

13 ACTING PRESIDENT BAILEY: Read the
14 last section.

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

17 ACTING PRESIDENT BAILEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BAILEY: Senator
21 Jackson to explain his vote.

22 SENATOR JACKSON: Thank you,
23 Mr. President and my colleagues. I rise to
24 explain my sponsorship of this bill.

25 This body's support of the New York

1 State film tax credit has helped the film and TV
2 industry in New York State continue to grow.
3 Specifically, the increase in the number of
4 television productions in New York gives us the
5 ability to bring about positive change to the
6 industry by implementing policies aimed at
7 improving the lack of representation plaguing the
8 television industry.

9 Writers and directors have critical
10 control over the creative direction that a
11 television series will take. These professionals
12 craft the stories that people come to enjoy on
13 their screens, and their life experiences inform
14 their creative decisions. A lack of diversity in
15 the backgrounds of the staff who are writing and
16 directing shows has translated to the lack of
17 diversity in the stories told on-screen.

18 In the Writers Guild of America
19 East, only 27 percent of the credited writers
20 from the past five years were women, and only
21 14 percent were people of color. Numbers for
22 writers across the country are similarly
23 underreflective of our country's current
24 breakdown, and the data on lack of diversity
25 among directors is even more dismal.

1 This bill will help fix the problem
2 by giving an increased incentive for companies to
3 give women and minority writers and directors of
4 episodic television shows a chance to showcase
5 their skills and build up their resumes.

6 It designates \$5 million for hiring
7 these people, offering \$50,000 per hire per
8 episode for up to \$150,000 total. By encouraging
9 greater diversity among writers and directors of
10 TV shows, we are doing important work upstream to
11 make sure that the on-screen media
12 representations children consume downstream are
13 more representative of them.

14 When my grandkids see a kid who
15 looks like them on TV growing up to be a doctor
16 or a professional swimmer or an engineer, it
17 helps them to visualize themselves achieving the
18 same type of goals someday. And to me, that's
19 well worth the additional credit that this bill
20 grants.

21 And I look forward to doing even
22 more in the future. Today I can count on you to
23 give me this aye vote, but let me cite you
24 what -- I was watching the Tonys the other night,
25 and heard what Rachel Chavkin, the director of

1 "Hadestown," said when she received her Tony:

2 "There are so many women who are ready to go.

3 There are so many artists of color who are ready
4 to go. It is a failure of imagination by a field
5 whose job is to imagine how the world could be."

6 That's what this bill is about. And
7 I ask my colleagues to vote aye.

8 Thank you.

9 ACTING PRESIDENT BAILEY: Senator
10 Jackson to be recorded in the affirmative.

11 Senator Ortt to explain his vote.

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

14 I have been a vocal outspoken critic
15 of the New York film tax credit. And it was
16 always sold to me as an economic development tool
17 for all of New York, not just for the film
18 industry, even though I think that's even dubious
19 unto itself.

20 But now, with all due respect to
21 Senator Jackson, the sponsor, my colleague, now
22 we're taking money from that pot to promote
23 diversity within one specific industry, which I
24 just simply believe is not the proper use of
25 public dollars. If the industry needs to be more

1 diverse, then let it be more diverse. They
2 should use their own money to make it more
3 diverse. It shouldn't depend on New Yorkers to
4 fund that social engineering project within one
5 industry.

6 And the only reason I would put
7 forth that we're doing it in this one industry is
8 to make it more palatable for the Majority to
9 continue to support this credit.

10 Mr. President, I am in the negative.

11 ACTING PRESIDENT BAILEY: Senator
12 Ortt to be recorded in the negative.

13 Announce the results.

14 THE SECRETARY: In relation to
15 Calendar Number 1403, those Senators voting in
16 the negative are Senators Akshar, Amedore,
17 Antonacci, Flanagan, Funke, Gallivan, Griffo,
18 Helming, Jacobs, Jordan, O'Mara, Ortt,
19 Ranzenhofer, Ritchie, Serino, Seward, Skoufis and
20 Tedisco.

21 Ayes, 44. Nays, 18.

22 ACTING PRESIDENT BAILEY: The bill
23 is passed.

24 There is a substitution at the desk.

25 The Secretary will read.

1 THE SECRETARY: Senator Martinez
2 moves to discharge, from the Committee on Rules,
3 Assembly Bill Number 6520 and substitute it for
4 the identical Senate Bill 5871, Third Reading
5 Calendar 1404.

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

8 The Secretary will read.

9 THE SECRETARY: Calendar Number
10 1404, Assembly Print Number 6520, by
11 Assemblymember Englebright, an act to amend the
12 Environmental Conservation Law.

13 ACTING PRESIDENT BAILEY: Read the
14 last section.

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

17 ACTING PRESIDENT BAILEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BAILEY: Announce
21 the results.

22 THE SECRETARY: Ayes, 62.

23 ACTING PRESIDENT BAILEY: The bill
24 is passed.

25 There is a substitution at the desk.

1 The Secretary will read.

2 THE SECRETARY: Senator Mayer moves
3 to discharge, from the Committee on Rules,
4 Assembly Bill Number 6575 and substitute it for
5 the identical Senate Bill 6031, Third Reading
6 Calendar 1405.

7 ACTING PRESIDENT BAILEY: The
8 substitution is so ordered.

9 The Secretary will read.

10 THE SECRETARY: Calendar Number
11 1405, Assembly Print Number 6575, by
12 Assemblymember Fahy, an act to amend the
13 Social Services Law and the Public Health Law.

14 ACTING PRESIDENT BAILEY: Read the
15 last section.

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

19 ACTING PRESIDENT BAILEY: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BAILEY: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar Number 1405, voting in the negative:

1 Senator Tedisco.

2 Ayes, 61. Nays, 1.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1406, Senate Print 6358, by Senator Lanza, an act
7 to amend Chapter 759 of the Laws of 1973.

8 ACTING PRESIDENT BAILEY: Read the
9 last section.

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

12 ACTING PRESIDENT BAILEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BAILEY: Announce
16 the results.

17 THE SECRETARY: Ayes, 62.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

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

22 SENATOR GIANARIS: At this time,
23 Mr. President, can we take up the reading of the
24 calendar.

25 ACTING PRESIDENT BAILEY: The

1 Secretary will read.

2 THE SECRETARY: Calendar Number
3 134, Assembly Print Number 3619A, substituted
4 earlier by Assemblymember Ortiz, an act to amend
5 the Executive Law.

6 ACTING PRESIDENT BAILEY: Read the
7 last section.

8 THE SECRETARY: Section 2. This
9 act shall take effect on the first of January.

10 ACTING PRESIDENT BAILEY: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BAILEY: Announce
14 the results.

15 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT BAILEY: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 146, Senate Print 3247B, by Senator Salazar, an
20 act to amend the Public Health Law.

21 ACTING PRESIDENT BAILEY: Read the
22 last section.

23 THE SECRETARY: Section 3. This
24 act shall take effect on the 30th day after it
25 shall have become a law.

1 ACTING PRESIDENT BAILEY: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BAILEY: Announce
5 the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT BAILEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 183, Senate Print 2109A, by Senator Sanders, an
11 act to amend the Banking Law.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

14 THE SECRETARY: Section 2. This
15 act shall take effect on the 180th day after it
16 shall have become a law.

17 ACTING PRESIDENT BAILEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BAILEY: Announce
21 the results.

22 THE SECRETARY: Ayes, 62.

23 ACTING PRESIDENT BAILEY: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 206, Senate Print 2900, by Senator Kaplan, an act
2 to amend the Real Property Tax Law.

3 ACTING PRESIDENT BAILEY: Read the
4 last section.

5 THE SECRETARY: Section 2. This
6 act shall take effect on the 120th day after it
7 shall have become a law.

8 ACTING PRESIDENT BAILEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BAILEY: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar Number 206, voting in the negative:
15 Senator Skoufis.

16 Ayes, 61. Nays, 1.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 286, Senate Print 3444A, by Senator Harckham, an
21 act to amend the Executive Law.

22 ACTING PRESIDENT BAILEY: Read the
23 last section.

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

1 ACTING PRESIDENT BAILEY: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BAILEY: Announce
5 the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT BAILEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 297, Senate Print 3806A, by Senator Ramos, an act
11 to establish a Latina suicide prevention task
12 force.

13 ACTING PRESIDENT BAILEY: Read the
14 last section.

15 THE SECRETARY: Section 2. This
16 act shall take effect on the 60th day after it
17 shall have become a law.

18 ACTING PRESIDENT BAILEY: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT BAILEY: Announce
22 the results.

23 THE SECRETARY: In relation to
24 Calendar Number 297, voting in the negative:
25 Senator Antonacci.

1 Ayes, 61. Nays, 1.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 318, Senate Print 3297D, by Senator Hoylman, an
6 act to amend the General Business Law.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

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

12 ACTING PRESIDENT BAILEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BAILEY: Senator
16 Hoylman to explain his vote.

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

19 I rise to thank my colleagues for
20 their support of this legislation, which is
21 called the Robocall Prevention Act. It aims to
22 take on one of the most vexing scourges of the
23 modern age, which is robocalls. Robocalls were
24 the top complaint by Americans to both the FCC
25 and FTC in 2018. There were close to 50 billion

1 robocalls placed to consumers nationwide, and
2 3 billion of those were in the State of New York.
3 Just in the first few months of 2019, there have
4 already been 25 billion robocalls calls placed
5 nationwide.

6 I'll tell you quickly what the
7 Robocall Prevention Act does, making it the
8 strongest anti-robocall legislation at the state
9 level in the country.

10 First, it requires telephone
11 companies to make call-blocking technology
12 available to customers for free.

13 Second, it gives New Yorkers the
14 right to request that callers like debt
15 collectors stop robocalling them.

16 Three, it prohibits spoofing from
17 fraudulent disguised telephone numbers.

18 Four, it provides additional
19 protections against robocalls for landlines,
20 which have less protection than cellphones under
21 federal law.

22 Five, it grants the State Attorney
23 General new enforcement power to go after
24 robocall scammers.

25 Six, it gives New Yorkers a private

1 right of action to sue illegal robocallers.

2 And finally, it will require the
3 State of New York to issue annual reports on
4 robocalls and make recommendations for further
5 action against them.

6 Mr. President, I vote aye.

7 ACTING PRESIDENT BAILEY: Senator
8 Hoylman to be recorded in the affirmative.

9 Senator Carlucci to explain his
10 vote.

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

13 Right now there's over 14 million
14 New Yorkers on the Do Not Call Registry. But
15 unfortunately, the Do Not Call Registry hasn't
16 kept up with the techniques and the technology
17 that scammers are constantly using to the tune of
18 \$9.5 billion annually that they're scamming from
19 Americans using robocall scams.

20 Now, we've seen the State
21 Comptroller last year did an audit that showed
22 that out of the 450,000 complaints lodged, only
23 one of them was referred for investigation.

24 Well, now the FCC has allowed for
25 phone companies to block robocalls. But as

1 Senator Hoylman pointed out, they don't require
2 the phone company to do this and they can charge
3 the customer a fee.

4 Our legislation here will simply
5 allow us to do what needed to be done for a long
6 time, and that's require the phone companies to
7 block these robocalls and do it free of charge to
8 the consumer.

9 We've seen now, experts tell us,
10 that there's about 500 different robocall
11 campaigns, scams out there right now. There's
12 over 20 variations of the Social Security scam
13 alone. Experts tell us that half of all the
14 calls made to cellphones this year will be
15 robocalls.

16 So this legislation is the largest
17 step forward to reclaiming our phones, to
18 allowing us to answer those calls with
19 confidence.

20 I know, as a parent of young
21 children, I keep my phone with me at all times.
22 And I'm sure all of us do. And we're concerned
23 that we're going to get a call from the school,
24 from the doctor, and we want to make sure that we
25 can answer that call with confidence.

1 So this legislation will be the
2 strongest in the nation. It will finally do
3 something to block these calls, to stop the
4 constant harassment and the scams that we've
5 seen. So I'm excited that we're passing this
6 today. I want to thank all my colleagues for
7 supporting it.

8 Thank you, Mr. President.

9 ACTING PRESIDENT BAILEY: Senator
10 Carlucci to be recorded in the affirmative.

11 Senator Lanza to explain his vote.

12 SENATOR LANZA: Thank you,
13 Mr. President, to explain my bill {sic}. I want
14 to thank Senator Hoylman for bringing this bill
15 to the floor.

16 This really is -- you know, at first
17 glance you might say, So someone's calling your
18 house, you don't know who it is, big deal. But
19 the incessant nature of what's happening there.
20 There truly has -- Senator Savino is nodding her
21 head. On Staten Island, I'm sure like other
22 places, there's been an explosion of these
23 robocalls that really, when you put it all
24 together, the sheer volume of it, it's become a
25 public nuisance.

1 Especially think about seniors who
2 are home and they've got to watch their phones or
3 hear their phones ring all day long. And one of
4 the most frustrating parts about all of it is
5 now, even if you're home to pick up the phone,
6 there's no one there. I mean, that's how these
7 robocalls work now. They don't want you to
8 answer the call, they'd rather go to your call
9 waiting.

10 So this is a real issue. It's a
11 public nuisance. I think this is a great piece
12 of legislation. I've carried legislation like
13 this for about three years. I'm very happy that
14 this body is taking this legislation up and going
15 to pass it.

16 I would ask the sponsor to consider
17 I have one other piece of legislation that I
18 would think would complement this. If you see
19 what's happening today, most of the calls come
20 through, you would look at the caller I.D. and it
21 would look like it's your neighbor. It's a name
22 that might look familiar, it's your area code,
23 it's a pseudo name. And so I have a
24 complementary piece of legislation that says, you
25 know, if you're going to call someone, the caller

1 I.D. must by law say that you are who you say you
2 are and not someone else.

3 So I thank Senator Hoylman. I vote
4 in the affirmative. And I do ask that he take a
5 look at my complementary legislation and see if
6 we can get that to the floor as well.

7 Mr. President, I vote aye.

8 ACTING PRESIDENT BAILEY: Senator
9 Lanza to be recorded in the affirmative.

10 Senator Metzger to explain her vote.

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

13 I just want to thank Senator Hoylman
14 for this bill because, you know, it -- as he
15 said, it is truly a scourge.

16 And I was just -- I was at my
17 88-year-old father's house. He had been in the
18 hospital for a couple of days and hadn't played
19 his messages, and so he asked me to play his
20 messages for him. And it was like two dozen
21 calls, all scams, and they just -- that was all
22 of his -- that was it, his message machine was
23 full.

24 They prey on the elderly. It's just
25 truly awful. And I'm so appreciative of this

1 legislation.

2 And I vote aye. Thank you.

3 ACTING PRESIDENT BAILEY: Senator
4 Metzger to be recorded in the affirmative.

5 Senator Savino to explain her vote.

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

8 I also want to thank Senator
9 Hoylman, although he's stepped out for the
10 moment, for bringing this legislation through.

11 I want to echo the comments of
12 Senator Lanza and Senator Metzger. I get a lot
13 of complaints from my constituents about things
14 that bother them, big and small, but this is one
15 of the issues that drives them the most crazy,
16 and in fact drives me crazy too.

17 I have gone so far as to unplug my
18 telephone at home so I don't have to come home to
19 two dozen messages when I return from Albany.

20 But it's gotten so bad it's on your
21 cellphone, it's on your house phone, it's on our
22 offices here. In fact, just this week I walked
23 through the Senate lounge twice, and we know we
24 have two phones in there. The phone was ringing,
25 ringing, ringing. So I just stopped and I picked

1 up the phone, and they said: "We've been trying
2 to reach you to help you lower your car
3 insurance." I hung up the phone. An hour later
4 I walked past it, the phone is ringing. "We've
5 been trying to find you to help you refinance
6 your student loan debt."

7 There is no phone that these
8 spoofers, scammers cannot reach.

9 I just want to make one other point
10 following up on what Senator Lanza said. It's
11 not just telephone companies, it's not just
12 humans doing it. We passed a piece of
13 legislation last month that's going to establish
14 a statewide task force to study artificial
15 intelligence. Many of these phone calls are
16 being made by what's called chatbots. And if
17 they do manage to connect with a human -- many of
18 them are seniors who fall prey to this -- they
19 sound like actual people. They are so
20 well-created that they sound like humans right
21 down to the inflection in their voice, and
22 they're able to capture people and get them to
23 commit to give them information that puts them at
24 tremendous risk.

25 So thank you, Senator Hoylman, for

1 passing this legislation. It's critically
2 important because it annoys all of us, but it's
3 truly dangerous practices.

4 Thank you, Mr. President.

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

7 Senator Bailey to explain his vote.

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

10 I just wanted to do a double play, I
11 wanted to come down from presiding and -- to
12 speaking. I wanted to make sure that I set a
13 little bit of history.

14 But seriously, Senator Hoylman,
15 thank you for your leadership on this issue. As
16 Senator Lanza alluded to, I get those spoofing
17 calls with the same interchange and the first
18 three digits in my number. And I look at it
19 because I guess as elected officials, sometimes
20 people are calling us from numbers we may not
21 recognize. And we tend to pick up the phone, or
22 most of us pick up the phone. And when we pick
23 up the phone, I am tired of hearing how my car
24 insurance rate could go lower or your student
25 loan rate can go higher. I mean, sometimes the

1 robocalls aren't even advantageous to us.

2 So any step that we can take to stop
3 the annoyance and the harassment of individuals
4 in our community, and especially for seniors --
5 and this is the number-one issue, one of the top
6 issues that happen when I go to senior centers.
7 Seniors are talking about they're calling their
8 cellphones and they are easily tricked into
9 believing that there's somebody on the other line
10 that's caring.

11 So I want to make sure that we can
12 get this resolved. And Senator Hoylman, we're
13 well on our way with this legislation.

14 I vote aye, Mr. President.

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

17 Senator Stavisky to explain her
18 vote.

19 SENATOR STAVISKY: Yes, picking up
20 on what Senator Bailey said, let me add that I've
21 had a lot of complaints from senior
22 Chinese-Americans who are subjected to a terrible
23 scam, telling them that either a relative has
24 been injured or that they have money for them if
25 they only wire money to a particular location.

1 This is a very serious scam in the
2 Asian-American community, and I thank
3 Senator Hoylman and my colleagues for addressing
4 this need.

5 Thank you, Mr. President.

6 ACTING PRESIDENT BENJAMIN: Senator
7 Stavisky 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
13 384, Senate Print 4092A, by Senator Kaminsky, an
14 act authorizing the Village of Island Park to
15 retroactively apply for a real property tax
16 exemption for certain property.

17 ACTING PRESIDENT BENJAMIN: Read
18 the last section.

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

21 ACTING PRESIDENT BENJAMIN: Call
22 the roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BENJAMIN:
25 Announce the results.

1 THE SECRETARY: In relation to
2 Calendar Number 384, those Senators voting in the
3 negative are Senators Akshar, Antonacci and
4 O'Mara.

5 Ayes, 59. Nays, 3.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 454, Senate Print 1092E, by Senator Persaud, an
10 act to amend the Public Health Law and the
11 Education Law.

12 ACTING PRESIDENT BENJAMIN: Read
13 the last section.

14 THE SECRETARY: Section 4. This
15 act shall take effect on the 180th day after it
16 shall have become a law.

17 ACTING PRESIDENT BENJAMIN: Call
18 the roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BENJAMIN:
21 Announce the results.

22 THE SECRETARY: Ayes, 62.

23 ACTING PRESIDENT BENJAMIN: The
24 bill is passed.

25 THE SECRETARY: Calendar Number

1 492, Senate Print 2844B, by Senator Ramos, an act
2 to amend the Lien Law, in relation to employee
3 liens.

4 ACTING PRESIDENT BENJAMIN: Read
5 the last section.

6 THE SECRETARY: Section 36. An act
7 to amend on the 30th day after it shall have
8 become a law.

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 492, those Senators voting in the
16 negative are Senators Akshar, Amedore, Antonacci,
17 Flanagan, Funke, Gallivan, Griffo, Helming,
18 Jacobs, Jordan, Lanza, Little, O'Mara, Ortt,
19 Ranzenhofer, Ritchie, Robach, Serino, Seward and
20 Tedisco.

21 Ayes, 42. Nays, 20.

22 ACTING PRESIDENT BENJAMIN: The
23 bill is passed.

24 THE SECRETARY: Calendar Number
25 502, Senate Print 5080, by Senator Mayer, an act

1 to amend Chapter 509 of the Laws of 2016.

2 ACTING PRESIDENT BENJAMIN: Read
3 the last section.

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

6 ACTING PRESIDENT BENJAMIN: Call
7 the roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BENJAMIN:
10 Announce the results.

11 THE SECRETARY: In relation to
12 Calendar Number 502, those Senators voting in the
13 negative are Senators Brooks, Gaughran, Harckham,
14 Kaplan, Lanza, Martinez, Metzger, Skoufis and
15 Thomas.

16 Ayes, 53. Nays, 9.

17 ACTING PRESIDENT BENJAMIN: The
18 bill is passed.

19 THE SECRETARY: Calendar Number
20 503, Assembly Print Number 6542, substituted
21 earlier by Assemblymember Otis, an act to amend
22 Chapter 508 of the Laws of 2016.

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 503, those Senators voting in the
9 negative are Senators Brooks, Gaughran, Harckham,
10 Kaplan, Lanza, Martinez, Metzger, Skoufis and
11 Thomas.

12 Ayes, 53. Nays, 9.

13 ACTING PRESIDENT BENJAMIN: The
14 bill is passed.

15 THE SECRETARY: Calendar Number
16 504, Senate Print 5082, by Senator Mayer, an act
17 to amend Chapter 505 of the Laws of 2016.

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 Number 504, those Senators voting in the
4 negative are Senators Brooks, Gaughran, Harckham,
5 Kaplan, Lanza, Martinez, Metzger, Skoufis and
6 Thomas.

7 Ayes, 53. Nays, 9.

8 ACTING PRESIDENT BENJAMIN: The
9 bill is passed.

10 THE SECRETARY: Calendar Number
11 505, Senate Print 5083, by Senator Mayer, an act
12 to amend Chapter 381 of the Laws of 2010.

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: In relation to
23 Calendar Number 505, those Senators voting in the
24 negative are Senators Brooks, Gaughran, Harckham,
25 Kaplan, Lanza, Martinez, Metzger, Skoufis and

1 Thomas.

2 Ayes, 53. Nays, 9.

3 ACTING PRESIDENT BENJAMIN: The
4 bill is passed.

5 THE SECRETARY: Calendar Number
6 506, Assembly Print Number 7418, substituted
7 earlier by Assemblymember Schmitt, an act to
8 amend Chapter 510 of the Laws of 2016.

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: In relation to
19 Calendar Number 506, those Senators voting in the
20 negative are Senators Brooks, Gaughran, Harckham,
21 Kaplan, Lanza, Martinez, Metzger and Thomas.

22 Ayes, 54. Nays, 8.

23 ACTING PRESIDENT BENJAMIN: The
24 bill is passed.

25 THE SECRETARY: Calendar Number

1 567, Senate Print 3685B, by Senator Brooks, an
2 act to amend the General Municipal Law and the
3 Town Law.

4 ACTING PRESIDENT BENJAMIN: Read
5 the last section.

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

9 ACTING PRESIDENT BENJAMIN: Call
10 the roll.

11 (The Secretary called the roll.)

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

14 SENATOR SEWARD: Thank you,
15 Mr. President, to explain my vote on this bill.

16 You know, I have the utmost respect
17 and admiration for the men and women who serve in
18 our fire departments, whether they be career or
19 volunteers, and particularly those who have
20 emergency squads associated with them, providing
21 very important ambulance services. And during my
22 time in the Senate, I have supported my local
23 fire departments, and I'm going to continue to do
24 that.

25 My concern on this particular piece

1 of legislation is that in an effort to help
2 support our fire departments, this bill could
3 imperil senior citizens across the state,
4 particularly in the rural areas, by removing
5 their federal Medicare coverage for certain
6 emergency services; specifically, the Medicare
7 ALS. That's the Advanced Life Support intercept
8 benefit. It's unclear to me whether this bill
9 would protect that or eliminate it. My fear is
10 it will eliminate it.

11 And so until this matter is
12 resolved, Mr. President, I am voting no.

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

15 Senator Harckham to explain his
16 vote.

17 SENATOR HARCKHAM: Thank you very
18 much, Mr. President.

19 I just want to commend Senator
20 Brooks for this legislation. This has been a
21 vexing issue on the Legislature for many, many
22 years. And it's involved territorial strife
23 between paid ambulance services, volunteer
24 ambulance services, independent ambulance
25 services, ambulance services embedded with

1 volunteer fire departments.

2 And what it's created is in this
3 vacuum, quite simply, that volunteer ambulance
4 corps embedded with volunteer fire departments
5 cannot bill for their services the way other
6 ambulance corps have. And it puts a great
7 financial strain on those volunteer companies.

8 And finally, after a lot of
9 negotiation and hard work by Senator Brooks and
10 his team, I think we are at a place where
11 everyone is in a good position.

12 So once again, I want to thank
13 Senator Brooks and his team for all of their
14 work, and I vote in the affirmative.

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

17 Senator Ranzenhofer to explain his
18 vote.

19 SENATOR RANZENHOFER: Yes, thank
20 you. I'd like to explain my no vote.

21 And I concur with the sentiments of
22 Senator Seward.

23 But one of the issues that this
24 doesn't address that had been addressed
25 previously, which is very, very relevant in my

1 community, is very often what happens is somebody
2 receives the benefits of an ambulance service,
3 and the insurance company cuts a check directly
4 to the person that received the services and the
5 ambulance company never gets paid.

6 There were provisions which would
7 change that so that the service provider, the
8 ambulance company, could receive the check
9 directly from the insurance company so they could
10 be paid for the service. That is not included in
11 this bill.

12 That is an issue in my community
13 which needed to be addressed. It's not addressed
14 in this bill, so I'll be voting no.

15 Thank you.

16 ACTING PRESIDENT BENJAMIN: Senator
17 Ranzenhofer to be recorded in the negative.

18 Announce the results.

19 THE SECRETARY: In relation to
20 Calendar Number 567, those Senators voting in the
21 negative are Senators Akshar, Antonacci,
22 Flanagan, Griffo, Ranzenhofer, Seward and
23 Skoufis.

24 Ayes, 55. Nays, 7.

25 ACTING PRESIDENT BENJAMIN: The

1 bill is passed.

2 THE SECRETARY: Calendar Number
3 578, Senate Print 5281B, by Senator Skoufis, an
4 act alienating certain parklands in the Town of
5 Stony Point, County of Rockland.

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

8 Read the last section.

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

11 ACTING PRESIDENT BENJAMIN: Call
12 the roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BENJAMIN:
15 Announce the results.

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT BENJAMIN: The
18 bill is passed.

19 THE SECRETARY: Calendar Number
20 590, Senate Print 3281A, by Senator Kaplan, an
21 act to amend the General Municipal Law.

22 ACTING PRESIDENT BENJAMIN: Read
23 the last section.

24 THE SECRETARY: Section 2. This
25 act shall take effect on the 180th day after it

1 shall have become a law.

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
11 594, Senate Print 439A, by Senator Hoylman, an
12 act to amend the Executive Law.

13 ACTING PRESIDENT BENJAMIN: Read
14 the last section.

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

18 ACTING PRESIDENT BENJAMIN: Call
19 the roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT BENJAMIN:
22 Announce the results.

23 THE SECRETARY: Ayes, 62.

24 ACTING PRESIDENT BENJAMIN: The
25 bill is passed.

1 THE SECRETARY: Calendar Number
2 630, Assembly Print Number 4336, substituted
3 earlier by Assemblymember Weprin, an act to amend
4 the Correction 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 630, those Senators voting in the
16 negative are Senators Akshar, Flanagan, Griffio,
17 Helming, Jacobs, Jordan, Little, O'Mara, Ortt,
18 Ranzenhofer, Ritchie, Serino, Seward --

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

21 SENATOR SEPÚLVEDA: Thank you,
22 Mr. President, for allowing me to explain my
23 vote.

24 So this bill was needed, in my
25 responsibility as chair of the Corrections

1 Committee.

2 The Correctional Medical Review
3 Board is supposed to provide information about an
4 inmate's death. That report is supposed to be
5 provided to myself as the chair, the chair of the
6 Assembly Committee, and the Governor.

7 Now, it's supposed to be as clear as
8 possible, with redactions permitted for privacy
9 reasons. The problem that we've been
10 experiencing with these reports is they look more
11 like Swiss cheese with all of the redactions.
12 And it doesn't allow us to do a critical review
13 of the death of a prisoner.

14 And so this is why we have asked for
15 this bill to be passed. This is why I've worked
16 so hard on it. I want to thank my staff and I
17 want to the leader for allowing us to bring this
18 here. This is very necessary for me to do my job
19 as chair of the Correction Committee.

20 I vote affirmatively.

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

23 Announce the results.

24 THE SECRETARY: In relation to
25 Calendar Number 630, those Senators voting in the

1 negative are Senators Akshar, Amedore, Antonacci,
2 Flanagan, Griffo, Helming, Jacobs, Jordan,
3 Little, O'Mara, Ortt, Ranzenhofer, Ritchie,
4 Serino and Seward.

5 Ayes, 47. Nays, 15.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 698, Senate Print 2326, by Senator Kavanagh, an
10 act to amend the New York City Civil Court Act.

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 698, those Senators voting in the
22 negative are Senators Funke, Griffo, Helming,
23 Jacobs, Jordan, Ranzenhofer, Ritchie, Serino and
24 Seward.

25 Ayes, 53. Nays, 9.

1 ACTING PRESIDENT BENJAMIN: The
2 bill is passed.

3 THE SECRETARY: Calendar Number
4 708, Senate Print 4166A, by Senator Addabbo, an
5 act to amend the Education 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
19 722, Assembly Print Number 2218A, substituted
20 earlier by Assemblymember Abinanti, an act to
21 amend Chapter 504 of the Laws of 2016.

22 ACTING PRESIDENT BENJAMIN: Read
23 the last section.

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

1 ACTING PRESIDENT BENJAMIN: Call
2 the roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BENJAMIN:
5 Announce the results.

6 THE SECRETARY: In relation to
7 Calendar Number 722, those Senators voting in the
8 negative are Senators Brooks, Gaughran, Harckham,
9 Kaplan, Lanza, Martinez, Skoufis and Thomas.
10 Also Senator Metzger.

11 Ayes, 53. Nays, 9.

12 ACTING PRESIDENT BENJAMIN: The
13 bill is passed.

14 THE SECRETARY: Calendar Number
15 726, Senate Print 3708, by Senator Mayer, an act
16 to amend Chapter 506 of the Laws of 2016.

17 ACTING PRESIDENT BENJAMIN: Read
18 the last section.

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

21 ACTING PRESIDENT BENJAMIN: Call
22 the roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BENJAMIN:
25 Announce the results.

1 THE SECRETARY: In relation to
2 Calendar Number 726, those Senators voting in the
3 negative are Senators Brooks, Gaughran, Harckham,
4 Kaplan, Lanza, Martinez, Metzger, Skoufis and
5 Thomas.

6 Ayes, 53. Nays, 9.

7 ACTING PRESIDENT BENJAMIN: The
8 bill is passed.

9 THE SECRETARY: Calendar Number
10 734, Senate Print 4809A, by Senator Persaud, an
11 act to amend the Social Services Law.

12 ACTING PRESIDENT BENJAMIN: Read
13 the last section.

14 THE SECRETARY: Section 4. This
15 act shall take effect on the 180th day after it
16 shall have become a law.

17 ACTING PRESIDENT BENJAMIN: Call
18 the roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BENJAMIN:
21 Announce the results.

22 THE SECRETARY: In relation to
23 Calendar Number 734, those Senators voting in the
24 negative are Senators Amedore, Antonacci,
25 Flanagan, Funke, Gallivan, Griffo, Helming,

1 Jacobs, Jordan, Ortt, Ranzenhofer, Serino, Seward
2 and Tedisco.

3 Ayes, 48. Nays, 14.

4 ACTING PRESIDENT BENJAMIN: The
5 bill is passed.

6 THE SECRETARY: Calendar Number
7 738, Senate Print 5315, by Senator Carlucci, an
8 act to amend the Mental Hygiene Law.

9 ACTING PRESIDENT BENJAMIN: Read
10 the last section.

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

13 ACTING PRESIDENT BENJAMIN: Call
14 the roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BENJAMIN:
17 Announce the results.

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT BENJAMIN: The
20 bill is passed.

21 THE SECRETARY: Calendar Number
22 751, Senate Print 5133, by Senator Kaplan, an act
23 to amend the Retirement and Social Security Law.

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

1 Read the last section.

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

4 ACTING PRESIDENT BENJAMIN: Call
5 the roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BENJAMIN:
8 Announce the results.

9 THE SECRETARY: Ayes, 62.

10 ACTING PRESIDENT BENJAMIN: The
11 bill is passed.

12 THE SECRETARY: Calendar Number
13 763, Senate Print 5568, by Senator Rivera, an act
14 to amend the Public Health Law.

15 ACTING PRESIDENT BENJAMIN: Read
16 the last section.

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

19 ACTING PRESIDENT BENJAMIN: Call
20 the roll.

21 ACTING PRESIDENT BENJAMIN:
22 Announce the results.

23 THE SECRETARY: In relation to
24 Calendar Number 763, those Senators voting in the
25 negative are Senators Akshar, Flanagan, Funke,

1 Griffio, Jacobs, Jordan, O'Mara, Ortt,
2 Ranzenhofer, Serino, Seward and Tedisco.

3 Ayes, 50. Nays, 12.

4 ACTING PRESIDENT BENJAMIN: The
5 bill is passed.

6 THE SECRETARY: Calendar Number
7 764, Senate Print 4203A, by Senator Savino, an
8 act to amend the Family Court Act and the
9 Social Services Law.

10 ACTING PRESIDENT BENJAMIN: Read
11 the last section.

12 THE SECRETARY: Section 3. This
13 act shall take effect on the 30th 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: Senator
19 Savino to explain her vote.

20 SENATOR SAVINO: Thank you,
21 Mr. President.

22 On the surface this might sound like
23 a very complicated piece of legislation. In
24 fact, it's not.

25 If you think back two weeks ago,

1 this body voted, I think unanimously, to allow
2 adoptees to access their birth certificates,
3 recognizing how important it is for people to
4 maintain contact with the people that brought
5 them into this world, some of whom who had never
6 met them.

7 But the vast majority of children
8 who are adopted in New York State are adopted out
9 of the foster care system. They have
10 relationships with their parent and with their
11 extended family and their siblings.

12 And for many years, the practice in
13 Family Court where you had a long case in foster
14 care and a kinship adoption was to allow
15 post-adoption, post-termination visitation
16 between children and their siblings, some of whom
17 would be adopted by someone else, and their
18 biological parents.

19 Unfortunately, the law did not allow
20 for that. And in a case that was decided by the
21 New York State Court of Appeals, they turned to
22 the Legislature and said, Legislature, you need
23 to fix this.

24 In a post-surrender of parental
25 rights, where a parent voluntarily gives up their

1 right to their children to an adoption, the judge
2 can order post-adoption visitation. But not in a
3 termination of parental rights.

4 And what is the difference? And I
5 want you to all remember in the late '90s, in an
6 effort to reduce the foster-care population, the
7 federal government enacted some rules and applied
8 them to the states. And quite honestly, as a
9 person who used to work in this field, it sounded
10 good on paper but it really wasn't a good idea.

11 They adopted what was called the
12 Adoption Safe At Home Act, that said that if a
13 child was in foster care for the 15 of the next
14 24 months, that regardless of a parent's efforts
15 to return -- I'm sorry, to cooperate with the
16 order or the program to get their child back, it
17 didn't matter. It didn't matter how much effort
18 a parent was making, you automatically had to
19 change the goal to adoption and begin a
20 termination of parental rights proceeding.

21 Didn't matter. Didn't matter how
22 fair it was, it didn't matter how bonded those
23 children were, it didn't make a difference. The
24 statute said 15 of the last 24 months you must
25 automatically move to terminate parental rights.

1 And so agencies have no choice.
2 They have to comply with that. And it puts you
3 in a position where sometimes you are dealing
4 with children who are bonded to their biological
5 parents who they see every week in agency
6 visitation, and then all of a sudden down comes
7 the order, the adoption comes, and it's as if
8 that parent disappears.

9 And so what this statute would allow
10 a judge to do -- not in every case, because
11 sometimes there shouldn't be any further contact.
12 Some parents should not be allowed to have
13 continued contact with a child. But in some
14 cases, when it's in the best interests of the
15 child to retain that parent bond, a judge can
16 order post-termination visitation, the way they
17 can order post-surrender visitation after
18 adoption.

19 So that is what this bill does. It
20 preserves rights for adoptive parents too,
21 provides them with counsel in court and
22 recognizes that these family bonds are critically
23 important, especially for children who spend
24 sometimes half their life in foster care. Their
25 parents don't disappear, and this allows them to

1 have that connection.

2 I vote in favor, Mr. President, and
3 I hope my colleagues will join me in that effort.

4 Thank you.

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

7 Announce the results.

8 THE SECRETARY: In relation to
9 Calendar Number 764, those Senators voting in the
10 negative are Senators Amedore, Antonacci,
11 Flanagan, Funke, Gallivan, Griffio, Helming,
12 Jacobs, Jordan, Little, O'Mara, Ortt, Ritchie,
13 Serino, Seward and Tedisco.

14 Ayes, 46. Nays, 16.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

17 THE SECRETARY: Calendar Number
18 785, Senate Print 5720, by Senator Comrie, an act
19 to amend the Not-For-Profit Corporation Law and
20 the Religious Corporations 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:

4 Announce the results.

5 THE SECRETARY: In relation to
6 Calendar Number 785, those Senators voting in the
7 negative are Senators Amedore, Antonacci,
8 Flanagan, Funke, Gallivan, Griffo, Helming,
9 Jacobs, Jordan, Little, O'Mara, Ortt,
10 Ranzenhofer, Ritchie, Seward, Serino and Tedisco.

11 Ayes, 45. Nays, 17.

12 ACTING PRESIDENT BENJAMIN: The
13 bill is passed.

14 THE SECRETARY: Calendar Number
15 787, Assembly Print Number 2947, substituted
16 earlier by Assemblymember Solages, an act to
17 amend the General Municipal Law and the Public
18 Authorities Law.

19 ACTING PRESIDENT BENJAMIN: Read
20 the last section.

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

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 787, those Senators voting in the
5 negative are Senators Akshar, Amedore, Griffo,
6 Jacobs, Jordan, O'Mara, Ortt, Ranzenhofer,
7 Ritchie, Serino and Seward.

8 Ayes, 51. Nays, 11.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 796, Senate Print 4907, by Senator Skoufis, an
13 act to amend the General Municipal Law.

14 ACTING PRESIDENT BENJAMIN: Read
15 the last section.

16 THE SECRETARY: Section 2. This
17 act shall take effect on the 60th 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: In relation to
25 Calendar Number 796, those Senators voting in the

1 negative are Senators Akshar, Amedore, Antonacci,
2 Flanagan, Funke, Gallivan, Griffo, Helming,
3 Jacobs, Jordan, Little, O'Mara, Ortt,
4 Ranzenhofer, Ritchie, Serino and Tedisco.

5 Ayes, 45. Nays, 17.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 802, Senate Print 5647B, by Senator Kaplan, an
10 act authorizing BB/S Facilities Management
11 Corporation to receive retroactive real property
12 tax exempt status.

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: In relation to
23 Calendar 802, those Senators voting in the
24 negative are Senators Akshar, Antonacci and
25 O'Mara.

1 Ayes, 59. Nays, 3.

2 ACTING PRESIDENT BENJAMIN: The
3 bill is passed.

4 THE SECRETARY: Calendar Number
5 819, Assembly Print Number 5767A, substituted
6 earlier by Assemblymember Pheffer Amato, an act
7 to amend the Environmental Conservation Law.

8 ACTING PRESIDENT BENJAMIN: Read
9 the last section.

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

12 ACTING PRESIDENT BENJAMIN: Call
13 the roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BENJAMIN:
16 Announce the results.

17 THE SECRETARY: Ayes, 62.

18 ACTING PRESIDENT BENJAMIN: The
19 bill is passed.

20 THE SECRETARY: Calendar Number
21 849, Assembly Print Number 6751, substituted
22 earlier by Assemblymember Gunther, an act to
23 amend the General City 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
12 873, Senate Print 4403A, by Senator Savino, an
13 act to amend the General Business Law.

14 ACTING PRESIDENT BENJAMIN: Read
15 the last section.

16 THE SECRETARY: Section 3. This
17 act shall take effect on the 180th 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: In relation to
25 Calendar Number 873, those Senators voting in the

1 negative are Senators Akshar, Ortt and O'Mara.

2 Ayes, 59. Nays, 3.

3 ACTING PRESIDENT BENJAMIN: The
4 bill is passed.

5 THE SECRETARY: Calendar Number
6 884, Senate Print 5079A, by Senator Skoufis, an
7 act to amend the Real Property Actions and
8 Proceedings 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: In relation to
19 Calendar Number 884, those Senators voting in the
20 negative are Senators Akshar, Amedore, Gallivan,
21 Helming, Flanagan, Jacobs, Jordan, Little,
22 O'Mara, Ranzenhofer, Serino and Seward. Also
23 Senator Ortt. Also Senator Griffio.

24 Ayes, 48. Nays, 14.

25 ACTING PRESIDENT BENJAMIN: The

1 bill is passed.

2 THE SECRETARY: Calendar Number
3 885, Senate Print 5357, by Senator Comrie, an act
4 to amend the Real Property Actions and
5 Proceedings Law.

6 ACTING PRESIDENT BENJAMIN: Read
7 the last section.

8 THE SECRETARY: Section 2. This
9 act shall take effect on the first of January.

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
16 to Calendar Number 885, those Senators voting in
17 the negative are Senators Amedore, Antonacci,
18 Flanagan, Funke, Gallivan, Griffo, Helming,
19 Jacobs, Jordan, Little, O'Mara, Ortt,
20 Ranzenhofer, Ritchie, Serino and Seward. Also
21 Senator Tedisco.

22 Ayes, 45. Nays, 17.

23 ACTING PRESIDENT BENJAMIN: The
24 bill is passed.

25 THE SECRETARY: Calendar Number

1 903, Senate Print 5475, by Senator May, an act to
2 amend the Election Law.

3 ACTING PRESIDENT BENJAMIN: Read
4 the last section.

5 THE SECRETARY: Section 2. This
6 act shall take effect on the 15th day of
7 December.

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 903, those Senators voting in the
15 negative are Senators Griffo, O'Mara and Ortt.

16 Ayes, 59. Nays, 3.

17 ACTING PRESIDENT BENJAMIN: The
18 bill is passed.

19 THE SECRETARY: Calendar Number
20 910, Senate Print 6195, by Senator Parker, an act
21 to amend the Energy Law, the Public Officers Law,
22 and the Executive Law.

23 ACTING PRESIDENT BENJAMIN: Read
24 the last section.

25 THE SECRETARY: Section 8. This

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

3 ACTING PRESIDENT BENJAMIN: Call
4 the roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BENJAMIN:
7 Announce the results.

8 THE SECRETARY: Ayes, 62.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 929, Senate Print 128, by Senator Carlucci, an
13 act to amend the Real Property Tax Law.

14 ACTING PRESIDENT BENJAMIN: Read
15 the last section.

16 THE SECRETARY: Section 2. This
17 act shall take effect on the first of January.

18 ACTING PRESIDENT BENJAMIN: Call
19 the roll.

20 (The Secretary called the roll.)

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

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

25 In Rockland County we're extremely

1 fortunate to have almost every police
2 jurisdiction be complemented by an auxiliary
3 police force. And our auxiliary police officers
4 are volunteer, many giving thousands of hours of
5 volunteer service to complement our professional
6 police departments.

7 And in Rockland County, if you
8 attend any of the community events, like a 5K
9 race or the fireworks events that will be taking
10 place on the 4th of July weekend, or a street
11 fair, you often see our auxiliary police officers
12 there to complement the police and keep our
13 community safe.

14 This is an important piece of
15 legislation because it will give a benefit to
16 those auxiliary police officers, the same benefit
17 that volunteer firefighters and volunteer
18 ambulance corps members receive right now, which
19 is an exemption on their property taxes.

20 It's a small exemption, but it's
21 something that helps to keep our auxiliary police
22 officers in their homes, continue to contribute
23 to our community. And it's one of the reasons,
24 particularly in Rockland County, that it is such
25 a great place to live, to raise a family. It

1 keeps our communities safe and allows us to have
2 so many great, vibrant community events.

3 So I want to thank our auxiliary
4 police officers for the work that they do, and I
5 want to thank all my colleagues for supporting
6 this legislation.

7 Thank you.

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

10 Announce the results.

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT BENJAMIN: The
13 bill is passed.

14 THE SECRETARY: Calendar Number
15 941, Senate Print 5425, by Senator Mayer, an act
16 to amend the Local Finance Law.

17 ACTING PRESIDENT BENJAMIN: Read
18 the last section.

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

21 ACTING PRESIDENT BENJAMIN: Call
22 the roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BENJAMIN:
25 Announce the results.

1 THE SECRETARY: In relation to
2 Calendar Number 941, those Senators voting in the
3 negative are Senators Flanagan, Funke and
4 Ritchie.

5 Ayes, 59. Nays, 3.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 943, Senate Print 5592, by Senator Kaminsky, an
10 act to amend Chapter 269 of the Laws of 1979.

11 ACTING PRESIDENT BENJAMIN: There
12 is a home-rule message at the desk.

13 Read 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
25 957, Assembly Print Number 1971, substituted

1 earlier by Assemblymember Zebrowski, an act to
2 amend the Alcoholic Beverage Control Law.

3 ACTING PRESIDENT BENJAMIN: Read
4 the last section.

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

14 ACTING PRESIDENT BENJAMIN: The
15 bill is passed.

16 THE SECRETARY: Calendar Number
17 963, Senate Print 3755, by Senator Mayer, an act
18 to amend Chapter 507 of the Laws of 2016.

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 963, those Senators voting in the
5 negative are Senators Brooks, Gaughran, Harckham,
6 Kaplan, Lanza, Martinez, Metzger, Skoufis and
7 Thomas.

8 Ayes, 53. Nays, 9.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 968, Senate Print 5639A, by Senator Breslin, 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 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
2 969, Senate Print 5766, by Senator Gaughran, an
3 act to amend the Public Service 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
17 973, Senate Print 5936A, by Senator Ranzenhofer,
18 an act to amend the Public Officers Law and the
19 Town Law.

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 1011, Senate Print 4577A, by Senator Martinez, an
9 act to amend the Agriculture and Markets 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: In relation to
21 Calendar 1011, those Senators voting in the
22 negative are Senators Antonacci, Gallivan,
23 Griffo, Jacobs, Jordan, O'Mara, Ortt, Ranzenhofer
24 and Seward.

25 Ayes, 53. Nays, 9.

1 ACTING PRESIDENT BENJAMIN: The
2 bill is passed.

3 THE SECRETARY: Calendar Number
4 1014, Senate Print 4802, by Senator Martinez, an
5 act 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 1041, Senate Print 5773, by Senator Stavisky, an
20 act to amend the Education Law.

21 ACTING PRESIDENT BENJAMIN: Read
22 the last section.

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

25 ACTING PRESIDENT BENJAMIN: Call

1 the roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BENJAMIN:

4 Announce the results.

5 THE SECRETARY: In relation to
6 Calendar Number 1041, those Senators voting in
7 the negative are Senators Flanagan and Gallivan.

8 Ayes, 60. Nays, 2.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

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

15 SENATOR GIANARIS: Lay it aside for
16 the day.

17 ACTING PRESIDENT BENJAMIN: Lay it
18 aside for the day.

19 THE SECRETARY: Calendar Number
20 1065, Senate Print 4759A, by Senator Kaminsky, an
21 act to amend the Civil Practice Law and Rules.

22 ACTING PRESIDENT BENJAMIN: Read
23 the last section.

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

1 ACTING PRESIDENT BENJAMIN: Call
2 the roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BENJAMIN:
5 Announce the results.

6 THE SECRETARY: In relation to
7 Calendar Number 1065, those Senators voting in
8 the negative are Senators Flanagan, Gallivan,
9 Griffo, Helming, Jacobs, Jordan, O'Mara, Ortt,
10 Ranzenhofer, Seward and Tedisco.

11 Ayes, 51. Nays, 11.

12 ACTING PRESIDENT BENJAMIN: The
13 bill is passed.

14 THE SECRETARY: Calendar Number
15 1067, Assembly Bill Number 4766B, substituted
16 earlier by Assemblymember Buchwald, an act to
17 amend the Lien 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 1107, Senate Print 5485A, by Senator Rivera, an
7 act to amend the Public Health Law and the
8 Social Services Law.

9 ACTING PRESIDENT BENJAMIN: Read
10 the last section.

11 THE SECRETARY: Section 4. This
12 act shall take effect on the 180th day after it
13 shall have become a law.

14 ACTING PRESIDENT BENJAMIN: Call
15 the roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BENJAMIN:
18 Announce the results.

19 THE SECRETARY: Ayes, 62.

20 ACTING PRESIDENT BENJAMIN: The
21 bill is passed.

22 THE SECRETARY: Calendar Number
23 1210, Senate Print 726A, by Senator Montgomery,
24 an act to amend the Alcoholic Beverage Control
25 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: In relation to
11 Calendar Number 1210, those Senators voting in
12 the negative are Senators Griffo and Jacobs.

13 Ayes, 60. Nays, 2.

14 ACTING PRESIDENT BENJAMIN: The
15 bill is passed.

16 THE SECRETARY: Calendar Number
17 1213, Senate Print 4216B, by Senator
18 Stewart-Cousins, an act to amend Chapter 383 of
19 the Laws of 1945.

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 1214, Assembly Print Number 6694, substituted
9 earlier by Assemblymember Pretlow, an act to
10 amend the Tax Law and Chapter 535 of the Laws of
11 1987.

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 1214, those Senators voting in
23 the negative are Senators Brooks, Gaughran,
24 Harckham, Kaplan, Lanza, Martinez, Metzger,
25 Skoufis and Thomas.

1 Ayes, 53. Nays, 9.

2 ACTING PRESIDENT BENJAMIN: The
3 bill is passed.

4 THE SECRETARY: Calendar Number
5 1216, Senate Print 5210, by Senator Metzger, an
6 act to authorize Susan Gillinder, the widow of
7 Robert C. Ritchie, to file a new service
8 retirement application.

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 1265, Senate Print 6268, by Senator Jordan, an
23 act to amend Chapter 465 of the Laws of 2016.

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: In relation to
9 Calendar Number 1265, those Senators voting in
10 the negative are Senators Brooks, Gaughran,
11 Harckham, Kaplan, Lanza, Martinez, Metzger,
12 Skoufis and Thomas.

13 Ayes, 53. Nays, 9.

14 ACTING PRESIDENT BENJAMIN: The
15 bill is passed.

16 THE SECRETARY: Calendar Number
17 1339, Senate Print 3658B, by Senator Seward, an
18 act to amend the Highway 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 Senator Gianaris, that completes the
7 reading of today's calendar.

8 SENATOR GIANARIS: Mr. President,
9 can you recognize Senator Griffo for some
10 motions.

11 ACTING PRESIDENT BENJAMIN: Senator
12 Griffo.

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

15 On behalf of Senator Gallivan, I
16 would move that Senate Print 1334 be discharged
17 from its respective committee and then be
18 recommitted with instructions to strike the
19 enacting clause.

20 ACTING PRESIDENT BENJAMIN: It is
21 so ordered.

22 SENATOR GRIFFO: Likewise, on
23 behalf of Senator LaValle, for Senate Bill 3712,
24 I move that the bill be discharged from its
25 respective committee and be recommitted with

1 instructions to strike the enacting clause.

2 ACTING PRESIDENT BENJAMIN: It is
3 so ordered.

4 SENATOR GRIFFO: And,
5 Mr. President, on behalf of Senator Flanagan, I
6 move that the following bills -- Senate Bill 881,
7 Senate Bill 911, and Senate Bill 913 -- be
8 discharged from their respective committees and
9 be recommitted with instructions to strike the
10 enacting clauses.

11 ACTING PRESIDENT BENJAMIN: It is
12 so ordered.

13 Senator Gianaris.

14 SENATOR GIANARIS: Okay, my turn,
15 Mr. President.

16 On behalf of Senator Gaughran, I
17 wish to call up Calendar Number 803, Assembly
18 Print Number 4752B.

19 ACTING PRESIDENT BENJAMIN: The
20 Secretary will read.

21 THE SECRETARY: Calendar Number
22 803, Senate Print 5674, by Senator Gaughran, an
23 act to amend the Real Property Tax Law.

24 SENATOR GIANARIS: I move to
25 reconsider the vote by which this Assembly bill

1 was substituted for the Senate bill, Senate Print
2 5674, on June 11th.

3 ACTING PRESIDENT BENJAMIN: The
4 Secretary will call the roll on reconsideration.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 62.

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

10 SENATOR GIANARIS: I move that
11 Assembly Bill 4752B be recommitted to the
12 Committee on Local Government, and that the
13 Senate bill be restored to the order of the
14 Third Reading Calendar.

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

18 SENATOR GIANARIS: I offer the
19 following amendments.

20 ACTING PRESIDENT BENJAMIN: The
21 amendments are received.

22 Senator Gianaris.

23 SENATOR GIANARIS: I've got more
24 motions, Mr. President. Thank you.

25 I wish to call up the following

1 bills, recalled from the Assembly, which are now
2 at the desk:

3 Senate Print 2978, by Senator
4 Gaughran;

5 Senate Print 4019, by Senator
6 Thomas; and

7 Senate Print 5935, by Senator
8 Harckham.

9 ACTING PRESIDENT BENJAMIN: The
10 Secretary will read.

11 THE SECRETARY: Calendar Number
12 151, Senate Print 2978, by Senator Gaughran, an
13 act to amend the Vehicle and Traffic Law.

14 Calendar Number 689, Senate Print
15 4019, by Senator Thomas, an act to amend the
16 General Business Law and the Personal Property
17 Law.

18 Calendar Number 1170, Senate Print
19 5935, by Senator Harckham, an act to amend the
20 Social Services Law and the Public Health Law.

21 SENATOR GIANARIS: I move to
22 reconsider the votes by which these bills were
23 passed.

24 ACTING PRESIDENT BENJAMIN: The
25 Secretary will call the roll on reconsideration.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT BENJAMIN: The
4 bills are restored to their place on the Third
5 Reading Calendar.

6 SENATOR GIANARIS: I offer the
7 following amendments.

8 ACTING PRESIDENT BENJAMIN: The
9 amendments are received.

10 SENATOR GIANARIS: Okay.
11 Amendments are offered to the following Third
12 Reading Calendar bills:

13 Senator Savino, page 19, Calendar
14 Number 583, Senate Print 3229;

15 Senator Kaplan, page 23, Calendar
16 Number 658, Senate Print 5481;

17 Senator Martinez, page 41, Calendar
18 Number 1088, Senate Print 6190A;

19 Senator Kaminsky, page 44, Calendar
20 Number 1259, Senate Print 5739;

21 Senator Biaggi, page 22, Calendar
22 Number 641, Senate Print 5248A;

23 Senator Breslin, page 34, Calendar
24 Number 914, Senate Print 6111;

25 Senator Benjamin, page 37, Calendar

1 Number 971, Senate Print 5802;

2 Senator Comrie, page 41, Calendar

3 Number 1093, Senate Print 2407B;

4 Senator Stavisky, page 30, Calendar

5 Number 834, Senate Print 2655A;

6 Senator Thomas, page 18, Calendar

7 Number 549, Senate Print 4020;

8 And Senator Kennedy, page 41,

9 Calendar Number 1076, Senate Print 4580A.

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: On behalf of
14 Senator Parker, I wish to call up Senate Print
15 6195, which is now at the desk.

16 ACTING PRESIDENT BENJAMIN: The
17 Secretary will read.

18 THE SECRETARY: Calendar Number
19 910, Senate Print 6195, by Senator Parker, an act
20 to amend the Energy Law.

21 SENATOR GIANARIS: I move to
22 reconsider the vote by which this bill was
23 passed.

24 ACTING PRESIDENT BENJAMIN: The
25 Secretary will call the roll on reconsideration.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT BENJAMIN: The
4 bill is restored to its place on the Third
5 Reading Calendar.

6 SENATOR GIANARIS: At this point,
7 Mr. President, our legislative work for the day
8 is concluded, so I don't need to hold the members
9 here. But the Senate will stand at ease, as we
10 anticipate additional motions before the desk to
11 come up this evening.

12 ACTING PRESIDENT BENJAMIN: The
13 Senate will stand at ease.

14 (Whereupon, the Senate stood at ease
15 at 4:50 p.m.)

16 (Whereupon, the Senate reconvened at
17 10:19 p.m.)

18 ACTING PRESIDENT BENJAMIN: The
19 Senate will return to order.

20 Senator Kavanagh.

21 SENATOR KAVANAGH: Mr. President,
22 may we return to motions and resolutions.

23 ACTING PRESIDENT BENJAMIN: Motions
24 and resolutions.

25 Senator Kavanagh.

1 SENATOR KAVANAGH: Mr. President,
2 by unanimous consent, I wish to call up the
3 following bills, which were recalled from the
4 Assembly and are now at the desk:

5 Senate Bill Number 4089;

6 Senate Bill Number 2161;

7 Senate Bill Number 4080B;

8 Senate Bill Number 4197A;

9 Senate Bill Number 6239;

10 Senate Bill Number 5554A;

11 And Senate Bill Number 183A.

12 ACTING PRESIDENT BENJAMIN: The
13 Secretary will read.

14 THE SECRETARY: Calendar Number
15 254, Senate Print 4089, by Senator Thomas, an act
16 to amend the Vehicle and Traffic Law and the
17 Public Officers Law.

18 Calendar Number 600, Senate Print
19 2161, by Senator Bailey, an act to amend the
20 Correction Law.

21 Calendar Number 728, Senate Print
22 4080B, by Senator Savino, an act to amend the
23 Labor Law and the State Finance Law.

24 Calendar Number 793, Senate Print
25 4197A, by Senator Jackson, an act to amend the

1 Local Finance Law.

2 Calendar Number 1207, Senate Print
3 6239, by Senator Savino, an act to amend the
4 Executive Law.

5 Calendar Number 1345, Senate Print
6 5554A, by Senator Liu, an act to amend the
7 Real Property Tax Law.

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

11 SENATOR KAVANAGH: Mr. President, I
12 move to reconsider the vote by which these bills
13 were passed.

14 ACTING PRESIDENT BENJAMIN: The
15 Secretary will call the roll on reconsideration.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 62.

18 ACTING PRESIDENT BENJAMIN: These
19 bills are restored to their place on the
20 Third Reading Calendar.

21 SENATOR KAVANAGH: Mr. President, I
22 offer the following amendments to the
23 aforementioned bills.

24 ACTING PRESIDENT BENJAMIN: The
25 amendments are accepted and received.

1 SENATOR KAVANAGH: Is there any
2 further business at the desk?

3 ACTING PRESIDENT BENJAMIN: There
4 is no further business at the desk.

5 SENATOR KAVANAGH: Then,
6 Mr. President, I move we adjourn until Monday,
7 June 17th, at 1:00 p.m., intervening days being
8 legislative days.

9 ACTING PRESIDENT BENJAMIN: On
10 motion, the Senate stands adjourned until Monday,
11 June 17th, at 1:00 p.m., intervening days being
12 legislative days.

13 (Whereupon, at 10:22 p.m., the
14 Senate adjourned.)

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