

1 NEW YORK STATE SENATE

2
3
4 THE STENOGRAPHIC RECORD

5
6
7
8
9 ALBANY, NEW YORK

10 June 17, 2019

11 2:51 p.m.

12
13
14 REGULAR SESSION

15
16
17
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: Bishop
9 Dr. R.C. Hugh Nelson, the senior pastor of the
10 Church of God of East Flatbush, in Brooklyn, will
11 deliver today's invocation.

12 Dr. Nelson.

13 BISHOP NELSON: Good afternoon.
14 Thank you for the invitation.

15 And of course yesterday was
16 Father's Day, so we want to say, to all the
17 fathers, happy belated Father's Day.

18 Would you bow your heads with me in
19 prayer.

20 Our heavenly Father, we are humbled
21 today by the grace and the mercy You have shown
22 to all of us as we assemble today in this solemn
23 chamber, grateful for the privilege to serve and
24 the awesome responsibility entrusted to us by our
25 constituents.

1 We ask and pray for Your wisdom,
2 knowledge and understanding for every item to be
3 deliberated, for every decision to be made. We
4 recognize in the reading of Your own words,
5 unless You build a house, the builders build in
6 vain. Unless You watch over the city, the
7 watchmen watch in vain.

8 And so we invite Your grace and Your
9 wisdom, and ask Your blessing upon every person
10 in this chamber, that Your grace will be
11 extended, that Your will will be accomplished,
12 and that You will receive the glory.

13 We pray these things, Father, in
14 Your precious name Jesus, the savior of all this
15 world.

16 In Jesus' name I pray. Amen.

17 (Response of "Amen.")

18 ACTING PRESIDENT BENJAMIN: The
19 reading of the Journal.

20 THE SECRETARY: In Senate, Sunday,
21 June 16, 2019, the Senate met pursuant to
22 adjournment. The Journal of Saturday, June 15,
23 2019, was read and approved. On motion, Senate
24 adjourned.

25 ACTING PRESIDENT BENJAMIN: Without

1 objection, the Journal stands approved as read.

2 Presentation of petitions.

3 Messages from the Assembly.

4 The Secretary will read.

5 THE SECRETARY: On page 8,
6 Senator Krueger moves to discharge, from the
7 Committee on Rules, Assembly Bill Number 3548 and
8 substitute it for the identical Senate Bill
9 Number 2455A, Third Reading Calendar 219.

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

12 THE SECRETARY: On page 27,
13 Senator Bailey moves to discharge, from the
14 Committee on Rules, Assembly Bill Number 7128 and
15 substitute it for the identical Senate Bill 5450,
16 Third Reading Calendar 812.

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

19 THE SECRETARY: On page 33,
20 Senator Breslin moves to discharge, from the
21 Committee on Rules, Assembly Bill Number 3009 and
22 substitute it for the identical Senate Bill 4078,
23 Third Reading Calendar 987.

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

1 THE SECRETARY: On page 37,
2 Senator Rivera moves to discharge, from the
3 Committee on Health, Assembly Bill Number 3918
4 and substitute it for the identical Senate Bill
5 Number 1813, Third Reading Calendar 1104.

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

8 Messages from the Governor.

9 Reports of standing committees.

10 Reports of select committees.

11 Communications and reports from
12 state officers.

13 Motions and resolutions.

14 Senator Gianaris.

15 SENATOR GIANARIS: On behalf of
16 Senator Bailey, on page 19 I offer the following
17 amendments to Calendar Number 600, Senate Print
18 2161A, and ask that said bill retain its place on
19 the Third Reading Calendar.

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

23 SENATOR GIANARIS: At this point,
24 Mr. President, we're going to call on
25 Senator Bailey for purposes of an introduction.

1 ACTING PRESIDENT BENJAMIN: Senator
2 Bailey, for --

3 SENATOR GIANARIS: I'm sorry,
4 Mr. President. Correction. We're going to
5 simultaneously take up the resolutions that are
6 before us today and have a Committee on Rules
7 meeting.

8 So please call an immediate meeting
9 of the Committee on Rules in Room 332.

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

13 SENATOR GIANARIS: And now let's
14 please take up previously adopted
15 Resolution 1956, by Senator Bailey, read that
16 resolution in its entirety, and recognize
17 Senator Bailey.

18 ACTING PRESIDENT BENJAMIN: the
19 Secretary will read.

20 THE SECRETARY: Senate Resolution
21 1956, by Senator Bailey, memorializing
22 Governor Andrew M. Cuomo to proclaim June 2019 as
23 African-American Music Appreciation Month in the
24 State of New York.

25 "WHEREAS, It is the sense of this

1 Legislative Body, in keeping with its
2 time-honored traditions, to recognize and pay
3 tribute to those who seek to preserve and
4 celebrate the musical heritage of our state and
5 nation; and

6 "WHEREAS, Attendant to such concern,
7 and in full accord with its long-standing
8 traditions, this Legislative Body is justly proud
9 to memorialize Governor Andrew M. Cuomo to
10 proclaim June 2019 as African-American Music
11 Appreciation Month in the State of New York, in
12 conjunction with the observance of National
13 African-American Music Appreciation Month; and

14 "WHEREAS, African-American Music
15 Appreciation Month is an annual celebration of
16 African-American music in the United States,
17 commemorated with special performances and
18 multi-day festivals in musical genres ranging
19 from soul to jazz to gospel throughout the
20 nation; and

21 "WHEREAS, Observation of Black Music
22 Month was initiated on June 7, 1979, by President
23 Jimmy Carter, who decreed that June would be the
24 month of black music; since then, American
25 presidents have continued the practice and, for

1 each year of his term, President Barack Obama
2 announced the observance under a new title,
3 African-American Music Appreciation Month; and

4 "WHEREAS, America's diverse musical
5 heritage is a reflection of the creativity and
6 optimism of our nation; during African-American
7 Music Appreciation Month, we celebrate the
8 breathtaking talents and creativity of
9 African-American vocalists, instrumentalists, and
10 composers whose achievements have shaped our
11 national culture and enriched our communities;
12 and

13 "WHEREAS, For the entire span of our
14 nation's history, African-Americans have created
15 music that communicates across racial and social
16 boundaries, giving voice to the full range of
17 human experience; and

18 "WHEREAS, During African-Americans'
19 involuntary servitude, music often served as a
20 means of expressing the inexpressible; when
21 facing the cruel injustice of slavery, spirituals
22 brought comfort to troubled souls; and

23 "WHEREAS, These timeless
24 declarations of hope and faith evolved into the
25 more modern genres of gospel, blues, ragtime, and

1 jazz, expressed in the musical genius of
2 Scott Joplin, Marian Anderson, Eubie Blake, and
3 Mahalia Jackson; during the Civil Rights era,
4 African-American musicians such as Duke
5 Ellington, Muddy Waters, and Ruth Brown conveyed
6 the struggles of their communities while bringing
7 together people of all backgrounds; today, this
8 music continues to inspire Americans and advance
9 its creative spirit; and

10 "WHEREAS, Throughout the course of
11 American history, black musicians have used their
12 great talents to share the richness of the
13 African-American experience and to develop a
14 uniquely American style of music enjoyed
15 throughout the world; in June 2019, we honor the
16 pioneers of African-American music along with
17 today's artists who continue their legacy; and

18 "WHEREAS, From 'Glory,' the winning
19 best song in the movie Selma, to the historic
20 success of Jay-Z and Beyoncé, to the continual
21 social impact displayed by artists such as
22 Stevie Wonder and Prince who performed in
23 Baltimore, Maryland, remind us that black lives
24 matter; and

25 "WHEREAS, A local component, the

1 Harlem Renaissance, was the name given to the
2 cultural, social, and artistic movement that took
3 place in Harlem between the end of World War I
4 and the middle of the 1930s; during this period,
5 Harlem was a cultural center, drawing black
6 writers, artists, musicians, photographers,
7 poets, and scholars; and

8 "WHEREAS, The Bronx is home of
9 hip-hop, a cultural movement which formed during
10 the late 1960s among African-American youths
11 residing in the South Bronx in New York City;
12 hip-hop legends who hail from the Bronx include
13 DJ Kool Herc, Grandmaster Melle Mel and Kurtis
14 Blow; in addition, preparations are being made,
15 led by Rocky Bucano, for a universal hip-hop
16 museum to be located in the Bronx; and

17 "WHEREAS, Events which provide a
18 means of preserving a part of our rich American
19 past and which contribute to the community in
20 such noble endeavors as aforementioned, are held
21 in the highest regard by this Legislative Body;
22 now, therefore, be it

23 "RESOLVED, That this Legislative
24 Body pause in its deliberations to memorialize
25 Governor Andrew M. Cuomo to proclaim June 2019 as

1 African-American Music Appreciation Month in the
2 State of New York; and be it further

3 "RESOLVED, That a copy of this
4 resolution, suitably engrossed, be transmitted
5 to the Honorable Andrew M. Cuomo, Governor of the
6 State of New York."

7 ACTING PRESIDENT BENJAMIN: Senator
8 Bailey on the resolution.

9 SENATOR BAILEY: Mr. President,
10 allow me to reintroduce myself.

11 (Laughter.)

12 SENATOR BAILEY: J-to-the-T-B. I
13 used to pass these bills as kind of easy.

14 (Groans; laughter.)

15 ACTING PRESIDENT BAILEY: Yeah.

16 Yeah.

17 (Laughter.)

18 ACTING PRESIDENT BAILEY: Most
19 importantly, Mr. President, this is a story all
20 about how the Senate got flipped, turned upside
21 down. I'd like to take a minute, so just sit
22 right there and we can tell you how Andrea
23 Stewart-Cousins became the queen of the Senate
24 here.

25 The northeast Bronx, born and

1 raised -- that's it, Mr. President. That's all I
2 got for today.

3 (Laughter.)

4 SENATOR BAILEY: But Black Music
5 Month is really important to me, not just as a
6 hip-hop aficionado, which I'll get to later, but
7 it's about how music really meant so much to the
8 culture. In times of struggle, it propelled us.
9 "Follow the Drinking Gourd," "Wade in the Water."
10 These were songs that propelled our people to
11 freedom, Mr. President.

12 And to see black music on the stage
13 that it's never been before is something that is
14 so important and so impressive and so just
15 amazing to me, that I'm able to look at what my
16 ancestors started and I'm able to listen to
17 things now.

18 You know, music brings me to certain
19 places in my life that I heard certain songs. I
20 remember the first time I heard "The Message,"
21 by -- "The Message" -- excuse me, no, not
22 "The Message." Rapper's Delight, by the
23 Sugarhill Gang. That was one of the first
24 hip-hop songs that I remember hearing. It was
25 the hip hop, the hippie, the hippie to the hip

1 hip hop and you don't stop.

2 And I heard that, and I was inspired
3 by the creativity. I was inspired by the ability
4 to have melody along with the beat, and Beats,
5 Rhymes And Life -- which was one of A Tribe
6 Called Quest's albums, as I'm sure Senator Comrie
7 will have something to say about in a little bit,
8 hailing from the great borough of Queens.

9 And -- but not just hip-hop. Music
10 played a big role in my life. Sunday -- Sunday
11 classics were Hal Jackson on 107.5 WBLS. I
12 remember my mom and pops listening to that,
13 listening to those songs after church and before
14 church while they were cleaning the house, and
15 just hearing certain songs from the Temptations
16 down to Motown, to the Isley Brothers, to Marvin
17 Gaye and Otis Redding, from the R&B music and
18 soul, and Sam Cooke. And one of my favorites,
19 Donny Hathaway, who left us far too soon.

20 And I think about jazz, and I think
21 of Miles Davis. And I think about the
22 instrumentality in what jazz music meant for
23 Harlem, for the Bronx, for America.

24 I think about R&B. I think about
25 New Edition. I think about DeBarge. DeBarge,

1 that's right. The whole -- not just El, the
2 whole group.

3 (Reaction from members.)

4 SENATOR BAILEY: BBD, Bell Biv
5 DeVoe. Jodeci.

6 Growing up in the '90s, I remember
7 listening to Hot 97 and WBLS and just -- and
8 having a tape recorder and trying to tape my
9 favorite songs on the radio. That was a real mix
10 tape back then, because you didn't know what you
11 were going to get, Mr. President.

12 (Laughter.)

13 SENATOR BAILEY: I think about
14 coming up in the church, listening to gospel
15 music. Kirk Franklin, "Stomp" -- put your hands
16 together. And I think about my favorite gospel
17 song by the Reverend Timothy Wright called
18 "Trouble Don't Last Always." And sometimes in
19 this chamber we seem to think that the days are
20 going to be as long as they are, but it does not
21 last always.

22 (Laughter.)

23 SENATOR BAILEY: Gospel has been a
24 part of me since I was a kid. But as they said
25 in the movie Brown Sugar, "When did you fall in

1 love with hip-hop?" And I've fallen in love with
2 hip-hop.

3 I think about 1520 Sedgwick Avenue
4 and the birthplace of hip-hop in the boogie-down
5 Bronx. I think about being a child of the
6 hip-hop generation. You know, they're naming
7 streets in Brooklyn, New York, after the
8 legendary hip-hop artists who said they never
9 thought that hip-hop would take it this far. And
10 it went from negative to positive, so it's all
11 good. And if you don't know, now you know.

12 But I think about Illmatic turning
13 25 years old, by Nas. And just not Illmatic
14 turning 25 years old, the fact that Illmatic --
15 Nas did Illmatic in the Kennedy Center, with the
16 National Symphony Orchestra. They never thought
17 that hip-hop would take it this far.

18 I think about how older music has
19 sampled and inspired hip-hop artists. I think
20 about how Otis Redding's "Try a Little
21 Tenderness" became "Otis" by Jay-Z and Kanye
22 West. I think about how Curtis Mayfield's
23 classic "Move On Up" became "Touch the Sky" by
24 Lupe Fiasco and Kanye. And I think about how
25 Kool & The Gang's "Summer Madness" became

1 "Summertime," which became "Budget Time," by me,
2 Roxanne and Leroy.

3 (Laughter.)

4 SENATOR BAILEY: Music is so
5 important to me.

6 You know, when I drive up the two,
7 two-and-a-half-hour drive, I put my music on
8 shuffle -- and the wonder that comes up. And it
9 goes from hip-hop to R&B to jazz to gospel. And
10 it's all part of a continuous theme of important
11 black musicians, people that have made a
12 tremendous impact on hip-hop and on the world.

13 Hip-hop isn't just in New York
14 anymore. Hip-hop went to the South, where we
15 learned about Outkast and T.I. And it went out
16 West, where we learned about Dr. Dre and
17 Snoop Dogg and the recently departed Nipsey
18 Hustle.

19 You know, the night before we passed
20 the budget on March 31st, we -- many of us
21 learned about the loss of Nipsey Hustle. And it
22 was -- he was more than just a rapper. He was
23 committed to creating coworking space. He was an
24 entrepreneur. He had his clothing line. And he
25 was committed to making sure that his children

1 and the community that he left behind would not
2 fall to the same fate.

3 Mr. President, in his most recent
4 song, the last song that we'll ever hear his
5 lyrics on, "Higher," he ends the song on a note
6 that says "Look at my fate." And sometimes we
7 have to make sure that we reflect on what we're
8 doing in the hip-hop community and go back to the
9 days of the songs of self-destruction, where we
10 have to sometimes police ourselves, because
11 sometimes we are headed for self-destruction,
12 Mr. President. We have to do better by our
13 brothers and sisters.

14 And I think that music is one of the
15 few things in life that can truly unite us. It
16 doesn't matter where you come from, what
17 political party you're in, or where you grow up.
18 If you hear a good song, then you've heard a good
19 song.

20 And I'm grateful for the opportunity
21 to have brought this before the New York State
22 Senate. And Mr. President, thank you for this
23 opportunity to speak about hip-hop. It started
24 out in the Bronx, and black music shall reign
25 forever.

1 Thank you, Mr. President.

2 ACTING PRESIDENT BENJAMIN: Senator
3 Comrie on the resolution.

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

6 I represent Queens, and now they've
7 sent me to Albany.

8 (Laughter.)

9 SENATOR COMRIE: I rise to speak on
10 the resolution honoring now what is known as
11 African-American Music Appreciation Month. This
12 month is an annual celebration of
13 African-American music in the United States. It
14 was initiated as Black Music Month by
15 President Carter in '79, who decreed that June
16 would be the month of black music. In 2009, the
17 commemoration was given its current name by
18 President Barack Obama.

19 In his 2016 proclamation, Obama
20 noted that African-American music and musicians
21 have helped the country "to dance, to express our
22 faith through song, to march against injustice,
23 and to defend our country's enduring promise of
24 freedom and opportunity for all."

25 From the "hidey hidey ho" of

1 Cab Calloway during the big band and swing era of
2 the '30s and '40s to the "Hip Hop Hooray" of
3 Naughty by Nature in the 1990s, black music has
4 helped to shape and define the eras in which it
5 was created.

6 Black music is easily recognizable
7 in its many incarnations, from rock, funk, rhythm
8 and blues, gospel, reggae, soul, disco, house,
9 and hip-hop. Black music has also always
10 intersected with politics as both the catalyst
11 for change and enlightenment and a form of
12 protest.

13 At the height of McCarthyism in the
14 '50s, Lena Horne was blacklisted as a Communist
15 over her participation in the Civil Rights
16 Movement and because of her friendship with
17 fellow activist Paul Robeson and W.E.B. Du Bois.

18 In the '70s, Marvin Gaye sang
19 "What's Going On" as an ode to the social ills
20 plaguing inner-city communities, including police
21 brutality.

22 Two days after being shot, Robert
23 Nesta Marley delivered an inspiring performance
24 before 80,000 people at the "Smile Jamaica"
25 concert, which was seen as a tacit endorsement

1 for one of the political parties on the island
2 during an election cycle. It was one of the most
3 monumental shows of his career. Asked why he
4 still played the concert after being shot, Marley
5 righteously stated: "The people who are trying
6 to make this world worse aren't taking a day off.
7 How can I?"

8 Mr. President, these examples and so
9 many more show how black music illuminates the
10 world and has been a catalyst for change.

11 On a more parochial note,
12 Mr. President, I'd like to take the time to note
13 just a few of these illustrious artists that come
14 from Queens, and many that came from my district
15 and spent time in Addisleigh Park and throughout
16 Queens: Count Basie lived in my district, Ella
17 Fitzgerald, Charlie Mingus, John Coltrane, Louis
18 Armstrong, James Brown, Lena Horne, Billie
19 Holiday, Run-D.M.C., Jam Master Jay, LL Cool Jay,
20 Fifty Cent, Nicki Minaj, A Tribe Called Quest --
21 just to name some of the few talents that
22 southeast Queens has shared with the world.

23 I also need to acknowledge the
24 presence in the chamber today of another artist
25 who has made recent history as the writer and

1 producer of Nicole Bus's breakthrough single
2 "You," which hit number one on Billboard's Adult
3 R&B Songs chart in record-tying time. The tune
4 was penned by a dynamic singer, songwriter and
5 producer from Laurelton, Queens, in my district,
6 formerly of the '90s R&B group -- hold on to
7 this, guys -- Ladae, Mr. T.L. Cross, who is here
8 today.

9 (Beginning applause.)

10 SENATOR COMRIE: No clapping yet,
11 no clapping yet, no clapping yet.

12 (Laughter.)

13 SENATOR COMRIE: T.L. has written
14 and produced songs for Montell Jordan, Yolanda
15 Adams, Fifty Cent, Carl Thomas, Mary Jane Blige,
16 Usher, and has won an American Music Award for
17 his work on the double-platinum soundtrack to the
18 film Save the Last Dance.

19 He has written film scores and music
20 montages for television, stage and screen. I
21 could be here all day talking about him.

22 He is joined by another prolific
23 artist and community activist in her own right,
24 Chaday Brown, a talented designer, stylist,
25 artist and innovator who is one of the primary

1 directors at a cultural bastion of industry in my
2 district, the Black Spectrum Theatre.

3 T.L. has a program and Niagara
4 Movement in which he has found his true passion
5 in teaching. He's opened up the Cross County
6 Academy of Performing Arts, which he cofounded
7 with other award-winning artists, to teach
8 students the fundamentals of music and the music
9 industry, with classes encompassing vocals,
10 instruments, dance, fashion, drama and, most
11 importantly, music history.

12 In fact, T.L. Cross reminded me,
13 Senator Bailey, that while the Bronx may get all
14 the due credit for pioneering hip-hop, the first
15 actual rap recording released was by a Queens
16 artist, the Fatback Band, on March 25, 1979, a
17 song called "King Tim III." Released a few
18 months before "Rapper's Delight," which is widely
19 regarded as the first commercially released
20 hip-hop song, "King Tim III" is often cited as
21 the beginning of recorded hip-hop.

22 So, Mr. President, while Manhattan
23 keeps on making it, Brooklyn keeps on taking it,
24 the Bronx started creating it, Queens played a
25 major role in shaping it and continues to perfect

1 it.

2 (Laughter.)

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

5 ACTING PRESIDENT BAILEY: Thank
6 you, Senator Comrie.

7 SENATOR COMRIE: Can we acknowledge
8 Mr. Cross and give him all the rights and
9 privileges of the house, Mr. President.

10 ACTING PRESIDENT BAILEY: Yes.

11 Mr. Cross, thank you for your
12 inspiration, despite being from the Borough of
13 Queens --

14 (Reaction.)

15 ACTING PRESIDENT BAILEY: -- all
16 jokes -- thank you for your inspirational music
17 with so many prominent artists.

18 Please rise and be recognized.

19 (Standing ovation.)

20 ACTING PRESIDENT BAILEY:
21 Senator "All About the Benjamins" Brian Benjamin
22 on the resolution.

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

25 I had to come down here because last

1 year Harlem was disrespected on this floor --

2 (Laughter.)

3 SENATOR BENJAMIN: -- and I've been
4 scarred ever since. And I promised myself that
5 if we do this again, I'm going to set the record
6 straight.

7 So a few points. I'm actually not
8 to be as scholarly as you and Brother Comrie
9 were, because I'm just here about being petty as
10 relates to Harlem's role in what's going on.

11 (Laughter.)

12 SENATOR BENJAMIN: So let me
13 start -- you know, I know I just heard from
14 Brother Comrie about A Tribe Called Quest. I
15 just want to remind him -- I know you walked
16 out -- that Q-Tip was born in Harlem. And I
17 think that's important to note, because when we
18 think about the birthplace of African-American
19 music, you've really got to think about Harlem.
20 I mean, I don't know how many of you are familiar
21 with the Apollo Theater. Anyone heard of the
22 Apollo Theater?

23 (Laughter.)

24 SENATOR BENJAMIN: It's a small
25 place on 125th Street between Adam Clayton Powell

1 and Frederick Douglass Boulevard. A few no-names
2 have performed there, people like Aretha
3 Franklin, Diana Ross, Stevie Wonder, Sammy Davis
4 Jr., Marvin Gaye, Smokey Robinson -- I could do
5 that, or I could come to the future, we could
6 talk about Michael Jackson, Prince -- I mean, I
7 could -- you know, I don't want to speak all day,
8 so let me not do that.

9 But I will say that, you know, when
10 I think about the Apollo Theater and what it has
11 meant to our culture and the amount of people who
12 have performed and come through that place, it is
13 an honor to represent Harlem, to be a part of
14 that history.

15 I also want to just talk about a
16 couple of people -- because last year someone
17 kind of made the point that, you know, hip-hop
18 was started in the Bronx and all these great
19 artists came out of Brooklyn and all Harlem has
20 is people who dance in the videos.

21 So I just wanted to say that, you
22 know, we do have a couple of other people from
23 Harlem -- Tupac Shakur, for those of you who
24 don't know, he was actually born in Harlem. He
25 might claim out West, but his parents had him in

1 Harlem. I just want to throw that out there.

2 We all know about Puff Daddy and I
3 know about all the comments about him dancing in
4 the videos. But we got Cam'ron, we've got
5 Dipset -- we've got some good stuff coming out of
6 Harlem, real entertainers.

7 And let me say, because I think this
8 is just such a great moment on the Senate floor,
9 you know, music touches the soul. You know,
10 whether it's African-American music or any other
11 music, you know, we can all feel it. Right?
12 It's democratic. There's no like, oh, I was born
13 into a certain society when it comes to music.
14 Either your music is good or your music is not.

15 And when I think about our history
16 and our culture, you know, talking of growing up
17 and listening to Marvin Gaye and The Temptations
18 and Otis Redding -- and I have Caribbean
19 heritage, so now you're talking about Bob Marley,
20 you're talking about some great -- some artists
21 from Jamaica and elsewhere. There's just so much
22 music from so much around the world. And right
23 now African music has taken off, and some other
24 things. It's a beautiful, beautiful thing.

25 But I just want to end on the

1 following. Harlem is a great place to be. I'm
2 not going to let Harlem be disrespected on this
3 floor anymore from Brooklyn or the Bronx --

4 (Laughter.)

5 SENATOR BENJAMIN: Right? And
6 quite frankly, I kind of got put at the wrong
7 place. I should have been put at the end so I
8 could have heard all the comments first.

9 But no, but we do have a rich
10 culture I'm glad that we're celebrating on the
11 floor of the New York State Senate today.

12 Thank you, Mr. President.

13 ACTING PRESIDENT BAILEY: Thank
14 you, Senator Benjamin. Harlem on the rise, and
15 we don't want no problem with those guys.

16 Senator Myrie on the resolution.

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

19 I enjoy hearing from the Bronx. I
20 enjoy hearing from Queens. I enjoy hearing from
21 Harlem. But we all know that the greatest
22 hip-hop artist of all time hails from the
23 People's Republic of Brooklyn.

24 (Laughter.)

25 SENATOR MYRIE: And we are very

1 proud. We're happy to share him. In fact, we
2 spread love. It's the Brooklyn way.

3 In all seriousness, I think this is
4 actually an important resolution because of what
5 music has meant to black people in this country
6 since its inception.

7 You know, my colleague Senator
8 Bailey quoted Christopher Wallace when he said
9 that he never thought that hip-hop would take it
10 this far. And it is really truly amazing to be
11 here as a product of the hip-hop generation. It
12 has meant so much to people like myself, to
13 people in my community. And I am a proud
14 representative of the birthplace of the greatest
15 rapper of all time.

16 I think that we should take this
17 time to recognize what music means not just to
18 this generation but for generations that came
19 before us and what it will mean going forward.

20 And I will end by saying that I know
21 that there's a famous three-letter Congresswoman
22 that people talk about a lot of times. Well, we
23 have our own leader that goes by three letters,
24 Andrea Stewart-Cousins, ASC. And I will close by
25 saying: Are you down with ASC?

1 (Laughter.)

2 SENATOR MYRIE: Yeah, you know me.

3 Thank you, Mr. President.

4 (Laughter.)

5 ACTING PRESIDENT BAILEY: Senator
6 Sepúlveda on the resolution.

7 SENATOR SEPÚLVEDA: Thank you,
8 Mr. President, for allowing me to speak on this
9 resolution and educate my colleagues about
10 African-American music and its impact and where
11 it started.

12 Now, I'm not going to debate where
13 the origins of hip-hop are. If you're really
14 true to history, you know that it started in the
15 Bronx and the best hip-hop artists have come from
16 the Bronx.

17 But the greatest musical mind that
18 this country has ever produced, the greatest
19 musical mind that created a true form of American
20 music wasn't born in New York State or the Bronx
21 or Brooklyn or, God forbid, Queens --

22 (Groans, laughter.)

23 SENATOR SEPÚLVEDA: That person was
24 born in New Orleans. And every single musical
25 artist today should be donating to his family or

1 his foundation if he had one. He is the greatest
2 musical mind, a true genius that changed the
3 concept of American music forever. We had
4 syncopation, which had marching bands. It
5 sounded so boring, like da-da-da-da-DA-da-DA-
6 da-DA-da. He changed that concept to add rhythm,
7 feeling. And his name is Louie Armstrong. No
8 doubt about it.

9 Yes, we know he unfortunately
10 resided in Queens.

11 (Laughter.)

12 SENATOR SEPÚLVEDA: But he said he
13 loved the Bronx the most.

14 But Louie Armstrong, Louie Armstrong
15 created the only form of real American music.
16 And all these rappers and R&B artists, they all
17 owe a debt of gratitude to him.

18 There are other great musicians that
19 African-American music and we as people owe a
20 debt of gratitude, like Billie Holiday, of
21 course, John Coltrane, Miles Davis, Lena Horne,
22 the Duke -- and let's not forget his primary
23 songwriter, his name was Billy Strayhorn, who was
24 one of the greatest songwriters that this country
25 has ever produced.

1 Let's not forget about Quincy Jones.
2 And let's not forget about Afro-Cuban music,
3 salsa, and Latin music. Without the impact and
4 the influence of African-American musicians, it
5 wouldn't be the great form of music that it is
6 today.

7 So all of us today should be
8 thanking Louie Armstrong and these performers for
9 giving us a legacy, giving us a history, and
10 giving us the best form of music around the
11 world.

12 Thank you.

13 ACTING PRESIDENT BAILEY: Senator
14 Ramos on the resolution.

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

17 A certain Queens list made earlier
18 seemed a little incomplete. So though I won't be
19 dropping any Mobb Deep lyrics today, I do want to
20 recognize the rappers -- some of the rappers who
21 come from Western Queens, outside of Leroy
22 Comrie's district. And Gianaris shares this
23 distinction with me; Senator Gianaris and I both
24 share different halves of Mobb Deep --

25 (Laughter.)

1 SENATOR RAMOS: -- one from
2 Queensbridge, one from LeFrak City.

3 I can add to my list, of course, the
4 Beatnuts as well, from Corona, Queens. But much
5 more so than that, we -- my district, District 13
6 is home to Louie Armstrong, and it was in that
7 house in Corona where he wrote "What a Wonderful
8 World." Meaning that he walked out of his house
9 and saw that heaven is Corona -- in my district,
10 of course.

11 But I too want to piggyback and
12 associate my comments with Senator Sepúlveda's.
13 Because although we're celebrating today black
14 music and the different birthplaces of black
15 music here, it's really about how black music has
16 been the birthplace for so many other genres, for
17 so many other -- has been the inspiration for so
18 many other art forms.

19 And it's true -- in Cali, Colombia,
20 where I'm from, where my family is from, and
21 where salsa is such a deep, entrenched part of
22 our culture and our multicultural and diverse
23 populace, we like to say {in Spanish}. For us
24 there is no flavor, there is no rhythm without
25 our African Diaspora. And for that, I think we

1 should be very thankful today and always.

2 Thank you.

3 ACTING PRESIDENT BENJAMIN: The
4 resolution was previously adopted on June 14th.

5 Senator Gianaris.

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

8 I feel like I should mention that
9 Senator Ramos left out Nas, who's also from
10 Long Island City.

11 (Laughter.)

12 SENATOR GIANARIS: Can we now
13 please take up previously adopted
14 Resolution 1934, by Senator Tedisco, read its
15 title only, and recognize Senator Tedisco.

16 ACTING PRESIDENT BENJAMIN: The
17 Secretary will read.

18 THE SECRETARY: Senate Resolution
19 1934, by Senator Tedisco, congratulating the
20 Niskayuna High School Girls JV Crew Team upon the
21 occasion of capturing the Scholastic Rowing
22 Association of America National Championship.

23 ACTING PRESIDENT BENJAMIN: Senator
24 Tedisco on the resolution.

25 SENATOR TEDISCO: Thank you,

1 Mr. President.

2 And before I introduce these
3 outstanding student athletes, I just want to say
4 to Senator Bailey, sometimes I want you to take a
5 ride in my car. Because when I'm feeling really
6 good, I recall Otis Redding. And I'm just
7 sitting on the dock of the bay.

8 (Laughter.)

9 SENATOR TEDISCO: And I think I do
10 the best rendition of that there ever was.

11 And you forgot "Hammer Time," too.
12 You know. Na, na, na, na -- hammer time. Na,
13 na, na, na -- hammer time.

14 (Laughter.)

15 SENATOR TEDISCO: But -- and I
16 won't even go where the disco goes. I don't even
17 want to remember that, because my name, I can't
18 get rid of it, it's Jim Te-disco. You know.
19 That's a bad one.

20 To these outstanding students I want
21 to introduce to you today. Mr. President, it's
22 my pleasure to introduce to you and all of my
23 colleagues an outstanding group of national
24 champion student athletes from the 49th
25 Senatorial District who have literally taken time

1 away from their studies -- because they're doing
2 their final exams right now -- to come here and
3 join us in the Senate chambers.

4 The Niskayuna Girls JV Crew Team
5 competed against 10 nationally ranked boats to
6 win their fourth title at the National
7 Championships on May 24 and 25, 2019, in
8 Dillon Lake, Ohio. Each of these girls trained
9 countless hours at Niskayuna Rowing. And
10 Niskayuna Rowing is a great program located in
11 the Mohawk Valley in upstate New York, near the
12 city of Schenectady, offering middle school and
13 high school rowing teams training year-round, and
14 learn-to-row classes for children and adults
15 during summer months.

16 Perhaps you may recall two weeks ago
17 we recognized the Niskayuna Boys Swimming and
18 Diving Team for their state championship.
19 Suffice to say, Niskayuna High School has found
20 its niche in water-sports excellence.

21 I only wish these outstanding rowers
22 were here today, because this side of the aisle
23 is facing an agenda we believe we'll be rough
24 upstream on, so we could really use your help
25 here today. But I know you've got to get back to

1 your studies.

2 I want to introduce them to you and
3 ask you to welcome them. And if they could stand
4 as I introduce them: Madeleine Castle, Heather
5 Schmidt, Leslie Abad-Neagu, Jackie Lasek.

6 And they had some outstanding
7 coaches. Because this is a serious sport, it
8 takes serious practice, serious direction. They
9 are Stacey Apfelbaum and Sabrina Skotarczak,
10 their coaches.

11 Please welcome them, Mr. President,
12 and offer them all the cordialities of this
13 august body.

14 ACTING PRESIDENT BENJAMIN: To the
15 Niskayuna Girls JV Crew Team, I welcome you on
16 behalf of the Senate. We extend to you all of
17 the privileges and courtesies of this house.

18 Please be recognized at this time.
19 (Standing ovation.)

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

22 Senator Gianaris.

23 SENATOR GIANARIS: Mr. President,
24 can we open both of those resolutions to
25 cosponsorship.

1 ACTING PRESIDENT BENJAMIN: The
2 resolutions are open for cosponsorship. Should
3 you choose not to be a cosponsor of the
4 resolutions, please notify the desk.

5 Senator Gianaris.

6 SENATOR GIANARIS: At this time,
7 Mr. President, please call an immediate meeting
8 of the Committee on Finance in Room 332.

9 ACTING PRESIDENT BENJAMIN: There
10 will be an immediate meeting of the Finance
11 Committee in Room 332.

12 SENATOR GIANARIS: And can you now
13 recognize Senator Griffo for an introduction.

14 ACTING PRESIDENT BENJAMIN: Senator
15 Griffo for an introduction.

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

18 I'm honored today to have with us a
19 small business owner from my community who,
20 through a charitable auction, got to shadow the
21 Senator for the day. So I'd just like to welcome
22 and introduce Mr. James DiBella; his daughter
23 Olivia, Albany County Deputy Sheriff Olivia
24 DiBella; and his son James.

25 So welcome to the chamber, and thank

1 you for being here and for your contributions to
2 our community. The DiBella family.

3 (Standing ovation.)

4 ACTING PRESIDENT BENJAMIN: Senator
5 Gianaris.

6 SENATOR GIANARIS: If we can return
7 to reports of standing committees, I believe
8 there's a report of the Rules Committee at the
9 desk.

10 ACTING PRESIDENT BENJAMIN: There
11 is a report of the Rules Committee at the desk.

12 The Secretary will read.

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

16 Senate Print 17D, by
17 Senator Addabbo, an act to amend the Racing,
18 Pari-Mutuel Wagering and Breeding Law;

19 Senate Print 500, by
20 Senator Kaminsky, an act to amend the General
21 Business Law and the Agriculture and Markets Law;

22 Senate Print 517B, by
23 Senator Krueger, Concurrent Resolution of the
24 Senate and Assembly proposing amendments to
25 Section 11 of Article 1 of the Constitution;

1 Senate Print 1167, by Senator Funke,
2 an act to amend the Executive Law and the
3 Public Health Law;

4 Senate Print 1209, by Senator
5 Ritchie, an act to amend the Correction Law;

6 Senate Print 1747B, by
7 Senator Sepúlveda, an act to amend the
8 Vehicle and Traffic Law;

9 Senate Print 1930, by Senator Ortt,
10 an act to amend Chapter 243 of the Laws of 2017;

11 Senate Print 1983, by
12 Senator Savino, an act to amend the Executive Law
13 and the Penal Law;

14 Senate Print 2198, by Senator
15 Bailey, an act to amend the Executive Law;

16 Senate Print 2296A, by
17 Senator Sanders, an act to amend the
18 Urban Development Corporation Act;

19 Senate Print 2359, by
20 Senator Kavanagh, an act to amend the
21 Alcoholic Beverage Control Law;

22 Senate Print 2461, by
23 Senator Akshar, an act to amend Chapter 455 of
24 the Laws of 2011;

25 Senate Print 2593, by

1 Senator Biaggi, an act to amend the Public Health
2 Law and the Social Services Law;
3 Senate Print 2946, by
4 Senator Stavisky, an act to amend the
5 Administrative Code of the City of New York;
6 Senate Print 3032A, by
7 Senator Sanders, an act to amend the
8 Social Services Law;
9 Senate Print 3237, by
10 Senator Comrie, an act to amend the
11 Public Authorities Law;
12 Senate Print 3360A, by
13 Senator Gaughran, an act to amend the
14 General Business Law and the Executive Law;
15 Senate Print 4463A, by Senator
16 Breslin, an act to amend the Insurance Law;
17 Senate Print 4525, by
18 Senator Kaplan, an act to amend the
19 General Obligations Law and the Banking Law;
20 Senate Print 4632, by
21 Senator Tedisco, an act to amend the County Law;
22 Senate Print 4724, by
23 Senator Gallivan, an act in relation to granting
24 William J. Cooley additional service credit with
25 the New York State and Local Police and Fire

1 Retirement System;

2 Senate Print 4725, by
3 Senator Gallivan, an act to authorize
4 Patrick Humiston to receive certain service
5 credit under Section 384-d of the Retirement and
6 Social Security Law;

7 Senate Print 4848, by Senator
8 Breslin, an act to amend the Education Law;

9 Senate Print 5525A, by
10 Senator Gounardes, an act to amend the
11 Vehicle and Traffic Law;

12 Senate Print 5430, by Senator
13 Comrie, an act to amend the Public Service Law;

14 Senate Print 5467A, by
15 Senator LaValle, an act in relation to
16 authorizing the assessor of the Town of
17 Brookhaven, County of Suffolk, to accept from
18 The Jackey Foundation an application for
19 exemption from real property taxes;

20 Senate Print 5626, by Senator May,
21 an act to amend the Uniform Justice Court Act;

22 Senate Print 5661, by Senator Liu,
23 an act to amend the Tax Law;

24 Senate Print 6037A, by
25 Senator Savino, an act to amend the

1 Economic Development Law;

2 Senate Print 6050, by
3 Senator Hoylman, an act to amend the
4 Domestic Relations Law;

5 Senate Print 6209A, by
6 Senator Bailey, an act to amend the Executive Law
7 and the Education Law;

8 Senate Print 6249, by Senator
9 Sanders, an act to amend the Executive Law;

10 Senate Print 6259A, by Senator
11 Benjamin, an act to amend the Tax Law and the
12 Administrative Code of the City of New York;

13 Senate Print 6271, by
14 Senator Addabbo, an act to amend the Racing,
15 Pari-Mutuel Wagering and Breeding Law;

16 Senate Print 6297, by Senator
17 Skoufis, an act to amend the Insurance Law;

18 Senate Print 6303, by Senator
19 Rivera, an act to amend the Insurance Law;

20 Senate Print 6307, by
21 Senator Benjamin, an act to amend the
22 General Business Law;

23 Senate Print 6313, by
24 Senator Gounardes, an act to amend the
25 Retirement and Social Security Law;

1 Senate Print 6320A, by Senator
2 Bailey, an act to amend the Public Housing Law;
3 Senate Print 6327, by Senator
4 Parker, an act to amend the General Business Law;
5 Senate Print 6336, by
6 Senator Harckham, an act to amend the
7 Alcoholic Beverage Control Law;
8 Senate Print 6351, by
9 Senator Bailey, an act to amend the
10 Criminal Procedure Law;
11 Senate Print 6352, by
12 Senator Kaplan, an act to amend the
13 Civil Practice Law and Rules;
14 Senate Print 6353, by
15 Senator Montgomery, an act to amend the
16 Executive Law;
17 Senate Print 6356, by Senator
18 Rivera, an act to amend the Public Health Law;
19 Senate Print 6363, by
20 Senator Martinez, an act to amend the
21 Environmental Conservation Law;
22 Senate Print 6368, by
23 Senator Martinez, an act to amend the
24 Public Health Law;
25 Senate Print 6374, by Senator

1 Gianaris, an act to amend the Election Law;
2 Senate Print 6384, by
3 Senator Gaughran, an act to amend the
4 Environmental Conservation Law;
5 Senate Print 6389, by
6 Senator Addabbo, an act to amend the Racing,
7 Pari-Mutuel Wagering and Breeding Law;
8 Senate Print 6405, by Senator
9 Montgomery, an act to amend the Family Court Act;
10 Senate Print 6406A, by
11 Senator Sepúlveda, an act to amend the
12 Mental Hygiene Law;
13 Senate Print 6416, by
14 Senator Sepúlveda, an act to amend the
15 Alcoholic Beverage Control Law;
16 Senate Print 6426, by
17 Senator LaValle, an act to amend Chapter 387 of
18 the Laws of 2013;
19 Senate Print 6431, by
20 Senator Krueger, an act to amend the
21 Public Authorities Law;
22 Senate Print 6436, by
23 Senator Montgomery, an act to amend the
24 Civil Service Law;
25 Senate Print 6445, by

1 Senator Jackson, an act to amend the Arts and
2 Cultural Affairs Law;

3 Senate Print 6448, by Senator
4 Rivera, an act to amend the Public Health Law;
5 and

6 Senate Print 6531, by Senator
7 Breslin, an act to amend the Public Health Law.

8 All bills ordered direct to third
9 reading.

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

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

15 (Response of "Aye.")

16 ACTING PRESIDENT BENJAMIN:
17 Opposed, nay.

18 (No response.)

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

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

23 ACTING PRESIDENT BENJAMIN: The
24 Secretary will read.

25 THE SECRETARY: Calendar Number

1 132, Senate Print 1730, by Senator Skoufis, an
2 act to amend the Tax Law and the Administrative
3 Code of the City of New York.

4 ACTING PRESIDENT BENJAMIN: Read
5 the last section.

6 THE SECRETARY: Section 3. 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 132, those Senators voting in the
15 negative are Senators Akshar, Amedore, Antonacci,
16 Boyle, Flanagan, Funke, Gallivan, Griffio,
17 Helming, Jacobs, Jordan, Lanza, LaValle, Little,
18 O'Mara, Ortt, Ranzenhofer, Ritchie, Serino and
19 Seward.

20 Ayes, 42. Nays, 20.

21 ACTING PRESIDENT BENJAMIN: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 151, Senate Print 2978A, by Senator Gaughran, an
25 act to amend the Vehicle and Traffic Law.

1 ACTING PRESIDENT BENJAMIN: Read
2 the last section.

3 THE SECRETARY: Section 4. This
4 act shall take effect one year after it shall
5 have become a law.

6 ACTING PRESIDENT BENJAMIN: Call
7 the roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BENJAMIN:
10 Announce the results.

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT BENJAMIN: The
13 bill is passed.

14 THE SECRETARY: Calendar Number
15 219, Assembly Print Number 3548, substituted
16 earlier by Assemblymember Dinowitz, an act to
17 amend the General Obligations Law.

18 ACTING PRESIDENT BENJAMIN: Read
19 the last section.

20 THE SECRETARY: Section 2. This
21 act shall take effect on the 90th day after it
22 shall have become a law.

23 ACTING PRESIDENT BENJAMIN: Call
24 the roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BENJAMIN:

2 Announce the results.

3 THE SECRETARY: In relation to
4 Calendar Number 219, those Senators voting in the
5 negative are Senators Akshar, Amedore, Antonacci,
6 Boyle, Flanagan, Funke, Gallivan, Griffio,
7 Helming, Jacobs, Jordan, Lanza, LaValle, O'Mara,
8 Ortt, Ranzenhofer, Ritchie, Robach and Tedisco.

9 Ayes, 43. Nays, 19.

10 ACTING PRESIDENT BENJAMIN: The
11 bill is passed.

12 THE SECRETARY: Calendar Number
13 254, Senate Print 4089A, by Senator Thomas, an
14 act to amend the Vehicle and Traffic Law and the
15 Public Officers Law.

16 ACTING PRESIDENT BENJAMIN: Read
17 the last section.

18 THE SECRETARY: Section 7. This
19 act shall take effect on the 30th day after it
20 shall have become a law.

21 ACTING PRESIDENT BENJAMIN: Call
22 the roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BENJAMIN:
25 Announce the results.

1 THE SECRETARY: In relation to
2 Calendar Number 254, those Senators voting in the
3 negative are Senators Akshar, Antonacci, Flanagan
4 and Ranzenhofer.

5 Ayes, 58. Nays, 4.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 309, Senate Print 2100B, by Senator Mayer, an act
10 to require the Department of Environmental
11 Conservation to report on coyote management
12 techniques.

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: In
21 relation to Calendar Number 309, those Senators
22 voting in the negative are Senators Akshar,
23 Amedore, Antonacci, Boyle, Funke, Gallivan,
24 Griffo, Helming, Jacobs, Jordan, Lanza, O'Mara,
25 Ortt, Seward and Tedisco.

1 Ayes, 47. Nays, 15.

2 ACTING PRESIDENT BENJAMIN: The
3 bill is passed.

4 THE SECRETARY: Calendar Number
5 405, Senate Print 1966A, by Senator Gounardes, an
6 act to amend the Administrative Code of the City
7 of New York.

8 ACTING PRESIDENT BENJAMIN: There
9 is a home-rule message at the desk.

10 Read 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
22 455, Senate Print 1693B, by Senator Krueger, an
23 act to amend the Public Health Law and the
24 Civil Rights Law.

25 SENATOR GIANARIS: Lay it aside for

1 the day, please.

2 ACTING PRESIDENT BENJAMIN: The
3 bill will be laid aside for the day.

4 THE SECRETARY: Calendar Number
5 459, Senate Print 2387B, by Senator Persaud, an
6 act to amend the General Business Law.

7 ACTING PRESIDENT BENJAMIN: Read
8 the last section.

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

12 ACTING PRESIDENT BENJAMIN: Call
13 the roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BENJAMIN: Senator
16 Little to explain her vote.

17 SENATOR LITTLE: Thank you,
18 Mr. President.

19 I would just like to say that the
20 idea of labeling products in New York State is a
21 good idea, but it should be done nationally.
22 Otherwise, certain products would have to be
23 manufactured or packaged separately in order to
24 be sold in New York State.

25 So therefore I vote no on this bill.

1 ACTING PRESIDENT BENJAMIN: Senator
2 Little to be recorded in the negative.

3 Announce the results.

4 THE SECRETARY: In relation to
5 Calendar Number 459, those Senators voting in the
6 negative are Senators Akshar, Flanagan, Funke,
7 Gallivan, Griffio, Jacobs, Jordan, Little, O'Mara,
8 Ortt and Ranzenhofer.

9 Ayes, 51. Nays, 11.

10 ACTING PRESIDENT BENJAMIN: The
11 bill is passed.

12 THE SECRETARY: Calendar Number
13 521, Senate Print 456B, by Senator Benjamin, an
14 act to amend the Civil Service Law.

15 ACTING PRESIDENT BENJAMIN: Read
16 the last section.

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

19 ACTING PRESIDENT BENJAMIN: Call
20 the roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BENJAMIN:
23 Announce the results.

24 THE SECRETARY: In relation to
25 Calendar Number 521, those Senators voting in the

1 negative are Senators Akshar, Antonacci, Griffo,
2 Helming, Jacobs, Jordan, Little, O'Mara, Ortt,
3 Ranzenhofer, Ritchie and Seward.

4 Ayes, 50. Nays, 12.

5 ACTING PRESIDENT BENJAMIN: The
6 bill is passed.

7 THE SECRETARY: Calendar Number
8 591, Senate Print 4661, by Senator Kaminsky, an
9 act to amend the Alcoholic Beverage Control Law.

10 ACTING PRESIDENT BENJAMIN: Read
11 the last section.

12 THE SECRETARY: Section 7. 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 Calendar Number 600 is high and will
23 be laid aside for the day.

24 THE SECRETARY: Calendar Number
25 610, Senate Print 4949A, by Senator Harckham, an

1 act to validate certain acts of the Mahopac
2 Central School District with regard to certain
3 capital improvement projects.

4 ACTING PRESIDENT BENJAMIN: Read
5 the last section.

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

8 ACTING PRESIDENT BENJAMIN: Call
9 the roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BENJAMIN:
12 Announce the results.

13 THE SECRETARY: Ayes, 62.

14 ACTING PRESIDENT BENJAMIN: The
15 bill is passed.

16 THE SECRETARY: Calendar Number
17 641, Senate Print 5248B, by Senator Biaggi, an
18 act to amend the Labor 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: In relation to
5 Calendar Number 641, voting in the negative:
6 Senator Akshar.

7 Ayes, 61. Nays, 1.

8 ACTING PRESIDENT BENJAMIN: The
9 bill is passed.

10 THE SECRETARY: Calendar Number
11 665, Senate Print 3639, by Senator Breslin, an
12 act to amend the Insurance Law.

13 ACTING PRESIDENT BENJAMIN: Read
14 the last section.

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

17 ACTING PRESIDENT BENJAMIN: Call
18 the roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BENJAMIN:

21 Announce the results.

22 THE SECRETARY: In relation to
23 Calendar Number 665, voting in the negative:
24 Senator Martinez.

25 Ayes, 61. Nays, 1.

1 ACTING PRESIDENT BENJAMIN: The
2 bill is passed.

3 THE SECRETARY: Calendar Number
4 687, Senate Print 1631A, by Senator Skoufis, an
5 act to amend the General Business Law.

6 ACTING PRESIDENT BENJAMIN: Read
7 the last section.

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

10 ACTING PRESIDENT BENJAMIN: Call
11 the roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BENJAMIN:
14 Announce the results.

15 THE SECRETARY: In relation to
16 Calendar 687, those Senators voting in the
17 negative are Senators Akshar, Antonacci,
18 Flanagan, Gallivan, Griffio, Helming, Jacobs,
19 Jordan --

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

22 SENATOR LITTLE: Thank you,
23 Mr. President. I just want to speak about this
24 bill for one moment.

25 Working with the New York State

1 Automobile Dealers and the Department of Motor
2 Vehicles, DMV, we have it now so that whenever
3 you have your car inspected, that on the state
4 inspection computer in that inspection service
5 station, they will automatically tell you if
6 there is a call-back, a recall on your car, so
7 that people won't forget and they'll know every
8 time -- you have to go once a year to have your
9 car inspected, and you'll find out if there are
10 any recalls.

11 And I think that's important, and
12 I'm voting no on this one.

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

15 Announce the results.

16 THE SECRETARY: In relation to
17 Calendar Number 687, those Senators voting in the
18 negative are Senators Akshar, Amedore, Antonacci,
19 Flanagan, Gallivan, Griffio, Helming, Jordan,
20 Little, Ortt, Ranzenhofer, Ritchie and Serino.

21 Ayes, 49. Nays, 13.

22 ACTING PRESIDENT BENJAMIN: The
23 bill is passed.

24 THE SECRETARY: Calendar Number
25 689, Senate Print 4019A, by Senator Thomas, an

1 act to amend the General Business Law and the
2 Personal Property Law.

3 ACTING PRESIDENT BENJAMIN: Read
4 the last section.

5 THE SECRETARY: Section 4. This
6 act shall take effect on the 90th 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
17 793, Senate Print 4197B, by Senator Jackson, an
18 act to amend the Local Finance Law.

19 ACTING PRESIDENT BENJAMIN: Read
20 the last section.

21 THE SECRETARY: Section 10. 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 793, those Senators voting in the
5 negative are Senators Funke, Griffo and Seward.

6 Ayes, 59. Nays, 3.

7 ACTING PRESIDENT BENJAMIN: The
8 bill is passed.

9 THE SECRETARY: Calendar Number
10 812, Assembly Print Number 7128, substituted
11 earlier by Assemblymember Paulin, an act to amend
12 the Criminal Procedure Law.

13 ACTING PRESIDENT BENJAMIN: Read
14 the 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 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
2 815, Senate Print 3421A, by Senator Savino, an
3 act to amend the Social Services Law.

4 ACTING PRESIDENT BENJAMIN: Read
5 the last section.

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

14 THE SECRETARY: In relation to
15 Calendar Number 815, voting in the negative:
16 Senator Lanza.

17 Ayes, 61. Nays, 1.

18 ACTING PRESIDENT BENJAMIN: The
19 bill is passed.

20 THE SECRETARY: Calendar Number
21 834, Senate Print 2655B, by Senator Stavisky, an
22 act to amend the Public Health Law.

23 ACTING PRESIDENT BENJAMIN: Read
24 the last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect on the 90th day after it
2 shall have become a law.

3 ACTING PRESIDENT BENJAMIN: Call
4 the roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BENJAMIN:
7 Announce the results.

8 THE SECRETARY: In relation to
9 Calendar Number 834, those Senators voting in the
10 negative are Senators Amedore, Antonacci, Funke,
11 Gallivan, Helming, Jordan, Little, O'Mara, Ortt,
12 Ranzenhofer, Ritchie and Serino.

13 Ayes, 50. Nays, 12.

14 ACTING PRESIDENT BENJAMIN: The
15 bill is passed.

16 THE SECRETARY: Calendar Number
17 863, Senate Print 4399, by Senator Savino, an act
18 to amend the Public Service Law.

19 ACTING PRESIDENT BENJAMIN: Read
20 the last section.

21 THE SECRETARY: Section 2. This
22 act shall take effect on the first of April.

23 ACTING PRESIDENT BENJAMIN: Call
24 the roll.

25 (The Secretary called the roll.)

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

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

5 I want to thank my colleagues for
6 supporting this legislation to add a consumer
7 advocate as part of the Public Service
8 Commission.

9 As all of us know, in New York State
10 we pay some of the highest utility rates in the
11 nation. And I believe a direct relation of that
12 is because we do not have strong advocacy on the
13 Public Service Commission.

14 This legislation will do what other
15 states have done to start to mitigate and make
16 sure that consumers are represented when there
17 are rate hikes being proposed.

18 We need to do everything we can to
19 give consumers that power to reduce utility rates
20 in New York State, and I think that by having a
21 consumer advocate as part of the Public Service
22 Commission, what this legislation does will be a
23 giant step forward in that direction.

24 So I'll be supporting this
25 legislation and want to thank any colleagues for

1 doing the same.

2 Thank you, Mr. President.

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

5 Senator Tedisco to explain his vote.

6 SENATOR TEDISCO: To explain my
7 vote. I'm going to vote no on this bill, because
8 we already have consumer advocates. They're the
9 63 members in this room. We should be consumer
10 advocates when these rate hikes are out of
11 control.

12 That's why, if we're serious about
13 stopping rate hikes in New York State and making
14 them fair and equitable, you should pass my bill,
15 that for any rate hike -- faceless bureaucrats
16 shouldn't be deciding on the increases to your
17 constituents, it should come back to us for a
18 rate hike ratification.

19 And then if you really want to be
20 fair to your constituents, they would have
21 somebody to go to and you could explain to them
22 why you supported and voted for a rate hike. If
23 you didn't think it was good enough, you'd go
24 back to the consumers and say, We stopped because
25 it wasn't right.

1 And we don't need an advocate
2 because you should be the advocates. You're just
3 passing the buck here to another faceless
4 bureaucrat who has political connections to the
5 people who appoint him. People didn't appoint
6 you. You got elected to this room. You got
7 elected to stop these bad rate hikes and stand up
8 for them. Why don't you have it come back to us,
9 then you could ratify it or you could shut it
10 down. Then you'd really be representing your
11 constituents as a consumer advocate.

12 So I vote no, Mr. President.

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

15 Announce the results.

16 THE SECRETARY: In relation to
17 Calendar Number 863, those Senators voting in the
18 negative are Senators Akshar, Amedore, Antonacci,
19 Flanagan, Funke, Gallivan, Helming, Jacobs,
20 Jordan, Ortt, Ranzenhofer, Serino and Tedisco.
21 Also Senator O'Mara.

22 Ayes, 48. Nays, 14.

23 ACTING PRESIDENT BENJAMIN: The
24 bill is passed.

25 THE SECRETARY: Calendar Number

1 895, Senate Print 5723, by Senator Jackson, an
2 act to amend the Administrative Code of the City
3 of New York.

4 ACTING PRESIDENT BENJAMIN: Read
5 the last section.

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

8 ACTING PRESIDENT BENJAMIN: Call
9 the roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BENJAMIN:
12 Announce the results.

13 THE SECRETARY: In relation to
14 Calendar Number 895, voting in the negative:
15 Senator O'Mara.

16 Ayes, 61. Nays, 1.

17 ACTING PRESIDENT BENJAMIN: The
18 bill is passed.

19 There is a substitution at the desk.

20 The Secretary will read.

21 THE SECRETARY: On page 30,
22 Senator Jackson moves to discharge, from the
23 Committee on Energy and Telecommunications,
24 Assembly Bill Number 7779 and substitute it for
25 the identical Senate Bill 5866, Third Reading

1 Calendar 908.

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

4 The Secretary will read.

5 THE SECRETARY: Calendar Number
6 908, Assembly Print 7779, by Assemblymember Fahy,
7 an act to amend the Energy 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: In relation to
18 Calendar Number 908, those Senators voting in the
19 negative are Senators Akshar, Amedore, Antonacci,
20 Flanagan, Funke, Gallivan, Griffo, Helming,
21 Jacobs, Jordan, Little, O'Mara, Ortt,
22 Ranzenhofer, Robach and Seward.

23 Ayes, 46. Nays, 16.

24 ACTING PRESIDENT BENJAMIN: The
25 bill is passed.

1 THE SECRETARY: Calendar Number
2 926, Senate Print 5763B, by Senator Skoufis, an
3 act to amend the Retirement and Social Security
4 Law.

5 ACTING PRESIDENT BENJAMIN: Read
6 the last section.

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

9 ACTING PRESIDENT BENJAMIN: Call
10 the roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BENJAMIN:
13 Announce the results.

14 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

17 There is a substitution at the desk.

18 The Secretary will read.

19 THE SECRETARY: On page 31, Senator
20 Kaminsky moves to discharge, from the Committee
21 on Civil Service and Pensions, Assembly Bill
22 Number 8003 and substitute it for the identical
23 Senate Bill 6130A, Third Reading Calendar 928.

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

1 The Secretary will read.

2 THE SECRETARY: Calendar Number
3 928, Assembly Print Number 8003, by
4 Assemblymember Abbate, an act to amend the
5 Retirement and Social Security 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
19 942, Senate Print 5473A, by Senator Martinez, an
20 act to amend the Town 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 942, those Senators voting in the
7 negative are Senators Amedore, Griffo, Ortt,
8 Ranzenhofer, Serino and Tedisco.

9 Ayes, 56. Nays, 6.

10 ACTING PRESIDENT BENJAMIN: The
11 bill is passed.

12 THE SECRETARY: Calendar Number
13 954, Senate Print 4429, by Senator Parker, an act
14 to amend the Economic Development 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
3 986, Senate Print 3636, by Senator Breslin, an
4 act to amend the Insurance Law.

5 ACTING PRESIDENT BENJAMIN: Read
6 the last section.

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

9 ACTING PRESIDENT BENJAMIN: Call
10 the roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BENJAMIN:

13 Announce the results.

14 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

17 THE SECRETARY: Calendar Number
18 987, Assembly Print Number 3009, substituted
19 earlier by Assemblymember Quart, an act to amend
20 the Insurance Law.

21 SENATOR GRIFFO: Lay it aside.

22 ACTING PRESIDENT BENJAMIN: Lay it
23 aside.

24 THE SECRETARY: Calendar Number
25 1001, Senate Print 3059, by Senator Addabbo, an

1 act to amend the Alcoholic Beverage Control Law.

2 ACTING PRESIDENT BENJAMIN: Read
3 the last section.

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

6 ACTING PRESIDENT BENJAMIN: Call
7 the roll.

8 (The Secretary called the roll.)

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

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

13 I just want to congratulate my
14 younger colleagues on spirited comments regarding
15 today's resolution honoring the rap music of --
16 you know, African-American Music Appreciation
17 Month. I rise to offer Post Malone, from the
18 City of Syracuse.

19 But in relation to this bill, this
20 bill seems actually silly to me that we're
21 talking about three hours in an international
22 airport where international travelers can't have
23 a drink. So in the spirit of Music Day, I say,
24 in the immortal words of Jimmy Buffett, it's
25 5 o'clock somewhere.

1 I will be voting no. Thank you.

2 (Laughter.)

3 ACTING PRESIDENT BENJAMIN: Senator
4 Antonacci to be recorded in the negative.

5 Announce the results.

6 THE SECRETARY: In relation to
7 Calendar Number 1001, those Senators voting in
8 the negative are Senators Antonacci and O'Mara.

9 Ayes, 60. Nays, 2.

10 ACTING PRESIDENT BENJAMIN: The
11 bill is passed.

12 THE SECRETARY: Calendar Number
13 1025, Senate Print 2519, by Senator Krueger, an
14 act to amend the Environmental Conservation Law.

15 ACTING PRESIDENT BENJAMIN: Read
16 the last section.

17 THE SECRETARY: Section 2. This
18 act shall take effect on the first of November.

19 ACTING PRESIDENT BENJAMIN: Call
20 the roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BENJAMIN: Senator
23 Krueger to explain her vote.

24 SENATOR KRUEGER: Thank you very
25 much. I appreciate it.

1 I see that many of my colleagues are
2 voting no, which is their right.

3 I just want to clarify: This is
4 canned hunting. Hunting associations support
5 this bill. Hunters have been outspokenly in
6 support of this bill. They don't believe taking
7 elderly, zoo or circus animals or importing
8 animals to cage them on a facility in order to
9 pay to shoot them is actually hunting.

10 It's a bit like going into your
11 neighbor's backyard and deciding to shoot their
12 goat. These are animals that are not free. They
13 are very domesticated because of where they've
14 spent their lives. And again, true hunters point
15 out that this activity is extremely disturbing to
16 them. This is not hunting.

17 So these are people who literally
18 make money having people pretend to be big game
19 hunters, dressing up, going and shooting animals
20 in cages and penned facilities. I could spend
21 time reading the quotes from stories and the
22 videos. They're very, very disturbing. And I'm
23 happy to share them with anyone.

24 But I thank you if you're voting
25 with me, and I urge you to learn a little bit

1 more about the dangers or the absurdity of canned
2 shoots when you rethink about this after you've
3 taken your vote today.

4 I vote aye, Mr. President. Thank
5 you.

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

8 Senator Boyle to explain his vote.

9 SENATOR BOYLE: Thank you,
10 Mr. President, to explain my vote.

11 I'd like to thank Senator Krueger
12 for this legislation. I actually was the first
13 person to introduce legislation to ban canned
14 hunts almost 20 years ago, as a member of the
15 Assembly.

16 And as Senator Krueger said, it is
17 pretty pathetic. When you see the video, these
18 animals come up -- they're basically
19 domesticated. They come up to the hunter, and he
20 shoots them at close range, and I'm sure he has
21 it over his mantel as proud evidence of his
22 cowardice.

23 I vote in favor.

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

1 Announce the results.

2 THE SECRETARY: In relation to
3 Calendar 1025, those Senators voting in the
4 negative are Senators Akshar, Antonacci,
5 Flanagan, Gallivan, Griffio, Jordan, Lanza,
6 Little, O'Mara, Ranzenhofer, Ritchie and Seward.

7 Ayes, 50. Nays, 12.

8 ACTING PRESIDENT BENJAMIN: The
9 bill is passed.

10 THE SECRETARY: Calendar Number
11 1031, Senate Print 2854B, by Senator Flanagan, an
12 act requiring the development, adoption and
13 implementation of a master plan for the
14 Nissequogue River State Park.

15 ACTING PRESIDENT BENJAMIN: Read
16 the last section.

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

19 ACTING PRESIDENT BENJAMIN: Call
20 the roll.

21 (The Secretary called the roll.)

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

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

1 I'd like to thank Senator Flanagan
2 for sponsoring this important legislation. While
3 this state park is in his district, a lot of
4 constituents of mine travel there. It's not that
5 far away. And I think it's time that we do
6 establish a real master plan for the use of this
7 property so that it can be really used by people
8 from around the State of New York. It really is
9 a gem on the North Shore.

10 I vote in the affirmative.

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

13 Announce the results.

14 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

17 THE SECRETARY: Calendar Number
18 1040, Senate Print 5695A, by Senator Liu, an act
19 to amend the Education 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: In relation to
5 Calendar Number 1040, those Senators voting in
6 the negative are Senators Akshar, Flanagan,
7 Funke, Ritchie, Jordan, Little and Robach. Also
8 Senator Jacobs. Also Senator O'Mara. Also
9 Senator Ranzenhofer. Also Senator Ortt.

10 Ayes, 51. Nays, 11.

11 ACTING PRESIDENT BENJAMIN: The
12 bill is passed.

13 THE SECRETARY: Calendar Number
14 1082, Senate Print 6014A, by Senator Kennedy, an
15 act establishing the New York Task Force on
16 Automated Vehicle Technology.

17 ACTING PRESIDENT BENJAMIN: Read
18 the last section.

19 THE SECRETARY: Section 8. 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 1082, voting in the negative:
3 Senator Akshar.

4 Ayes, 61. Nays, 1.

5 ACTING PRESIDENT BENJAMIN: The
6 bill is passed.

7 THE SECRETARY: Calendar Number
8 1094, Senate Print 5575B, by Senator Thomas, an
9 act to amend the General Business Law.

10 ACTING PRESIDENT BENJAMIN: Read
11 the last section.

12 THE SECRETARY: Section 6. This
13 act shall take effect on the 90th 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 Number 1094, those Senators voting in
22 the negative are Senators Akshar, Amedore,
23 Antonacci, Boyle, Flanagan, Funke, Gallivan,
24 Griffo, Helming, Jordan, Lanza, LaValle, O'Mara,
25 Ortt, Ranzenhofer, Ritchie, Robach, Serino,

1 Seward and Tedisco. Also Senator Little.

2 Ayes, 41. Nays, 21.

3 ACTING PRESIDENT BENJAMIN: The
4 bill is passed.

5 THE SECRETARY: Calendar Number
6 1104, Assembly Print 3918, substituted earlier by
7 Assemblymember McDonald, an act to amend the
8 Public Health Law and the Education Law.

9 ACTING PRESIDENT BENJAMIN: Read
10 the last section.

11 THE SECRETARY: Section 3. This
12 act shall take effect on the first of January.

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 1110, Senate Print 5960, by Senator Savino, an
23 act to amend the Social Services 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: In relation to
10 Calendar Number 1110, voting in the negative:
11 Senator Lanza.

12 Ayes, 61. Nays, 1.

13 ACTING PRESIDENT BENJAMIN: The
14 bill is passed.

15 THE SECRETARY: Calendar Number
16 1155, Senate Print 1997B, by Senator Little, an
17 act in relation to permitting Essex County to
18 enter into a municipal cooperative agreement for
19 emergency medical services.

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

22 Read the last section.

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

25 ACTING PRESIDENT BENJAMIN: Call

1 the roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BENJAMIN:

4 Announce the results.

5 THE SECRETARY: Ayes, 62.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 1168, Senate Print 5883A, by Senator Skoufis, an
10 act to amend the Education Law.

11 ACTING PRESIDENT BENJAMIN: Read
12 the last section.

13 THE SECRETARY: Section 2. This
14 act shall take effect 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 1168, those Senators voting in
22 the negative are Senators Akshar, Amedore,
23 Antonacci, Boyle, Flanagan, Funke, Gallivan,
24 Griffio, Helming, Jacobs, Jordan, Lanza, LaValle,
25 Little, O'Mara, Ortt, Ranzenhofer, Ritchie,

1 Robach, Serino, Seward and Tedisco.

2 Ayes, 40. Nays, 22.

3 ACTING PRESIDENT BENJAMIN: The
4 bill is passed.

5 THE SECRETARY: Calendar Number
6 1169, Senate Print 5884A, by Senator Skoufis, an
7 act to amend the Education 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 THE SECRETARY: In relation to
16 Calendar Number 1169, those Senators voting in
17 the negative are Senators Akshar, Amedore,
18 Antonacci, Boyle, Flanagan, Funke, Gallivan,
19 Griffo, Helming, Jacobs, Jordan, Lanza, LaValle,
20 Little, O'Mara, Ortt, Ranzenhofer, Ritchie,
21 Robach, Serino, Seward and Tedisco.

22 Ayes, 40. Nays, 22.

23 ACTING PRESIDENT BENJAMIN: The
24 bill is passed.

25 THE SECRETARY: Calendar Number

1 1170, Senate Print 5935A, by Senator Harckham, an
2 act to amend the Social Services Law and the
3 Public Health 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:
13 Announce the results.

14 THE SECRETARY: In relation to
15 Calendar Number 1170, those Senators voting in
16 the negative are Senators Flanagan, Gallivan,
17 Griffo, Helming, Jordan, O'Mara and Ortt.

18 Ayes, 55. Nays, 7.

19 ACTING PRESIDENT BENJAMIN: The
20 bill is passed.

21 THE SECRETARY: Calendar Number
22 1177, Senate Print 6179A, by Senator Skoufis, an
23 act to amend the Education 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: In relation to
9 Calendar Number 1177, those Senators voting in
10 the negative are Senators Akshar, Amedore,
11 Antonacci, Boyle, Flanagan, Funke, Gallivan,
12 Griffo, Helming, Jacobs, Jordan, Lanza, LaValle,
13 Little, O'Mara, Ortt, Ranzenhofer, Ritchie,
14 Robach, Serino, Seward and Tedisco.

15 Ayes, 40. Nays, 22.

16 ACTING PRESIDENT BENJAMIN: The
17 bill is passed.

18 THE SECRETARY: Calendar Number
19 1195, Senate Print 5522A, by Senator Skoufis, an
20 action to direct the Department of Education to
21 study the frequency of residents who are being
22 assessed library taxes.

23 ACTING PRESIDENT BENJAMIN: Read
24 the last section.

25 THE SECRETARY: Section 3. 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 1204, Senate Print 6178, by Senator Liu, an act
12 to amend the Domestic Relations Law.

13 ACTING PRESIDENT BENJAMIN: There
14 is a home-rule message at the desk.

15 Read the last section.

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

18 ACTING PRESIDENT BENJAMIN: Call
19 the roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT BENJAMIN:
22 Announce the results.

23 THE SECRETARY: In relation to
24 Calendar Number 1204, those Senators voting in
25 the negative are Senators Antonacci, Flanagan,

1 Funke, Helming, Jordan and Ranzenhofer.

2 Ayes, 56. Nays, 6.

3 ACTING PRESIDENT BENJAMIN: The
4 bill is passed.

5 THE SECRETARY: Calendar Number
6 1207, Senate Print 6239A, by Senator Savino, an
7 act to amend the Executive 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 1261, Senate Print 5905A, by Senator Gounardes,
22 an act to amend the Administrative Code of the
23 City of New York.

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 1262, Senate Print 5932A, by Senator Comrie, an
13 act 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 Number 1262, those Senators voting in
25 the negative are Senators Akshar and Skoufis.

1 Ayes, 60. Nays, 2.

2 ACTING PRESIDENT BENJAMIN: The
3 bill is passed.

4 THE SECRETARY: Calendar Number
5 1305, Senate Print 3965A, by Senator Kennedy, an
6 act to amend the Vehicle and Traffic Law and the
7 State Finance Law.

8 ACTING PRESIDENT BENJAMIN: Read
9 the last section.

10 THE SECRETARY: Section 6. This
11 act shall take effect June 30, 2020.

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 1321, Senate Print 4944A, by Senator Boyle, an
22 act to amend the Town Law.

23 ACTING PRESIDENT BENJAMIN: Read
24 the last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 30th 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 1345, Senate Print 5554B, by Senator Liu, an act
13 to amend the Real Property Tax Law.

14 ACTING PRESIDENT BENJAMIN: Read
15 the last section.

16 THE SECRETARY: Section 4. This
17 act shall take effect June 30, 2019.

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 1353, Senate Print 5933A, by Senator Comrie, an
3 act to amend the State Finance Law.

4 ACTING PRESIDENT BENJAMIN: Read
5 the last section.

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

14 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

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

19 SENATOR GIANARIS: Can we now go to
20 the reading of the supplemental calendar, please.

21 ACTING PRESIDENT BENJAMIN: The
22 Secretary will read.

23 THE SECRETARY: Calendar Number
24 1408, Senate Print 17D, by Senator Addabbo, an
25 act to amend the Racing, Pari-Mutuel Wagering and

1 Breeding Law.

2 ACTING PRESIDENT BENJAMIN: Read
3 the last section.

4 THE SECRETARY: Section 5. 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 1408 --

13 ACTING PRESIDENT BENJAMIN: Order
14 in the chamber, please.

15 Announce the results.

16 THE SECRETARY: In relation to
17 Calendar 1408, those Senators voting in the
18 negative are Senators Jacobs, Krueger, Lanza,
19 LaValle and Robach.

20 Ayes, 57. Nays, 5.

21 ACTING PRESIDENT BENJAMIN: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 1409, Senate Print 500, by Senator Kaminsky, an
25 act to amend the General Business Law and the

1 Agriculture and Markets Law.

2 ACTING PRESIDENT BENJAMIN: Read
3 the last section.

4 THE SECRETARY: Section 4. This
5 act shall take effect on the 180th day after it
6 shall have become a law.

7 ACTING PRESIDENT BENJAMIN: Call
8 the roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BENJAMIN:
11 Announce the results.

12 THE SECRETARY: In relation to
13 Calendar Number 1409, those Senators voting in
14 the negative are Senators Akshar, Amedore,
15 Flanagan, Funke, Gallivan, Griffo, Helming,
16 Jacobs, Jordan, Lanza, O'Mara, Ortt, Ritchie,
17 Robach and Serino. Also Senator Tedisco. Also
18 Senator Seward. Also Senator Boyle.

19 Ayes, 44. Nays, 18.

20 ACTING PRESIDENT BENJAMIN: The
21 bill is passed.

22 THE SECRETARY: Calendar Number
23 1410, Senate Print 517B, by Senator Krueger,
24 Concurrent Resolution of the Senate and Assembly
25 proposing amendments to Section 11 of Article 1

1 of the Constitution.

2 ACTING PRESIDENT BENJAMIN: Call
3 the roll on the resolution.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BENJAMIN: Senator
6 Krueger to explain her vote on the resolution.

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

9 I want to thank my colleagues.
10 Again, this is a constitutional amendment, so
11 we're talking about something that needs to pass
12 both houses in two sessions.

13 What this bill does is modernize the
14 New York State Constitution to ensure equal
15 rights from discrimination, from not being
16 discriminated against, for a larger universe of
17 people than exists under the current
18 constitution.

19 The world is changing. It is the
20 21st century. We should have constitutional
21 equality and protections for women, the disabled,
22 the elderly, the LGBTQ population and other
23 people who face discrimination not because of
24 their race but because of their national origin
25 or ethnicity -- most obviously, those in the

1 Hispanic community and the Asian-American
2 community, but lots of others. But those are the
3 obviously largest population centers that are not
4 protected equally under the Constitution.

5 People assume we are all protected
6 equally under our Constitution, and they are
7 constantly amazed when I've talked about this
8 bill, that these universes are not included in
9 the New York State Constitution today.

10 I hope that very quickly in the next
11 few years we'll be able to move this to a
12 referendum vote for the public to decide, because
13 I know in any group I've talked to, when I talk
14 about don't you think we should all have the same
15 equal rights under our Constitution here in
16 New York, there's a resounding yes. I've never
17 found anyone who actually opposed equal rights
18 under our Constitution, they just didn't realize
19 we didn't all have them.

20 I vote yes, and I thank everyone who
21 is voting with me today for doing so.

22 Thank you, Mr. President.

23 ACTING PRESIDENT BENJAMIN: Senator
24 Krueger in the affirmative on the resolution.

25 Announce the results.

1 THE SECRETARY: Ayes, 62.

2 ACTING PRESIDENT BENJAMIN: The
3 resolution is adopted.

4 THE SECRETARY: Calendar Number
5 1411, Senate Print Number 1167, by Senator Funke,
6 an act to amend the Executive Law and the
7 Public Health Law.

8 ACTING PRESIDENT BENJAMIN: Read
9 the last section.

10 THE SECRETARY: Section 3. 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 1412, Senate Print 1209, by Senator Ritchie, an
22 act to amend the Correction Law.

23 ACTING PRESIDENT BENJAMIN: Read
24 the last section.

25 THE SECRETARY: Section 3. 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 1413, Senate Print 1930, by Senator Ortt, an act
12 to amend Chapter 243 of the Laws of 2017.

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 1413, those Senators voting in
24 the negative are Senators Hoylman, Sepúlveda and
25 Serrano.

1 Ayes, 59. Nays, 3.

2 ACTING PRESIDENT BENJAMIN: The
3 bill is passed.

4 THE SECRETARY: Calendar Number
5 1414, Senate Print 1983, by Senator Savino, an
6 act to amend the Executive Law and the Penal Law.

7 ACTING PRESIDENT BENJAMIN: Read
8 the last section.

9 THE SECRETARY: Section 4. 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 1416, Senate Print 2198, by Senator Bailey, an
21 act to amend the Executive Law.

22 ACTING PRESIDENT BENJAMIN: Read
23 the last section.

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

1 ACTING PRESIDENT BENJAMIN: Call
2 the roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BENJAMIN:
5 Announce the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT BENJAMIN: The
8 bill is passed.

9 THE SECRETARY: Calendar Number
10 1417, Senate Print 2296A, by Senator Sanders, an
11 act to amend the Urban Development Corporation
12 Act.

13 ACTING PRESIDENT BENJAMIN: Read
14 the last section.

15 THE SECRETARY: Section 3. 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: In relation to
24 Calendar Number 1417, voting in the negative:
25 Senator Helming.

1 Ayes, 61. Nays, 1.

2 ACTING PRESIDENT BENJAMIN: The
3 bill is passed.

4 THE SECRETARY: Calendar Number
5 1418, Senate Print 2359, by Senator Kavanagh, an
6 act to amend the Alcoholic Beverage Control Law.

7 ACTING PRESIDENT BENJAMIN: Read
8 the last section.

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

12 ACTING PRESIDENT BENJAMIN: Call
13 the roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BENJAMIN:
16 Announce the results.

17 THE SECRETARY: In relation to
18 Calendar Number 1418, voting in the negative:
19 Senator Gallivan.

20 Ayes, 61. Nays, 1.

21 ACTING PRESIDENT BENJAMIN: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 1419, Senate Print 2461, by Senator Akshar, an
25 act to amend Chapter 455 of the Laws of 2011.

1 ACTING PRESIDENT BENJAMIN: Read
2 the last section.

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

5 ACTING PRESIDENT BENJAMIN: Call
6 the roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BENJAMIN:
9 Announce the results.

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT BENJAMIN: The
12 bill is passed.

13 THE SECRETARY: Calendar Number
14 1420, Senate Print 2593, by Senator Biaggi, an
15 act to amend the Public Health Law and the
16 Social Services Law.

17 ACTING PRESIDENT BENJAMIN: Read
18 the last section.

19 THE SECRETARY: Section 3. 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 1420, those Senators voting in
3 the negative are Senators Akshar, Amedore,
4 Antonacci, Felder, Flanagan, Funke, Gallivan,
5 Griffo, Helming, Jacobs, Jordan, Lanza, LaValle,
6 Little, O'Mara, Ortt, Ranzenhofer, Ritchie,
7 Serino and Tedisco. Also Senator Seward.

8 Ayes, 41. Nays, 21.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 1421, Senate Print 2946, by Senator Stavisky, an
13 act to amend the Administrative Code of the City
14 of New York.

15 ACTING PRESIDENT BENJAMIN: Read
16 the last section.

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

19 ACTING PRESIDENT BENJAMIN: Call
20 the roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BENJAMIN:
23 Announce the results.

24 THE SECRETARY: Ayes, 62.

25 ACTING PRESIDENT BENJAMIN: The

1 bill is passed.

2 THE SECRETARY: Calendar Number
3 1422, Senate Print 3032A, by Senator Sanders, an
4 act to amend the Social Services Law.

5 ACTING PRESIDENT BENJAMIN: Read
6 the last section.

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

9 ACTING PRESIDENT BENJAMIN: Call
10 the roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BENJAMIN:
13 Announce the results.

14 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

17 THE SECRETARY: Calendar Number
18 1423, Senate Print 3237, by Senator Comrie, an
19 act to amend the Public Authorities Law.

20 ACTING PRESIDENT BENJAMIN: Read
21 the last section.

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

24 ACTING PRESIDENT BENJAMIN: Call
25 the roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BENJAMIN:

3 Announce the results.

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT BENJAMIN: The
6 bill is passed.

7 THE SECRETARY: Calendar Number
8 1424, Senate Print 3360A, by Senator Gaughran, an
9 act to amend the General Business Law and the
10 Executive Law.

11 ACTING PRESIDENT BENJAMIN: Read
12 the last section.

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

16 ACTING PRESIDENT BENJAMIN: Call
17 the roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BENJAMIN:

20 Announce the results.

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT BENJAMIN: The
23 bill is passed.

24 THE SECRETARY: Calendar Number
25 1425, Senate Print 4463A, by Senator Breslin, an

1 act to amend the Insurance Law.

2 SENATOR GRIFFO: Lay it aside.

3 ACTING PRESIDENT BENJAMIN: Lay it
4 aside.

5 THE SECRETARY: Calendar Number
6 1426, Senate Print 4525, by Senator Kaplan, an
7 act to amend the General Obligations Law and the
8 Banking Law.

9 ACTING PRESIDENT BENJAMIN: Read
10 the last section.

11 THE SECRETARY: Section 4. 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 1427, Senate Print 4632, by Senator Tedisco, an
23 act to amend the County 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 1428, Senate Print 4724, by Senator Gallivan, an
13 act in relation to granting William J. Cooley
14 additional service credit with the New York State
15 and Local Police and Fire Retirement System.

16 ACTING PRESIDENT BENJAMIN: There
17 is a home-rule message at the desk.

18 Read the last section.

19 THE SECRETARY: Section 3. 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 1429, Senate Print 4725, by Senator Gallivan, an
6 act to authorize Patrick Humiston to receive
7 certain service credit under Section 384-d of the
8 Retirement and Social Security Law.

9 ACTING PRESIDENT BENJAMIN: There
10 is a home-rule message at the desk.

11 Read the last section.

12 THE SECRETARY: Section 3. 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 1430, Senate Print 4848, by Senator Breslin, an
24 act to amend the Education Law.

25 ACTING PRESIDENT BENJAMIN: Read

1 the last section.

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

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 1430, those Senators voting in the
12 negative are Senators Antonacci, Flanagan,
13 Gallivan, Helming, Jacobs, Jordan, LaValle,
14 O'Mara, Ritchie and Seward. Also Senator Ortt.
15 Also Senator Ranzenhofer. Also Senator Tedisco.
16 Also Senator Akshar.

17 Ayes, 48. Nays, 14.

18 ACTING PRESIDENT BENJAMIN: The
19 bill is passed.

20 THE SECRETARY: Calendar Number
21 1431, Senate Print 5225A, by Senator Gounardes,
22 an act to amend the Vehicle and Traffic Law.

23 ACTING PRESIDENT BENJAMIN: Read
24 the last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 180th day after it
2 shall have become a law.

3 ACTING PRESIDENT BENJAMIN: Call
4 the roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BENJAMIN:
7 Announce the results.

8 THE SECRETARY: Ayes, 62.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 1432, Senate Print 5430, by Senator Comrie, an
13 act to amend the Public Service Law.

14 ACTING PRESIDENT BENJAMIN: Read
15 the last section.

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

25 ACTING PRESIDENT BENJAMIN: The

1 bill is passed.

2 THE SECRETARY: Calendar Number
3 1433, Senate Print 5467A, by Senator LaValle, an
4 act in relation to authorizing the assessor or
5 the Town of Brookhaven, County of Suffolk, to
6 accept from The Jackey Foundation an application
7 for exemption from real property taxes.

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 1434, Senate Print 5626, by Senator May, an act
22 to amend the Uniform Justice Court Act.

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 1435, Senate Print 5661, by Senator Liu, an act
12 to amend the Tax Law.

13 ACTING PRESIDENT BENJAMIN: Read
14 the last section.

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

17 ACTING PRESIDENT BENJAMIN: Call
18 the roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BENJAMIN:
21 Announce the results.

22 THE SECRETARY: In relation to
23 Calendar Number 1435, those Senators voting in
24 the negative are Senators Akshar, Amedore,
25 Flanagan, Funke, Gallivan, Griffo, Jacobs,

1 Jordan, LaValle, O'Mara, Ortt, Ranzenhofer and
2 Serino. Also Senator Robach.

3 Ayes, 48. Nays, 14.

4 ACTING PRESIDENT BENJAMIN: The
5 bill is passed.

6 THE SECRETARY: Calendar Number
7 1436, Senate Print 6037A, by Senator Savino, an
8 act to amend the Economic Development Law.

9 ACTING PRESIDENT BENJAMIN: Read
10 the last section.

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

13 ACTING PRESIDENT BENJAMIN: Call
14 the roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BENJAMIN:
17 Announce the results.

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT BENJAMIN: The
20 bill is passed.

21 THE SECRETARY: Calendar Number
22 1437, Senate Print 6050, by Senator Hoylman, an
23 act to amend the Domestic Relations Law.

24 ACTING PRESIDENT BENJAMIN: Read
25 the last section.

1 THE SECRETARY: Section 2. This
2 act shall take effect on the 30th 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: Senator
8 Hoylman to explain his vote.

9 SENATOR HOYLMAN: Mr. President, I
10 just wanted to thank my colleagues for their
11 support of this legislation, which will include
12 acts of domestic violence by either party to the
13 list of criteria that courts need to consider in
14 determining the equitable distribution of
15 property during divorce proceedings.

16 If you think about it,
17 Mr. President, why should the individual who's
18 being physically abused by his or her spouse have
19 to then contribute to the disposition of property
20 in the divorce? The court, moving forward, if we
21 pass this in both houses, will have to consider
22 that fact.

23 I vote aye. Thank you.

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

1 Announce the results.

2 THE SECRETARY: In relation to
3 Calendar Number 1437, voting in the negative:
4 Senator Akshar.

5 Ayes, 61. Nays, 1.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar
9 Number 1438, Senate Print 6209A, by
10 Senator Bailey, an act to amend the Executive Law
11 and the Education Law.

12 ACTING PRESIDENT BENJAMIN: Read
13 the last section.

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

16 ACTING PRESIDENT BENJAMIN: Call
17 the roll.

18 (The Secretary called the roll.)

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

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

23 I too thank my colleagues -- well,
24 first I want to thank Leader Stewart-Cousins for
25 bringing this to the floor.

1 Hair is a very important part of who
2 we are -- not just from the physical, aesthetic
3 perspective, it's cultural to many of us. And
4 studies have shown -- and I'm going to read a
5 study that took place for 2,000 African-American
6 women ages 25 through 64 throughout the
7 United States. The survey showed that black
8 women were one and a half times more likely to
9 have been reported having been sent home or know
10 of a black woman that was sent home from the
11 workplace due to her hair. Hair styles such as
12 locs, braids, and Bantu knots were ranked the
13 lowest for apparent job readiness.

14 Black women fear scrutiny and
15 discrimination when expressing their natural
16 beauty in the workplace.

17 And I want to thank Assemblywoman
18 Tremaine Wright for sponsoring this legislation
19 in the Assembly and bringing this to my
20 attention.

21 I don't have a lot of hair,
22 Mr. President, but the hair that I do have
23 matters to me. It's a part of my cultural
24 identity. Growing up and going to the barbershop
25 on Saturday morning. Speaking to my barbers,

1 being able to have certain conversations is a
2 part of my cultural identity. It is a part of
3 who I am.

4 And for individuals to be able to be
5 discriminated against based upon the hair style
6 that they choose to wear -- it has no opinion,
7 there is no basis for discrimination of an
8 individual based upon the way that they choose to
9 wear their hair.

10 I remember last year in New Jersey
11 where there was a young man who was a wrestler,
12 his name escapes me right now, but he was forced
13 to cut his locs off before engaging in a
14 wrestling match. What is so scary, what is so
15 problematic about black hair, about locs, about
16 these hair styles that are a part of who we are?

17 And I'm glad that we're taking a
18 step in this direction and that we're echoing
19 what New York City has done. In the New York
20 City Human Rights Law, they banned this a couple
21 of months ago. In California, through their
22 Crown Act, the California State Senate has also
23 passed similar legislation.

24 So I'm glad of my colleagues that
25 are in support of this because it doesn't matter

1 if you're wearing waves or you're wearing braids
2 or you're wearing locs or Bantu knots, your hair
3 matters and it's a part of who you are.

4 I vote aye, Mr. President.

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

7 Announce the results.

8 THE SECRETARY: In relation to
9 Calendar 1438, those Senators voting in the
10 negative are Senators Akshar, Amedore, Flanagan,
11 Funke, Gallivan, Griffio, Helming, Jacobs, Jordan,
12 Little, O'Mara, Ortt, Ranzenhofer, Ritchie and
13 Seward. Also Senator Tedisco.

14 Ayes, 46. Nays, 16.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

17 There is a substitution at the desk.

18 The Secretary will read.

19 THE SECRETARY: Senator Sanders
20 moves to discharge, from the Committee on Rules,
21 Assembly Bill Number 8024 and substitute it for
22 the identical Senate Bill Number 6249, Third
23 Reading Calendar 1439.

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

1 The Secretary will read.

2 THE SECRETARY: Calendar Number
3 1439, Assembly Print Number 8024, by
4 Assemblymember Zebrowski, an act to amend the
5 Executive Law.

6 ACTING PRESIDENT BENJAMIN: Read
7 the last section.

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

10 ACTING PRESIDENT BENJAMIN: Call
11 the roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BENJAMIN:
14 Announce the results.

15 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT BENJAMIN: The
17 bill is passed.

18 THE SECRETARY: Calendar Number
19 1440, Senate Print 6259A, by Senator Benjamin, an
20 act to amend the Tax Law and the Administrative
21 Code of the City of New York.

22 ACTING PRESIDENT BENJAMIN: Read
23 the last section.

24 THE SECRETARY: Section 3. This
25 act shall take effect on the 30th 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: The
6 Secretary will announce the results.

7 THE SECRETARY: In relation to
8 Calendar Number 1440, those Senators voting in
9 the negative are Senators Akshar, Amedore,
10 Antonacci, Flanagan, Funke, Gallivan, Griffo,
11 Helming, Jacobs, Jordan, LaValle, Little, O'Mara,
12 Ortt, Ranzenhofer, Ritchie, Robach, Serino,
13 Seward and Tedisco.

14 Ayes, 42. Nays, 20.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

17 THE SECRETARY: Calendar Number
18 1441, Senate Print 6271, by Senator Addabbo, an
19 act to amend the Racing, Pari-Mutuel Wagering and
20 Breeding 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 1441, those Senators voting in
7 the negative are Senators Flanagan and Lanza.

8 Ayes, 60. Nays, 2.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 1442, Senate Print 6297, by Senator Skoufis, an
13 act to amend the Insurance 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 Number 1442, those Senators voting in
25 the negative are Senators Antonacci, Flanagan,

1 Funke, Gallivan, Jacobs, Jordan, Lanza, O'Mara,
2 Ortt and Seward.

3 Ayes, 52. Nays, 10.

4 ACTING PRESIDENT BENJAMIN: The
5 bill is passed.

6 THE SECRETARY: Calendar Number
7 1443, Senate Print 6303, by Senator Rivera, an
8 act to amend the Insurance Law.

9 ACTING PRESIDENT BENJAMIN: Read
10 the last section.

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

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 1443, those Senators voting in
20 the negative are Senators Flanagan, Griffo,
21 Helming and Jordan.

22 Ayes, 58. Nays, 4.

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 Benjamin
3 moves to discharge, from the Committee on Rules,
4 Assembly Bill Number 57 and substitute it for the
5 identical Senate Bill 6307, Third Reading
6 Calendar 1444.

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

9 The Secretary will read.

10 THE SECRETARY: Calendar Number
11 1444, Assembly Print Number 57, by
12 Assemblymember Rosenthal, an act to amend the
13 General Business Law.

14 ACTING PRESIDENT BENJAMIN: Read
15 the last section.

16 THE SECRETARY: Section 4. 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 1444, those Senators voting in

1 the negative are Senators Akshar, Flanagan,
2 Funke, Gallivan, Jacobs, Jordan, LaValle, O'Mara,
3 Ortt, Ranzenhofer and Ritchie.

4 Ayes, 51. Nays, 11.

5 ACTING PRESIDENT BENJAMIN: The
6 bill is passed.

7 THE SECRETARY: Calendar Number
8 1445, Senate Print Number 6313, by
9 Senator Gounardes, an act to amend the
10 Retirement and Social Security Law.

11 ACTING PRESIDENT BENJAMIN: Read
12 the last section.

13 THE SECRETARY: Section 6. This
14 act shall take effect January 1, 2020.

15 ACTING PRESIDENT BENJAMIN: Call
16 the roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BENJAMIN:
19 Announce the results.

20 THE SECRETARY: Ayes, 62.

21 ACTING PRESIDENT BENJAMIN: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 1447, Senate Print 6327, by Senator Parker, an
25 act to amend the General Business Law.

1 ACTING PRESIDENT BENJAMIN: Read
2 the last section.

3 THE SECRETARY: Section 2. This
4 act shall take effect on the 180th day after it
5 shall have become a law.

6 ACTING PRESIDENT BENJAMIN: Call
7 the roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BENJAMIN:
10 Announce the results.

11 THE SECRETARY: In relation to
12 Calendar Number 1447, voting in the negative:
13 Senator Flanagan.

14 Ayes, 61. Nays, 1.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

17 THE SECRETARY: Calendar Number
18 1448, Senate Print 6336, by Senator Harckham, an
19 act to amend the Alcoholic Beverage Control Law.

20 ACTING PRESIDENT BENJAMIN: Read
21 the last section.

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

24 ACTING PRESIDENT BENJAMIN: Call
25 the roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BENJAMIN:

3 Announce the results.

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT BENJAMIN: The
6 bill is passed.

7 THE SECRETARY: Calendar Number
8 1449, Senate Print 6351, by Senator Bailey, an
9 act to amend the Criminal Procedure Law.

10 ACTING PRESIDENT BENJAMIN: Read
11 the last section.

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

14 ACTING PRESIDENT BENJAMIN: Call
15 the roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BENJAMIN:

18 Announce the results.

19 THE SECRETARY: Ayes, 62.

20 ACTING PRESIDENT BENJAMIN: The
21 bill is passed.

22 There is a substitution at the desk.

23 The Secretary will read.

24 THE SECRETARY: Senator Montgomery
25 moves to discharge, from the Committee on Crime

1 Victims, Crime and Correction, Assembly Bill
2 Number 7051 and substitute it for the identical
3 Senate Bill 6353, Third Reading Calendar 1451.

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

6 The Secretary will read.

7 THE SECRETARY: Calendar Number
8 1451, Assembly Print Number 7051, by
9 Assemblymember Burke, an act to amend the
10 Executive Law.

11 ACTING PRESIDENT BENJAMIN: Read
12 the last section.

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

16 ACTING PRESIDENT BENJAMIN: Call
17 the roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BENJAMIN:
20 Announce the results.

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT BENJAMIN: The
23 bill is passed.

24 There is a substitution at the desk.

25 The Secretary will read.

1 THE SECRETARY: Senator Rivera
2 moves to discharge, from the Committee on Health,
3 Assembly Bill Number 1124 and substitute it for
4 the identical Senate Bill 6356, Third Reading
5 Calendar 1452.

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

8 The Secretary will read.

9 THE SECRETARY: Calendar Number
10 1452, Assembly Print Number 1124, by
11 Assemblymember Gottfried, an act to amend the
12 Public Health Law.

13 ACTING PRESIDENT BENJAMIN: Read
14 the last section.

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

17 ACTING PRESIDENT BENJAMIN: Call
18 the roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BENJAMIN:
21 Announce the results.

22 THE SECRETARY: In relation to
23 Calendar Number 1452, voting in the negative:
24 Senator Lanza.

25 Ayes, 61. Nays, 1.

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 Martinez
6 moves to discharge, from the Committee on Rules,
7 Assembly Bill Number 5764 and substitute it for
8 the identical Senate Bill Number 6363, Third
9 Reading Calendar 1453.

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

12 The Secretary will read.

13 THE SECRETARY: Calendar Number
14 1453, Assembly Print Number 5764, by
15 Assemblymember Williams, an act to amend the
16 Environmental Conservation 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 1453, voting in the negative:
3 Senator LaValle.

4 Ayes, 61. Nays, 1.

5 ACTING PRESIDENT BENJAMIN: The
6 bill is passed.

7 There is a substitution at the desk.

8 The Secretary will read.

9 THE SECRETARY: Senator Martinez
10 moves to discharge, from the Committee on
11 Finance, Assembly Bill Number 484 and substitute
12 it for the identical Senate Bill 6368, Third
13 Reading Calendar 1454.

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

16 The Secretary will read.

17 THE SECRETARY: Calendar Number
18 1454, Assembly Print Number 484, by
19 Assemblymember Rosenthal, an act to amend the
20 Public Health Law.

21 ACTING PRESIDENT BENJAMIN: Read
22 the last section.

23 THE SECRETARY: Section 2. This
24 act shall take effect on the 120th day after it
25 shall have become a law.

1 ACTING PRESIDENT BENJAMIN: Call
2 the roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BENJAMIN: Senator
5 Serino to explain her vote.

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

8 Millions of women here in the U.S.
9 suffer from endometriosis, an incredibly painful
10 and chronic disorder. Even more suffer from
11 other menstrual disorders. Too many of these
12 women suffer in silence, month after month,
13 because they are taught that their pain is
14 normal. It's not.

15 Endometriosis is among the leading
16 causes of infertility among women and is directly
17 linked to causing ovarian cancer, often called
18 the silent killer among women.

19 This bill was inspired by the work
20 of the Endometriosis Fund of America, and I thank
21 them for their dedication -- and I thank
22 Senator Martinez for joining Assemblymember
23 Rosenthal and I in this fight. If signed into
24 law, this bill will make a meaningful difference
25 in the lives of countless women.

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

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

5 Senator Martinez to explain her
6 vote.

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

9 First I just want to begin by
10 thanking Senator Serino for her advocacy on this.
11 It's such an important issue.

12 And knowing that we're giving our
13 young women and women as a whole the ability to
14 become educated on such an important topic and
15 issue is of utmost importance. Sometimes it's
16 very hard to discuss this topic, especially
17 amongst men. But it's something that is clear
18 that we need help on, and many of our women
19 suffer from this.

20 And I'm excited to know that this is
21 now coming to the floor for a vote to protect our
22 women. One out of every 10 women suffers from
23 endometriosis. And though it's not an uncommon
24 condition, many people are completely unaware of
25 this disease, and the lack of awareness often

1 results in patients' prolonged suffering and
2 misdiagnosis.

3 And again, I want to thank
4 Senator Serino and Assemblywoman Rosenthal for
5 carrying this bill, and I'm excited that we are
6 now about to vote on it to protect our women
7 further here in the State of New York.

8 And for that, Mr. President, I vote
9 in the affirmative.

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

12 Announce the results.

13 THE SECRETARY: Ayes, 62.

14 ACTING PRESIDENT BENJAMIN: The
15 bill is passed.

16 THE SECRETARY: Calendar Number
17 1455, Senate Print 6374, by Senator Gianaris, an
18 act to amend the Election Law.

19 ACTING PRESIDENT BENJAMIN: Read
20 the last section.

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

23 ACTING PRESIDENT BENJAMIN: Call
24 the roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BENJAMIN:

2 Announce the results.

3 THE SECRETARY: Ayes, 62.

4 ACTING PRESIDENT BENJAMIN: The
5 bill is passed.

6 THE SECRETARY: Calendar Number
7 1456, Senate Print 6384, by Senator Gaughran, an
8 act to amend the Environmental Conservation Law.

9 ACTING PRESIDENT BENJAMIN: Read
10 the last section.

11 THE SECRETARY: Section 4. This
12 act shall take effect 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 1457, Senate Print 6389, by Senator Addabbo, an
23 act to amend the Racing, Pari-Mutuel Wagering and
24 Breeding Law.

25 ACTING PRESIDENT BENJAMIN: Read

1 the last section.

2 THE SECRETARY: Section 3. 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 1458, Senate Print 6405, by Senator Montgomery,
14 an act to amend the Family Court Act.

15 ACTING PRESIDENT BENJAMIN: Read
16 the last section.

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

19 ACTING PRESIDENT BENJAMIN: Call
20 the roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BENJAMIN:
23 Announce the results.

24 THE SECRETARY: Ayes, 62.

25 ACTING PRESIDENT BENJAMIN: The

1 bill is passed.

2 There is a substitution at the desk.

3 The Secretary will read.

4 THE SECRETARY: Senator Sepúlveda
5 moves to discharge, from the Committee on Rules,
6 Assembly Bill Number 7564B and substitute it for
7 the identical Senate Bill Number 6406A, Third
8 Reading Calendar 1459.

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

11 The Secretary will read.

12 THE SECRETARY: Calendar Number
13 1459, Assembly Print Number 7564B, by
14 Assemblymember Fernandez, an act to amend the
15 Mental Hygiene Law.

16 ACTING PRESIDENT BENJAMIN: Read
17 the last section.

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

20 ACTING PRESIDENT BENJAMIN: Call
21 the roll.

22 (The Secretary called the roll.)

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

25 SENATOR SEPÚLVEDA: Thank you,

1 Mr. President, for allowing me to explain my
2 vote.

3 I want to thank Majority Leader
4 Stewart-Cousins and my colleagues. I'm proud to
5 be a lead sponsor on this legislation, which
6 relates to requiring written reports on plans and
7 programs related to the prevention of suicide.

8 I've spoken on the floor previously
9 about my experience, my personal experience with
10 the issue of suicide.

11 This bill requires the Office of
12 Mental Health to submit a report on the
13 development of plans, programs and services to
14 prevent and reduce suicide and suicidal
15 behaviors. It would also report on prevention
16 services and program initiatives directed towards
17 high-risk minority groups and demographics.

18 It is important for the public to be
19 aware of the campaigns and efforts the Office of
20 Mental Health is taking to prevent suicide and
21 suicidal behavior, especially on steps taken to
22 address high-risk groups.

23 In 2015, according to a study made
24 by Montefiore Hospital, the Bronx had the highest
25 prevalence of serious physiological distress in

1 females and Hispanics. Statistics: Females are
2 7.9 percent, Hispanics 8.7 percent. The
3 percentage of youth attempting suicide has
4 increased by 25 percent in the Bronx since 2003.

5 In order to protect our children in
6 our most marginalized communities, we need to
7 raise awareness of suicide prevention.

8 I vote affirmatively.

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

11 Announce the results.

12 THE SECRETARY: Ayes, 62.

13 ACTING PRESIDENT BENJAMIN: The
14 bill is passed.

15 There is a substitution at the desk.

16 The Secretary will read.

17 THE SECRETARY: Senator Sepúlveda
18 moves to discharge, from the Committee on Rules,
19 Assembly Bill Number 8026 and substitute it for
20 the identical Senate Bill 6416, Third Reading
21 Calendar 1460.

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

24 The Secretary will read.

25 THE SECRETARY: Calendar Number

1 1460, Assembly Print Number 8026, by
2 Assemblymember Cruz, an act to amend the
3 Alcoholic Beverage Control 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 1461, Senate Print 6426, by Senator LaValle, an
18 act to amend Chapter 387 of the Laws of 2013.

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: Ayes, 62.

4 ACTING PRESIDENT BENJAMIN: The
5 bill is passed.

6 THE SECRETARY: Calendar Number
7 1462, Senate Print 6431, by Senator Krueger, an
8 act to amend the Public Authorities Law.

9 ACTING PRESIDENT BENJAMIN: Read
10 the last section.

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

13 ACTING PRESIDENT BENJAMIN: Call
14 the roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BENJAMIN:
17 Announce the results.

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT BENJAMIN: The
20 bill is passed.

21 THE SECRETARY: Calendar Number
22 1463, Senate Print 6436, by Senator Montgomery,
23 an act to amend the Civil Service Law.

24 ACTING PRESIDENT BENJAMIN: Read
25 the last section.

1 THE SECRETARY: Section 3. 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 1463, those Senators voting in
10 the negative are Senators Akshar, Amedore, Boyle,
11 Flanagan, Funke, Griffo, Jordan and LaValle.

12 Ayes, 54. Nays, 8.

13 ACTING PRESIDENT BENJAMIN: The
14 bill is passed.

15 THE SECRETARY: Calendar Number
16 1464, Senate Print 6445, by Senator Jackson, an
17 act to amend the Arts and Cultural Affairs Law.

18 ACTING PRESIDENT BENJAMIN: Read
19 the last section.

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

22 ACTING PRESIDENT BENJAMIN: Call
23 the roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BENJAMIN:

1 Announce the results.

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT BENJAMIN: The
4 bill is passed.

5 THE SECRETARY: Calendar Number
6 1465, Senate Print 6448, by Senator Rivera, an
7 act to amend the Public Health 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 There is a substitution at the desk.

21 The Secretary will read.

22 THE SECRETARY: Senator Sepúlveda
23 moves to discharge, from the Committee on Rules,
24 Assembly Bill Number 3675B and substitute it for
25 the identical Senate Bill Number 1747B, Third

1 Reading Calendar 1466.

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

4 The Secretary will read.

5 THE SECRETARY: Calendar Number
6 1466, Assembly Print Number 3675B, by
7 Assemblymember Crespo, an act to amend the
8 Vehicle and Traffic Law.

9 SENATOR GRIFFO: Lay it aside.

10 ACTING PRESIDENT BENJAMIN: Lay it
11 aside.

12 THE SECRETARY: Calendar Number
13 1467, Senate Print 6531, by Senator Breslin, an
14 act to amend the Public Health Law.

15 ACTING PRESIDENT BENJAMIN: Read
16 the last section.

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

20 SENATOR GRIFFO: Lay it aside.

21 ACTING PRESIDENT BENJAMIN: Lay it
22 aside.

23 Senator Gianaris, that completes the
24 reading of the supplemental calendar.

25 SENATOR GIANARIS: Mr. President,

1 can we now take up the reading of the
2 controversial supplemental calendar, beginning
3 with Calendar 1466, by Senator Sepúlveda.

4 ACTING PRESIDENT BENJAMIN: The
5 Secretary will ring the bell.

6 The Secretary will read.

7 THE SECRETARY: Calendar Number
8 1466, Assembly Print Number 3675B, by
9 Assemblymember Crespo, an act to amend the
10 Vehicle and Traffic Law.

11 ACTING PRESIDENT BENJAMIN: Senator
12 Griffo, why do you rise?

13 SENATOR GRIFFO: Mr. President, I
14 believe there are a couple of amendments at the
15 desk. I waive the reading of those amendments
16 and ask that you call upon Senator Tedisco and
17 Senator Ortt to be heard.

18 ACTING PRESIDENT BENJAMIN: Thank
19 you, Senator Griffo.

20 Upon review of the amendments, in
21 accordance with Rule 6, Section 4B, I rule them
22 nongermane and out of order at this time.

23 SENATOR GRIFFO: Accordingly,
24 Mr. President, I would respectfully request an
25 appeal of that ruling and that Senator Tedisco

1 first be heard, followed by Senator Ortt.

2 ACTING PRESIDENT BENJAMIN: The
3 appeal has been made and recognized, and Senator
4 Tedisco first, and Senator Ortt second, may be
5 heard.

6 Senator Tedisco.

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

9 ACTING PRESIDENT BENJAMIN: Are you
10 on the bill, Senator Tedisco.

11 SENATOR TEDISCO: Yes,
12 Mr. President. On the amendment.

13 ACTING PRESIDENT BENJAMIN: On the
14 amendment, the hostile amendment, on the appeal
15 of the ruling of the chair.

16 SENATOR TEDISCO: On the appeal of
17 the ruling of the chair, Mr. President. Thank
18 you.

19 Mr. President and my colleagues, let
20 me preface my remarks by saying my feeling is and
21 my belief is the most wonderful thing about this
22 great experiment we call America and the
23 United States is the fact that just about
24 everybody in this room has a heritage and a
25 history of their mom and their dad, their

1 grandfather or their grandmother, their
2 great-greats, their great-great-greats coming
3 here from a foreign land, creating a great
4 melting pot which -- as we've come to call it, a
5 wonderful mosaic. The strength of this great
6 nation is immigration.

7 And I've heard a lot of individuals
8 say we're more alike than we are different.
9 We've come over here with our heritage,
10 difference in culture, difference in religion,
11 difference in philosophy. I believe we are more
12 different than we are alike. That does not mean
13 we can't embrace and love each other. And that
14 doesn't mean we cannot take advantage of all
15 those differences that make this a great mosaic.

16 And the thing that really binds us
17 together, the glue, is the fact that we provide a
18 process towards the greatest gift and asset that
19 any human being -- that I believe any human being
20 can have in the world as we know it, and that's
21 the gift of becoming a citizen of the
22 United States of America.

23 If I was to describe this amendment
24 to you as I preface an appeal of it, it can be
25 defined as the County Clerks Protection Act.

1 Because the county clerks take an oath, exactly
2 the same oath that we take as Senators, as
3 Assemblymembers, as Governors. They passed a
4 resolution, as you know, not too long ago. The
5 county clerks' statewide organization has come
6 out with a resolution in opposition of providing
7 driver's licenses to those who are not the
8 citizens and the individuals you directly took an
9 oath of office to represent and stand up for, to
10 support the Constitution, just as they have done
11 it. They're the only ones that put you here, the
12 citizens in your district from the United States
13 of America and from New York State. They're the
14 only ones who put the county clerks here.

15 Their concern, and it is a realistic
16 concern, there's been a lot of talk -- in fact,
17 there's a bill pending right now, but I don't
18 think you need that bill because I think the law
19 is there -- I don't know if it's the right law in
20 this case -- to not only potentially sue a county
21 clerk for not releasing one of these documents to
22 someone who has come to the United States, not
23 gone through the citizenship process, but to
24 remove him or her from office. Duly elected
25 county clerks who have taken an oath of office to

1 stand up for the Constitution, the best interests
2 of their constituents, to the best of their
3 ability -- that oath we put our hand on the
4 Bible, we raise our hands up and say we're going
5 to adhere to here.

6 Their concern is they believe
7 they're between a rock and a hard place. They
8 feel, in all good conscience, many of them, that
9 they cannot live up to their oath of office --
10 many of them have said "We're just not going to
11 do it" -- and still provide a driver's license,
12 which is not a right but a privilege, to those
13 who are not only not citizens but have broken
14 some laws.

15 Ladies and gentlemen, we are the
16 greatest nation in the world in the past, when we
17 started; we're the greatest nation in the world
18 now. We will be the greatest nation in eons into
19 the world -- into the future. Why? Because of
20 one overriding reason. Because men and women
21 were willing to stand up and sacrifice everything
22 so we could have everything.

23 I always carry with me this
24 wonderful document, the Constitution of the
25 United States of America. It's a little tattered

1 and torn, but that doesn't change anything that's
2 within it. It's a great document. Our founding
3 fathers established it. They chronicled the
4 inalienable rights we're all born with. But
5 remember this: Every citizen in every part of
6 the world is born with those same inalienable
7 rights. We get to live them to the highest
8 level. That's why we're the greatest nation in
9 the world, for one reason, as I mentioned,
10 because of people willing to sacrifice everything
11 so we could have all these freedoms and all these
12 liberties.

13 My constituents have come to me, and
14 maybe some of yours, and have said, "Senator, I'm
15 a citizen of the United States of America. I
16 don't believe any of your citizens, citizens of
17 New York, your Senate district, the United
18 States, believe they can break the law and be
19 rewarded for it. In fact, I know they can't.
20 They'll be penalized." Whenever you exempt a
21 group of individuals from the rule of law -- and
22 that's the other part of the sacrifices that have
23 been made by our soldiers and our veterans.

24 And by the way, the reason why that
25 will never change, we'll still be the freest

1 nation in this world, is because the people who
2 are terrorists within and without -- because it's
3 a whole different culture right now -- they're
4 very frustrated. They can't destroy freedom and
5 liberty. Because the lessons that we learned
6 from our veterans and our soldiers is that we're
7 going to sacrifice everything. They can blow up
8 buildings, they can kill us, but they can't
9 destroy freedom and liberty. And that's exactly
10 what they want to do.

11 And what we're saying here today,
12 when constituents tell us we're your citizenry,
13 we put you in office, you took an oath to
14 represent us -- but yet the rule of law, which is
15 so important for keeping our freedom and our
16 liberty, you seem to be bending and breaking in
17 your oath of office. And I'll tell you why.
18 This is what they say. And believe me, I think a
19 large portion of the people that come to the
20 United States of America and come here illegally
21 would be great assets to us. But you're
22 incentivizing them not to follow the process.

23 Think about it. If you give those
24 people who come through the process illegally the
25 rights, the freedoms and the privileges of the

1 becoming a citizen -- and those people waiting in
2 line to become a citizen, when they see that
3 happening, they're going to say to themselves,
4 why should I go through that process? Why should
5 I get to that point where I have what I believe
6 is the greatest privilege any of us could have,
7 to be that citizen? Because I can get all the
8 rights and the privileges.

9 And I know the media doesn't want to
10 suggest this, even, but I have to make that
11 argument, that I really do think down the road
12 you're going to say: They're here. So they've
13 come here illegally, so they're driving
14 illegally, so they don't have insurance -- and
15 that's illegal. But they need that so they can
16 work. But it's illegal for them to work,
17 according to the federal government, if they
18 don't have certain documentation. So they've
19 broken the law four times.

20 And now my constituents say to me,
21 "Senator, now you're rewarding them with this
22 privilege of getting a driver's license." That
23 is discriminatory. And I know we pass a lot of
24 bills to stop discrimination in New York State in
25 a whole variety of ways. You're discriminating

1 against the very people who you took an oath of
2 office to represent. Because they have to have a
3 Social Security number, they have to have extreme
4 documentation in many instances. But now you've
5 said -- and by the way, that Social Security
6 number and the requirement for that didn't take
7 place after 9/11, it was before 9/11 that it took
8 place.

9 So the fact of the matter is this
10 amendment -- and this is why it relates directly
11 to the bill at hand, to give those here who have
12 come here illegally and done some illegal things,
13 we know, but could be good people -- but we've
14 got to incentivize them to follow the process and
15 not use them as later on you say, well, they have
16 everything that regular citizens have, so now
17 we've got to give them voting rights.

18 We know what the potential outcome
19 is for that. We'll become the United States of
20 noncitizens. If you give them every right we
21 have, they will not be incentivized to go through
22 the process of getting that greatest gift to be a
23 citizen. They will be incentivized to be
24 noncitizens because they have all the rights and
25 the privileges, including voting rights down the

1 road. I have to suspect that that's the outcome
2 you want to find. That's not a good outcome to
3 build a stronger environment for the freest and
4 most liberated nation in the world, the
5 United States of America.

6 What this particular amendment would
7 do -- and this is why it relates to the bill --
8 it would say we're going to indemnify these
9 county clerks who took that same oath of office.
10 We're going to say they can't be taken out of
11 office because in good faith they believe that
12 oath you and I took, and they took, to uphold the
13 Constitution and "serve them to the best of my
14 ability" will be broken if they give them that
15 driver's license.

16 And I have to ask you a rhetorical
17 question here. If a bill comes on this floor --
18 I know you're in the majority now; one voice, one
19 political affiliation from one region of the
20 state -- and you've got to vote no on that bill
21 because you feel it involves you doing something
22 against the Constitution and against the oath of
23 office you took, you're not only going to want to
24 vote no, I believe, you're not going to follow
25 through with what that bill says you have to do

1 because you feel you're going to have to fail in
2 swearing to God an oath of office to uphold the
3 constitution and to serve the public.

4 The county clerks will feel no
5 different. And they feel, through that
6 resolution they've passed, in a whole variety of
7 ways, that they would be failing in their oath of
8 office to uphold this Constitution.

9 This bill {sic} would indemnify them
10 and say you cannot take them out of office if in
11 good faith they say they refused to provide that
12 driver's license.

13 I think we're going in the wrong
14 direction on this. Mr. President, I would appeal
15 your decision on this particular amendment. I
16 feel it's only appropriate if in good faith our
17 county clerks act and they say: Upholding my
18 oath of office, I cannot give this, it's
19 discriminatory against our general citizenry --
20 which I took an oath of office for, and the only
21 reason we are sitting there and our county clerks
22 are serving in the position they are in.

23 I ask you to appeal -- to support
24 the appeal.

25 ACTING PRESIDENT BENJAMIN: Thank

1 you, Senator Tedisco.

2 I want to remind the house that the
3 vote is on the procedures of the house and the
4 ruling of the chair.

5 Those in favor of overruling the
6 chair signify by saying aye.

7 (Response of "Aye.")

8 SENATOR GRIFFO: Show of hands.

9 ACTING PRESIDENT BENJAMIN: A show
10 of hands has been requested and so ordered.

11 (Show of hands.)

12 THE SECRETARY: Ayes, 20.

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

16 Senator Ortt on the appeal.

17 SENATOR ORTT: Thank you,
18 Mr. President.

19 Hard to follow my colleague Senator
20 Tedisco, but I will endeavor to do the best I
21 can.

22 This amendment, Mr. President, is
23 germane -- which is what we're talking about
24 here -- because it amends the exact same section
25 of law that the bill-in-chief is amending.

1 And it also provides additional
2 funding for our local roads, which is needed, as
3 the bill-in-chief, accordingly to the sponsor and
4 all its supporters, will admittedly increase
5 traffic on our state roads and our local roads.

6 This amendment will do two things.
7 One, it ensures that a noncitizen who applies for
8 a driver's license cannot register to vote.
9 Everyone who supports the bill has insisted that
10 that is not the goal of this legislation. Yet
11 other states -- only 12, by the way, have done
12 similar legislation. But those 12 states that
13 have authorized driver's licenses for illegal
14 immigrants have included similar protections in
15 their legislation -- protections which this bill,
16 surprisingly, or maybe not surprisingly, lacks.

17 As part of the Senate one-house bill
18 this year, the Majority promised that they would
19 include \$165 million in additional funding for
20 our local roads. They failed in that promise.
21 Despite this, the enacted budget only contained
22 additional funding for local roads and in fact
23 cut local road spending by 65 million.

24 This amendment ensures that our
25 local roads are adequately funded and, out of

1 that 65 million, it includes an additional 15.5
2 million for Long Island.

3 So, Mr. President, we have two
4 issues. We have the integrity of our elections.
5 And every other state that has done a similar
6 piece of legislation has included some
7 protections as far as making sure that we don't
8 have people who are here who are not citizens
9 voting.

10 And this amendment would also
11 increase funding for our local roads, which
12 everyone who drives on those roads has an
13 interest in making sure we have infrastructure
14 that can support additional wear and tear and to
15 make sure that both citizens or anyone else
16 driving on those roads can get to where they need
17 to be safely. We all know the state of our local
18 infrastructure. We all know that it needs a lot,
19 a lot of help, and this year's budget failed to
20 do that.

21 So, Mr. President, for those two
22 reasons, I implore you to allow this amendment to
23 go forward.

24 ACTING PRESIDENT BENJAMIN: Thank
25 you, Senator Ortt.

1 I want to remind the house that the
2 vote is on the procedures of the house and the
3 ruling of the chair. Those in favor of
4 overruling the chair signify by saying aye.

5 (Response of "Aye.")

6 SENATOR GRIFFO: Show of hands.

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

9 (Show of hands.)

10 THE SECRETARY: Ayes, 22.

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

14 Senator Jordan.

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

17 Through you, Mr. President, does the
18 sponsor yield for questioning?

19 ACTING PRESIDENT BENJAMIN: Does
20 the sponsor yield?

21 SENATOR SEPÚLVEDA: Absolutely.

22 ACTING PRESIDENT BENJAMIN: The
23 sponsor yields.

24 SENATOR JORDAN: Senator Sepúlveda,
25 could you explain to me why you feel this bill is

1 needed?

2 SENATOR SEPÚLVEDA: Well, there are
3 several reasons why the bill is needed.

4 More importantly, let's not forget
5 that prior to what I would call Governor Pataki's
6 ill-advised order, executive order, this was the
7 law of the State of New York and it was never an
8 issue. Undocumented immigrants drove here for
9 many, many years, and we didn't have any of the
10 issues that some of my colleagues on the other
11 side are talking about -- issues with voter
12 fraud, with privileges and so forth. And so we
13 want to go back to the period prior to when
14 Governor Pataki issued his order.

15 The other thing is that if you look
16 at what is currently happening at the federal
17 level, every day we read about children's
18 families that are being separated because they
19 may have -- a driver may have passed a stoplight,
20 a red light. And the next thing you know,
21 mothers and fathers are separated for months on
22 end from their children. In fact, just recently
23 the New York Times had a piece where they
24 indicated that a four-month-old child, a
25 four-month-old child was separated by ICE agents

1 from their mother and their father. Four months
2 old. A four-month-old child. That is cruel and
3 inhumane.

4 So until, in his infinite wisdom,
5 President Trump and Congress correct the problems
6 we have with immigration laws today, this is
7 necessary. Undocumented immigrants should not
8 fear, should not fear getting pulled over and
9 being separated from their families.

10 This phenomenon, revoking licenses,
11 is something relatively new. But you look at
12 these families, these undocumented families --
13 they cannot take their children to schools. Some
14 of them have children that are so sick -- that I
15 have met -- so sick that it's brought me to tears
16 because they cannot take a sick child to a
17 hospital for medical attention. So sick.

18 They cannot take their children and
19 participate in parent-teacher conferences,
20 something that you and I do on a regular basis.
21 They cannot get to work, just like you and I do.
22 Many of these very same people are the people
23 that cut your lawns, that take care of your
24 parents, that are home care attendants, that do
25 the jobs in this state and in this country that

1 nobody else wants to do. They work your farms,
2 they work your households. They do everything
3 that if we didn't have, who knows how people in
4 our communities would be able to have these
5 things done. This is why -- part of the reason
6 why this is necessary.

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

9 ACTING PRESIDENT BENJAMIN: Does
10 the sponsor yield?

11 SENATOR SEPÚLVEDA: Yes. Yes.

12 ACTING PRESIDENT BENJAMIN: The
13 sponsor yields.

14 SENATOR JORDAN: Given the
15 difficulties you've just described, why do these
16 immigrants choose to remain undocumented?

17 (Laughter.)

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

21 SENATOR SEPÚLVEDA: I'm sorry,
22 Senator Jordan, can you repeat your question?

23 SENATOR JORDAN: Given the
24 difficulties you've just described, why do these
25 immigrants choose to remain undocumented?

1 SENATOR SEPÚLVEDA: Through you,
2 Mr. President. Some of these immigrants have
3 come to this country because they fear for their
4 lives. Many of them come to this country because
5 they're looking for a better life for their
6 children. Many of them are children, children
7 who are here through no fault of their own.
8 Many.

9 They remain in this country because
10 they know that despite what's happened here, life
11 would be ten times worse where they came from.
12 And so to them, they are willing to take the
13 risk.

14 But at the end of the day, the ones
15 that are impacted the most, again, are these
16 children who are brought here through no fault of
17 their own. And that's why I am such a strong
18 supporter and sponsor of this legislation.

19 SENATOR JORDAN: Does the sponsor
20 continue to yield?

21 ACTING PRESIDENT BENJAMIN: Does
22 the sponsor yield?

23 SENATOR SEPÚLVEDA: Yes, I do.

24 ACTING PRESIDENT BENJAMIN: The
25 sponsor yields.

1 SENATOR JORDAN: I'll ask again,
2 because I'm not sure I heard the specific answer
3 to my question.

4 So why do these immigrants choose to
5 remain undocumented when they could become
6 documented and that would solve the problems that
7 you spoke of?

8 SENATOR SEPÚLVEDA: This -- the
9 process of -- for them to become citizens,
10 naturalized, is very difficult. And I'm sure
11 that most of them or many of them are here hoping
12 that the federal government can resolve a lot of
13 these issues so that then they can go through the
14 process.

15 But again, life for them, despite
16 this difficulty, is better for them in this
17 country. And to be honest, it is for us. They
18 make our lives easier.

19 But things are easier for them here
20 despite their fear. They'd rather be here and
21 deal with the possible consequences because they
22 know that this country is a great country for
23 them.

24 SENATOR JORDAN: Through you,
25 Mr. President, will the sponsor continue to

1 yield?

2 ACTING PRESIDENT BENJAMIN: Does
3 the sponsor yield?

4 SENATOR SEPÚLVEDA: Yes.

5 ACTING PRESIDENT BENJAMIN: The
6 sponsor yields.

7 SENATOR JORDAN: So does this bill
8 pertain only to currently undocumented immigrants
9 on the pathway to citizenship, or does it pertain
10 to all undocumented or illegal immigrants?

11 SENATOR SEPÚLVEDA: This bill
12 pertains to any -- through you, Mr. President,
13 the bill pertains to any undocumented immigrant
14 who can establish residency in the State of
15 New York between the ages of 18 and 26.

16 SENATOR JORDAN: Does the sponsor
17 continue to yield?

18 ACTING PRESIDENT BENJAMIN: Does
19 the sponsor yield?

20 SENATOR SEPÚLVEDA: Through you,
21 Mr. President, I do.

22 ACTING PRESIDENT BENJAMIN: The
23 sponsor yields.

24 SENATOR SEPÚLVEDA: Correction. Of
25 driving age, not to the age of 26.

1 SENATOR JORDAN: I'm sorry, what
2 was that?

3 SENATOR SEPÚLVEDA: Immigrants that
4 are of driving age, 18 and above, is who the bill
5 applies to. I said 18 to 26 incorrectly.

6 SENATOR JORDAN: I have read
7 accounts of undocumented immigrants stating that
8 they have had all the difficulties you've
9 described before, yet they've remained
10 undocumented for 10 years or more. And certainly
11 in that time frame, they've had the opportunity
12 to start on the pathway of citizenship.

13 My question is, why would the bill
14 pertain to people who have no thought of gaining
15 citizenship?

16 SENATOR SEPÚLVEDA: Again --
17 through you, Mr. President. Again, the federal
18 government has created the mess that we're in
19 today. But there are very few paths for these
20 people to be able to go through in order to
21 obtain legal status.

22 SENATOR JORDAN: Will the sponsor
23 continue to yield?

24 ACTING PRESIDENT BENJAMIN: Does
25 the sponsor yield?

1 SENATOR SEPÚLVEDA: Yes, I do.

2 ACTING PRESIDENT BENJAMIN: The
3 sponsor yields.

4 SENATOR JORDAN: So I'm interested
5 in the title of this bill. It's called the
6 Driver's License Access and Privacy Act. Why --
7 and I'm specifically interested in the privacy
8 aspect of it. Why -- why do you include that as
9 part of your title?

10 SENATOR SEPÚLVEDA: Well, every
11 driver, every what we'll call traditional driver
12 in the State of New York is entitled to certain
13 levels of privacy when they obtain a driver's
14 license here in New York. You want that privacy;
15 I'm sure you don't want people, a federal agency
16 or otherwise, delving into your personal matters.

17 So what the title is that it
18 protects -- it provides a certain level of
19 protection, privacy protections, for undocumented
20 immigrants so that they feel a sense of comfort
21 obtaining these licenses, establishing a
22 relationship with the state, establishing a
23 relationship with law enforcement -- because law
24 enforcement, in some of the areas where you find
25 a lot of resistance, have said that if you lose

1 this community to law enforcement it will
2 actually make us -- make matters more difficult
3 for them to do their jobs, and a good
4 relationship with undocumented immigrants would
5 help law enforcement.

6 And the reality is that many of
7 these people that are undocumented remain in the
8 dark. They don't participate with law
9 enforcement. And they sometimes can be the
10 difference between catching criminals and not.

11 SENATOR JORDAN: Will the sponsor
12 yield for more questions?

13 ACTING PRESIDENT BENJAMIN: Does
14 the sponsor continue to yield? Does the sponsor
15 yield?

16 SENATOR SEPÚLVEDA: Through you,
17 Mr. President, I do.

18 ACTING PRESIDENT BENJAMIN: The
19 sponsor yields.

20 SENATOR JORDAN: So could you speak
21 more to the privacy aspect of this bill? Who are
22 we keeping information private from?

23 SENATOR SEPÚLVEDA: Sure. So the
24 privacy provisions are to prevent any federal
25 agency that their primary purpose is enforcement

1 of immigration laws. There's nothing here that
2 will prevent law enforcement from conducting
3 their job. At a traffic stop, they will get all
4 the information that you provide when you have a
5 driver's license. The only thing that cannot be
6 shared is information with federal agencies whose
7 main purpose and sole purpose is to enforce
8 immigration laws.

9 Without these provisions, the bill
10 is rendered null and void, and undocumented
11 immigrants won't have the level of protection to
12 ensure that they can drive with these licenses
13 and not fear being separated from their families
14 at traffic stops.

15 SENATOR JORDAN: Will the sponsor
16 continue to yield?

17 ACTING PRESIDENT BENJAMIN: Does
18 the sponsor yield?

19 SENATOR SEPÚLVEDA: Through you,
20 Mr. President, yes.

21 ACTING PRESIDENT BENJAMIN: The
22 sponsor yields.

23 SENATOR JORDAN: Currently people
24 who don't have Social Security numbers can get a
25 license, and in those situations the DMV accepts

1 a letter of ineligibility from the Social
2 Security Administration, along with a Department
3 of Homeland Security documentation in lieu of a
4 Social Security number.

5 The DMV requires documentation from
6 the federal government for those without a
7 Social Security number to prevent fraud. The
8 Social Security Administration made the online
9 verification program available in 2001. New York
10 State DMV began using it in 2002. This bill has
11 removed the federal government from the
12 verification process.

13 If this bill were to become law,
14 what process is used to vet those without
15 Social Security numbers? How do we know -- how
16 can we verify that a person is who they say they
17 are without federal documents?

18 SENATOR SEPÚLVEDA: We will provide
19 a certain number of documents that DMV can accept
20 as proof to obtain what's called a standard
21 license. For example, if a person within 24
22 months of expiration of a foreign license and the
23 license has a photo, that can be used to -- as
24 proof, sufficient proof to accept the license.
25 Also, a valid unexpired consular I.D. issued by

1 the applicant's home country, and a valid
2 passport from the applicant's home country.

3 SENATOR JORDAN: Through you,
4 Mr. President, will the sponsor yield?

5 ACTING PRESIDENT BENJAMIN: Does
6 the sponsor yield?

7 SENATOR SEPÚLVEDA: Through you,
8 Mr. President, yes.

9 ACTING PRESIDENT BENJAMIN: The
10 sponsor yields.

11 SENATOR JORDAN: And so you're
12 relying on the county DMV clerks to detect
13 fraudulent foreign documents. Can you explain
14 the fraudulent foreign document training process
15 county DMV clerks go through?

16 SENATOR SEPÚLVEDA: Well, if
17 they're issuing Real ID licenses, I remind --
18 through you, Mr. President, if they're issuing
19 Real ID licenses, I remind that because of the
20 requirement that we satisfy by 2020 the Real ID
21 federal law, the county clerks, the DMV are
22 already receiving adequate training and funding
23 to make sure that they're in a position to be
24 able to verify this information.

25 Look, we have people from foreign

1 countries that come here already and drive, and
2 DMV will issue them whatever is required based on
3 their foreign license. This is nothing new.
4 We're not changing anything.

5 SENATOR JORDAN: Will the sponsor
6 continue to yield?

7 ACTING PRESIDENT BENJAMIN: Does
8 the sponsor yield?

9 SENATOR SEPÚLVEDA: Through you,
10 Mr. President, yes.

11 ACTING PRESIDENT BENJAMIN: The
12 sponsor yields.

13 SENATOR JORDAN: As I understand it
14 from speaking to the county clerks that I know,
15 those that are responsible for Real ID compliance
16 and DMV rely on the papers they get from the
17 federal government verifying Social Security
18 numbers or, if not a Social Security number,
19 Homeland Security papers that have vetted and
20 verify the person is who they say they are.

21 But you're taking that part out of
22 the bill. So I'll ask again, how would a county
23 clerk know if a foreign document is real?

24 SENATOR SEPÚLVEDA: Again, through
25 you, Mr. President, they're already being

1 trained, they're already receiving funding, they
2 already have the technology for Real IDs, where
3 they have to verify a lot of these documents.

4 So this is nothing new to either DMV
5 or county clerks.

6 SENATOR JORDAN: Will the sponsor
7 continue to yield?

8 ACTING PRESIDENT BENJAMIN: Does
9 the sponsor yield?

10 SENATOR SEPÚLVEDA: Through you,
11 Mr. President, yes.

12 ACTING PRESIDENT BENJAMIN: The
13 sponsor yields.

14 SENATOR JORDAN: Do you know when
15 the state last provided fraudulent document
16 training to DMV clerks?

17 SENATOR SEPÚLVEDA: I'm sorry, can
18 you repeat the question?

19 SENATOR JORDAN: Do you know when
20 the state last provided fraudulent document
21 training to DMV clerks?

22 SENATOR SEPÚLVEDA: Well, it's an
23 ongoing process, because by 2020 we have to
24 comply with the Real ID laws, the federal
25 government's Real ID law.

1 And the American Association of
2 Motor Vehicles also provides adequate training
3 for clerks and DMV.

4 SENATOR JORDAN: Will the sponsor
5 yield?

6 ACTING PRESIDENT BENJAMIN: Does
7 the sponsor yield?

8 SENATOR SEPÚLVEDA: Through you,
9 Mr. President, yes.

10 ACTING PRESIDENT BENJAMIN: The
11 sponsor yields.

12 SENATOR SERINO: Would it surprise
13 you if I told you that all the local DMV clerks
14 that I've spoken to said it's been about 10 years
15 since they've received any kind of training?

16 SENATOR SEPÚLVEDA: They -- they
17 train -- there are books within the DMV and
18 county clerks that show them the difference
19 between the license. They don't train
20 specifically for that, but they have the
21 information, the technology to be able to review
22 it.

23 Now, your 10-year comment doesn't
24 comply with the conversations that I've had with
25 DMV and clerks. We have a difference of a

1 timeline. The people that I've spoken with that
2 work with DMV, it's not consistent with your
3 10-year statement.

4 SENATOR JORDAN: Will the sponsor
5 yield?

6 ACTING PRESIDENT BENJAMIN: Does
7 the sponsor yield?

8 SENATOR SEPÚLVEDA: Through you,
9 Mr. President, I do.

10 ACTING PRESIDENT BENJAMIN: The
11 sponsor yields.

12 SENATOR JORDAN: So you mentioned
13 books that they have in DMV regarding foreign
14 documents. Could you tell me a little bit about
15 those books?

16 SENATOR SEPÚLVEDA: Well, it's not
17 my -- I don't -- I'm not a DMV clerk, but I know
18 that the books are available because I've spoken
19 with them.

20 And they use this information
21 already when foreigners come and drive in
22 New York State. So there's nothing onerous to
23 DMV or county clerks that they're not being
24 trained to do already or they do already.

25 SENATOR SERINO: Will the sponsor

1 continue to yield?

2 ACTING PRESIDENT BENJAMIN: Does
3 the sponsor yield?

4 SENATOR SEPÚLVEDA: Through you,
5 Mr. President, yes.

6 ACTING PRESIDENT BENJAMIN: The
7 sponsor yields.

8 SENATOR SERINO: Could it be, since
9 these books are available, that anyone would be
10 able to falsify and make foreign documents
11 according to the books and have watermarks in the
12 appropriate spots?

13 SENATOR SEPÚLVEDA: The DMV already
14 has procedures for this to verify foreign
15 documents. It's being done already. This is
16 nothing new. And in fact they're getting more
17 funding because, again, by 2020 they have to
18 comply with the Real ID law.

19 SENATOR JORDAN: Will the sponsor
20 yield for another question?

21 ACTING PRESIDENT BENJAMIN: Does
22 the sponsor yield?

23 SENATOR SEPÚLVEDA: Through you,
24 Mr. President, yes.

25 ACTING PRESIDENT BENJAMIN: The

1 sponsor yields.

2 SENATOR JORDAN: Is there anything
3 that will prevent someone who has a Social
4 Security number from fraudulently signing the
5 statement saying they don't have one and get a
6 license under fraudulent pretenses or a false
7 identity?

8 SENATOR SEPÚLVEDA: If they do,
9 then they'd be under the threat of criminal
10 sanctions.

11 SENATOR JORDAN: I'm sorry, I
12 couldn't hear you.

13 SENATOR SEPÚLVEDA: If they do,
14 they'd be under the threat of criminal sanctions.

15 SENATOR JORDAN: Okay, so they are
16 able to do that.

17 SENATOR SEPÚLVEDA: Anybody can do
18 that. The reality is is that they know that if
19 in fact they engage in that kind of behavior,
20 they can engage in criminal sanctions. People
21 can do similar stuff today.

22 SENATOR JORDAN: Will the sponsor
23 continue to yield?

24 ACTING PRESIDENT BENJAMIN: Does
25 the sponsor yield?

1 SENATOR SEPÚLVEDA: Through you,
2 Mr. President, I do.

3 ACTING PRESIDENT BENJAMIN: The
4 sponsor yields.

5 SENATOR JORDAN: All right, so
6 let's switch gears a bit. Does this bill allow
7 undocumented or illegal immigrants access to
8 registering to vote?

9 SENATOR SEPÚLVEDA: Absolutely not.
10 Through you, Mr. President, absolutely not.

11 SENATOR JORDAN: Will the sponsor
12 yield?

13 ACTING PRESIDENT BENJAMIN: Does
14 the sponsor yield?

15 SENATOR SEPÚLVEDA: Through you,
16 Mr. President, I do.

17 ACTING PRESIDENT BENJAMIN: The
18 sponsor yields.

19 SENATOR JORDAN: Are you aware of
20 the questions asked of DMV customers on the new
21 tablets recently installed at the DMV checkouts?

22 SENATOR SEPÚLVEDA: Is there a
23 specific question you want to ask me about?

24 SENATOR JORDAN: Sure.

25 SENATOR SEPÚLVEDA: Through you,

1 Mr. President, I'm sorry. Is there a specific
2 question that you want to ask me about?

3 SENATOR JORDAN: Through you,
4 Mr. President. The first question on that tablet
5 when someone goes to check out is "Are you a U.S.
6 citizen?" No proof is needed for their
7 answer, and no one can see the answer but the
8 person that's checking out on the tablet.

9 The second question is, "Do you want
10 to register to vote?" And it's a yes or no
11 answer. And no one's checking on the
12 information.

13 Do you think that that would be --
14 give access to an undocumented immigrant who has
15 now signed up for a license? The tablet's before
16 them. That would give them access to registering
17 to vote, wouldn't it?

18 SENATOR SEPÚLVEDA: The first
19 question on the form is "Are you a citizen of the
20 United States?"

21 SENATOR JORDAN: Right.

22 SENATOR SEPÚLVEDA: Because they're
23 not, they are required to respond in the
24 negative. If they do not and they lie, they are
25 subject to criminal sanctions.

1 SENATOR JORDAN: Will the sponsor
2 continue to yield?

3 ACTING PRESIDENT BENJAMIN: Does
4 the sponsor yield?

5 SENATOR SEPÚLVEDA: Through you,
6 Mr. President, I do.

7 ACTING PRESIDENT BENJAMIN: The
8 sponsor yields.

9 SENATOR JORDAN: And how do we
10 know, since they've already broken the law by
11 being illegal immigrants, how do we know that
12 they aren't going to break the law again and say
13 that they are a U.S. citizen when they're not?

14 SENATOR SEPÚLVEDA: So two things.
15 Perhaps I should -- through you, Mr. President, I
16 should remind my colleague that the group in this
17 country that commits the least amount of crime
18 are undocumented immigrants. They know that if
19 they commit a crime, they are subject to
20 deportation.

21 So if we're going to look at trends,
22 let's look at the facts and accept the fact that
23 generally speaking, one of the most law-abiding
24 groups other than their status as immigrants are
25 undocumented immigrants.

1 SENATOR JORDAN: Through you,
2 Mr. President, will the sponsor continue to
3 yield?

4 ACTING PRESIDENT BENJAMIN: Does
5 the sponsor yield?

6 SENATOR SEPÚLVEDA: Through you,
7 Mr. President, I do.

8 ACTING PRESIDENT BENJAMIN: The
9 sponsor yields.

10 SENATOR JORDAN: Basically you're
11 stating that their fear -- they have a fear,
12 because they're undocumented immigrants, that
13 they'll be deported. They already have that
14 fear. So what difference would it make if they
15 chose to put that they are a U.S. citizen when
16 they're not?

17 SENATOR SEPÚLVEDA: Well, because
18 if you fill that form out, you're putting
19 yourself in a position to be outed, that's why.
20 So you can't have it both ways. You can't say
21 are you worried about them committing the offense
22 of lying, saying that, you know, they've already
23 broken the law, when in fact most of them do not
24 break the law.

25 SENATOR JORDAN: I would say

1 that -- well, through you, Mr. President, may I
2 continue?

3 ACTING PRESIDENT BENJAMIN: Does
4 the sponsor yield? The sponsor, does he yield?

5 SENATOR SEPÚLVEDA: Through you,
6 Mr. President, I do.

7 ACTING PRESIDENT BENJAMIN: The
8 sponsor yields.

9 SENATOR JORDAN: Do you know what
10 the Board of Elections gets after the tablet has
11 been -- the questioning has been asked on the
12 tablet and someone chooses to say they are a
13 United States citizen and then says they want to
14 register to vote? Are you aware what the Board
15 of Elections receives after that?

16 SENATOR SEPÚLVEDA: Well, they
17 receive the questionnaire, the answers to the
18 documents. Yes, I am aware of that.

19 SENATOR JORDAN: Does the sponsor
20 continue to yield?

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

23 SENATOR SEPÚLVEDA: And by the way,
24 that document also says that you can be punished
25 by federal law if you lie on that document.

1 And yes, Mr. President, through you,
2 I yield.

3 ACTING PRESIDENT BENJAMIN: The
4 sponsor yields.

5 SENATOR JORDAN: Are you aware that
6 the Board of Elections just receives the name of
7 the person -- there's of course no Social
8 Security number, they get a driver's license
9 number -- and that they are not able to tell that
10 the person whose registration is before them,
11 they don't know whether they're documented or
12 undocumented citizens.

13 SENATOR SEPÚLVEDA: I'm sorry,
14 Senator. Through you, Mr. President, can you
15 repeat the question?

16 SENATOR JORDAN: Are you aware that
17 when the Board of Elections receives information
18 on the person who's registering to vote, that
19 there is no identifier showing whether that
20 person is a U.S. citizen or whether they're
21 undocumented?

22 SENATOR SEPÚLVEDA: When a person
23 fills out a driver's license form, you have to
24 have either a Social Security number or a
25 driver's license number. If you don't have a

1 driver's license number when you fill out the
2 form, the Board of Elections, according to
3 federal law, is required to confirm the first
4 time the person votes with an I.D., to make sure
5 that that person has complied with the law. The
6 I.D. will indicate that this is not for federal
7 purposes, and the person will know -- the person
8 at the polling site will know that this person is
9 not eligible to vote. And usually that's where
10 it first comes up.

11 SENATOR JORDAN: I'll just speak on
12 the bill. Thank you.

13 ACTING PRESIDENT BENJAMIN: Senator
14 Jordan on the bill.

15 SENATOR JORDAN: Mr. President and
16 my colleagues, I'm proud to have led the fight
17 against this bad legislation that will make
18 New Yorkers less safe and ultimately result in
19 the Empire State becoming the sanctuary state.

20 This bill -- your bill gives a green
21 light to fraud, danger and ultimately illegal
22 immigrants voting. The major problem with your
23 legislation -- and there are so many -- really
24 boils down to the issue of identity, not
25 licenses. Instead of the Green Light Bill, this

1 measure should be called the Sanctuary State ID
2 Bill. That's precisely what you will be green
3 lighting, New York becoming a sanctuary state.

4 Moreover, in the process you'll be
5 giving out hundreds of thousands of IDs without
6 knowing for certain the true identity of the
7 individuals who receive them. A yes vote gives a
8 green light to fraud on a scale that New York has
9 never seen. A yes vote gives a green light to
10 New York becoming a sanctuary state. A yes vote
11 gives a green light to identities being given out
12 that could be misused. These IDs will be used
13 for voting, free college, and so many other
14 benefits paid for by hardworking, law-abiding
15 taxpayers.

16 You'll be establishing a system
17 where it will be nearly impossible for county
18 clerks' offices to verify whether someone truly
19 is who they say they are. Personnel working in
20 county clerks' offices are not trained to verify
21 foreign documentation and have depended on the
22 federal government for vetting and verification
23 of identity. Your legislation will give rise to
24 an underground business network of false foreign
25 identity documentation that can be and will be

1 used by anyone, not just an illegal immigrant, so
2 long as they claim not to have a Social Security
3 number.

4 Concerning voting, there's little
5 doubt that your legislation is just the first
6 step toward illegal immigrants voting in our
7 elections, a privilege that's reserved for
8 American citizens.

9 New York State just spent millions
10 of dollars on tablets that are at DMVs at the
11 customer cash-out counter. The tablet faces the
12 customer only. What they enter is private. The
13 first question is, "Are you a U.S. citizen?" If
14 the answer is yes, there is no proof needed. The
15 second question pops up: "Do you want to
16 register to vote?" If the answer is yes, that
17 person is automatically registered to vote.

18 At the Board of Elections, they only
19 receive a name, a date of birth, and a party
20 selection and driver's license number. No Social
21 Security number.

22 As bad as this is, it will be even
23 worse if New York State moves toward an opt-out
24 system for voting registration, as is expected.
25 This will only increase opportunities for fraud

1 and abuse of the system.

2 Your legislation, which is strongly
3 opposed by a majority of New Yorkers, is bad for
4 traffic safety, bad for public safety. It will
5 give rise to false identities and fraud and make
6 your Empire State a sanctuary state. Your
7 legislation defies the rule of law, defies the
8 will of the people, and defies common sense.

9 I will be voting no.

10 ACTING PRESIDENT BENJAMIN: Senator
11 Akshar.

12 SENATOR AKSHAR: Mr. President,
13 thank you very much. If the sponsor would be so
14 kind as to indulge me and yield for a few
15 questions.

16 ACTING PRESIDENT BENJAMIN: Does
17 the sponsor yield?

18 SENATOR SEPÚLVEDA: I'd rather
19 Senator Akshar and I go out and have a couple of
20 beers outside later on, if you want.

21 (Laughter.)

22 SENATOR SEPÚLVEDA: I'll yield.

23 ACTING PRESIDENT BENJAMIN: The
24 sponsor yields.

25 SENATOR AKSHAR: To the sponsor,

1 I'd prefer to do the same.

2 I don't want to dance, Senator
3 Sepúlveda. Let me just ask a very direct
4 question. And I ask it because of something that
5 you just said to Senator Jordan. So my question,
6 through you, Mr. President, is will these
7 subjects have the ability to register to vote?

8 SENATOR SEPÚLVEDA: Well,
9 theoretically they could have the ability to
10 vote. But remember that these are individuals
11 that are very fearful of bringing more attention
12 to themselves.

13 And the reality is that this whole
14 issue about voter fraud is more of a fantasy than
15 reality. You look at the former Secretary of
16 State of Kansas, who said that there were 30,000
17 illegal registered people in the State of Kansas.
18 It turned out to be 67. But really, within the
19 67, there were some numbers they couldn't verify
20 whether or not they were not eligible to vote.

21 So the reality is that if you look
22 at voter fraud in the State of New York and
23 throughout the country, it's less than half of a
24 percent. But yes, the -- it theoretically can
25 happen.

1 SENATOR AKSHAR: So Mr. President,
2 through you, if the sponsor would continue to
3 yield.

4 ACTING PRESIDENT BENJAMIN: Does
5 the sponsor yield?

6 SENATOR SEPÚLVEDA: Through you,
7 Mr. President, yes.

8 ACTING PRESIDENT BENJAMIN: The
9 sponsor yields.

10 SENATOR AKSHAR: I just want to
11 make sure that we're on the same sheet of music.
12 Under this current system -- under this current
13 system, that we're advancing now, the way DMV is
14 set up, the people that we're talking about,
15 there's some 200,000, maybe 250,000 people --

16 SENATOR SEPÚLVEDA: I'm sorry --

17 SENATOR AKSHAR: That's okay, I
18 just want to make sure she's through.

19 We're talking about some 200,000 or
20 250,000 people, right, that may potentially now
21 go into the system. Those 200,000 or 250,000
22 people will in fact have the ability to register
23 to vote under this system.

24 SENATOR SEPÚLVEDA: Well, they
25 cannot vote because they would be violating the

1 law, they would be subjecting themselves to
2 criminal sanctions. So they could potentially
3 fill out inaccurately the information, but
4 they're not allowed to vote under this bill.
5 They're not allowed to use it as identification
6 or to register to vote legally.

7 SENATOR AKSHAR: Okay.

8 Mr. President, through you, if the sponsor would
9 continue to yield.

10 ACTING PRESIDENT BENJAMIN: Does
11 the sponsor yield?

12 SENATOR SEPÚLVEDA: Yes.

13 ACTING PRESIDENT BENJAMIN: The
14 sponsor yields.

15 SENATOR AKSHAR: Through you,
16 Mr. President, I'd just like a yes or no
17 question -- or yes or no answer, excuse me. The
18 200,000 or 250,000 people that will enter the
19 system under this statute, do they have the
20 ability to register to vote, legally or not
21 legally?

22 SENATOR SEPÚLVEDA: Through you,
23 Mr. President, no.

24 SENATOR AKSHAR: Mr. President,
25 through you, if the sponsor would continue to

1 yield.

2 ACTING PRESIDENT BENJAMIN: Does
3 the sponsor yield?

4 SENATOR SEPÚLVEDA: Through you,
5 Mr. President, yes.

6 ACTING PRESIDENT BENJAMIN: The
7 sponsor yields.

8 SENATOR AKSHAR: Mike Murphy will
9 appreciate this: Now I'm double confused,
10 because you just said that they could in fact
11 register to vote under this system, but now
12 you're saying no, they can't.

13 SENATOR SEPÚLVEDA: They can --
14 they can click the form on the box, but they're
15 not legally registered -- allowed to vote. So
16 the answer is no, they cannot vote under this
17 bill.

18 SENATOR AKSHAR: On the bill for
19 just a second.

20 SENATOR SEPÚLVEDA: They would be
21 committing a crime. Through you, Mr. President,
22 they would be committing a crime.

23 ACTING PRESIDENT BENJAMIN: Senator
24 Akshar on the bill.

25 SENATOR AKSHAR: Right, so just for

1 a moment on the bill.

2 So what they may be doing is
3 illegal. However, they will in fact be able to
4 register to vote. And even you said that when
5 you were talking to Senator Jordan. You said
6 that's where it first comes up, when they go to
7 vote, when they actually go to the polling place
8 and they give the poll worker their ID that says
9 "not for federal purposes," and then presumably
10 the poll worker is going to say that that person
11 can't vote.

12 I think the point I'm making on this
13 particular topic is that these folks, the 200,000
14 or 250,000 people that we're talking about, will
15 in fact have the ability to register to vote.

16 Would the sponsor yield for another
17 few questions?

18 ACTING PRESIDENT BENJAMIN: Does
19 the sponsor yield?

20 SENATOR SEPÚLVEDA: Through you,
21 Mr. President, I do.

22 ACTING PRESIDENT BENJAMIN: The
23 sponsor yields.

24 SENATOR AKSHAR: Thank you. I just
25 want to -- I want to come back to talk

1 specifically about the commissioner and the
2 people that will have access to this information,
3 specifically in the law enforcement realm. So
4 I'm talking about Section 2 specifically, in
5 sections 8, 9, 10, 11 and 12.

6 Can the commissioner give a police
7 department or a sheriff's office blanket
8 permission to have access to the information?

9 SENATOR SEPÚLVEDA: I'm sorry,
10 Senator Akshar, can you repeat the question?

11 SENATOR AKSHAR: Yeah. Will the
12 commissioner have the ability to give blanket
13 permission to a sheriff's office or a police
14 department to have access to this information of
15 the 200,000 people that will be entering the
16 system?

17 SENATOR SEPÚLVEDA: As long as
18 they're investigating the commission of a crime
19 and they get a judicial subpoena.

20 SENATOR AKSHAR: Okay.
21 Mr. President, through you, if the sponsor would
22 continue to yield.

23 ACTING PRESIDENT BENJAMIN: Does
24 the sponsor yield?

25 SENATOR SEPÚLVEDA: Through you,

1 Mr. President, yes.

2 ACTING PRESIDENT BENJAMIN: The
3 sponsor yields.

4 SENATOR AKSHAR: Thank you. So I
5 am just a normal police officer on the side of
6 the -- working the street. I pull over a car for
7 a traffic infraction, and I walk up to the window
8 and I say to the driver, "Your license and
9 registration," and he gives me -- he, for the
10 same of this discussion, gives me a license. It
11 says "not for federal purposes" on it. If
12 there's information about that particular driver,
13 will the police department or the sheriff's
14 deputy have access to that information?

15 SENATOR SEPÚLVEDA: They still will
16 have access to whatever information DMV has. The
17 only thing is that they cannot use it -- the only
18 people who cannot use it are people that are
19 specifically -- agents that are specifically
20 created for immigration services.

21 So whatever -- in a traditional
22 stop, if you have a driver's license and they
23 pull you over, they can find out your name, they
24 have the photo on the card, and they have your
25 address. All this information is available.

1 SENATOR AKSHAR: Mr. President,
2 through you, if the sponsor would continue to
3 yield.

4 ACTING PRESIDENT BENJAMIN: Does
5 the sponsor yield?

6 SENATOR SEPÚLVEDA: Through you,
7 Mr. President, yes.

8 ACTING PRESIDENT BENJAMIN: The
9 sponsor yields.

10 SENATOR AKSHAR: Why are we
11 separating agencies? Why are we saying a deputy
12 sheriff or a police officer is different than
13 somebody working a border patrol or in ICE?

14 SENATOR SEPÚLVEDA: Because the
15 objective of the bill is to protect people from
16 immigration enforcement.

17 There's nothing in this bill that
18 prevents local law enforcement from conducting
19 their duties as law enforcement. They're not
20 immigration officers; they're here for law
21 enforcement. So if there is something pertaining
22 to criminal activity, they can still get the
23 information.

24 SENATOR AKSHAR: Mr. President,
25 through you, if the sponsor would continue to

1 yield.

2 ACTING PRESIDENT BENJAMIN: Does
3 the sponsor yield?

4 SENATOR SEPÚLVEDA: Through you,
5 Mr. President, I do.

6 ACTING PRESIDENT BENJAMIN: The
7 sponsor yields.

8 SENATOR AKSHAR: Okay, that's
9 not -- from my perspective, that's not entirely
10 accurate. Right? Because you said that the
11 police officer would need a judicial subpoena to
12 get the information?

13 SENATOR SEPÚLVEDA: No. Not for
14 police officers. It doesn't interfere with their
15 existing databases. It's only with federal law
16 enforcement where we have the problem.

17 SENATOR AKSHAR: Mr. President,
18 through you, will the sponsor continue to yield?

19 ACTING PRESIDENT BENJAMIN: Does
20 the sponsor yield?

21 SENATOR SEPÚLVEDA: Through you,
22 Mr. President, I do.

23 ACTING PRESIDENT BENJAMIN: The
24 sponsor yields.

25 SENATOR AKSHAR: I just want to be

1 really clear on this issue because it's important
2 to me as a former member of law enforcement.

3 So if that deputy sheriff stops the
4 driver and the driver is wanted in connection
5 with a robbery or a homicide, is that deputy
6 sheriff going to have instantaneous access to all
7 of the information associated with that driver
8 that has one of these driver's licenses that says
9 "not for federal purposes" on it?

10 SENATOR SEPÚLVEDA: Mr. President,
11 the answer is yes. We've amended the bill twice
12 to alleviate the concerns -- these types of
13 concerns with law enforcement. We've spoke with
14 the commissioner of the NYPD on the issue of
15 counterterrorism activities and things of that
16 nature. So the answer is yes.

17 SENATOR AKSHAR: Mr. President,
18 through you, if the sponsor would continue to
19 yield.

20 ACTING PRESIDENT BENJAMIN: Does
21 the sponsor yield?

22 SENATOR SEPÚLVEDA: Through you,
23 Mr. President, I do.

24 ACTING PRESIDENT BENJAMIN: The
25 sponsor yields.

1 SENATOR AKSHAR: So why have we
2 created two different sets of rules in terms of
3 the information that law enforcement can or can't
4 have access to?

5 SENATOR SEPÚLVEDA: The only
6 separate rule is what federal law enforcement
7 agencies or federal agencies have access to.

8 SENATOR AKSHAR: Mr. President --

9 SENATOR SEPÚLVEDA: A current
10 driver's license, if you have a driver's license,
11 the same information that a police officer can
12 get at a traffic stop -- it doesn't alter that.
13 They're able to do that with the standard
14 licenses.

15 SENATOR AKSHAR: Thank you.
16 Mr. President, through you, if the sponsor would
17 continue to yield.

18 ACTING PRESIDENT BENJAMIN: Does
19 the sponsor yield?

20 SENATOR SEPÚLVEDA: Through you,
21 Mr. President, I do.

22 ACTING PRESIDENT BENJAMIN: The
23 sponsor yields.

24 SENATOR AKSHAR: I just want to
25 move to Section 5, subdivision 3. It talks about

1 license record. The commissioner shall keep a
2 record of every license issued, which is on the
3 record and it should be open to public
4 inspection. Your bill goes on to talk about what
5 information the public can have.

6 So what information is in fact
7 publicly -- through you, Mr. President -- is
8 publicly available? What is captured outside of
9 the restrictions? Because your language in your
10 bill really restricts the information that is
11 open to public view.

12 SENATOR SEPÚLVEDA: It's just like
13 when you have your license and you present it,
14 this is modeled after the driver's -- the model
15 Driver's Privacy Protection Act.

16 So there's some information -- the
17 federal law that you're -- on the federal law
18 there's some information that they can obtain to
19 protect the driver. It's the same rules for the
20 standard licenses except if they're trying to
21 obtain this information for immigration purposes.

22 SENATOR AKSHAR: Mr. President,
23 through you, if the sponsor would continue to
24 yield.

25 ACTING PRESIDENT BENJAMIN: Does

1 the sponsor yield?

2 SENATOR SEPÚLVEDA: Through you,
3 Mr. President, I do.

4 ACTING PRESIDENT BENJAMIN: The
5 sponsor yields.

6 SENATOR AKSHAR: What are the
7 sanctions for a member of law enforcement if they
8 were to disclose some of the information that
9 they obtained, you know, during the course of a
10 routine traffic stop?

11 SENATOR SEPÚLVEDA: I'm sorry,
12 Senator Akshar, can you repeat your question?

13 SENATOR AKSHAR: Certainly.
14 Through you, Mr. President. What are the
15 sanctions that would be imposed on a member of
16 law enforcement if they were to disclose some of
17 the information that they obtained during a
18 traffic stop?

19 SENATOR SEPÚLVEDA: Through you,
20 Mr. President, the bill does not specifically
21 indicate what sanctions a law enforcement -- a
22 local law enforcement person will be subjected
23 to.

24 SENATOR AKSHAR: Mr. President,
25 through you, will the sponsor continue to yield?

1 ACTING PRESIDENT BENJAMIN: Does
2 the sponsor yield?

3 SENATOR SEPÚLVEDA: Through you,
4 Mr. President, I do.

5 ACTING PRESIDENT BENJAMIN: The
6 sponsor yields.

7 SENATOR AKSHAR: Would there be
8 sanctions if I as a deputy sheriff pulled over
9 somebody and knew that they had one of these
10 licenses, suspected that that person was here
11 illegally, and then I provided that information
12 to a federal law enforcement agency?

13 SENATOR SEPÚLVEDA: Well, I mean,
14 when they pull them over they will see just their
15 basic information and a notation on the driver's
16 license that it's not for federal purposes. But
17 the bill does not specifically indicate sanctions
18 to law enforcement if they violate the rule.

19 SENATOR AKSHAR: Mr. President,
20 through you, if the sponsor will continue to
21 yield.

22 ACTING PRESIDENT BENJAMIN: Does
23 the sponsor yield?

24 SENATOR SEPÚLVEDA: Through you,
25 Mr. President, I do.

1 ACTING PRESIDENT BENJAMIN: The
2 sponsor yields.

3 SENATOR AKSHAR: These licenses are
4 going to be a little bit different than my
5 license or yours. On these licenses that are
6 affecting 200,000 or 250,000 people, they're
7 going to say "not for federal purpose" on them,
8 is that correct?

9 SENATOR SEPÚLVEDA: That's correct.

10 SENATOR AKSHAR: Mr. President,
11 through you, if the sponsor will continue to
12 yield.

13 ACTING PRESIDENT BENJAMIN: Does
14 the sponsor yield? Does the sponsor yield?

15 SENATOR SEPÚLVEDA: Through you,
16 Mr. President, I do.

17 ACTING PRESIDENT BENJAMIN: The
18 sponsor yields.

19 SENATOR AKSHAR: So this issue, as
20 you well know, is getting a lot of attention
21 statewide by many different people. What are we
22 to expect members of law enforcement to think if
23 they stop somebody and they have one of these
24 licenses? That they're here legally or they're
25 here illegally?

1 SENATOR SEPÚLVEDA: What we will
2 expect is for the driver's license to indicate
3 that they have not provided the necessary
4 information for a enhanced license or Real ID
5 license.

6 SENATOR AKSHAR: Mr. President,
7 thank you. I thank the sponsor for his
8 indulgence in him answering the questions that I
9 had. Thank you.

10 ACTING PRESIDENT BENJAMIN: Senator
11 Ortt.

12 SENATOR ORTT: Through you,
13 Mr. President, will the sponsor yield to a few
14 questions?

15 ACTING PRESIDENT BENJAMIN: Does
16 the sponsor yield?

17 SENATOR SEPÚLVEDA: I do,
18 Mr. President.

19 ACTING PRESIDENT BENJAMIN: The
20 sponsor yields.

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

23 Does the sponsor believe that those
24 who would benefit from this bill, those who are
25 in this country illegally and are in violation of

1 federal law, does the sponsor believe that they
2 have committed a crime?

3 SENATOR SEPÚLVEDA: I'm having a --
4 Senator, I'm having a difficult time hearing you.

5 SENATOR ORTT: My apologies.
6 through you, Mr. President, I'll try to be a
7 little -- I'll use my outside voice.

8 Does the sponsor believe that those
9 who would benefit from this bill, those who are
10 in this country illegally and who are in
11 violation of federal immigration law, does he
12 believe that they have committed a crime?

13 SENATOR SEPÚLVEDA: Do I believe
14 that they committed a crime? Through you,
15 Mr. President, I do not.

16 SENATOR ORTT: I'm sorry,
17 Mr. President. Could the sponsor repeat that
18 answer?

19 SENATOR SEPÚLVEDA: I believe -- my
20 response is I do not.

21 SENATOR ORTT: He does not.

22 Through you, Mr. President, will the
23 sponsor continue to yield?

24 ACTING PRESIDENT BENJAMIN: Does
25 the sponsor yield?

1 SENATOR SEPÚLVEDA: Through you,
2 Mr. President, I do.

3 ACTING PRESIDENT BENJAMIN: The
4 sponsor yields.

5 SENATOR ORTT: Under this bill the
6 DMV must notify an individual within three days
7 if a federal immigration agent makes a formal
8 inquiry into their status. Why was that
9 provision included?

10 SENATOR SEPÚLVEDA: Well, there are
11 several reasons why. One is that the traditional
12 driver gets this type of privacy protection when
13 they're driving.

14 The second is it's an issue of due
15 process. Individuals have a right to know if an
16 agency has requested information about them.

17 And really one of the main reasons
18 is that if we -- in order for this to be
19 effective, people have to be confident that the
20 information they're providing is going to remain
21 private.

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

25 ACTING PRESIDENT BENJAMIN: Does

1 the sponsor yield?

2 SENATOR SEPÚLVEDA: Through you,
3 Mr. President, I do.

4 ACTING PRESIDENT BENJAMIN: The
5 sponsor yields.

6 SENATOR ORTT: Through you,
7 Mr. President. This legislation is in response
8 to an executive order. The Governor, Governor
9 Cuomo, could rescind the existing executive order
10 with an executive order of his own. Is that in
11 fact correct?

12 SENATOR SEPÚLVEDA: Well, in my
13 discussions with the Governor, I have a
14 disagreement about what he can or cannot do. The
15 Governor has indicated that he believes that his
16 powers extend only over DMV commissioners and not
17 over the county clerks. So his concern was that
18 if he issued an executive order, it would only
19 apply to DMV, but all these other county clerks
20 in other areas would not have to comply with the
21 law.

22 I have a philosophical difference
23 with the Governor on that. I believe that case
24 law, state law and Article 13 of the -- Article
25 13, Section 13, paragraph A of the New York State

1 Constitution, that in fact the Governor can
2 remove any county clerk who doesn't abide by
3 state law.

4 Also, within the Vehicle and Traffic
5 Law it says that the DMV is the person with the
6 right -- has the person {sic} to prescribe rules
7 and regulations for county clerks and that that
8 commissioner can also remove a county clerk.

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

12 ACTING PRESIDENT BENJAMIN: Does
13 the sponsor yield?

14 SENATOR SEPÚLVEDA: Through you,
15 Mr. President, yes.

16 ACTING PRESIDENT BENJAMIN: The
17 sponsor yields.

18 SENATOR ORTT: Through you,
19 Mr. President, just so I'm clear, it is the
20 sponsor's belief that the Governor could have
21 addressed what this bill is attempting to address
22 through executive order; however, he hasn't done
23 so.

24 SENATOR SEPÚLVEDA: Again, his
25 counsel, his legal research has a difference of

1 opinion with me. I believe the Governor has some
2 concerns about protracted litigation. But we
3 disagree.

4 SENATOR ORTT: Through you,
5 Mr. President, will the sponsor continue to
6 yield?

7 ACTING PRESIDENT BENJAMIN: Does
8 the sponsor yield?

9 SENATOR SEPÚLVEDA: Through you,
10 Mr. President yes.

11 ACTING PRESIDENT BENJAMIN: The
12 sponsor yields.

13 SENATOR ORTT: Through you,
14 Mr. President. As I'm sure everyone in this room
15 is aware, 18 of the 19 hijackers on 9/11 carried
16 driver's licenses, many of them fraudulent, in
17 order to gain housing, transportation and other
18 accommodations, and they did so without raising
19 suspicions.

20 Is there any concerns that this bill
21 would make it easier for would-be terrorists or
22 terrorist organizations to operate and conduct
23 terrorist operations against New Yorkers?
24 Particularly since we're going to be leaving to
25 county clerks the task of identifying any number

1 of foreign IDs, which many of these individuals
2 it would probably take a security professional to
3 identify to begin with, and many of these county
4 clerks simply are not. So is there any concern
5 or is there any discussion to that point on
6 behalf of the sponsor or his staff?

7 SENATOR SEPÚLVEDA: Through you,
8 Mr. President, perhaps I should remind my
9 colleague that it was because the terrorists on
10 9/11 had IDs that federal and local, state --
11 city, state and local enforcement agencies were
12 able to, in a relatively quick manner, ascertain
13 who they were and were able to get the
14 information.

15 And if anything, this would make it
16 easier for law enforcement to be able to pinpoint
17 who is where and what, because these individuals
18 now have information on file with their addresses
19 and their information.

20 So I think my colleague's statement
21 is actually counter to what actually occurred
22 with 9/11.

23 SENATOR ORTT: Through you,
24 Mr. President, on the bill.

25 ACTING PRESIDENT BENJAMIN: Senator

1 Ortt on the bill.

2 SENATOR ORTT: I do want to thank
3 the sponsor, Senator Sepúlveda, for his answers.
4 I know he has championed this bill, and I think
5 you could hear from his answers is a ardent
6 supporter. However, I firmly disagree.

7 I want to add, going backwards, I
8 guess, on the last question, yes, I suppose we
9 would be able to quickly pinpoint the terrorists
10 after they committed the crime. Which is little
11 consolation to the people who might be killed or
12 harmed by such individuals.

13 So that's what happened on 9/11.
14 And this executive order was put in place after
15 9/11 to try to prevent future such occurrences.
16 So just as a point of history there.

17 The sponsor readily admitted he does
18 not believe that these people, who are here
19 illegally, have committed any crime. And I think
20 that's a key part of this discussion, because I
21 think many of my colleagues who will be voting no
22 today feel very differently. And that's why
23 we're voting no. This is not about immigration,
24 this is about illegal immigration. This is not
25 about driver's licenses, this is about law and

1 order and the United States' right to defend the
2 sanctity and sovereignty of our borders.

3 And it's also about a state not
4 being able to choose which federal laws it
5 follows and which federal laws it does not.

6 This bill goes down a very bad path.
7 This is very bad public policy. But again, what
8 we are doing today, we are watering down
9 citizenship. We are cheapening what this means
10 to be an American citizen. Because ultimately
11 all these things are little steps towards really
12 quasi-citizenship or full citizenship in lieu of
13 going through the actual process to attain
14 citizenship. And for many New Yorkers,
15 law-abiding New Yorkers, and I would say many
16 law-abiding Americans, this bill is a slap in the
17 face.

18 And that's why the Governor hasn't
19 signed the executive order, because he knows it's
20 bad policy. Because he knows it's not popular.
21 That's why people associated with him are
22 encouraging members of the Majority to vote no,
23 because he knows it's not popular. He knows it's
24 bad policy. That's why he has a difference of
25 opinion with the sponsor. He has a difference of

1 political opinion with the sponsor as well as
2 policy.

3 And that's why many of my colleagues
4 today are voting no, and I would encourage even
5 more to vote no, to send a message that here in
6 New York we still care about the rule of law, we
7 still respect our borders, and we still respect
8 the oath that we swore to uphold the Constitution
9 and all laws, whether we agree with them or not.
10 Whether it's the national level or here at the
11 state, we took a oath to uphold the law not to
12 skirt it or undermine it, which is what this
13 legislation does at its core.

14 Mr. President, I'll be voting in the
15 negative.

16 ACTING PRESIDENT BENJAMIN: Senator
17 Ranzenhofer.

18 SENATOR RANZENHOFER: Yes, if the
19 sponsor would yield for a few questions.

20 ACTING PRESIDENT BENJAMIN: Does
21 the sponsor yield?

22 SENATOR SEPÚLVEDA: Through you,
23 Mr. President, I do.

24 ACTING PRESIDENT BENJAMIN: The
25 sponsor yields.

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

3 The sponsor is aware that some
4 states require a person who is here in the
5 United States illegally -- in those states, they
6 are required to get a taxpayer identification
7 number. Is there any such requirement that a
8 person do that in New York State when applying
9 for a license?

10 SENATOR SEPÚLVEDA: Through you,
11 Mr. President, if the question is are New York
12 State undocumented immigrants required to get a
13 tax ID number, the answer is not always, no.

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

16 ACTING PRESIDENT BENJAMIN: Does
17 the sponsor yield?

18 SENATOR SEPÚLVEDA: Through you,
19 Mr. President, yes.

20 ACTING PRESIDENT BENJAMIN: The
21 sponsor yields.

22 SENATOR RANZENHOFER: In some
23 states that allow people who are in the
24 United States illegally to get a driver's
25 license, they require that that person have filed

1 a tax return. Is there any such requirement in
2 your bill for people that are in the
3 United States illegally and are applying for a
4 license in New York State?

5 SENATOR SEPÚLVEDA: Through you,
6 Mr. President. Is your question whether they're
7 required to file tax returns, Senator?

8 SENATOR RANZENHOFER: Through you,
9 Mr. President, yes.

10 SENATOR SEPÚLVEDA: In this bill
11 there's no requirement for them to fill out tax
12 returns, no.

13 SENATOR RANZENHOFER: If the
14 sponsor will continue to yield.

15 ACTING PRESIDENT BENJAMIN: Does
16 the sponsor yield?

17 SENATOR SEPÚLVEDA: Through you,
18 Mr. President, yes.

19 ACTING PRESIDENT BENJAMIN: The
20 sponsor yields.

21 SENATOR RANZENHOFER: Is the
22 sponsor aware that in some states, in order for
23 somebody who is in the United States illegally to
24 obtain a driver's license from that state, they
25 have to provide proof that they're a dependent of

1 a tax-paying resident of the state? Is there any
2 such requirement in this bill?

3 SENATOR SEPÚLVEDA: Through you,
4 Mr. President, no.

5 SENATOR RANZENHOFER: What is the
6 residency requirement --

7 ACTING PRESIDENT BENJAMIN: Senator
8 Ranzenhofer, are you --

9 SENATOR RANZENHOFER: If the
10 sponsor would continue to yield.

11 ACTING PRESIDENT BENJAMIN: Does
12 the sponsor yield? Does the sponsor --

13 SENATOR SEPÚLVEDA: Through you,
14 Mr. President, yes.

15 ACTING PRESIDENT BENJAMIN: The
16 sponsor yields.

17 SENATOR RANZENHOFER: How long does
18 somebody have to reside in New York State before
19 they can apply -- let me repeat that. If
20 somebody is in the United States illegally, how
21 long do they have to be in New York State in
22 order to apply for a driver's license?

23 SENATOR SEPÚLVEDA: Through you,
24 Mr. President, the bill doesn't change anything
25 with respect to the residency requirements for

1 New York State in order to obtain a driver's
2 license.

3 SENATOR RANZENHOFER: Through you,
4 Mr. President.

5 ACTING PRESIDENT BENJAMIN: Does
6 the sponsor yield?

7 SENATOR SEPÚLVEDA: Through you,
8 Mr. President, yes.

9 ACTING PRESIDENT BENJAMIN: The
10 sponsor yields.

11 SENATOR RANZENHOFER: So if
12 somebody is in the United States illegally and
13 they're not able to get a driver's license in
14 their own state, under this bill they could come
15 to New York State and get a driver's license the
16 next day. Is that true?

17 SENATOR SEPÚLVEDA: Through you,
18 Mr. President, if they show up in New York, they
19 still have to establish that they are residents
20 of New York State, just like we do when we obtain
21 a driver's license.

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

24 ACTING PRESIDENT BENJAMIN: Does
25 the sponsor yield?

1 SENATOR SEPÚLVEDA: Through you,
2 Mr. President, yes.

3 ACTING PRESIDENT BENJAMIN: The
4 sponsor yields.

5 SENATOR RANZENHOFER: And if
6 somebody is in the United States illegally and
7 they come from another state and they then come
8 to New York State, for how long a period of time
9 do they have to be a resident of New York State
10 before they can apply for and obtain a driver's
11 license?

12 SENATOR SEPÚLVEDA: So right now my
13 memory fails me as to the exact time required for
14 New York State residency. But it is the same
15 requirements for anyone to get an enhanced
16 driver's license.

17 SENATOR RANZENHOFER: Through you,
18 Mr. President.

19 ACTING PRESIDENT BENJAMIN: Does
20 the sponsor yield?

21 SENATOR SEPÚLVEDA: Through you,
22 Mr. President, yes.

23 ACTING PRESIDENT BENJAMIN: The
24 sponsor yields.

25 SENATOR RANZENHOFER: So I didn't

1 quite get a period of time that somebody would
2 have to be here. So I'll try the question again,
3 if the sponsor will continue to yield.

4 So if somebody comes here from
5 another state, they're in the United States
6 illegally, their home state does not allow them
7 to obtain a driver's license, can they come to
8 New York State and get a driver's license the
9 following day?

10 SENATOR SEPÚLVEDA: Through you,
11 Mr. President, no. They have to establish
12 residency with New York State.

13 SENATOR RANZENHOFER: If the
14 sponsor will continue to yield.

15 ACTING PRESIDENT BENJAMIN: Does
16 the sponsor yield?

17 SENATOR SEPÚLVEDA: Through you,
18 Mr. President, yes.

19 ACTING PRESIDENT BENJAMIN: The
20 sponsor yields.

21 SENATOR RANZENHOFER: So can the
22 sponsor tell me how long does somebody have to
23 be -- somebody who is here in the United States
24 illegally, they can't get a driver's license in
25 their home state, how long do they have to

1 establish residency in New York State before they
2 can apply for a driver's license?

3 SENATOR SEPÚLVEDA: It is the same
4 residency requirement as is in state law.

5 SENATOR RANZENHOFER: And if the
6 sponsor will continue to yield, can the --

7 ACTING PRESIDENT BENJAMIN: Does
8 the sponsor yield?

9 SENATOR RANZENHOFER: Can the
10 sponsor tell me the number of --

11 ACTING PRESIDENT BENJAMIN: Hold
12 on. The sponsor has to yield first.

13 SENATOR SEPÚLVEDA: Through you,
14 Mr. President, yes.

15 ACTING PRESIDENT BENJAMIN: The
16 sponsor yields.

17 SENATOR RANZENHOFER: Can the
18 sponsor tell me the number of days or weeks or
19 months or years that is?

20 SENATOR SEPÚLVEDA: I don't know
21 the exact answer, Mr. President, but I believe
22 it's six months.

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

25 ACTING PRESIDENT BENJAMIN: Does

1 the sponsor yield?

2 SENATOR SEPÚLVEDA: Through you,
3 Mr. President, yes.

4 ACTING PRESIDENT BENJAMIN: The
5 sponsor yields.

6 SENATOR RANZENHOFER: So if I'm
7 correct in understanding, the sponsor is saying
8 that if somebody is here in the United States
9 illegally, they can't get a license in their own
10 home state, if they come to New York State they
11 are not able to get a driver's license for a
12 minimum of six months. Would that be a fair
13 statement?

14 SENATOR SEPÚLVEDA: Again, I
15 don't -- through you, Mr. President, I don't
16 recall the exact time. But it is the same
17 requirement as state law is today, for residency.

18 SENATOR RANZENHOFER: If the
19 sponsor will continue to yield.

20 ACTING PRESIDENT BENJAMIN: Does
21 the sponsor yield?

22 SENATOR SEPÚLVEDA: Through you,
23 Mr. President, yes.

24 ACTING PRESIDENT BENJAMIN: The
25 sponsor yields.

1 SENATOR RANZENHOFER: So as we're
2 debating this bill on the floor of the New York
3 State Senate and county clerks across the state
4 are interested in this bill, and people that work
5 in their office are interested in this bill, if
6 the sponsor is not able to tell me in terms of
7 the number of days or months or weeks how long it
8 is that these people that work in the clerk's
9 office, how long it has to be before that person
10 is here, what type of direction are we giving to
11 the county clerks in terms of how long do they
12 have to wait before they can issue a driver's
13 license to someone who can't get one in their own
14 home state but then comes to this state and shows
15 up at the DMV office and wants to get a driver's
16 license?

17 SENATOR SEPÚLVEDA: Through you,
18 Mr. President, we can go around in circles today,
19 but it's the same residency requirements pursuant
20 to law today.

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

23 ACTING PRESIDENT BENJAMIN: Does
24 the sponsor yield?

25 SENATOR SEPÚLVEDA: Through you,

1 Mr. President, yes.

2 ACTING PRESIDENT BENJAMIN: The
3 sponsor yields.

4 SENATOR RANZENHOFER: Since the
5 sponsor is indicating that the answer is "the
6 same," it's the same number of days, if --
7 somebody can establish residency in New York
8 State in one day. So if you can move here from
9 another state and then come to New York State and
10 you are now a resident, can somebody who wants to
11 get a license who is here in the United States
12 illegally, can't get one in their home state,
13 could they now do that in New York State?

14 SENATOR SEPÚLVEDA: Through you,
15 Mr. President, again, we just checked the number
16 of days. It's 90 days. It's the same
17 requirement pursuant to state law. They have to
18 be here 90 days to establish residency.

19 SENATOR RANZENHOFER: Okay. So if
20 the sponsor will continue to yield.

21 ACTING PRESIDENT BENJAMIN: Does
22 the sponsor yield?

23 SENATOR SEPÚLVEDA: Through you,
24 Mr. President, yes.

25 ACTING PRESIDENT BENJAMIN: The

1 sponsor yields.

2 SENATOR RANZENHOFER: Okay. So
3 first I heard it was six months; now it's
4 90 days. Is there -- so if a person comes here
5 and it's -- whether it's -- the sponsor is
6 claiming that it's six months or it's 90 days or
7 some other period of time -- I think the answer
8 is kind of muddy as we stand here on the floor of
9 the Senate and debate it. So if somebody shows
10 up at the DMV office, they're here in the
11 United States illegally, they can't get a license
12 in their own state, they want to get a driver's
13 license, they come here to New York -- what type
14 of proof do they have to show that they are a
15 New York State resident?

16 SENATOR SEPÚLVEDA: This -- through
17 you, Mr. President, this bill doesn't exactly
18 address that issue because it is the same
19 requirement for residency of New York State to
20 obtain a driver's license.

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

23 SENATOR SEPÚLVEDA: Through you,
24 Mr. President, this bill does not change that
25 requirement.

1 ACTING PRESIDENT BENJAMIN: Will
2 the sponsor continue to yield?

3 SENATOR SEPÚLVEDA: Through you,
4 Mr. President, yes.

5 ACTING PRESIDENT BENJAMIN: The
6 sponsor yields.

7 SENATOR RANZENHOFER: Well, we're
8 talking about two different classes of
9 individuals. We're talking about people that are
10 in the United States legally, and we're talking
11 about people that are in the United States
12 illegally. Is there a difference in the type of
13 proof that somebody who's here in the
14 United States illegally, they can't get a license
15 in their home state, they now come to New York
16 State for the purpose of getting a license. Is
17 the type of proof that that person is required to
18 show a DMV clerk different than somebody who is
19 here in the United States legally and also a
20 resident of New York State?

21 SENATOR SEPÚLVEDA: Through you,
22 Mr. President, again, it's -- all the
23 requirements to establish residency and the time
24 for -- the days for residency are not altered by
25 this bill. Everyone is treated the same.

1 SENATOR RANZENHOFER: If the
2 sponsor will continue to yield.

3 ACTING PRESIDENT BENJAMIN: Does
4 the sponsor yield?

5 SENATOR SEPÚLVEDA: Through you,
6 Mr. President, yes.

7 ACTING PRESIDENT BENJAMIN: The
8 sponsor yields.

9 SENATOR RANZENHOFER: So the proof
10 that needs to be shown to a DMV clerk for
11 somebody who's here in the United States
12 illegally, they can't get a license in their home
13 state, they now want to get a driver's license in
14 New York State -- are you saying, in terms of
15 this questioning that's going back and forth,
16 that the proof that this person who is here
17 illegally and can't get a license in their home
18 state, is what they have to show the exact same
19 as somebody who's here in the United States
20 legally and who is a New York State resident?

21 SENATOR SEPÚLVEDA: It's the same
22 proof to establish residency and the same number
23 of years, that's correct.

24 SENATOR RANZENHOFER: So under your
25 bill, then, you are treating people that are here

1 legally and people that are here illegally and
2 people that are residents of the state and
3 residents that are not -- people that are here
4 that are not residents of the state, under your
5 bill you are treating them the same in terms of
6 what has to be shown in order to get a license?

7 SENATOR SEPÚLVEDA: Other than
8 establishing a Social Security number --

9 SENATOR RANZENHOFER: I didn't
10 catch --

11 SENATOR SEPÚLVEDA: Other than
12 having a Social Security number, most of all the
13 other requirements are the same as required by
14 DMV, and other than the type of identification
15 that will be accepted to establish who the person
16 is.

17 SENATOR RANZENHOFER: So what is
18 the -- again, somebody is here in the
19 United States illegally, they can't get a license
20 in their home state, they show up at the DMV
21 office. Can you tell us what type of proof that
22 they'll be required to show in order to get their
23 license here in our state, New York State, that
24 they couldn't get in their home state?

25 SENATOR SEPÚLVEDA: When you're

1 saying "proof," with respect to identification or
2 residency requirement?

3 SENATOR RANZENHOFER: Proof to get
4 a New York State driver's license.

5 SENATOR SEPÚLVEDA: Well, I'll say
6 it again. If within 24 months of expiration of a
7 foreign license from the applicant's home
8 country; a valid unexpired consular ID document
9 issued by the applicant's home country; and a
10 valid passport from the applicant's home country.

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

13 ACTING PRESIDENT BENJAMIN: Does
14 the sponsor yield?

15 SENATOR SEPÚLVEDA: Through you,
16 Mr. President, I do.

17 ACTING PRESIDENT BENJAMIN: The
18 sponsor yields.

19 SENATOR RANZENHOFER: So what
20 happens if somebody is here in the United States
21 illegally, they can't get a license in their home
22 state, they come to New York State and they don't
23 have a foreign driver's license, they don't have
24 a foreign passport or any of the proof that's
25 required in this bill, are they able to get a

1 New York State driver's license?

2 SENATOR SEPÚLVEDA: Through you,
3 Mr. President. If they don't meet the
4 requirements under the bill, they don't have any
5 of this stuff, then they will not be able to get
6 a license.

7 SENATOR RANZENHOFER: I didn't hear
8 what the sponsor said.

9 SENATOR SEPÚLVEDA: Through you,
10 Mr. President, if they don't satisfy the
11 acceptable proof that's required to get a
12 standard license, they will not be able to get a
13 license.

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

16 ACTING PRESIDENT BENJAMIN: Does
17 the sponsor yield?

18 SENATOR SEPÚLVEDA: Through you,
19 Mr. President, yes.

20 ACTING PRESIDENT BENJAMIN: The
21 sponsor yields.

22 SENATOR RANZENHOFER: Can the
23 sponsor tell me if somebody who is applying for a
24 license under this bill -- is that person able to
25 get a commercial driver's license?

1 SENATOR SEPÚLVEDA: No. Through
2 you, Mr. President, no.

3 SENATOR RANZENHOFER: And I just
4 want to go over one more thing which was --

5 ACTING PRESIDENT BENJAMIN: Are you
6 asking the sponsor to yield?

7 SENATOR RANZENHOFER: If the
8 sponsor would be kind enough to indulge me.

9 ACTING PRESIDENT BENJAMIN: Does
10 the sponsor yield?

11 SENATOR SEPÚLVEDA: Through you,
12 Mr. President, yes.

13 ACTING PRESIDENT BENJAMIN: The
14 sponsor yields.

15 SENATOR RANZENHOFER: Can the
16 sponsor tell me -- we were talking about, you
17 know, whether or not there's voter fraud or not
18 voter fraud in terms of when the person goes to
19 the DMV in order to register to vote.

20 So again, under my scenario, someone
21 is in the United States illegally, they can't get
22 a license in their home state, they come to
23 whatever county they want to, to try to get a
24 license, and on that form it asks that question:
25 "Are you a citizen of the United States?"

1 Can you tell me why, under the bill,
2 if the clerks are now supposed to be the
3 gatekeepers of security for people trying to
4 obtain licenses illegally, why the bill does not
5 allow the county clerk representative to look at
6 that information to see what that person has
7 filled out?

8 SENATOR SEPÚLVEDA: Through you,
9 Mr. President, I'm not sure I understand my
10 colleague's question.

11 ACTING PRESIDENT BENJAMIN: Repeat
12 the question.

13 SENATOR RANZENHOFER: I'll repeat
14 the question.

15 Again, you know, bear with me with
16 my scenario. Someone is here in the United
17 States illegally, they live in another state
18 which they can't get a driver's license, which is
19 most of the other states in the United States.
20 They come to New York State, they want to apply
21 for a driver's license, they go to a DMV office,
22 they want to get their driver's license.

23 The first question is -- I think you
24 had stated before that the first question is "Are
25 you a citizen of the United States?" You had

1 said earlier that these county clerks, they're
2 receiving all this training, these are the new
3 gatekeepers for our security to making sure that
4 people can't do bad things to us with getting
5 driver's licenses.

6 Why would the person working in the
7 county clerk's office not be able to see the
8 answers that the applicant is putting down in
9 terms of whether or not they are a citizen of the
10 United States and whether or not they are going
11 to register to vote?

12 SENATOR SEPÚLVEDA: Through you,
13 Mr. President, that's not a requirement for the
14 standard licenses.

15 SENATOR RANZENHOFER: If the
16 sponsor will continue to yield.

17 ACTING PRESIDENT BENJAMIN: Does
18 the sponsor yield?

19 SENATOR SEPÚLVEDA: Through you,
20 Mr. President, yes.

21 ACTING PRESIDENT BENJAMIN: The
22 sponsor yields.

23 SENATOR RANZENHOFER: So that
24 wasn't really my question, because my question
25 was not really for people that are in the

1 United States legally and people that are
2 residents of New York State. My question is for
3 people that are not in the United States legally
4 and people that came from another state to get a
5 license here.

6 Why would the county clerks not be
7 able to access that information to make sure that
8 if they are going to be the gatekeepers, that
9 they can actually keep the gate to make sure that
10 somebody who is checking the box that they are
11 not a citizen is not registering to vote?
12 Wouldn't it make sense, if they are going to be
13 the new gatekeepers, that they be allowed to have
14 that administrative ability to check on that
15 particular question?

16 SENATOR SEPÚLVEDA: Through you,
17 Mr. President, the DMV or the clerks, they get
18 the source documents. They have access to that.
19 They can check it. And on the back end, they can
20 check the validity of it.

21 SENATOR RANZENHOFER: I can't hear
22 the answer.

23 ACTING PRESIDENT BENJAMIN: Will
24 you speak up, please?

25 SENATOR SEPÚLVEDA: Yes,

1 Mr. President. Through you, Mr. President.

2 They -- the DMV clerk or the county
3 clerk gets the source documents. They're able to
4 review the documents. They're able to ascertain
5 their validity. They're able to maintain these
6 documents for as long as they need to in order to
7 establish that they are valid.

8 SENATOR RANZENHOFER: If the
9 sponsor will continue to yield.

10 ACTING PRESIDENT BENJAMIN: Does
11 the sponsor yield?

12 SENATOR SEPÚLVEDA: Through you,
13 Mr. President, yes.

14 ACTING PRESIDENT BENJAMIN: The
15 sponsor yields.

16 SENATOR RANZENHOFER: So why -- I
17 understand that -- I understand the sponsor's
18 answer with respect to the documents.

19 But if the clerk is going to be the
20 gatekeeper of making sure that things are done
21 properly, why would not -- under these new
22 responsibilities, why wouldn't you allow the
23 county clerk person working in the county clerk's
24 office to be able to make sure that if someone is
25 checking the box -- again, they're here

1 illegally, they're from another state where they
2 can't get a license in their own state. Why
3 wouldn't you allow that administrative official
4 to be able to verify that if they are checking
5 the box "I am not a citizen" that they're not
6 also checking the box that they're not
7 registering to vote?

8 It's a pretty simple administrative
9 task. It would take about a half a second to
10 look at that. Why wouldn't this bill permit the
11 county clerk representative to do that?

12 SENATOR SEPÚLVEDA: Through you,
13 Mr. President, citizenship status is not
14 pertinent to the standard licenses. The only
15 thing that the clerks have to confirm is the
16 validity of documents, and they can do that.

17 In fact, to alleviate some of the
18 concerns within the DMV and law enforcement, they
19 can keep it for a long -- a period that's
20 requiring them to verify the validity of these
21 documents. So they can -- I'm not sure I
22 understand --

23 SENATOR RANZENHOFER: I'll try
24 again, Mr. President, if the sponsor will
25 continue to yield.

1 ACTING PRESIDENT BENJAMIN: Does
2 the sponsor continue to yield?

3 SENATOR RANZENHOFER: So I'm not
4 talking about the registering --

5 ACTING PRESIDENT BENJAMIN: Hold
6 on, sir. Do you yield?

7 SENATOR SEPÚLVEDA: Yes,
8 Mr. President.

9 ACTING PRESIDENT BENJAMIN: The
10 sponsor yields.

11 SENATOR RANZENHOFER: Yeah, so I'm
12 not saying right now -- you know, we're not
13 talking about the registration for the license,
14 we're talking about the voting part of it which
15 is attached. I mean, they are -- it's a
16 symbiotic relationship. When you go in in
17 New York State to sign up for a driver's license,
18 you are also allowed to register to vote at the
19 same time.

20 So I'm separating those two
21 functions, because the county clerk is really
22 doing two things -- or the person that is signing
23 up for the license is really doing two things.
24 They're applying for a license, and they're
25 registering to vote.

1 So put aside for a moment, if you
2 will, the part dealing with the registering -- or
3 the part dealing with signing up for the license.
4 You've addressed that, I understand, and that's
5 one part of it.

6 But now we have the second part that
7 as you sign up for a driver's license, you are
8 also, in New York State, allowed to register to
9 vote. So my question is just with the
10 registration for voting. This only pertains to
11 this. And you have said here on the floor of the
12 Senate that these county clerk representatives
13 are our new gatekeepers, they receive all this
14 training, they get all this money. Why not allow
15 them to look at the pad which is in the county
16 clerk's office to make sure that someone is not
17 checking the box that they are not a citizen of
18 the United States and at the same time checking
19 the box that they are registering to vote? It
20 seems like a pretty simple thing to allow the
21 county clerk to be able to do that.

22 And I'm wondering, under your bill,
23 why did you prevent the county clerk from doing
24 that?

25 SENATOR SEPÚLVEDA: Through you,

1 Mr. President, county clerks are --

2 SENATOR RANZENHOFER: I can't hear
3 the --

4 SENATOR SEPÚLVEDA: Through you,
5 Mr. President, county clerks are not Board of
6 Election employees or agents. It's not their
7 responsibility. And with these standard
8 licenses, the clerks or the DMV clerks have no
9 role to play in terms of voter registration.

10 Voter registration is voluntary. So
11 there's no connection. It has nothing to do with
12 voter registration vis-a-vis getting a license.

13 SENATOR RANZENHOFER: Well -- if
14 the sponsor will continue to yield.

15 ACTING PRESIDENT BENJAMIN: Does
16 the sponsor yield?

17 SENATOR SEPÚLVEDA: Through you,
18 yes.

19 ACTING PRESIDENT BENJAMIN: The
20 sponsor yields.

21 SENATOR RANZENHOFER: In our state,
22 in New York State, the two go hand-in-hand,
23 because you are allowed to accomplish both
24 objectives in a single transaction when you're at
25 the DMV office.

1 And I understand that the people
2 that work in the clerk's office are not DMV -- or
3 are not Board of Elections officials. So if
4 that's your position that they're not -- you
5 know, the two are really separate, why wouldn't
6 you then not allow somebody who is here
7 illegally, comes from another state, wants to get
8 a New York State driver's license -- why would
9 you then even permit that person to fill out that
10 part or to press the appropriate boxes on the
11 iPad to even answer a question, "Do you want to
12 register to vote?" Why wouldn't you just say no,
13 you know, you're here illegally, you can't vote?
14 Why would you even give them the opportunity to
15 be able to check that box?

16 SENATOR SEPÚLVEDA: Tons of people
17 are already registering to vote -- applying for a
18 license irrespective of their regi -- their
19 eligibility for voter registration. So the
20 county clerks are already engaging in this
21 process.

22 SENATOR RANZENHOFER: Is the
23 sponsor finished with his --

24 ACTING PRESIDENT BENJAMIN: He's
25 finished.

1 SENATOR RANZENHOFER: Okay. Thank
2 you. On the bill.

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

5 SENATOR RANZENHOFER: First of all,
6 I want to thank the sponsor for his answers. I'm
7 really not satisfied with the answers that I
8 received here on the floor of the Senate, but I
9 want to thank him for his courtesy in answering
10 the questions.

11 I think it's very unclear to me from
12 the sponsor's answers in terms of how this whole
13 system is really going to work. And really, you
14 know, what are we going to do with my basic
15 premise -- if somebody is here in the
16 United States illegally, they can't get a license
17 in the other 37 or I think it's 38 states they
18 can't get a license in their own state, they come
19 here to New York State to get a license? And I
20 really did not get a satisfactory answer on what
21 the residency requirements were -- it was six
22 months, it was 90 days, some others think it
23 might be -- you know, there might be no residency
24 requirement. It really is unclear.

25 And again, if we're providing

1 guidance for people that work in DMV offices to
2 be able to register people for a license or to
3 sign up for a license, I really think there needs
4 to be more clarity.

5 And the other point I just want to
6 address is something which I just found very
7 bizarre in listening to the exchange between
8 Senator Ortt and the sponsor, where Senator Ortt
9 was asking, based on 9/11, you know, what about
10 people that were able to get driver's licenses
11 here in some of the states in our union and then
12 were able to use those licenses for other
13 purposes -- you know, whether it be to rent
14 vehicles, to purchase plane tickets and the like?
15 You know, what are we going to do about that?
16 And the answer was: Well, after the fact, we'll
17 be able to identify them.

18 And I've got to tell you, it's one
19 of the strangest responses that I've ever heard
20 as a justification for this bill, that we'll be
21 able to find out who people are that have done
22 bad things to our citizens after the fact, as
23 justification for this bill, really not
24 addressing the underlying question. It's not
25 trying to find out who did it after the fact,

1 it's trying to prevent something like this from
2 happening.

3 So I just found that -- I'm just
4 flabbergasted with that answer to this question
5 on such an important bill and such an important
6 issue dealing with security, not only of
7 residents of New York State, especially in light
8 of 9/11, but really for the entire United States.

9 So again, thank you for the
10 courtesies of you, Mr. President, for allowing me
11 to speak on the bill, and again to the sponsor
12 for addressing some of my questions.

13 Thank you.

14 ACTING PRESIDENT BENJAMIN: Are
15 there any other Senators wishing to be heard?

16 Senator Ritchie.

17 SENATOR ANTONACCI: Thank you,
18 Mr. President.

19 Would the sponsor yield for a few
20 questions?

21 ACTING PRESIDENT BENJAMIN: Does
22 the sponsor yield?

23 SENATOR SEPÚLVEDA: Through you,
24 Mr. President, yes.

25 ACTING PRESIDENT BENJAMIN: The

1 sponsor yields.

2 SENATOR RITCHIE: I hadn't intended
3 to ask a few questions, but as a former county
4 clerk and someone who worked at the DMV, some of
5 the answers to Senator Ranzenhofer's questions
6 were a little concerning.

7 I know that Senator Ranzenhofer had
8 asked you about the question about the electronic
9 check box and the fact that you said it wasn't
10 the DMV clerk's job to verify the check box.

11 So is that -- did I hear that
12 correctly, that there was an issue that it wasn't
13 a DMV clerk's job to verify on the electronic
14 signature pad that the person was a U.S. citizen
15 and had decided to register to vote?

16 SENATOR SEPÚLVEDA: The DMV clerk
17 is -- is -- I'm sorry, ask your question one more
18 time, Senator Ritchie. I just want to make sure
19 I answer it right so we don't have this problem
20 that I had with --

21 SENATOR RITCHIE: So for
22 clarification, I thought you answered to Senator
23 Ranzenhofer's question whether it was a DMV
24 clerk's job -- or why wouldn't the DMV clerk look
25 at the signature pad to see if they had answered

1 the person was a U.S. citizen or were they
2 registering to vote, that that was not their job,
3 that that was the Board of Elections' job.

4 SENATOR SEPÚLVEDA: Nothing has
5 changed -- through you, Mr. President, nothing's
6 changed in standard procedures. The DMV -- the
7 county clerks are already processing these
8 applications.

9 SENATOR RITCHIE: Would the sponsor
10 continue to yield?

11 ACTING PRESIDENT BENJAMIN: Does
12 the sponsor yield?

13 SENATOR SEPÚLVEDA: Through you,
14 Mr. President, yes.

15 ACTING PRESIDENT BENJAMIN: The
16 sponsor yields.

17 SENATOR RITCHIE: So before these
18 electronic signature pads were in and the paper
19 applications were there, there was a tear strip
20 on the bottom that the DMV clerk had to verify,
21 did you want to register to vote or not. So at
22 one point DMV clerks, before this last electronic
23 box was installed, it was their job to make sure
24 that question was answered.

25 So I guess my question is, why would

1 it not be a responsibility now to turn that
2 around, when previously it was their job to check
3 on the application?

4 SENATOR SEPÚLVEDA: Through you,
5 Mr. President, it's the same process that it's
6 always been, and voter registration is voluntary.

7 SENATOR RITCHIE: If the sponsor
8 would continue to yield.

9 ACTING PRESIDENT BENJAMIN: Does
10 the sponsor yield?

11 SENATOR SEPÚLVEDA: Through you,
12 Mr. President, yes.

13 ACTING PRESIDENT BENJAMIN: The
14 sponsor yields.

15 SENATOR RITCHIE: On Senator
16 Ranzenhofer's question about proof of residency
17 and how long, I believe your answer was 90 days.

18 But a person coming from out of
19 state only has 30 days to change their
20 out-of-state license over to a New York license.
21 So I don't really understand why it would be
22 90 days if you only have 30 days if you're coming
23 from out of state for residency.

24 SENATOR SEPÚLVEDA: Through you,
25 Mr. President. The 30 days is to swap out an

1 existing license with another jurisdiction, not
2 for a new license.

3 SENATOR RITCHIE: If the sponsor
4 would continue to yield.

5 ACTING PRESIDENT BENJAMIN: Does
6 the sponsor yield?

7 SENATOR SEPÚLVEDA: Through you,
8 Mr. President, yes.

9 ACTING PRESIDENT BENJAMIN: The
10 sponsor yields.

11 SENATOR RITCHIE: Could you tell me
12 what is needed to prove residency in New York,
13 what documentation?

14 SENATOR SEPÚLVEDA: The bill
15 doesn't necessarily deal with that, because we're
16 not changing the existing law. So whatever the
17 requirements are for DMV for residency will not
18 change.

19 SENATOR RITCHIE: If the sponsor
20 would continue to yield.

21 ACTING PRESIDENT BENJAMIN: Does
22 the sponsor yield?

23 SENATOR SEPÚLVEDA: Through you,
24 Mr. President, yes.

25 ACTING PRESIDENT BENJAMIN: The

1 sponsor yields.

2 SENATOR RITCHIE: It does deal with
3 it, because it goes directly to Senator
4 Ranzenhofer's question about if somebody came
5 from another state who was here not legally and
6 wanted to now get a license in New York, I
7 believe you only have to show two proofs of --
8 proof of address for residency, and that would be
9 like a utility bill or something from the bank,
10 which would be able to, I think, be ascertained
11 pretty quickly in a couple of days.

12 So I guess my question again is, how
13 long does a person have to wait when they come
14 from out of state if they're not here legally to
15 establish residency?

16 SENATOR SEPÚLVEDA: Through you,
17 Mr. President, Senator Ritchie has indicated she
18 was a clerk. She probably knows what the
19 requirements are for residency. I'm not -- I
20 haven't been -- renewed my license in a while.

21 But again, I reiterate it's the same
22 requirements for -- as state law requires now in
23 order to establish residency. Whatever documents
24 are required will not change with this bill.

25 SENATOR RITCHIE: Will the sponsor

1 continue to yield?

2 ACTING PRESIDENT BENJAMIN: Does
3 the sponsor yield?

4 SENATOR SEPÚLVEDA: Through you,
5 Mr. President, yes.

6 ACTING PRESIDENT BENJAMIN: The
7 sponsor yields.

8 SENATOR RITCHIE: Could you clarify
9 for me the license that you were speaking of, not
10 for federal purposes?

11 SENATOR SEPÚLVEDA: That is a
12 standard license. Through you, Mr. President,
13 standard license.

14 SENATOR RITCHIE: That is a
15 standard license.

16 Would the sponsor continue to yield?

17 ACTING PRESIDENT BENJAMIN: Does
18 the sponsor yield?

19 SENATOR SEPÚLVEDA: Through you,
20 Mr. President, yes.

21 ACTING PRESIDENT BENJAMIN: The
22 sponsor yields.

23 SENATOR ANTONACCI: So that license
24 is used for people who are here legally in
25 New York State also; correct?

1 SENATOR SEPÚLVEDA: That license --
2 through you, Mr. President, that license applies
3 for anybody who opts out of a Real ID, whether
4 you're an immigrant or not, regardless of your
5 immigration status.

6 SENATOR RITCHIE: Will the sponsor
7 continue to yield?

8 ACTING PRESIDENT BENJAMIN: Does
9 the sponsor yield?

10 SENATOR SEPÚLVEDA: Through you,
11 Mr. President, yes.

12 ACTING PRESIDENT BENJAMIN: The
13 sponsor yields.

14 SENATOR RITCHIE: So to one of the
15 previous questions when they were talking about
16 going in to show for the first time after you
17 registered to vote, you needed to show your
18 driver's license, it would say on there "not for
19 federal purposes" so they would know they
20 couldn't vote; is that correct?

21 SENATOR SEPÚLVEDA: The application
22 will ask you if you are a U.S. citizen. They are
23 required to say no if they're undocumented
24 immigrants because of their citizenship status.
25 So --

1 SENATOR RITCHIE: I'm sorry, I
2 can't hear you, Senator.

3 ACTING PRESIDENT BENJAMIN: Can I
4 ask everyone --

5 SENATOR SEPÚLVEDA: That's correct.
6 Through you, Mr. President --

7 ACTING PRESIDENT BENJAMIN: Can I
8 ask everyone to keep their voices down?

9 Senator Sepúlveda, can I ask you to
10 speak up as much as you can?

11 SENATOR SEPÚLVEDA: Yes.

12 ACTING PRESIDENT BENJAMIN: Thank
13 you. Continue.

14 SENATOR SEPÚLVEDA: I'm sorry,
15 Senator Ritchie, your question was whether that
16 license is going to indicate "not for federal
17 purposes"? Is that your question? Because
18 again, we're having -- I'm having --

19 SENATOR RITCHIE: Through you,
20 Mr. President, can I continue to ask the
21 question?

22 ACTING PRESIDENT BENJAMIN: Does
23 the sponsor yield?

24 SENATOR SEPÚLVEDA: Through you,
25 Mr. President, yes.

1 ACTING PRESIDENT BENJAMIN: The
2 sponsor yields.

3 SENATOR RITCHIE: Previously when
4 the question was asked, How can you prove when
5 somebody goes to vote that they're not a U.S.
6 citizen -- and I thought you had said that they
7 would have a driver's license that says "not for
8 federal purposes" so the Board of Elections would
9 know that they can't vote. But the reality is
10 somebody who's here legally would have the same
11 license that says "not for federal purposes" and
12 has only chosen to have that license because they
13 didn't want to go through the steps for an
14 enhanced.

15 So how would the person at Board of
16 Elections, when you're signing in, know whether
17 you're able to vote or not to vote if U.S.
18 citizens have that license and people who are
19 here illegally have that license?

20 SENATOR SEPÚLVEDA: Through you,
21 Mr. President, because they won't be on the voter
22 rolls. Because they are not registered to vote.

23 SENATOR RITCHIE: Would the sponsor
24 continue to yield?

25 ACTING PRESIDENT BENJAMIN: Does

1 the sponsor yield?

2 SENATOR SEPÚLVEDA: Through you,
3 Mr. President, yes.

4 ACTING PRESIDENT BENJAMIN: The
5 sponsor yields.

6 SENATOR RITCHIE: This is a
7 follow-up to the question earlier that said if
8 somebody goes into the DMV and checks the box and
9 says that they are a U.S. citizen and they are
10 registered to vote -- and I think the answer was
11 that eventually that would get caught, because
12 when the person showed up for the first time and
13 had to show their driver's license, it would be a
14 "not for federal purposes" license so the person
15 at the polling site would know that they are not
16 a U.S. citizen.

17 SENATOR SEPÚLVEDA: Again, these
18 individuals would not be on the voter rolls, so
19 the clerk at the poll site would know that these
20 individuals are not registered to vote.

21 SENATOR RITCHIE: If the sponsor
22 would continue to yield.

23 ACTING PRESIDENT BENJAMIN: Does
24 the sponsor yield?

25 SENATOR RITCHIE: The question was

1 if they --

2 ACTING PRESIDENT BENJAMIN: Hold
3 on. Does the sponsor yield?

4 SENATOR SEPÚLVEDA: Through you,
5 Mr. President, yes.

6 ACTING PRESIDENT BENJAMIN: The
7 sponsor yields.

8 SENATOR RITCHIE: -- if they
9 inadvertently check on the electronic signature
10 pad that they are a U.S. citizen and they are
11 able to vote, previously the answer was it would
12 get picked up at the polling site because their
13 license would say not for federal purposes.

14 But U.S. citizens have those same
15 licenses. So how would the poll worker be able
16 to distinguish the person is not supposed to be
17 on that voter list because they answered the
18 question incorrectly?

19 SENATOR SEPÚLVEDA: Well, the DMV
20 has -- through you, Mr. President, the DMV has
21 several mechanisms in place to weed out -- for
22 this particular issue, if in fact they
23 accidentally fill out the form saying that they
24 want to register to vote.

25 SENATOR RITCHIE: If the sponsor

1 would yield for just a couple more questions.

2 ACTING PRESIDENT BENJAMIN: Does
3 the sponsor yield?

4 SENATOR SEPÚLVEDA: Through you,
5 Mr. President, yes.

6 ACTING PRESIDENT BENJAMIN: The
7 sponsor yields.

8 SENATOR RITCHIE: Earlier when it
9 talked -- when there was a conversation about the
10 added cost, I believe you said that the counties
11 and the DMVs were going to get more money because
12 they were issuing enhanced licenses now, or
13 Real ID licenses.

14 Could you tell me where that money
15 comes into their budget? Because for several
16 years I've carried a bill to increase the
17 percentage of the money counties keep because of
18 the additional cost for these licenses.

19 SENATOR SEPÚLVEDA: Through you,
20 Mr. President, it is in the DMV capital budget,
21 to the tune of \$33 million.

22 SENATOR RITCHIE: If the sponsor
23 would continue to yield for just a couple more.

24 ACTING PRESIDENT BENJAMIN: Does
25 the sponsor yield?

1 SENATOR SEPÚLVEDA: Through you,
2 Mr. President, yes.

3 ACTING PRESIDENT BENJAMIN: The
4 sponsor yields.

5 SENATOR RITCHIE: Could you explain
6 to me -- because I do believe that there are
7 going to be a lot of DMV clerks who are going to
8 be having a hard time trying to distinguish
9 foreign documents that they're not used to.

10 I understand that you said there's
11 training. But on any given day, you're looking
12 at either a Social Security card or documents
13 from inside the United States. So how will these
14 clerks be trained to pick up on the fraudulent
15 documents that they're not used to seeing?

16 SENATOR SEPÚLVEDA: Through you,
17 Mr. President, that would be the function of the
18 DMV commissioner and the training that they're
19 going to be receiving.

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

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

24 SENATOR SEPÚLVEDA: Through you,
25 Mr. President, yes.

1 ACTING PRESIDENT BENJAMIN: The
2 sponsor yields.

3 SENATOR RITCHIE: Previously, if
4 someone came into the DMV and they had fraudulent
5 documents, law enforcement would be called at
6 that point because the clerk believed they were
7 fraudulent documents. Can you explain to me how
8 that will work now?

9 SENATOR SEPÚLVEDA: Again, through
10 you, Mr. President, it would be the same process.
11 Nothing has changed.

12 SENATOR RITCHIE: Will the sponsor
13 continue to yield?

14 ACTING PRESIDENT BENJAMIN: Does
15 the sponsor yield? Does the sponsor yield?

16 SENATOR SEPÚLVEDA: Through you,
17 Mr. President, yes.

18 ACTING PRESIDENT BENJAMIN: The
19 sponsor yields.

20 SENATOR RITCHIE: So if someone
21 comes into the office, then -- they are
22 undocumented, but the clerk believes that they
23 have a fraudulent document -- it will still be
24 acceptable to call law enforcement at that point?

25 SENATOR SEPÚLVEDA: Through you,

1 Mr. President, the answer is they go through the
2 same procedures that they do when they're
3 checking foreign documents.

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

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

8 Seeing and hearing none, the debate
9 is closed.

10 The Secretary will ring the bell.

11 The Senate will come to order.

12 Order in the chamber, please.

13 Read the last section.

14 THE SECRETARY: Section 8. 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 SENATOR GRIFFO: Slow roll call
21 request.

22 ACTING PRESIDENT BENJAMIN: A slow
23 roll call has been requested and is so ordered.

24 THE SECRETARY: Senator Addabbo.

25 SENATOR ADDABBO: Yes.

1 THE SECRETARY: Senator Addabbo in
2 the affirmative.

3 Senator Akshar.

4 SENATOR AKSHAR: Mr. President, I'd
5 like to explain my vote.

6 ACTING PRESIDENT BENJAMIN: Senator
7 Akshar to explain his vote.

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

10 I want to thank the sponsor for the
11 back-and-forth. I appreciated him answering my
12 questions. And I know in his heart he believes
13 this is truly the right thing to do.

14 Having a driver's license, from my
15 perspective, is a privilege, it's not a right.
16 The vast majority of New Yorkers believe that.
17 The U.S. Court of Appeals agrees with me. It's
18 really important for the people across this great
19 state to truly understand what is happening here
20 today.

21 One-party rule in New York. We're
22 choosing once again to reward those who break the
23 law. From my perspective, it's a slap in the
24 face to law-abiding New Yorkers as well as new
25 Americans that have taken the appropriate steps

1 to do things in the right way and because
2 citizens legally.

3 I polled this issue back at home.
4 Eighty-five percent of the people in Senate
5 District 52 are opposed to this. So I can hear
6 it now, the critics and the pundits, whether --
7 either here in Albany or they're back at home,
8 they'll say, Akshar is being divisive because
9 he's opposed to this measure.

10 I would say this. Since when is it
11 divisive to support the rule of law? Since when
12 is it divisive to say that we shouldn't be
13 enabling those who choose to break the law?
14 Since when is it divisive to say that we as a
15 state shouldn't be supporting individuals who
16 willfully and continuously break the law? And
17 since when is it divisive to listen to the
18 opinions of legal, law-abiding citizens?

19 With today's vote, those who support
20 rewarding undocumented and illegal immigrants for
21 willfully breaking the law are only continuing
22 this state's trend toward favoring criminals over
23 law-abiding citizens. And a simple "no" vote as
24 a member of the Majority isn't enough.

25 Today is the today when you could

1 have stood up to leadership and said: No way,
2 not today. You could have supported the will of
3 the people. And when you went into the Majority,
4 you promised the people of Long Island that you
5 would protect them. You promised the people in
6 upstate New York that you would protect them.
7 You failed. You failed miserably.

8 Doing what's right may not always be
9 what's popular, and what's popular may not always
10 be what's right. Today I would say that they're
11 one and the same.

12 It's a sad day in the State of
13 New York. This is a terrible public policy. It
14 disregards history, it disregards case law, all
15 in the interests of a few at the expense of many.

16 I vote no.

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

19 THE SECRETARY: Senator Amedore.

20 SENATOR AMEDORE: No.

21 THE SECRETARY: Senator Amedore in
22 the negative.

23 Senator Antonacci.

24 SENATOR ANTONACCI: No.

25 ACTING PRESIDENT BENJAMIN: Senator

1 Antonacci in the negative.

2 Senator Bailey.

3 SENATOR BAILEY: Absolutely.

4 ACTING PRESIDENT BENJAMIN: Senator
5 Bailey in the affirmative.

6 (Applause from the gallery.)

7 ACTING PRESIDENT BENJAMIN:

8 Order -- wait. Order in the chamber, please.

9 Let's get through the vote, and then that will be
10 the appropriate time. Please.

11 SENATOR LaVALLE: Can we have some
12 decorum in this chamber.

13 ACTING PRESIDENT BENJAMIN: Thank
14 you, Senator LaValle.

15 THE SECRETARY: Senator Benjamin.

16 ACTING PRESIDENT BENJAMIN: Yes.

17 THE SECRETARY: Senator Benjamin in
18 the affirmative.

19 Senator Biaggi.

20 SENATOR BIAGGI: I vote aye, and I
21 rise to explain my vote.

22 ACTING PRESIDENT BENJAMIN: Senator
23 Biaggi to explain her vote.

24 SENATOR BIAGGI: Thank you. I
25 proudly rise to vote aye.

1 And I have a message about what we
2 do here in this chamber. We all know that the
3 law is never finished. It is a work in progress,
4 and it always will be. We are legislators. And
5 when the law does not align with the reality of
6 our lived circumstances, we change the law.

7 We cannot ignore cultural change. A
8 Legislature ought not be affected by the weather
9 of the day, but we will be by the climate of the
10 era.

11 You can't skirt the law when you
12 make the law. And I am very proud to vote aye to
13 change the law today to provide this for our
14 undocumented friends in the State of New York.

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

17 THE SECRETARY: Senator Boyle.

18 SENATOR BOYLE: Mr. President, to
19 explain my vote.

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

22 SENATOR BOYLE: In honor of those
23 many, many, many people throughout the world who
24 want to come to America, live the American dream,
25 come to New York, live the New York dream, but

1 are doing it the right way -- following the
2 process, following the rules -- I vote nay.

3 ACTING PRESIDENT BENJAMIN: Senator
4 Boyle to be recorded in the negative.

5 THE SECRETARY: Senator Breslin.

6 SENATOR BRESLIN: Yes.

7 THE SECRETARY: Senator Breslin in
8 the affirmative.

9 Senator Brooks.

10 SENATOR BROOKS: No.

11 THE SECRETARY: Senator Brooks in
12 the negative.

13 Senator Carlucci.

14 SENATOR CARLUCCI: Yes.

15 THE SECRETARY: Senator Carlucci in
16 the affirmative.

17 Senator Comrie.

18 SENATOR COMRIE: Absolutely.

19 THE SECRETARY: Senator Comrie in
20 the affirmative.

21 Senator Felder.

22 SENATOR FELDER: Yes.

23 THE SECRETARY: Senator Felder in
24 the affirmative.

25 Senator Flanagan.

1 SENATOR FLANAGAN: No.

2 THE SECRETARY: Senator Flanagan in
3 the negative.

4 Senator Funke.

5 SENATOR FUNKE: To explain my vote,
6 Mr. President.

7 ACTING PRESIDENT BENJAMIN: Senator
8 Funke to explain his vote.

9 SENATOR FUNKE: I heard reference
10 during the debate today about the law before
11 9/11. And I don't have to tell anybody from
12 New York City how 9/11 has changed a lot of
13 things that we do -- most of all, our need to be
14 very careful about what we do and the bills that
15 we pass.

16 It's more important than ever to
17 know who people are and why they are here. And
18 having said that, there's nobody on this side of
19 the aisle who doesn't have great sympathy for
20 those who want to come to this country to live
21 and work and raise a family and become an
22 American first of all.

23 But there is a right way to do it.
24 And I wish we could figure it out once and for
25 all and make it less expensive in the process.

1 But I want to say this. People who are here in
2 violation of our laws shouldn't get a free pass.
3 Illegal is illegal. It happens to be illegal for
4 people to hire illegal aliens.

5 Beyond that, the simple fact is
6 this. Our country -- our county clerks and our
7 DMV employees are left with no way to truly
8 verify and vet documents from other countries.
9 And now our counties will have to deal with yet
10 another unfunded mandate from Albany, which is to
11 hire even more people to handle the new
12 applicants.

13 This is a very unpopular bill.
14 Two-thirds of our states don't allow illegal
15 immigrants to drive, and the handful that do
16 certainly don't do it like this. They require a
17 path to citizenship, they require a tax ID, or
18 they issue a temporary license.

19 Not New York. We're taking up a
20 measure today for the express purpose of
21 undermining federal immigration statutes. We are
22 risking our safety, and we are endorsing
23 lawlessness.

24 A valid government ID should be
25 reserved for citizens of this country and nobody

1 else. And anybody who votes to undercut our laws
2 today broke an oath to uphold the Constitution of
3 this country.

4 I vote no.

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

7 THE SECRETARY: Senator Gallivan.

8 ACTING PRESIDENT BENJAMIN: Senator
9 Gallivan to explain his vote.

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

12 This legislation as it's been and
13 being discussed today, it really caused me to
14 think of when I travel and travel to other
15 countries. And growing up in Western New York
16 with the Peace Bridge, Canada as our neighbor,
17 many of us travel back and forth on a very
18 regular basis. And like, I'm assuming, just
19 about everybody in this room, I would never, ever
20 think to violate the laws of Canada or places
21 that I would visit. It would never once enter my
22 mind to try to get into their country illegally.

23 Likewise, like I'm assuming most
24 everybody in the room and our constituents, I
25 endeavor at home to comply with all of our laws,

1 New York State laws, the federal laws as well.

2 We know the rights and privileges
3 accrue to our citizens, our visitors, and
4 immigrants who are here lawfully, not to those
5 who are in violation of law. And let's be clear,
6 we are lawmakers and we change laws in New York
7 State. We are not changing the law that will
8 continue to be violated and rewarded.

9 This bill provides privileges to
10 those in violation of our laws and further
11 establishes a higher bar for the lawful citizens
12 and visitors to our state to follow. The bill
13 also handicaps and compromises those we charge to
14 protect us and enforce the law, telling them to
15 ignore violations of law by a selected class, all
16 at the expense of the citizens they serve.

17 And for the lawful citizens we
18 serve, or are supposed to, they most certainly
19 will not be rewarded for unlawful conduct. Their
20 insurance rates will not come down; they never
21 do. And their faith in our government will
22 continue to erode.

23 For these reasons, I vote no.

24 ACTING PRESIDENT BENJAMIN: Senator
25 Gallivan to be recorded in the negative.

1 THE SECRETARY: Senator Gaughran.

2 SENATOR GAUGHRAN: No.

3 THE SECRETARY: Senator Gaughran in
4 the negative.

5 Senator Gianaris.

6 ACTING PRESIDENT BENJAMIN: Senator
7 Gianaris to explain his vote.

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

10 We have just spent the last two
11 hours listening to some of the worst demagoguery
12 I've heard in this Senate chamber.

13 We are talking about that same old
14 trope my colleagues across the aisle have --
15 always throw out when they want to scare people.
16 There might be voter fraud. Even though there
17 has not been voter fraud that is demonstrable in
18 this country. It is the same old excuse used to
19 keep people down that has been used on issue
20 after issue after issue. And frankly, I am sick
21 of it.

22 The fact is people who are not
23 citizens do get licenses today: If they have
24 green cards, if they're TPS holders or DACA
25 recipients. They have driver's licenses.

1 They're not running around organizing some
2 massive voter fraud operation.

3 The fact is that people who are here
4 undocumented are scared to do anything illegal.
5 They are hiding in the shadows today, and we are
6 trying to help them come out of the shadows. So
7 some notion of a grand conspiracy, they're all
8 going to meet up somewhere and cast votes in some
9 organized fashion and break the law explicitly --
10 risk getting deported, risk going to jail -- is
11 absolutely ridiculous.

12 And we sit here and we listen to
13 these arguments -- oh, we're rewarding unlawful
14 conduct. That is the same argument that is being
15 used today to separate four-month-old babies from
16 their mothers at the border of this country.

17 And frankly, my colleagues should be
18 ashamed of themselves. They should be ashamed of
19 themselves for what they're countenancing for
20 their political gain, because that's what this
21 is. They think there's a political advantage in
22 hurting people and keeping people from getting
23 licenses.

24 All you're hurting are the people of
25 this state, because what you have now is people

1 who are not approved to drive, who haven't gone
2 through the safety tests required to get a
3 license, who are on the streets anyway. They're
4 uninsured. So when your constituents, our
5 New York citizens, are hurt in a crash, good luck
6 getting compensated when there's no insurance
7 involved. Never mind the revenue that would be
8 generated by allowing people to get licenses and
9 pay the fees that's appropriate.

10 There is no meritorious argument
11 against this bill. It is demagoguery, pure and
12 simple. I proudly cast my vote in the
13 affirmative, and I'm proud to be a member of this
14 chamber today, Mr. President.

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

17 THE SECRETARY: Senator Gounardes.

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

20 SENATOR GOUNARDES: Thank you,
21 Mr. President.

22 You know, we keep hearing illegal,
23 illegal, illegal. And it angers me and
24 infuriates me because no human being is illegal.
25 Period, stop, end of story. We have to stop

1 saying this over and over again, because we
2 dehumanize and we delegitimize people who are our
3 brothers and sisters in humanity. The same
4 people living in the shadows who are working the
5 dairy farms that give us the yogurt that we have
6 in our lounge inside, or pick our apples, or
7 deliver our food to us in New York City. Living
8 in the shadows, and all they are asking to do is
9 be recognized for the human beings that they are.

10 It's shameful to sit here and
11 dehumanize them in this way. It infuriates me.
12 Listening to this debate, minute after minute,
13 comment after comment, I was squeezing the table
14 because I was getting so angry. Infuriating.

15 Today we're going to right that
16 wrong. I don't care what that other side is
17 saying, because we know that what we're doing
18 today is right. On June 17, 1885 -- for those of
19 you that are history fans; nerds, if you will --
20 a ship came into New York Harbor with the
21 disassembled Statue of Liberty from France, 134
22 years ago today. The Statue of Liberty that
23 stands in New York Harbor and welcomes immigrants
24 of all stripes, people who are trying to come
25 here for a better life for themselves, better

1 quality of -- because they had to flee their
2 homes because it's dangerous, because they want
3 to have a better life for their kids here in
4 America. A hundred and thirty-four years ago.

5 Today, voting on this bill today is
6 so symbolic, because we are saying to those
7 people who are living here alongside us, working
8 alongside us, working for us, contributing to
9 this state, contributing to this country, that
10 you can have a better life here.

11 And we want to put you on that path
12 to citizenship. We want to put you on that path
13 to be fully vested citizens in this country. And
14 we'll get you there. This is the first step.

15 And I proudly, as the grandson and
16 great-grandson of immigrants, vote in the
17 affirmative.

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

20 THE SECRETARY: Senator Griffo.

21 SENATOR GRIFFO: No.

22 THE SECRETARY: Senator Griffo in
23 the negative.

24 Senator Harckham.

25 ACTING PRESIDENT BENJAMIN: Senator

1 Harckham to explain his vote.

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

4 You know, we've heard a lot about
5 immigration today. And I think we'd all agree
6 that our federal government has failed on
7 immigrant policy. But this not vote is not about
8 immigration policy today.

9 We've heard a lot about election
10 fraud today, and I think Senator Gianaris spoke
11 of that quite eloquently.

12 I first got interested in this issue
13 probably six or seven years ago when I was a
14 county legislator in Westchester and a school
15 principal pulled me aside and explained to me the
16 problems she was having because half of her
17 parent families could not get through the
18 security of the building because they did not
19 have a New York driver's license. And they
20 couldn't do parent-teacher conferences, they
21 couldn't show up for concerts, plays, sporting
22 events.

23 But having families have better
24 access to education and healthcare, those are
25 byproducts. But it's not about that as well.

1 This is just about good old common-sense public
2 safety. Common sense. People are driving today
3 in my district, in the suburbs and in rural
4 New York, people are driving because they have
5 to. There is no mass transportation in certain
6 areas. People do have job responsibilities.
7 People do have to take their children to school
8 and to doctor's appointments. So people are
9 driving.

10 This legislation allows you to know
11 that the person to your left and to your right at
12 the traffic light has passed a proficiency test,
13 has taken the same driving test that all of us
14 take, has insurance, has an inspected and
15 registered vehicle.

16 So to the residents of the Lower
17 Hudson Valley, this is just about good old
18 common sense. And the New York State Business
19 Council had recognized that in supporting this.
20 The insurance industry supports this.

21 And we hear a lot about law
22 enforcement. I've got several police chiefs in
23 my district who are very outspoken in their
24 support for this measure, and those are the folks
25 who I listen to.

1 I vote aye, Mr. President.

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

4 THE SECRETARY: Senator Helming.

5 SENATOR HELMING: No.

6 THE SECRETARY: Senator Helming in
7 the negative.

8 Senator Hoylman.

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

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

13 I rise to thank the sponsor for his
14 passion on this issue, and our leader for
15 bringing this legislation to the floor.

16 You know, it was four years ago
17 yesterday which I think marks as one of the most
18 infamous speeches in recent American political
19 history. That's when a crackpot real estate
20 developer turned crackpot politician rode down a
21 gold-plated escalator to announce his campaign
22 for president of the United States and demonize
23 an entire nation of immigrants.

24 Mr. President, I fear that my
25 colleagues across the aisle are also descending

1 into demonization, casting aspersions, raising
2 conspiracy theories, trying to pit people against
3 each other. Which is exactly the opposite of
4 what we should be doing in this chamber.

5 We cannot fix federal immigration
6 policy, but we know that there are plenty of
7 Democrats and Republicans who want to do so. We
8 cannot make the president of the United States
9 work with both houses of Congress to make certain
10 that the same people who we're talking about
11 today, who pick our apples, who wash our cars,
12 who teach our children, who care for our loved
13 ones, are given the respect and dignity they
14 deserve.

15 But we can do something here in this
16 chamber today. Mr. President, we are standing up
17 for humanity and decency and common sense with
18 this vote.

19 I vote aye.

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

22 THE SECRETARY: Senator Jackson.

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

25 SENATOR JACKSON: Thank you,

1 Mr. President.

2 My colleagues, I rise to speak in
3 favor of the bill.

4 First let me say that I appreciate
5 the conversation and listening to my colleagues
6 in front of me, to my left, to my right. I think
7 that everyone has their opinions one way or the
8 other. But I know that I form my opinions -- I
9 hear people say that all of us are immigrants and
10 we came here for opportunity. And I remember
11 hearing that a long time ago, and I used to say
12 to myself, Oh, that is not true. All of us
13 didn't come here as immigrants. Because my
14 mother and her grandmother and her
15 great-grandmother and them, they came as slaves,
16 not immigrants. And that's a big difference.

17 But I'm a U.S.-born citizen, and I'm
18 going to stand up for immigrants who want to come
19 here to better themselves and their families.
20 That's what your parents and grandparents all
21 came here for, the opportunity.

22 And I heard one of our colleagues
23 say that there are 12 states that currently have
24 a driver's license situation. And Washington,
25 D.C., Puerto Rico, which is all part of the

1 United States.

2 I know this bill will create safer
3 roads, will boost the state economy and protect
4 New Yorkers. I not only say that, but research
5 has shown that.

6 And I read that there's an
7 estimated, depending on who you ask, 725,000 to
8 950,000 undocumented people in our state. And
9 they want the Green Light Bill passed, and so do
10 I.

11 And we all know that prior to former
12 Governor Pataki saying that everyone who wanted
13 to have a driver's license, they needed to have a
14 Social Security number -- we know that people
15 were driving before that that were not citizens
16 of our great state. And as you know, they just
17 don't get a license, they have to take a written
18 test to get a permit, they have to take a
19 driver's education course or a five-hour
20 pre-licensing course, and then have a road test
21 to get a driver's license, all of this in
22 preparation to make sure that they can drive
23 safely.

24 So I was elected to be a member of
25 the new Democratic majority here in the State

1 Senate, to be a change agent to make our state a
2 better state. And I know some of you may
3 disagree with that. But that's what the people
4 in New York City voted for when they put me here.
5 And they know that I'm going to speak up loud and
6 clear.

7 The advocacy coalition behind this
8 push was an awesome cross-section of our state
9 labor, insurance industry, faith leaders,
10 farmers. And all made the struggle come
11 together, alive, by working together. And we are
12 now granting people whose lives have been caught
13 up in a geopolitical mess a better chance to
14 succeed in the United States of America and
15 New York State. And they deserve to be able to
16 move freely in our state until we can fix the
17 larger broken system of immigration in our
18 country.

19 And for many of us in this chamber,
20 we carry memories of what it was like not to have
21 basic civil rights in large parts of this
22 country, and some right here in New York State.
23 In many places we didn't even have the right to
24 be in the position that I'm in now. Those fights
25 inspired this victory today.

1 So today we stand up for
2 undocumented immigrants so they can receive
3 another basic human right. Luis Sepúlveda, let
4 me thank you on behalf of all of us for being
5 such a steadfast advocate for undocumented
6 individuals -- not only for those that want to
7 drive, but the fight that you fight is a great
8 fight. You can be so proud of yourself. I know
9 that your family is proud of you. I know that
10 I'm proud of you. Thank you.

11 And so I say to all of you, I'm
12 proud to vote yes today on behalf of all the
13 people that will -- then will have a driver's
14 license to drive legally in our great state.

15 Thank you, Mr. President.

16 ACTING PRESIDENT BENJAMIN: Senator
17 Jackson to be recorded in the affirmative.

18 THE SECRETARY: Senator Jacobs.

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

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

23 Prior to becoming a State Senator, I
24 was a county clerk in Erie County, and I ran one
25 of the largest auto bureaus in the state. We did

1 over 500 -- we do now over 500,000 transactions
2 annually.

3 And I know firsthand and I agree
4 with what has been said here in terms of concerns
5 on the practical elements of this law. It will
6 make voter fraud a reality. It will open the
7 floodgates. We have worked -- county clerks,
8 DMVs around the state -- over the last number of
9 years to make it much easier to facilitate folks
10 registering to vote, as was discussed with the
11 iPads. But that was under the assumption that
12 those coming into our offices were legal
13 citizens.

14 Now, because we made it so easy, we
15 are now, if this law is passed, very vulnerable,
16 very, very vulnerable to voter fraud. And the
17 fact that this legislation doesn't put any sort
18 of check into our customer service people being
19 able to confirm the citizenship, I really believe
20 is an irresponsible piece of legislation.

21 I know the answer being, Well, that
22 person could be criminally charged. Well, we
23 usually try to put checks in and deter activity.
24 That's why, when you go into a bank, there's not
25 \$100 bills laying on the counters. We put in the

1 safe to deter it, the same principle.

2 Secondarily, this blocks law
3 enforcement to do its job, as has already been
4 discussed.

5 I wanted to just touch on one other
6 element in my time as county clerk which really I
7 reflect on here. One thing I did when I was
8 county clerk, every month or twice a month I went
9 to our federal courthouse when there was a
10 naturalization ceremony. And I believe my
11 colleague Senator Carlucci did the same thing in
12 his area. And in Buffalo, way in Western
13 New York, at least once a month there was a
14 naturalization ceremony with over a hundred
15 people, every single month, coming to the federal
16 courthouse to be naturalized.

17 If you have not been to a
18 naturalization ceremony, I would recommend you do
19 it. It's one of the most special occasions
20 you'll see. But these are citizens becoming
21 citizens of this country, coming from all over
22 the world, all walks of life, all backgrounds,
23 going through the process to become U.S. citizens
24 legally.

25 And why was I there? I was there

1 with my staff at the clerk's office, my DMV
2 staff, to afford them two rights they had at the
3 point that they became naturalized that day -- to
4 get a U.S. passport and get a New York State
5 driver's license, to facilitate that opportunity
6 right then and there.

7 And I think today, Mr. President, of
8 all those hundreds and hundreds of people who
9 went through the process who endured the years,
10 if it took that time, to play by the rules and
11 become legal citizens. What is the message we
12 are saying to them today? And what is the
13 message we're saying to every legal U.S. citizen
14 who plays by the rules?

15 This is an irresponsible piece of
16 legislation. It's a dangerous piece of
17 legislation. And it's a slap in the face to
18 every citizen in the United States.

19 I vote no.

20 ACTING PRESIDENT BENJAMIN: Senator
21 Jacobs to be recorded in the negative.

22 THE SECRETARY: Senator Jordan.

23 SENATOR JORDAN: No.

24 ACTING PRESIDENT BENJAMIN: Senator
25 Jordan in the negative.

1 Senator Kaminsky.

2 SENATOR KAMINSKY: No.

3 THE SECRETARY: Senator Kaminsky in
4 the negative.

5 Senator Kaplan.

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

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

10 As lawmakers, it's rare that we're
11 making decisions on issues that are clear-cut and
12 easy to decide. But that is why we're here.
13 Each one of us was sent to represent our
14 communities to the best of our ability. And that
15 demands that we work hard, day in and day out, to
16 make sure we pass good laws that improve the
17 lives of our residents.

18 These decisions demand that we put
19 policy above politics and evaluate the full
20 impact of legislation, considering all the
21 consequences of our action.

22 I believe that this bill advances
23 several worthwhile policy objectives.
24 Particularly as the chair of the Commerce
25 Committee, I recognize the positive impact on our

1 economy when all participants in the workforce
2 have access to reliable, safe transportation.
3 And as a person who came to this country as a
4 13-year-old political refugee, I understand just
5 how difficult it can be for people who make the
6 impossible decision to leave their homeland to
7 make a better life for themselves and their
8 families.

9 It is that perspective that also
10 allows me to appreciate the concerns that have
11 been raised about the unintended consequences of
12 this bill. I understand that this legislation
13 has been sent to our state's Solicitor General to
14 receive a full review so that we can better
15 understand the unintended consequences that could
16 be caused by its enactment. And with that review
17 yet to be completed, I can't in good conscience
18 cast a vote to pass this bill at this time.

19 I vote no. Thank you.

20 ACTING PRESIDENT BENJAMIN: Senator
21 Kaplan to be recorded in the negative.

22 THE SECRETARY: Senator Kavanagh.

23 SENATOR KAVANAGH: Aye.

24 THE SECRETARY: Senator Kavanagh in
25 the affirmative.

1 Senator Kennedy.

2 SENATOR KENNEDY: Aye.

3 THE SECRETARY: Senator Kennedy in
4 the affirmative.

5 Senator Krueger.

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

8 SENATOR KRUEGER: So I can respect
9 people deciding to vote no on this bill for the
10 reasons they've described, some of them.

11 But I'm actually fairly appalled at
12 the reasons that I just heard from many of my
13 colleagues. It is absurd and it is insulting to
14 imagine that people who look for a driver's
15 license when they are undocumented are intending
16 to commit some kind of fraud or harm on people in
17 this country.

18 As has already been pointed out, if
19 you want to not be a citizen and figure out how
20 to register to vote, it's not that hard. It's
21 just that people don't do it because then you're
22 opening yourself up to federal penalties. And
23 when you're undocumented, you're mostly trying to
24 hide as much as possible.

25 And the concept that you want to do

1 harm to us here, and so you'll go and give all
2 your information about who you are and where you
3 live to a government agency in order to get a
4 driver's license is also absurd, factually and on
5 the face.

6 And if you look at who in fact are
7 the terrorists that have attempted to attack and
8 attacked our country, that has nothing to do with
9 the story we're talking about today.

10 And the argument that people who do
11 it the right way, they get into America the right
12 way, they are standing there taking their oath of
13 office at a citizenship event in somebody's
14 district or doing it in the right way -- I dare
15 you to find too many people undocumented in this
16 country who wouldn't love to have the ability to
17 legalize, who wouldn't love to stand there
18 proudly with their families and take their oath
19 of citizenship.

20 But they're not allowed to. They're
21 not allowed to because of the variations in our
22 immigration policy that go back and forth and
23 back and forth over our history. We're a country
24 of immigrants, and we consistently forget the
25 lessons of history about our own lives and our

1 own families' lives.

2 My family are Eastern Europe Jews.
3 We weren't welcome here. Sometimes we were sent
4 back on boats. I don't think anyone who got here
5 in my family came here with paperwork. And they
6 were at risk and they were worried, but the
7 immigration laws somehow allowed them to get
8 their legal status.

9 And some of the people who are
10 listening tonight who are undocumented may very
11 well be on their path to a legal status except,
12 because of this federal administration, we have
13 backlogged everything so far and refused anyone
14 the arguments that should be made about their
15 right to claim refugee status, that they're here
16 because they couldn't survive where they came
17 from. That is many of our families' stories from
18 generation to generation. My family fled to the
19 U.S. because they were going to die if they
20 stayed in Europe. That's the story we're
21 listening to tonight.

22 And with all due respect, we are not
23 in any way, shape or form at risk if people get a
24 driver's license. It doesn't make them a
25 citizen. It doesn't give them the right to vote.

1 It doesn't put us at threat. It actually just
2 gets them a driver's license, because they're
3 here and they're driving.

4 And this is so obvious. And with
5 all due respect, it is so disturbing what we are
6 hearing from some on this floor tonight.

7 I proudly vote yes. Thank you,
8 Mr. President.

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

11 THE SECRETARY: Senator Lanza.

12 SENATOR LANZA: Mr. President, to
13 explain --

14 ACTING PRESIDENT BENJAMIN: Senator
15 Lanza to explain his vote.

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

18 You know, I'll tell you what's
19 disturbing. It's disturbing that we would have
20 colleagues stand up and accuse the other side of
21 demagoguery and then demagogue and demagogue and
22 demagogue. Why can't we disagree anymore?
23 That's really the problem around here.

24 You know, I have the utmost respect
25 and admiration for my good friend Senator

1 Sepúlveda. He's advancing a policy that he
2 deeply holds as being the right policy for the
3 State of New York. That I disagree with him in
4 no way, shape or form diminishes my respect for
5 him.

6 And I really appreciated the debate,
7 both sides. None of it was disturbing to me.
8 None of it was an embarrassment to me. None of
9 it gives me cause to call any of my colleagues
10 names -- until some of these explanations. To
11 hear someone on the Senate floor say "I don't
12 care what the other side says"? That's not why
13 we serve and it's not why we're here.

14 I care about what my colleagues say
15 and think, and I care about what the people of
16 the State of New York believe. Whether I agree
17 or disagree, I care and I listen.

18 You know, enforcing the law is not
19 keeping people down. The rule of law is what
20 keeps us safe and uplifts us. I agree with
21 Senator Krueger. People aren't looking for
22 driver's licenses so that they can break the law.
23 No one here said that. But this bill goes beyond
24 just giving noncitizens driver's licenses.

25 And when you remove safeguards from

1 anything, you invite peril. We have rule of law,
2 we have all kinds of rules. The reason why we
3 have them is so that we don't invite the wrong
4 behavior.

5 So all that is being said -- as I
6 heard it -- here is, if you want to give
7 noncitizens driver's licenses, make sure you do
8 it in a way that still keeps safeguards in place
9 to prevent the types of things that we don't want
10 to see happen as an unintended consequence.

11 But I'll tell you, I wish this was
12 just a bill that dealt with giving noncitizens
13 licenses. Let me tell what my gravest and real
14 concern with this legislation is. And that is
15 that it establishes a terrible precedent,
16 Mr. President. And not the precedent of giving
17 noncitizens licenses, but the precedent that we
18 will now have a state law that prohibits
19 law enforcement agents and government officials
20 from following the law.

21 You know, you could just take
22 that -- that's beyond a slippery slope. I'm not
23 even sure it's constitutional. And in fact I
24 think it raises real constitutional questions.
25 I'll be surprised to -- I'll be interested and

1 curious to see how the Governor handles that
2 aspect of this legislation. To have a state
3 law -- let's think about this. Forget the
4 license issue. To have a state law that says a
5 law enforcement officer cannot enforce the law is
6 very dangerous, very bad.

7 I understand why the sponsor has
8 that as a provision. It's in order to keep the
9 integrity of what he's trying to accomplish here.
10 But I think it could be accomplished without that
11 very dangerous precedent.

12 But because of that provision in
13 this law, I'm going to vote no, Mr. President.

14 ACTING PRESIDENT BENJAMIN: Senator
15 Lanza to be recorded in the negative.

16 THE SECRETARY: Senator LaValle.

17 SENATOR LaVALLE: No.

18 THE SECRETARY: Senator LaValle in
19 the negative.

20 Senator Little.

21 SENATOR LITTLE: No.

22 THE SECRETARY: Senator Little in
23 the negative.

24 Senator Liu.

25 ACTING PRESIDENT BENJAMIN: Senator

1 Liu to explain his vote.

2 SENATOR LIU: Mr. President, in the
3 great State of New York that we all represent, we
4 have some of the most beautiful mountains, lakes,
5 we have great parks, beaches, rivers. And no
6 doubt some of us as dads or even as parents
7 brought our families to visit some of these
8 places. And we needed our driver's license, for
9 the most part, to do so.

10 But this is not about allowing our
11 fellow New Yorkers to take their families to the
12 beach. This is about allowing fellow New Yorkers
13 to do their jobs. Where are they driving to?
14 They're driving to factories, to farms,
15 restaurants, cleaners, your lawn. These are
16 people who are a part of our daily lives. But
17 they do so in a much -- with greater hardship,
18 because they cannot legally do something that we
19 take for granted.

20 This is not about immigration
21 policy. I'm pro-immigrant. I think
22 immigrants are the greatest asset to the State of
23 New York. I myself am an immigrant. But this is
24 not about immigration. That's a matter for
25 Congress to deal with. And if you want to deal

1 with those matters, run for Congress. Oh, yeah,
2 some of you are.

3 (Laughter.)

4 SENATOR LIU: But right here in the
5 State of New York, we need to take care of the
6 people in this state. And that means promoting
7 safety. That's what this bill does, it promotes
8 safety. It allows people who often have to drive
9 because they have no other choice, no other way
10 to support their families. They need to drive.
11 And they're going to support their families, feed
12 their kids, whether they can do so legally or
13 not.

14 We want to take them out of the
15 shadows. And when we do so, we will allow them
16 to be a part of the daily life of New York and we
17 will promote safety for all of us. Not just for
18 the immigrants, for every one of us here. And
19 when we do so and allow them to have their
20 driver's licenses -- and any time we allow people
21 to freely move about -- we promote economic
22 development.

23 It's a state matter. It's not a
24 federal issue. Let's keep it simple here. The
25 DMV has a tough enough job trying to figure out

1 who is capable of driving a vehicle safely. Let
2 them stay focused on that job. And if somebody
3 is physically able to drive a car safely, let
4 them get their license. That's what our state
5 government is charged with doing.

6 Thank you, Mr. President.

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

9 THE SECRETARY: Senator Martinez.

10 SENATOR MARTINEZ: No.

11 THE SECRETARY: Senator Martinez in
12 the negative.

13 Senator May.

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

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

18 When my daughter was 15, she wanted
19 to volunteer with an organization that supports
20 farmworkers, and so I went with her to a lot of
21 dairy farms in Central New York. We were
22 bringing food and clothing and furniture, but
23 especially we were bringing bicycles. Which
24 amazed me, because we were meeting people on
25 these farms who were working 13 hours a day, six

1 days a week. And the thought that on that one
2 precious day off they were going to get on a
3 bicycle and ride 8, 10, 12 hilly country miles to
4 the nearest grocery or drugstore was astounding
5 to me.

6 The reality is that a lot of
7 undocumented workers can't do that, and they
8 drive. We should want everyone who is driving on
9 our roads to have taken a driving test, to have
10 registered the car and insured the car. We
11 should want all residents in our rural areas to
12 participate in the local economies. And we
13 should want the people who labor to put food on
14 our tables, to care for our houses, our hotels,
15 our lawns, the people in nursing homes, to be
16 able to take care of their own fundamental needs
17 in their scant spare time.

18 This is the safe thing to do, it's
19 the smart thing to do, and it's the right thing
20 to do. I vote aye.

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

23 THE SECRETARY: Senator Mayer.

24 ACTING PRESIDENT BENJAMIN: Senator
25 Mayer to explain her vote.

1 SENATOR MAYER: Thank you,
2 Mr. President, for allowing me to explain my
3 vote.

4 And I want to thank Senator
5 Sepúlveda for his leadership, as well as the
6 advocates, who have really taken on a significant
7 challenge here. And I'm very proud that today
8 we're going to adopt this bill.

9 In the first place, I want to say
10 that in districts like mine, the people we are
11 talking about who are going to have the
12 opportunity to get licenses, they're not "them"
13 on some other side, they are our "us."

14 Come to districts like mine -- the
15 Village of Port Chester, the City of Yonkers,
16 White Plains, New Rochelle. Who makes your
17 sandwich? Who mows your lawn? Who cares for our
18 children in daycare? Who cares for our parents
19 when they are sick? These are our neighbors.
20 These are our community. These people live and
21 are among us all the time.

22 This bill takes those people out of
23 the shadows and allows them to be part of our
24 community. I want them to go to the
25 parent-teacher conference. I want them to go to

1 the PTA meeting. I want them to go to the Board
2 of Ed meeting. We are giving them the tools by
3 passing this.

4 In the second place, I want to
5 address some of the law enforcement concerns
6 raised by some of our colleagues. I just got off
7 the phone again with Chief Kevin Sylvester, chief
8 of the Ossining Police Department, who wrote a
9 letter in support of this bill and then worked
10 with Senator Sepúlveda to make sure his concerns
11 were addressed.

12 And he said: "More than 10 percent
13 of the traffic tickets issued within the Village
14 of Ossining are for unlicensed operation of a
15 motor vehicle. An even higher percentage of our
16 reported collisions involved one or more
17 unlicensed drivers. It is time to recognize that
18 our efforts are not accomplishing the objective.
19 We must change our strategy in order to
20 effectively and efficiently make our roads safe."

21 He goes on to say that once victims
22 in accidents or in crashes have a license, they
23 are going to cooperate with law enforcement.
24 This is a good step for law enforcement.

25 And thirdly, for me personally, this

1 is morally the right thing, as New Yorkers, for
2 us to do. New York has a wonderful reputation,
3 from the Statue of Liberty to our tradition of
4 incorporating our neighbors. We are saying today
5 we are with you, you are with us, we are going to
6 make the path of living in our communities a
7 better and safer one.

8 I proudly vote aye.

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

11 THE SECRETARY: Senator Metzger.

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

14 SENATOR METZGER: This is not about
15 rights and privileges. It is about traffic
16 safety requirements. It's about making sure that
17 all drivers are tested, licensed and insured.
18 It's about them knowing the laws of the road.
19 It's really as simple as that.

20 You know, as chair of the
21 Agriculture Committee I have heard from farmers,
22 farm organizations like the Vegetable Growers
23 Association and NOFA, from farmers directly at
24 the farm labor hearings and in one-on-one
25 conversations. This bill, this legislation is

1 good for agriculture. It benefits our farms. It
2 benefits our farmworkers. It will improve their
3 quality of life and the farmers who are -- you
4 know, it eases their burden. They are driving
5 their farmworkers to the grocery store, to
6 doctor's appointments, to their children's
7 school.

8 So, you know, I -- many of my
9 colleagues represent districts with many farms
10 just like I do. Just, you know, think about
11 who's doing the work on those farms. You know,
12 there's like a total disconnect between the
13 comments I've heard today and the reality. It's
14 not like they're sitting around scheming about
15 how they're going to commit voter fraud. They
16 want to go visit their kids at their schools and
17 see their school performances. They want to take
18 their kids to the doctor. They want to get food
19 at the grocery store. This is like the reality.

20 So it's commonsense legislation.
21 It's not just agriculture. The Business Council
22 knows the value of this legislation and supports
23 it. My county sheriff, the Ulster County
24 sheriff, supports it because he understands the
25 value for safety.

1 So I am very proud to support this
2 legislation. Thank you.

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

5 THE SECRETARY: Senator Montgomery.

6 SENATOR MONTGOMERY: Yes.

7 THE SECRETARY: Senator Montgomery
8 in the affirmative.

9 Senator Myrie.

10 ACTING PRESIDENT BENJAMIN: Senator
11 Myrie to explain his vote.

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

14 Just as a point of information, a
15 couple of minutes ago the Attorney General of the
16 State of New York said that it was the office's
17 position that this bill is in fact
18 constitutional.

19 That aside, as the son of immigrants
20 and as the representative of a beautifully
21 immigrant community in Central Brooklyn, I will
22 be proudly voting in the affirmative.

23 I want to address very quickly the
24 "law and order" phrase and issue that we've heard
25 repeatedly today. Because it is interesting to

1 me that some of my colleagues are about law and
2 order when it's the type of law that they like
3 and the type of order that they like.

4 Because when black and brown bodies
5 are being beaten and killed in clear violation of
6 their constitutional rights, where is the
7 allegiance to law and order? When people's votes
8 are being suppressed, clearly in violation of the
9 Constitution, where is the allegiance to law and
10 order? When corporate entities are pillaging our
11 public fisc with impunity, where is the
12 allegiance to law and order? And when foreign
13 governments are interfering in our elections in
14 clear violation of our laws, where is the
15 allegiance to law and order? It is an illusion,
16 a distraction, a ruse.

17 Today we say enough is enough. We
18 will stand up for our immigrants. And I proudly
19 vote in the affirmative.

20 Thank you.

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

23 THE SECRETARY: Senator O'Mara.

24 ACTING PRESIDENT BENJAMIN: Senator
25 O'Mara to explain his vote.

1 SENATOR O'MARA: Mr. President, to
2 explain my vote. Thank you.

3 This bill before the house us today
4 has nothing to do with the rights of others. It
5 has to do with politics, and nothing but
6 politics, from the other side. It's disturbing
7 and appalling, as we've been called over here for
8 standing up against this legislation.

9 We are a nation and a state of laws,
10 and those laws need to be followed. When those
11 laws are not followed, you have broken the law,
12 you are committing an illegal act, and you are
13 therefore a criminal. Those that are here
14 undocumented have broken the laws to be here and
15 are in violation of our laws to be here. If you
16 don't want me to use the word "illegal," then
17 I'll just call them criminals.

18 The fact of the matter is this
19 license is not necessary. A foreign driver's
20 license is valid here in New York State to
21 operate a motor vehicle. In fact, this
22 legislation goes beyond protecting those. It
23 goes to hurt those immigrants that have come here
24 legally -- those that have followed the
25 procedures and the pathways, those that have

1 jumbled through the hurdles, jumped over the
2 hurdles and through the hoops to get here
3 legally.

4 They themselves need to provide
5 documentation to DMV to get a license, and that
6 documentation they provide authorizes them to get
7 a temporary visitor license. And that license
8 has the expiration date of those legal documents
9 that authorize that individual to be here in our
10 country and to be here in our state.

11 They are breaking the law. We are
12 now treating those that are here illegally, those
13 that have broken our laws, those who are
14 criminals, to get a driver's license without any
15 of that documentation that those are that are
16 here legally have done -- and for a longer period
17 of time, the full eight-year period that all the
18 rest of us get. No expiration date on when it
19 expires.

20 We hear the arguments that the
21 individuals need to drive to get to their job --
22 the job that they are not authorized by law to
23 have. They are undocumented. It is illegal for
24 an employer to hire them. This legislation will
25 lead to more illegal immigration when those that

1 are here undocumented across the country see they
2 can come here, those that can sneak into the
3 country and get to New York State and get a
4 government-sanctioned identification when they're
5 here illegally.

6 I applaud Senator Kaplan for getting
7 up and explaining her vote, the justifications
8 and the merits and the concerns she has.

9 But, you know, to the comment that
10 was just made about our Attorney General, that
11 opinion might matter when she has a seat on the
12 U.S. Supreme Court. As of today, she does not.

13 And I applaud Senator Kaplan to
14 stand up and explain her no vote, when all the
15 rest of those that were chastised by the
16 Democratic state chairman -- "Don't vote for this
17 bill, or you won't be reelected." And we have
18 seen every elected Senator in this room from
19 Long Island vote no to this legislation today.

20 Governor Cuomo says, Everybody vote
21 for this, this is great. And then he sends his
22 hand-picked state chairman out to warn you:
23 "Don't vote for this in your district, because
24 you won't get reelected." I wish you had the
25 guts to stand up and vote the way you really

1 feel.

2 Thank you, Mr. President. I vote in
3 the negative.

4 ACTING PRESIDENT BENJAMIN: Senator
5 O'Mara to be recorded in the negative.

6 THE SECRETARY: Senator Ortt.

7 SENATOR ORTT: Absolutely not.

8 THE SECRETARY: Senator Ortt in the
9 negative.

10 Senator Parker.

11 ACTING PRESIDENT BENJAMIN: Senator
12 Parker to explain his vote.

13 SENATOR PARKER: Thank you,
14 Mr. Chairman.

15 As you know, I represent the
16 21st District in Brooklyn, which is Flatbush and
17 East Flatbush, Midwood, Ditmas Park,
18 Windsor Terrace and Park Slope, and I proudly
19 vote aye on this bill.

20 Let me begin my brief statement by
21 thanking the intrepid Senator Sepúlveda for his
22 incredible work on this. This is a bill that,
23 you know, 12 years ago I sponsored when this
24 first became an issue, when Governor Pataki put
25 out the executive order. Senator Sepúlveda has

1 elevated this bill, has enhanced it, has built
2 the statewide support for this bill, and has the
3 votes for it today. And I'm so proud to be
4 standing on the right side of history as we cast
5 this vote.

6 My district is a district primarily
7 of Caribbean immigrants, many of which are
8 documented -- some, who knows, right? And we
9 know that unfortunately in places like Brooklyn,
10 having a driver's license is not necessarily
11 going to stop people from driving. Which is why
12 this is supported by people like the Business
13 Council and the insurance industry and others who
14 understand that this is good business to support
15 this legislation.

16 This legislation is going to make
17 the State of New York safer. It's going to make
18 us fairer. It's going to make us do the right
19 thing.

20 And by the way, I've polled the
21 people in my district. And by the way, in New
22 York City this is a parenthetical fact that many
23 people don't know, that the people in New York
24 City represent more people than the people in
25 upstate New York, FYI. And so in my district

1 there's 318,000 people. Over 85 percent of them
2 are saying yes to Green Light.

3 And so I vote today representing
4 those people, and my only regret is I only have
5 one vote to give for such an important bill.

6 But we should also be clear about
7 some of the rhetoric that's been thrown around
8 this chamber today. Let's -- let's -- you know,
9 people say, Oh, to become a citizen. We're clear
10 that there is no clear path to becoming a citizen
11 of the United States. We all know that.

12 And so, you know, if you think that
13 you're just going to walk down to 26 Federal
14 Plaza and, you know, sign up to become a citizen,
15 they have you hoodwinked, bamboozled. You know,
16 just fooled in the worst way. Because the
17 reality is that there is no clear path to
18 citizenship. And until we get some better
19 leadership in the federal government, we're not
20 going to have one.

21 And we also -- again, as many of my
22 colleagues have indicated, that there -- you
23 know, undocumented immigrants are producing the
24 least amount of crimes. And in fact the City of
25 New York is the most immigrant-friendly city in

1 the country and has the least amount of crime of
2 any big city in the nation. And we think very
3 much that those things are connected to it.

4 But we also should again look at
5 history, and a real history, one, from 9/11, and
6 understand that the people who were involved in
7 9/11 were actually documented citizens, had
8 driver's licenses and so on and so forth. So
9 let's -- again, the notion that these folks were
10 like people who snuck across the border and
11 created a bunch of heinous acts is not true.
12 They created heinous acts, but they were here and
13 documented, you know, in actually very real ways.

14 In fact, the police departments and
15 law enforcement should want this, given that
16 DMVs are one of the first stops they use to be
17 able to identify people.

18 And so we should also understand
19 that, again, the history that before the
20 executive order, it wasn't like there was mass
21 chaos running around, you know, the state because
22 we had allowed people to get driver's licenses
23 without a Social Security number or a tax I.D.

24 And so let's keep -- as we say in
25 Brooklyn, let's keep it real. Let's keep it

1 real. Because there's a lot of hypocrisy when we
2 go after and we demonize immigrants. Because
3 this is not just an attack on people who are --
4 may be undocumented, this is -- the conversation
5 we're hearing here, unfortunately, has been an
6 attack on immigrants. And those are the same
7 people who cut your lawns, who deliver your food,
8 who take care of your children, who wipe the
9 behinds of your elder -- of the senior citizens
10 in your communities. These are people who, you
11 know, we see and we drive next to them on the
12 parkway and we play next to them in the park and
13 nothing happens to us every single day.

14 And for as many immigrants as the
15 State of New York has, we have not had, you know,
16 this kind of problem that everyone has voted --
17 as I take my seat, Mr. President, the notion that
18 all of a sudden people are going to start voting
19 because -- we can't even get people who are
20 citizens and registered to vote, we can't even
21 get them to the polls.

22 (Laughter.)

23 SENATOR PARKER: So how are we
24 going to get people, a bunch of undocumented
25 folks, to the polls? I think it's absolutely

1 absurd.

2 Thank you very much. And I vote
3 aye.

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

6 THE SECRETARY: Senator Persaud.

7 ACTING PRESIDENT BENJAMIN: Senator
8 Persaud to explain her vote.

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

11 I hear my colleagues talk about the
12 criminals: Those people are criminals, those
13 people brought down the World Trade Center. I'm
14 not sure how many of my colleagues are registered
15 on the 9/11 Registry as I am. I'm not sure how
16 many people in this room lost friends on 9/11 as
17 I did. I'm not sure how many people in this room
18 lost a relative on 9/11 in the Towers as I did.

19 But I'll still say I'm here, and say
20 yes. Those people, as you say, who are criminals
21 are the people that when you go home to your
22 homes, you invite them to come in on a Saturday
23 to clean your homes. You invite them to cut the
24 lawn. And I know, because the person who owns
25 the gardening service we used, the people that

1 they employed don't -- the owners don't look like
2 me, and the owners don't look like the people
3 they employed. And you talk with the employees,
4 and you realize they're undocumented. And some
5 of them are driving the Jeeps when they're coming
6 to my home.

7 They're there. People talk about,
8 Well, pick up some immigrants on Long Island as
9 day laborers. You're not afraid to pick them up
10 to take them to your homes to do the work. So
11 I'm not sure what you're afraid of. When you say
12 that they're criminals, I think you should look
13 in the mirror. Anyone who is saying that the
14 undocumented person who is asking for a driver's
15 license is a criminal should first look in the
16 mirror. Because when you go into the supermarket
17 and you see -- you're chatting with Pepe or
18 whomever and you know that he's undocumented, and
19 you're giving him the money and you're chatting
20 with him, "How's the family," you're harboring a
21 criminal in your -- in your definition. So look
22 in the mirror.

23 When you invite them -- your
24 relative is ill, and you say to someone, I need
25 someone to take care of my dad while I come to

1 Albany. And the person says, Oh, I know some
2 guys who -- you know, I know some ladies who can
3 do it. Look in the mirror, because you're going
4 to say, Sure, let them come.

5 When you have a babysitter -- and I
6 see -- in New York City I see it all the time. A
7 number of them came to my office. They're always
8 talking. They're undocumented. But you're not
9 afraid to leave them in your homes to take care
10 of your most precious commodity, your infant
11 child. What are you afraid of?

12 So to my colleagues who look at
13 undocumented people as criminals, look in the
14 mirror before you say that.

15 I vote aye.

16 ACTING PRESIDENT BENJAMIN: Senator
17 Persaud to be recorded in the affirmative.

18 THE SECRETARY: Senator Ramos.

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

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

23 This debate has been quite
24 outrageous today. I mean, be careful, your
25 xenophobia is showing.

1 We seem to somehow have this
2 generational amnesia in this country as if our
3 parents didn't get here on a boat or a plane, for
4 whatever reason. When Irish and Italian
5 immigrants came to this country, they didn't do
6 it the right way, necessarily. There weren't any
7 immigration laws barring them from accessing the
8 services that we are trying to give our
9 undocumented immigrants today.

10 This is a civil rights issue. Are
11 you really going to deny people to be able to
12 drive their kids to school, to take their loved
13 ones to access healthcare or any other resource?
14 I mean, where is your humanity?

15 It's a shame that we, in 2019,
16 really have to have a conversation with members
17 of a party who adhere themselves to Christianity
18 every chance they get, except for when it comes
19 to love thy neighbor.

20 I love my neighbor. I love each and
21 every one of them. And for that reason, I vote
22 aye.

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

25 THE SECRETARY: Senator

1 Ranzenhofer.

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

4 SENATOR RANZENHOFER: Thank you,
5 Mr. President. Just a few comments.

6 Obviously this is a bill where every
7 member of this house has to vote their personal
8 feelings and also what their constituents would
9 like them to do. And simply because my
10 constituents have a different view than, say,
11 Senator Parker's constituents, that doesn't mean
12 that that person is without humanity. That
13 doesn't mean that that person is demagoguing.

14 But as Senator Lanza said, I think
15 here on the floor of the State Senate we can have
16 differences of opinion without resorting to
17 personally criticizing somebody else's viewpoints
18 or constituents.

19 I would hope that we're above that.
20 And I would also hope that this is the place -- I
21 mean, if we can't have discussions here without
22 name calling, without personal attacks, then
23 where can we have discussions like this on issues
24 which are very important?

25 Now, look, we're not going to solve

1 the immigration issue in this country -- which
2 not only exists today, but which goes back to the
3 past administration, the administration before
4 that, the administration before that. This is
5 not a new problem. This is something that the
6 federal level of government has been dealing with
7 for many years, and if it was easy to solve, it
8 would have been solved by now.

9 But the point that I really want to
10 close on, and the point that I want to make, is
11 very often when we pass legislation -- every
12 state has its own way of doing things, and every
13 state -- I think the expression has been used
14 that every state is its own incubator of
15 democracy and every state does it differently.
16 But the one thing that is different about the
17 New York State bill that we're voting on today,
18 when you compare it to the other 12 states, is
19 that what is being done today on the floor of the
20 Senate, what was being done in the Assembly the
21 other day, is very different than this particular
22 bill.

23 So in other states that have passed
24 legislation like this -- and most of the states
25 have done this within the last five years. But

1 the other 12 states that have done this and have
2 been their own incubators of democracy and their
3 own way of doing it and have struggled with the
4 very issues that we're dealing with today on the
5 floor of the Senate, they've all been consistent
6 in that they have all, in their own bills, put in
7 additional security measures for reasons that
8 they felt were important.

9 Now, we can say that the state
10 legislature in Illinois and the state legislature
11 in Colorado, well, they're this and they're that
12 and, you know, they don't know what they're
13 talking about and they're filled with hate. But
14 nevertheless, there are other states that have
15 addressed this issue before.

16 So let me give you an example. So
17 in the State of Colorado, since August of 2014,
18 they've required certain additional security
19 measures for identification. This bill has none.

20 The State of Connecticut has also
21 provided different things that are not included
22 in this bill. They -- in that particular state,
23 they require their folks, their residents, to
24 file to become a legal resident in the
25 United States.

1 Delaware also, since December of
2 2015, they require additional proof of residency.
3 Different things that those state legislatures
4 felt were important to include in their bill --
5 and again, they're all consistent -- that here in
6 the State of New York we don't think is
7 important.

8 The State of Maryland also has to
9 provide different type of proof to get a driver's
10 license. Here in New York State, we say, well,
11 the heck with that, we don't want to do that.

12 In the State of New Mexico. Tax
13 identification numbers are required -- since
14 2003. So they've had a long history with this.
15 Here in New York, nothing of the sort.

16 The State of Washington, since
17 1993 -- a long time ago -- tax identification
18 number. Different things are required in other
19 states.

20 So -- and I could go on and on with
21 different -- with the District of Columbia, the
22 State of Utah. But the point that I want to make
23 is, you know, we can hurl offensive remarks
24 across the aisle all we like. We can pound our
25 chests and say, you know, you're this or you're

1 that or you're pro-immigrant or anti-immigrant or
2 you're -- whatever you want to say. But that
3 really is not -- it's really not the point. The
4 point is that there is a history of bills that
5 have dealt with this issue, as there is in
6 New York State. There is a history of bills that
7 have dealt with this. Twelve other states. And
8 again, 38 states have decided no. Certainly
9 their prerogative, and I do agree with that on a
10 personal level.

11 But 12 other states have addressed
12 this issue. And the big difference is in the
13 12 other states, they have all been consistent in
14 taking some measure, some small measure, some
15 large measure, of dealing with concerns that are
16 real concerns. And these are not just concerns
17 that are made up by legislators on the floor of
18 the Senate. These are concerns that other people
19 across our nation have raised, debated and solved
20 in their home state.

21 Here in our state, we've decided to
22 cast the other states that have done this aside.
23 We've decided to say, Well, no, we don't want any
24 sort of protection, we don't want any sort of
25 security -- whether it's going to be abused or

1 not abused, whether there is fraud or no fraud,
2 whether -- there are a whole host of issues where
3 I hear people on the floor of the Senate saying,
4 Well, this is the way it's going to be, that's
5 the way it's going to be.

6 No one knows exactly how this is
7 going to play out. The only thing that we do
8 know is that other states have done this
9 successfully, whether you consider it a success
10 or not. But other states have done it a certain
11 way. Our body has really broken from the norm
12 and decided not to.

13 And I just want to close on one
14 point, because when I hear, you know, the
15 Republicans on this side of the aisle, the
16 Democrats on that side of the aisle, the one
17 thing that I do see is that there are Democrats
18 and Republicans who have concerns about this
19 bill. This is not necessarily Republicans versus
20 Democrats; this is something that is a concern
21 across all of New York State.

22 And the one comment, again, that --
23 I just want to echo one of my colleagues. You
24 know, it's really not enough to, as they say on
25 different votes, to vote no and take the dough.

1 We have a responsibility collectively that if
2 there is legislation which is not good for the
3 State of New York, we have a responsibility to
4 stand up among all of our colleagues, Republicans
5 in the Republican Conference, Democrats in the
6 Democratic Conference, and say no, this is not
7 the right thing to do and to put the brakes on
8 this particular legislation. And for that, I'm
9 disappointed that that did not happen today.

10 Mr. President, I'll be voting in the
11 negative. Thank you very much.

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

14 THE SECRETARY: Senator Ritchie.

15 SENATOR RITCHIE: No.

16 THE SECRETARY: Senator Ritchie in
17 the negative.

18 Senator Rivera.

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

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

23 Let's deal with the technical
24 aspects first, ladies and gentlemen. As was
25 stated a little bit earlier, just less than an

1 hour ago the Attorney General -- who I will say
2 certainly is not a Supreme Court justice. The
3 idea of Tish James on the Supreme Court is an
4 interesting one. But she is currently the
5 Attorney General of the State of New York, and
6 that would mean that she is the highest-ranked
7 attorney for the state.

8 And she put out a statement just a
9 little bit ago -- and I'm going to quote part of
10 it -- "I support the Green Light Bill and the
11 Office of the Attorney General has concluded that
12 it is constitutional." It is, after all, the
13 role of the Attorney General to do just that, to
14 argue that it is constitutional. "We will not
15 opine on any actions the federal government may
16 or may not take. The legislation is well-crafted
17 and contains ample protections for those who
18 apply for driver's licenses. If this bill is
19 enacted and challenged in court, we will
20 vigorously defend it."

21 Not only do I thank her for that,
22 but I would point out to some of my colleagues
23 that might have been undecided or have even taken
24 a position on the floor, you still have time to
25 change your vote, based on that.

1 Second, and this was mentioned by
2 some of my colleagues, \$57 million in tax revenue
3 for the state, Mr. President, as well as
4 decreasing the rate of uninsured drivers and
5 reduction of traffic fatalities. So all of those
6 things, technically speaking, are why this bill
7 is important.

8 But I want to talk about a second
9 thing, Mr. President, and more than a few folks
10 have brought some of this up. It was difficult
11 to sit and listen to some of the debate,
12 particularly because it seems that some of my
13 colleagues have a basic misunderstanding of the
14 lives that these individuals live. And I will
15 say for one second that -- it was stated before,
16 but it must be stated again, and I have said it
17 on this floor before -- I understand when some of
18 my colleagues use certain language, they're
19 communicating something, whether they call these
20 individuals who are people -- and I will remind
21 you as well, whether you like it or not,
22 New Yorkers. They're here among us. They're
23 back home in our districts. They are illegals,
24 according to you. They are aliens, they are
25 criminals. Doing everything you can to

1 dehumanize these people.

2 I would remind you, I would plead
3 for you to think about what you are actually
4 doing. To take away from these individuals, who
5 are men and women, who are daughters and parents,
6 who are sons and daughters and et cetera,
7 et cetera, et cetera. These are individuals,
8 again, who are on this floor or seeing us in the
9 gallery. They're not illegals. They are not
10 aliens. They are people.

11 As was stated by Senator Gounardes.
12 No human being is illegal. When you say it,
13 there's something else that you're doing. So
14 that's one thing.

15 When someone on this floor asked
16 repeatedly "Why don't these people choose to
17 become documented?" it was a little difficult to
18 hear. But I will admit that maybe it is perhaps
19 because my colleague has not actually spoken to
20 any individuals who have been undocumented.

21 I would suggest perhaps that our
22 colleague Catalina Cruz, who is with us today --
23 who was undocumented and is now a citizen --
24 maybe you should speak to her. Maybe you should
25 speak to some of the hundreds of people that come

1 into our offices every day who talk to us about
2 the difficulties that exist. There is no real
3 path for citizenship. That is the reason why we
4 have been fighting for immigration reform at the
5 national level, lest you forget. So the idea
6 that folks choose to live these lives is just a
7 tad ridiculous.

8 And furthermore, when you think
9 about the fact that as we have stated before, the
10 actions that this national government is
11 taking -- because we are not disconnected from
12 what's happening nationally. And I will remind
13 everybody, if you do not remember, that this
14 administration at the national level, in our
15 name, has taken children and separated them from
16 their parents as official government policy.
17 Four-month-olds. A four-month-old child
18 separated from their parents. Official
19 government policy.

20 Whether we're talking about the
21 changes that they are suggesting to the public
22 charge; whether it's the changes that they're
23 suggesting to rules for the Housing and Urban
24 Development Department, which would actually make
25 it so that mixed-status families couldn't live in

1 any housing that was funded by the federal
2 government; whether it's the Muslim ban that
3 began this administration's attacks on
4 immigrants -- or actually, the attack happened --
5 the first attack happened much earlier, when this
6 abomination that currently sits in the
7 White House said, and I quote: I guess they're
8 good people, but they're criminals and rapists.
9 And some of them, I guess, are good people.
10 Something of the sort that he said.

11 The administration is doing that at
12 the national level, and therefore we have an
13 obligation as a state to defend those
14 individuals. Who again, whether you like it or
15 not, are New Yorkers. And that is what we're
16 doing today.

17 Voter fraud. This idea -- and this,
18 again, was talked about by some of my colleagues.
19 This idea that there is this rampant voter fraud
20 that's happening all over the country is a
21 canard. It is a ridiculous notion. It is a
22 solution looking for a problem. And it further
23 goes to this idea that there's this perverse
24 conspiracy of these illegal aliens that are
25 getting together and are going to perhaps to --

1 ridiculous.

2 Last but not least, when we talk
3 about terrorism, we talk about safety, we talk
4 about law and order -- whether it's this
5 administration or whether it's some folks on the
6 right who seem to forget that the reality is that
7 most of the terrorism that happens in this
8 country is right-wing terrorism, it has nothing
9 to do with immigrants. Lest we forget, the
10 Oklahoma City bombing in 1995 was done by an
11 American citizen. The Parkland, Florida,
12 shooting. The 2018 Tree of Life Synagogue. All
13 of these attacks have not been done by immigrants
14 that are trying to hide among us, they've been
15 done by right-wing terrorists who are American
16 citizens.

17 So again, just -- we need to be
18 clear about what we're doing. Oh, one more
19 thing. There was a lot that I wanted to cover.
20 I'm almost done. We call these individuals
21 criminals, forgetting that it is not criminal law
22 that they're breaking, but civil law. And I
23 again will have you know that it was an
24 attorney -- where is she at? Over there -- it
25 was an attorney who reminded me of this because

1 she was an undocumented person and now she is an
2 attorney and an Assemblymember. And she reminded
3 me that it is not criminal law that they're
4 breaking, but civil law. And yet you continue to
5 call them criminals.

6 Last but not least, ladies and
7 gentlemen, it is a technical bill that we're
8 doing today that has been done by 12 other
9 states, including Utah, that, you know, beacon of
10 progressivism. So we are indeed giving
11 New Yorkers the ability to have a license. But
12 the conversation that we're having about this and
13 about everything else related to immigration
14 needs to be understood in the context of what's
15 happening nationally.

16 As New Yorkers, we have an
17 obligation to defend other New Yorkers. And
18 every one of these individuals, whether they're
19 documented or not, are New Yorkers. Get that
20 through your head, folks. They live in your
21 districts. They live in mine. They're next to
22 us at the grocery store. They're driving right
23 now without a license. And I'm glad that we're
24 going to be doing something to resolve that.

25 Mr. President, I proudly vote in the

1 affirmative. Thank you.

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

4 THE SECRETARY: Senator Robach.

5 SENATOR ROBACH: No.

6 THE SECRETARY: Senator Robach in
7 the negative.

8 Senator Salazar.

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

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

13 I want to first thank Senator
14 Sepúlveda, who has not only carried this
15 legislation but has championed it. It's really
16 been inspiring and impressive to see you do the
17 rigorous political education that it's taken,
18 dispelling myths, dispelling false information,
19 some of which we've heard today, to get us to
20 this moment.

21 The journey to get us to this moment
22 has been long, especially for our undocumented
23 neighbors. But today we're triumphing over many
24 attempts to pit our communities and fellow
25 legislators against each other. We cannot and we

1 will not allow irrational fear to prevent us from
2 doing what is right.

3 We've heard some of the reasons
4 already today why it's important to support this
5 legislation. It's practical reasons. It's about
6 safety. We know that our roads are safer when
7 everyone, regardless of immigration status,
8 has the ability to obtain a driver's license
9 properly. We know that this will lower insurance
10 premiums. We know that this is going to generate
11 revenue directly to the state, also desperately
12 needed revenue for the MTA.

13 But the most important reason to
14 support this bill is to support our undocumented
15 neighbors in being able to move freely and to be
16 treated equally. It's to try to ensure that all
17 New Yorkers can move confidently in their own
18 neighborhoods without constantly being reminded
19 of immigration status and subjected to systemic
20 discrimination.

21 We owe the victory of passing this
22 bill to the long-suffering efforts of many
23 New Yorkers, but I especially want to thank my
24 own constituents in Bushwick and Williamsburg who
25 have long advocated for this and who are

1 witnessing this moment with us. Thank you for
2 leading this fight to empower our immigrant
3 neighbors and our families.

4 Mr. President, I vote aye.

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

7 THE SECRETARY: Senator Sanders.

8 SENATOR SANDERS: I vote yes.

9 THE SECRETARY: Senator Sanders in
10 the affirmative.

11 Senator Savino.

12 SENATOR SAVINO: Yes.

13 THE SECRETARY: Senator Savino in
14 the affirmative.

15 Senator Sepúlveda.

16 ACTING PRESIDENT BENJAMIN: Senator
17 Sepúlveda to explain his vote.

18 SENATOR SEPÚLVEDA: So much said
19 today. During your career as an elected
20 official, the things you will always remember --
21 how you helped people, how you helped those that
22 are most in need. Today's passage of the Green
23 Light Bill is a historic day. I'm extremely
24 proud and humbled to have led the effort here in
25 the Senate with all of my colleagues.

1 And many of you have given me credit
2 for what's happened here today, but we cannot
3 forget -- we cannot forget our leader, Andrea
4 Stewart-Cousins. Madam Leader, you have
5 established and proven time and again that you
6 are an expert at the long game. Many nights
7 during this process I was feeling down, I was
8 feeling depressed, I was feeling like we were not
9 going to be able to accomplish this for people.
10 But time and again you have demonstrated your
11 intelligence, your leadership, your acumen, and
12 your resolve.

13 And I want to tell everyone here,
14 all the advocates here, that they owe a debt of
15 gratitude to our leader, who leads for all
16 New Yorkers.

17 I want to thank also my partner in
18 government, a Bronxite Assemblyman, Assemblyman
19 Marcos Crespo. I'm proud to say that as two
20 Puerto Rican men, we have changed the trajectory
21 of many of the immigrants that we see in the
22 gallery today. Thank you, Assemblyman Crespo.

23 I want to thank all of my dedicated
24 colleagues across the political spectrum who have
25 taken the time to meet with me to discuss this

1 bill and offering opinions, all of them. And I
2 also want to apologize for my zealous advocacy.
3 And if I offended anyone, please accept my
4 apology. But I did it for the people that we're
5 going to be helping.

6 I wouldn't -- I would be remiss if I
7 didn't thank the best staff in the world that
8 anyone can have. I have a wonderful chief of
9 staff, Sophia Lajaunie; a wonderful director of
10 legislation, Shantalee Martinez, and a great
11 communications director, Krystle Cajas. And the
12 rest of my staff, who worked so hard to make this
13 happen. And of course my son, Julian, who
14 offered me such wisdom, a young man who at a very
15 young age is a lot smarter than I was when I was
16 his age. And I also have to thank my beautiful
17 wife and my beautiful young child who many of you
18 have known, got to see.

19 (Laughter.)

20 SENATOR SEPÚLVEDA: I also want to
21 thank hundreds of community leaders, organizers
22 who mobilized across the entire state, many of
23 them who are here today, who will be impacted by
24 this legislation more so than any of us. We
25 would not be here without their tireless

1 advocacy, courage, and commitment to the greater
2 livelihood for all immigrant communities.

3 I harbor no ill will to anyone here,
4 including my colleagues on the other side. I
5 wish that our exchanges and dialogues could be
6 more in the way that I've done with my good
7 friend on the other side, Senator Lanza. Senator
8 Lanza and I have had discussions about Green
9 Light that were respectful. We acknowledge our
10 philosophical differences. We acknowledge that
11 the problem with immigration laws today is at the
12 federal level, and until they fix it, we're going
13 to continue to need legislation.

14 But it was a philosophical
15 difference, but it's respectful. And I wish our
16 dialogue was more of that than referring to human
17 beings as illegal or criminals. In the era of
18 such divisive politics, we will never be able to
19 accomplish what we want to for the greater good
20 of this state unless we learn to respect each
21 other, unless we learn to deal with each other,
22 try to learn from each other for the greater good
23 of New York State.

24 Today's vote shows that we as
25 New Yorkers are committed to the dignity and

1 safety of all our community members, especially
2 the most marginalized amongst us. We are taking
3 a stand for the rights of immigrants in a time
4 when their livelihoods are being threatened and
5 degraded to extreme degrees. We will not fall
6 silent, and we will not be bystanders to the
7 degradation of that American dream that we all
8 want for everyone in the State of New York.

9 But today, instead, we choose to
10 lead. We choose to lead with courage, justice,
11 equality and, most importantly, love. The Green
12 Light Bill will give immigrants the ability to go
13 about their daily lives with greater ease,
14 confidence. They will feel safer and stronger
15 with their families, build a more trusting
16 relationship with law enforcement, and contribute
17 to the economy more than the \$1 billion that they
18 contribute to the State of New York.

19 This bill makes our roads safer. It
20 generates revenue in a time where we may have an
21 issue with revenue in the coming years. And it
22 also spurs the economy in areas where the economy
23 is not doing well, especially in upstate
24 New York. And more importantly, it treats
25 everyone here with dignity. We know that this is

1 the right thing to do for our state. The
2 benefits have been stated and understood by
3 countless, countless groups -- elected officials,
4 law enforcement officials, business and municipal
5 leaders -- across our wonderful State of
6 New York.

7 You know, I want to really highlight
8 the Ossining police chief, Kevin Sylvester. He
9 was a member of law enforcement with a large
10 immigrant community who very early on in the
11 process met with me, explained to me his concerns
12 with the bill with law enforcement, and we were
13 able to amend some of the provisions to satisfy
14 his issues. He was a brave person. He was one
15 of the first members of law enforcement that
16 acknowledged that the dream -- that the Green
17 Light Bill is good for the entire State of
18 New York and it's good for public safety.

19 You have people like DAs Cy Vance,
20 Eric Gonzalez, Darcel Clark. You have the
21 Business Council, a relatively conservative
22 group --

23 (Laughter.)

24 SENATOR SEPÚLVEDA: -- who said
25 this is good for the State of New York. You have

1 the Vegetable Growers Association, the New York
2 State Trial Lawyers Association, the New York
3 Insurance Association, and major unions like
4 1199, NYSUT, NYSNA, and media -- the New York
5 Times, Crain's New York, and the list goes on.

6 And some of my colleagues even
7 mentioned the New York State Attorney General
8 said that she will defend any legal action
9 against this bill and indicated that we had built
10 in the protections that are needed for
11 everyone -- not just undocumented immigrants, but
12 everyone in the State of New York.

13 But mostly, mostly, Green Light is
14 for the children. I have my child here. And the
15 thought of losing my child because of a traffic
16 stop, because of running a red light, would kill
17 me.

18 Today I am here with this bill for
19 the children of Dalila Yeend, who is here today.
20 Ms. Yeend has a child who suffers from some
21 disabilities, illness, and is constant need of
22 medical care. And she cannot, on occasions, take
23 her children to receive the adequate medical
24 attention -- to do something as simple as going
25 to a doctor's visit that may actually save her

1 child's life.

2 This is for the children who fall
3 sleep every night -- unlike my child -- every
4 night with the lingering fear in their hearts
5 that someone might come in in the darkness and
6 remove, take away their mother and their father
7 and they may never see them again or may never
8 see them again for months on end. Because that
9 is what's been happening in this country.

10 This is about the countless children
11 who suffer, children in my district who are taken
12 away from their families and are living with
13 Catholic Charities. To the children, this
14 country will provide you with a bright future.
15 We are here, each and every one of us are here
16 for you today.

17 And to all the immigrants, you are
18 here, you have always been a part of the fabric
19 of this state, you have been the backbone of this
20 state and country, and you deserve to live a life
21 without fear.

22 The beauty of the American dream is
23 the promise to build a better life for everyone,
24 each and every one of us here, for everyone.
25 Today's vote helps support the promise of the

1 American dream and will stand as a light of hope
2 to so many of our immigrant friends, neighbors,
3 family members, our children who live in the
4 shadows. We see you. We welcome you with open
5 arms. You are here, and today we give you the
6 right to move freely around this state without
7 fear.

8 Mi gente. {In Spanish.} I vote
9 affirmatively. Thank you.

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

12 THE SECRETARY: Senator Serino.

13 SENATOR SERINO: No.

14 THE SECRETARY: Senator Serino in
15 the negative.

16 Senator Serrano.

17 ACTING PRESIDENT BENJAMIN: Senator
18 Serrano to explain his vote.

19 SENATOR SERRANO: Thank you very
20 much.

21 I want to just start off by thanking
22 Senator Sepúlveda for his hard work and
23 unwavering diligence to this issue, and to the
24 Assembly sponsor, Assemblymember Crespo, for his
25 efforts in that chamber. Thank you.

1 It's so unfortunate that immigration
2 is the wedge issue that it is. I believe it
3 should not be, because there is no political
4 persuasion that has not dealt with immigration in
5 their own family and their own life. And I
6 challenge everyone to live a day in the life of
7 an immigrant and ask yourself what it must be
8 like to come here, to take the risks, to come to
9 this country to make a better country and to make
10 a better life for themselves.

11 And throughout history, immigrants
12 have always faced tremendous obstacles -- racism,
13 bigotry, abuse -- whether it be immigrants today
14 or immigrants many years ago. But the
15 impediments to any type of citizenship have never
16 been more difficult than they appear at this
17 time. And it's important that we not lose sight
18 of the fact that -- I could hazard a guess that
19 any immigrant at this moment who doesn't have
20 their papers in order would love to have that
21 settled and not live with the anxiety that they
22 are currently facing.

23 And they come here and they work,
24 they work extremely hard, two, three jobs. They
25 contribute far more to the economy than they'll

1 ever receive back in benefits. Indeed, their
2 efforts and their work form the underpinnings of
3 our economy. I am fearful to think of what our
4 nation would be like without immigrants, without
5 the backbreaking work that the immigrant
6 community does every day, gladly, to build this
7 nation. And they should be applauded. And when
8 we applaud them, we applaud ourselves, because we
9 are all together in this.

10 It's important to keep that in mind.
11 It's important to remember that these are not
12 aliens, these are our brothers and sisters, and
13 they are worthy of our love and respect just as
14 anyone else.

15 So I thank, once again, all those
16 for their support, for the dignity. And I
17 proudly vote yes.

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

20 THE SECRETARY: Senator Seward.

21 SENATOR SEWARD: No.

22 THE SECRETARY: Senator Seward in
23 the negative.

24 Senator Skoufis.

25 SENATOR SKOUFIS: No.

1 THE SECRETARY: Senator Skoufis in
2 the negative.

3 Senator Stavisky.

4 ACTING PRESIDENT BENJAMIN: Senator
5 Stavisky to explain her vote.

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

8 And thank you, Senator Sepúlveda.

9 And thank you to the advocates who
10 have -- not just today, but have been patiently
11 waiting for this day to come. And I particularly
12 thank the advocates in Queens County for
13 mobilizing so many -- so much support for this
14 bill.

15 It was five months ago when we
16 passed the DREAM Act in this chamber, and today
17 we're making a second expression of our support
18 for people. Without an adjective, people. And I
19 think that's important.

20 The DREAM Act, as far as I was
21 concerned, was not only an educational issue but
22 also an economic issue. And I see the DREAM Act
23 today as being an economic issue. It's been
24 said: The safer streets, the lower insurance.
25 And I suspect my colleagues across the aisle will

1 not complain when their insurance rates go down
2 and when driving on the roadways of our state and
3 our country will be safer because people have
4 driver's licenses. They need the cars,
5 obviously, to get to work, and all of this
6 improves our economy.

7 This bill first came about
8 approximately 10 years ago. I was a cosponsor
9 then, I'm a cosponsor today, and I have been told
10 that I am going to be the 32nd vote for this
11 bill.

12 I proudly vote aye.

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

15 THE SECRETARY: Senator Tedisco.

16 SENATOR TEDISCO: No.

17 THE SECRETARY: Senator Tedisco in
18 the negative.

19 Senator Thomas.

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

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

24 I want to thank Senator Sepúlveda
25 for all his efforts in introducing this bill and

1 everything he has done to bring this onto the
2 floor. I want to also thank the leader for her
3 leadership in doing the right thing here and
4 bringing this to the floor.

5 I also want to thank Make The Road.
6 I want to thank Daniel, Javier, and all the
7 advocates for everything that they have done in
8 my district to basically get the word out. I
9 want to thank Emma, I want to thank Murad and
10 Zach for their legal opinions on a lot of things.

11 But most of you already know how I'm
12 going to vote on this.

13 But before that, my Republican
14 colleagues here have said a lot of things that
15 infuriated me. I'm an immigrant to this country.
16 We are all human beings. We should not be called
17 illegal or criminals. Although I'm not part of
18 the Republican Conference, I want to say sorry.
19 I'm sorry that all of you have to hear that.
20 That's not how we should be acting in this
21 chamber. My immigrant mother once told me, "If
22 you have nothing good to say, don't say it at
23 all."

24 I unfortunately have to vote no on
25 this. Most of you know the reasons why. I just

1 don't trust the Trump administration to do the
2 right thing, and abuse the DMV database.

3 Thank you.

4 ACTING PRESIDENT BENJAMIN: Senator
5 Thomas to be recorded in the negative.

6 THE SECRETARY: Senator
7 Stewart-Cousins.

8 SENATOR STEWART-COUSINS: Thank
9 you, Mr. President.

10 And I am not the 32nd -- yes,
11 Senator Stavisky, so -- so this -- this is --
12 this is happening. But I get to thank Senator
13 Sepúlveda, because he and I never knew how long
14 it would take to get to this moment.

15 I remember when you were in the
16 Assembly, Senator, with Assemblyman Crespo,
17 before Catalina got there. And I remember there
18 was that dance between the Assembly and the
19 Senate, and you guys aren't for real and we are
20 and blah, blah, and you know how that is.

21 And I don't know whether you ever
22 thought that the Senate would ever do the things
23 that you expected us to do. But when the
24 opportunity presented itself, you came over
25 anyway. And now here we are.

1 Sometimes it just takes a little bit
2 of faith. Sometimes it takes a little bit of
3 courage. Sometimes it takes the willingness to
4 look outside of where you are. Sometimes it
5 takes patience. Sometimes it takes education.
6 But you have to take the first step.

7 And when we got into this incredible
8 space with the long list of all these things that
9 we could possibly do, and people who had been
10 waiting -- I remember talking about this in 2007.
11 I remember being at the hospital when my husband
12 was dying, and this was an issue then. And how
13 it became so divisive that people ran away from
14 this for years. And I remember thinking, We have
15 this long list of great things to do. How are we
16 going to do this?

17 And it was education. And I said
18 please, if we're going to do it, you've got to
19 make sure that people understand what's at stake,
20 that people know the stories, that people
21 understand that it is not only public safety, it
22 is the ability to be able to, yes, tend to that
23 child who's sick, get the child to an emergency
24 room. To be able to show up at those PTA
25 meetings. To be able to live a life, again, when

1 we talked about -- of some sort of stability.

2 They're our neighbors, and they're
3 here. I was at a forum I did in my community,
4 and we were talking about cancer screening. And
5 one of the women said, "I've been diagnosed, but
6 I can't get to my oncologist. I can't drive."
7 These are real people. Not criminals, not
8 aliens, real people who are here.

9 And some laws we know get broken,
10 and sometimes laws we have break more things.
11 This particular situation doesn't help anybody
12 because it doesn't make us safer and it's
13 breaking a lot of things. It's breaking up
14 families. It's breaking up the ability to do
15 what you need to do, to take that path whenever
16 it's presented. It's breaking more than any of
17 us want on our watch to be broken.

18 So here we are, another historic
19 moment where we affirm what's important to us.
20 But we do it with thoughtfulness. However you
21 voted, you did it with thoughtfulness. This is
22 all any of our constituents ever asked for us to
23 do.

24 And sometimes you're on this side,
25 and sometimes you're not. We spent a lot of time

1 on that side. We get how that feels. And that's
2 why every moment we can be here on this side,
3 moving the conversation forward, changing and
4 impacting in ways we understand to be important,
5 we take those moments.

6 Congratulations, Senator.

7 Thank you to the advocates who never
8 gave up on us. Thank you for showing up. It
9 isn't easy. We understand the courage it took to
10 be in our faces every day, on our phones -- I
11 know -- on those buses, in our offices. You
12 know, having people drive you when you couldn't
13 drive, because you wanted to take the time and
14 say "I'm here." We see you.

15 I vote aye.

16 (Loud cheering from the galleries.)

17 ACTING PRESIDENT BENJAMIN:

18 Majority -- wait, wait, wait, wait, wait, wait.

19 Order in the {gaveling} -- order in the chamber.

20 (Chanting from the galleries.)

21 ACTING PRESIDENT BENJAMIN:

22 Order -- we have not -- we have not voted yet.

23 Please. {Gaveling.} Please.

24 Majority Leader Andrea

25 Stewart-Cousins to be voted in the affirmative.

1 Announce the results.

2 THE SECRETARY: Ayes, 33. Nays,
3 29.

4 ACTING PRESIDENT BENJAMIN: The
5 bill is passed.

6 (Loud cheers; extended standing
7 ovation; chanting from the galleries.)

8 ACTING PRESIDENT BENJAMIN:
9 Order -- all right. {Gaveling.} Order in the
10 chamber, please.

11 Senator -- {gaveling}. Senator
12 Gianaris.

13 (Chanting from the galleries.)

14 ACTING PRESIDENT BENJAMIN: Senator
15 Gianaris.

16 SENATOR GIANARIS: Mr. President.

17 ACTING PRESIDENT BENJAMIN: Shhhh.
18 Order in the chamber, please. {Gaveling.} Order
19 in the chamber, please. Please. Please. Order
20 in the chamber, please.

21 Senator Gianaris.

22 SENATOR GIANARIS: Mr. President,
23 can we please -- can we please continue with
24 the --

25 ACTING PRESIDENT BENJAMIN:

1 {Gaveling.} Senator Gianaris.

2 (Shouting.) Please.

3 SENATOR GIANARIS: Can we please
4 ask our -- can we please ask our guests --

5 ACTING PRESIDENT BENJAMIN: Senator
6 Gianaris.

7 SENATOR GIANARIS: -- to take their
8 celebration outside the chamber.

9 ACTING PRESIDENT BENJAMIN: Please
10 take the celebration outside the chamber. We
11 appreciate you. We understand. But we have to
12 continue with business. Thank you very much.

13 Senator Gianaris.

14 SENATOR GIANARIS: Mr. President,
15 can we now continue with the controversial
16 reading of the supplemental calendar.

17 ACTING PRESIDENT BENJAMIN: The
18 Secretary will ring the bell.

19 The Secretary will read.

20 ACTING PRESIDENT BENJAMIN:
21 Calendar Number 1425, Senate Print 4463A, by
22 Senator Breslin, an act to amend the
23 Insurance Law.

24 ACTING PRESIDENT BENJAMIN: Senator
25 Seward.

1 SENATOR SEWARD: I just want to --

2 ACTING PRESIDENT BENJAMIN: Hold

3 on. Please repeat the calendar number.

4 THE SECRETARY: Calendar Number
5 1425, Senate Print 4463A, by Senator Breslin, an
6 act to amend the Insurance Law.

7 ACTING PRESIDENT BENJAMIN: Senator
8 Seward.

9 SENATOR SEWARD: Yes, thank you,
10 Mr. President.

11 Would the sponsor yield for just a
12 few questions?

13 ACTING PRESIDENT BENJAMIN: Does
14 the sponsor yield?

15 SENATOR BRESLIN: Yes,
16 Mr. President, I'll yield.

17 ACTING PRESIDENT BENJAMIN: The
18 sponsor -- {gaveling}. The sponsor yields.

19 SENATOR SEWARD: I know that this
20 bill has been around for a while, but I want to
21 make sure that I and every member of the house
22 understand this version that is before us this
23 evening.

24 The bill would allow a pharmacy to
25 participate in a health insurer's mail order or

1 specialty pharmacy network without that pharmacy
2 having to agree to meet the same terms and
3 conditions and reimbursements as every other
4 pharmacy in that network. Is that correct,
5 Senator?

6 SENATOR BRESLIN: I believe that's
7 correct, Senator. Through you, Mr. President.

8 SENATOR SEWARD: Would the sponsor
9 continue to yield?

10 ACTING PRESIDENT BENJAMIN: Does
11 the sponsor yield? Senator Breslin, do you
12 yield?

13 SENATOR BRESLIN: Yes, I yield.

14 ACTING PRESIDENT BENJAMIN: The
15 sponsor yields.

16 SENATOR SEWARD: One of my
17 concerns, Senator, is that the bill redefines
18 what "the same reimbursement" means. So instead
19 of "the same" meaning same, as it typically does,
20 it would mean a different benchmark altogether
21 when it comes to the reimbursement level. So a
22 pharmacy wouldn't have to agree to the same
23 reimbursement as other pharmacies in those
24 networks.

25 Have you looked into whether the

1 bill will increase costs for consumers and
2 businesses through higher health insurance
3 premiums?

4 SENATOR BRESLIN: Yes, we have.
5 Through you, Mr. President, yes, we have. We've
6 look at it. The costs would be nominal, as the
7 majority in past years found the same conclusion.

8 SENATOR SEWARD: It -- I -- when
9 we -- Mr. President, would the sponsor continue
10 to yield?

11 ACTING PRESIDENT BENJAMIN: Does
12 the sponsor yield for a question?

13 SENATOR BRESLIN: I continue to
14 yield, Mr. President.

15 ACTING PRESIDENT BENJAMIN: The
16 sponsor yields.

17 SENATOR SEWARD: Speaking of
18 definitions, the word "nominal" we would need to
19 have defined.

20 But because -- are you aware that
21 the New York State Department of Civil Service
22 has previously had a fiscal impact statement, in
23 terms of the impact this bill would have on the
24 State of New York, upwards to \$18 million in
25 terms of an impact on our state costs through the

1 Medicaid program?

2 SENATOR BRESLIN: Yes, we do --
3 yes, we do, Mr. President. But we think that
4 that study was somewhat influenced by the fact it
5 was done by Caremark, the one who would be most
6 influenced by this kind of a new law. So we
7 think that that was somewhat flawed and not
8 something that we could rely on.

9 SENATOR SEWARD: Mr. President,
10 would the sponsor continue to yield.

11 ACTING PRESIDENT BAILEY: Does the
12 sponsor yield for a question? Senator Breslin,
13 do you yield?

14 SENATOR BRESLIN: Yes.

15 ACTING PRESIDENT BAILEY: The
16 Senator yields.

17 SENATOR SEWARD: This -- wasn't
18 this study -- I mean, this was issued by a
19 New York State agency, a part of the executive
20 branch of state government.

21 SENATOR BRESLIN: It was. But
22 again, I would reinstitute my remarks about
23 Caremark.

24 SENATOR SEWARD: Mr. President,
25 would the sponsor continue to yield?

1 ACTING PRESIDENT BAILEY: Does the
2 sponsor yield?

3 SENATOR BRESLIN: Yes, I do,
4 Mr. President.

5 ACTING PRESIDENT BAILEY: The
6 sponsor yields.

7 SENATOR SEWARD: Well, then,
8 let's -- if your position is as you've stated,
9 then what impact fiscally will this bill, in your
10 estimation, have on the State of New York?

11 SENATOR BRESLIN: I used the --
12 through you, Mr. President, I used the word
13 "nominal" before. There's no new product. It's
14 a rearrangement of the delivery time, so there
15 isn't a lot of labor costs associated with it.
16 There's no cost-of-goods cost associated with it.

17 So I again think that given the
18 benefit -- the benefits of having
19 synchronization, having all prescriptions in
20 front of a pharmacist is very important.

21 ACTING PRESIDENT BAILEY: Does the
22 sponsor yield for a question?

23 SENATOR BRESLIN: Yes,
24 Mr. President.

25 SENATOR SEWARD: Yes, would the

1 sponsor continue to yield.

2 SENATOR BRESLIN: Yes, I do yield.

3 SENATOR SEWARD: I have not been
4 discussing synchronization. That's a different
5 bill.

6 But I am concerned about the costs
7 of this legislation on the State of New York's
8 budget as well as businesses and others who offer
9 prescription benefits through health insurance
10 policies. And if we are going to do away with
11 some of the protections in terms of allowing
12 health plans and others to manage their
13 prescription costs, through mail order and the
14 like, that will no doubt drive up costs, I say
15 more than nominally.

16 But my question to the sponsor is --
17 I'd like to go back to the terms and conditions
18 that would no longer be applicable under your
19 legislation. Are you aware that these terms
20 of -- terms and conditions are the product of
21 national safety accreditation standards and are
22 designed to promote high standards for consumer
23 safety?

24 SENATOR BRESLIN: Yes, we are.
25 Through you, Mr. President.

1 SENATOR SEWARD: And I -- would the
2 sponsor continue to yield, Mr. President?

3 ACTING PRESIDENT BAILEY: Senator
4 Breslin, do you yield for a question? Does the
5 sponsor yield?

6 SENATOR BRESLIN: Yes, I do,
7 Mr. President.

8 ACTING PRESIDENT BAILEY: The
9 sponsor yields.

10 SENATOR SEWARD: We're talking
11 about -- when we're talking about this issue,
12 we're talking about specialty medications, for
13 the most part, for a small population with
14 chronic conditions. You know, their drugs may
15 cost hundreds of thousands of dollars.

16 Some of these terms and conditions
17 require the ability to provide emergency
18 delivery, guarantee quality control, provide
19 24/7 support, and others. Can you explain to me
20 why you believe that this is not something that
21 we would want to continue for consumers?

22 SENATOR BRESLIN: I'm glad --
23 through you, Mr. President, I'm glad you
24 mentioned oncology. I was able to go out and
25 visit with an oncology center in the Capital

1 District, and they assured me -- I talked to a
2 couple of cancer specialists -- that by going
3 mail order they were getting deliveries late,
4 deliveries damaged, deliveries that were supposed
5 to be refrigerated weren't. That it was having a
6 direct, direct effect on the care of those cancer
7 patients because it wasn't done quickly enough
8 and it wasn't done properly, and the lack of the
9 availability of direct-to-the-pharmacy retail
10 sale at the pharmacy was having an impact on
11 people's lives.

12 SENATOR SEWARD: One more question,
13 Mr. President, if the sponsor would yield.

14 ACTING PRESIDENT BAILEY: Does the
15 sponsor yield?

16 SENATOR BRESLIN: Yes, I yield,
17 Mr. President.

18 ACTING PRESIDENT BAILEY: The
19 sponsor yields.

20 SENATOR SEWARD: Thankfully, I do
21 not need specialty prescriptions, but when I do
22 need a prescription, I always go to my local
23 pharmacist. And if your oncology physicians and
24 their patients do not -- they're not required to
25 go mail order. But if we have a local pharmacy

1 that is willing to meet the standards that I've
2 outlined, you know, for specialty pharmaceuticals
3 and others, they can in fact use a local pharmacy
4 under current law.

5 SENATOR BRESLIN: Through you,
6 Mr. President. Would you also agree that those
7 local pharmacies have been impacted through that
8 agreement to have 24-hour nursing and computers
9 far in excess of what's needed at that local
10 pharmacy?

11 So part of this bill, it will
12 correct that, to give the proper treatment to all
13 those people through direct pharmacies. And it
14 is taking an agreement and separating it a little
15 bit, but it's separating it for the value of the
16 person who's -- in the cases we've been talking
17 about, the cancer patients, some prescriptions
18 that are \$10,000 or more and are unable to be
19 delivered because of the mail order restriction.

20 ACTING PRESIDENT BAILEY: Senator
21 Seward, are you on the bill or asking the sponsor
22 to yield?

23 SENATOR SEWARD: On the bill,
24 Mr. President.

25 ACTING PRESIDENT BAILEY: Senator

1 Seward on the bill.

2 SENATOR SEWARD: But I would point
3 out that cancer patients, any patients that are
4 using these specialty drugs can in fact use a
5 local pharmacy if that pharmacy can meet the
6 terms and conditions that are comparable to the
7 mail order houses.

8 I think it's important with these
9 specialty drugs to have 24/7 availability of
10 support and all the other terms and conditions
11 that are outlined. But I certainly want to thank
12 the sponsor for your responses to my questions.

13 Pharmacy costs and the
14 pharmaceuticals of today, those costs are
15 tremendous drivers when it comes to our increased
16 healthcare and our increased health insurance
17 costs. You know, healthcare plans should be
18 given the flexibility to manage those costs and
19 at the same time provide life-saving and
20 life-enhancing prescriptions for their
21 subscribers.

22 There was a bill -- similar to the
23 language that is before us at this time, there
24 was a bill that passed a few years ago, I think
25 it was in 2012. At that time the Governor

1 threatened a veto because of basically the costs
2 involved. And at that time, to avoid that veto,
3 the stakeholders agreed to both mail order and
4 local pharmacies if they would have the same
5 terms and conditions and the same price for those
6 prescriptions.

7 My concern with the bill that's
8 before us is that it will drive up costs if we
9 up-end that agreement that was made among all of
10 the stakeholders back in 2012. It will drive up
11 costs -- and who foots the bill? It's the
12 premium payers when it comes to health insurance.

13 The only estimate that we have for
14 fiscal impact that's been measured in terms of
15 the state is \$18 million increased costs for the
16 state. And we've got businesses, unions --
17 anyone who provides a pharmacy benefit are going
18 to see higher costs and higher health insurance
19 premiums if this bill becomes law.

20 So, Mr. President, at the
21 appropriate time I will be voting no.

22 ACTING PRESIDENT BAILEY: Senator
23 Ranzenhofer.

24 SENATOR RANZENHOFER: Thank you,
25 Mr. President. If the sponsor would yield for a

1 few questions.

2 ACTING PRESIDENT BAILEY: Will the
3 sponsor yield for two questions?

4 SENATOR BRESLIN: Yes,
5 Mr. President, I yield.

6 ACTING PRESIDENT BAILEY: The
7 sponsor yields for one of two questions.

8 SENATOR RANZENHOFER: I didn't say
9 one or two, I said a few questions, sir.

10 So, Senator Breslin, originally this
11 bill was passed through the Insurance Committee
12 and went on to Finance, and then it was just
13 amended Friday night, is that correct?

14 SENATOR BRESLIN: It was amended
15 recently. I'm not aware of the particular date.

16 SENATOR RANZENHOFER: Okay. Well,
17 just looking at the bill, June 14th, I think it
18 was Flag Day.

19 And is it correct that one of the
20 amendments was to carve out an exception for
21 unions, people that are involved in collective
22 bargaining agreements? That was inserted into
23 the bill?

24 SENATOR BRESLIN: Correct. Through
25 you, Mr. President.

1 SENATOR RANZENHOFER: Okay. And
2 was the reason that --

3 ACTING PRESIDENT BAILEY: Senator
4 Ranzenhofer. Senator Ranzenhofer.

5 SENATOR RANZENHOFER: Yes,
6 Mr. President.

7 ACTING PRESIDENT BAILEY: Are you
8 asking the sponsor to yield?

9 SENATOR RANZENHOFER: I am asking
10 absolutely for the sponsor to yield and consider
11 yielding for another question.

12 ACTING PRESIDENT BAILEY: Does the
13 sponsor yield? Senator Breslin, do you yield?

14 SENATOR BRESLIN: Is the
15 question -- will you repeat the question, please?

16 ACTING PRESIDENT BAILEY: Will the
17 Senator repeat the question?

18 SENATOR RANZENHOFER: Will Senator
19 Breslin yield?

20 ACTING PRESIDENT BAILEY: Does the
21 sponsor yield?

22 SENATOR BRESLIN: Oh. Yes.

23 (Laughter.)

24 SENATOR RANZENHOFER: Thank you.

25 Were the unions concerned that their

1 members -- that this would be -- this would
2 result in increased costs for their membership?

3 SENATOR BRESLIN: I'm not aware of
4 that. Through you, Mr. President. I'm aware
5 that they thought it would be consistent with
6 their policies in this area to have the change.

7 SENATOR RANZENHOFER:
8 Mr. President, if the sponsor would continue to
9 yield.

10 ACTING PRESIDENT BAILEY: Does the
11 sponsor yield?

12 SENATOR BRESLIN: I do yield.

13 ACTING PRESIDENT BAILEY: The
14 sponsor yields.

15 SENATOR RANZENHOFER: Then it would
16 make perfect sense, wouldn't it, Senator, that if
17 the unions did not feel that it would hurt -- if
18 the unions felt that it would hurt their members
19 and increase costs for their members, they would
20 not be supporting such an amendment, would that
21 be a fair statement?

22 SENATOR BRESLIN: I think that's a
23 fair assumption, through you, Mr. President.

24 SENATOR RANZENHOFER:
25 Mr. President, if the sponsor will continue to

1 yield.

2 ACTING PRESIDENT BAILEY: Does the
3 sponsor yield?

4 SENATOR BRESLIN: I continue to
5 yield.

6 ACTING PRESIDENT BAILEY: The
7 sponsor yields.

8 SENATOR RANZENHOFER: Thank you.

9 So I think it's good, you know, if
10 you're a school district or a municipal
11 government -- town, village, city -- that you can
12 now be exempt under this bill if you have a
13 collective bargaining agreement. That's good
14 news for school districts and others, because
15 that would result in lower costs.

16 But what do you do in the bill for
17 private employers and businesses and individuals
18 who have those very same concerns as the unions?
19 So the unions -- union members' costs under their
20 collective bargaining, those costs are not going
21 to go up because they're exempt. But what is
22 done to protect other employers and businesses
23 and individuals from their costs going up?
24 Because they don't have the same carve-out that
25 was granted to the unions.

1 SENATOR BRESLIN: Through you,
2 Mr. President, I'd suggest that the problem here
3 was that there wasn't carve-out with the arcane
4 rules that were inserted, that there was only
5 really, practically speaking, the availability of
6 mail order.

7 And we have specifically, through
8 the years, thought give options to patients by
9 making both available would be the best. And
10 I've already cited the cancer patients and other
11 specialties where there was people who were
12 extremely sick who were forced to take the
13 mail-order option as opposed to having the option
14 of pharmacy and being able to avail themselves
15 there.

16 SENATOR RANZENHOFER:
17 Mr. President, if the sponsor would continue to
18 yield.

19 ACTING PRESIDENT BAILEY: Does the
20 sponsor yield?

21 SENATOR BRESLIN: The sponsor
22 yields.

23 ACTING PRESIDENT BAILEY: The
24 sponsor yields.

25 SENATOR RANZENHOFER: That was the

1 purpose of the amendment, to give those cancer
2 patients and others that are members of
3 collective bargaining agreements that
4 particular --

5 SENATOR BRESLIN: {Inaudible.} The
6 cancer patients are the ones who need that
7 pharmacy. In fact, pharmacy would make available
8 to them -- products when they're delivered could
9 be properly refrigerated quickly, be used on
10 patients immediately who were part of that whole
11 oncology operation which ultimately saved lives
12 and put people in better health conditions.

13 SENATOR RANZENHOFER:
14 Mr. President, if the sponsor would continue to
15 yield.

16 ACTING PRESIDENT BAILEY: Does the
17 sponsor yield?

18 SENATOR BRESLIN: Pardon? I will
19 yield.

20 ACTING PRESIDENT BAILEY: The
21 sponsor yields.

22 SENATOR RANZENHOFER: So I won't
23 have to repeat the question, so that's good.

24 So the question that I have, then,
25 is whether you are a member of a union that's

1 part of a collective bargaining agreement or you
2 are in business or an individual, patients in
3 both groups have the same concerns, wouldn't that
4 be fair?

5 SENATOR BRESLIN: Through you,
6 Mr. President, I would suppose that the unions
7 are looking to us to allow them not to interfere
8 with their collective bargaining process.

9 The others are specialty cases that
10 go far beyond the cancer examples I've used
11 earlier, to other situations when the pharmacy is
12 an important component and the choice of mail
13 order versus pharmacy is something that should be
14 afforded to the consumer.

15 SENATOR RANZENHOFER: On the bill.

16 ACTING PRESIDENT BAILEY: Senator
17 Ranzenhofer on the bill.

18 SENATOR RANZENHOFER: First of all,
19 I want to thank the sponsor for the answers to my
20 questions.

21 And what I was really trying to get
22 at is I think that both groups should be treated
23 equally. You have people that are members of
24 collective bargaining agreements, you know, so if
25 you're a school district or a municipal

1 government, you're treated one way. On the other
2 hand, if you're a private employer or a business
3 or individual, you are treated another.

4 So I think the amendment is
5 really -- you know, creates an unlevel playing
6 field between those groups that are part of
7 collective bargaining agreements -- so if you
8 work on the municipal side, you're treated one
9 way; if you work on the private side, you're
10 treated another way. And I just wanted, again,
11 to have a dialogue with the sponsor on that.

12 I voted for the bill in committee.
13 I do have some concerns with this late insertion
14 of that language which treats these groups
15 differently, and that's a concern for me.

16 Thank you.

17 ACTING PRESIDENT BAILEY: Are there
18 any other Senators wishing to be heard?

19 Seeing and hearing none, debate is
20 closed.

21 Senator Liu.

22 SENATOR LIU: Mr. President,
23 without objection, please restore this bill to
24 the noncontroversial --

25 ACTING PRESIDENT BAILEY: The

1 Secretary will ring the bell.

2 SENATOR LIU: Just one second.

3 ACTING PRESIDENT BAILEY: Senator
4 Liu.

5 SENATOR LIU: Mr. President,
6 without objection, please restore this bill to
7 the noncontroversial reading of the calendar.

8 ACTING PRESIDENT BAILEY: Without
9 objection, so ordered.

10 Read the last section.

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

13 ACTING PRESIDENT BAILEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BAILEY: Senator
17 Breslin to explain his vote.

18 SENATOR BRESLIN: Thank you. Very
19 quickly, Mr. President.

20 This bill, as I had indicated
21 answering the questions, would open up and put on
22 an even keel both mail order and direct pharmacy.
23 And the direct pharmacy will allow certain
24 specialty types of pharmacists to treat people
25 who have been afflicted with serious diseases,

1 and it will do much to save lives and increase
2 the protection of those people.

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

5 ACTING PRESIDENT BAILEY: Senator
6 Breslin to be recorded in the affirmative.

7 Senator Seward to explain his vote.

8 SENATOR SEWARD: Yes, very briefly,
9 Mr. President.

10 I know during the previous bill that
11 was before the house regarding --

12 ACTING PRESIDENT BAILEY: Excuse
13 me. Order in the chamber. Thank you.

14 SENATOR SEWARD: I know during the
15 previous legislation that was before the house on
16 the driver's licenses, there was some
17 late-breaking news regarding the Attorney
18 General.

19 As we were discussing this
20 particular bill, I've received late-breaking
21 news, once again from a state agency, the
22 Department of Civil Service, who says that the
23 fiscal impact to the State of New York on this --
24 from this particular bill before us tonight is
25 not \$18 million, it has grown to a \$30 million

1 impact on the State of New York through our
2 NYSHIP program.

3 And so I think this type of
4 legislation should be part of the budget
5 discussions rather than being done outside the
6 budget.

7 And if it's that kind of cost
8 increase for the State of New York, think about
9 the cost increases on the businesses and others
10 who provide pharmacy benefits throughout the
11 State of New York. I think there's a better way
12 to go in terms of dealing with some of the
13 specific concerns that the sponsor has raised on
14 particular patients.

15 But this particular bill before us
16 now, it's a -- taking an axe to a problem where
17 we ought to be doing it more with a surgical
18 knife. So I vote no, Mr. President.

19 ACTING PRESIDENT BAILEY: Senator
20 Seward to be recorded in the negative.

21 Announce the results.

22 THE SECRETARY: In relation to
23 Calendar Number 1425, those Senators voting in
24 the negative are Senators Amedore, Antonacci,
25 Flanagan, Gallivan, Griffo, Jacobs, Jordan,

1 Lanza, O'Mara, Ortt, Seward and Tedisco.

2 Ayes, 50. Nays, 12.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 The Secretary will read.

6 THE SECRETARY: Calendar Number
7 1467, Senate Print 6531, by Senator Breslin, an
8 act to amend the Public Health Law.

9 ACTING PRESIDENT BAILEY: Senator
10 Seward.

11 SENATOR SEWARD: Yes,
12 Mr. President. Would the sponsor yield for some
13 questions on this bill?

14 ACTING PRESIDENT BAILEY: Will the
15 sponsor yield?

16 SENATOR BRESLIN: Yes, the sponsor
17 yields.

18 ACTING PRESIDENT BAILEY: The
19 sponsor yields.

20 SENATOR SEWARD: Thank you.

21 This is the first time really today
22 that I've had a chance to actually see this bill.
23 Senator, can you tell us when this bill was
24 introduced?

25 SENATOR BRESLIN: The bill was

1 introduced on June 14th.

2 SENATOR SEWARD: Would the sponsor
3 continue to yield?

4 ACTING PRESIDENT BAILEY: Will the
5 sponsor yield?

6 SENATOR BRESLIN: The sponsor
7 continues to yield.

8 ACTING PRESIDENT BAILEY: The
9 sponsor yields.

10 SENATOR SEWARD: Can you explain
11 why we are moving so quickly to pass this
12 particular bill?

13 I know the Assembly version is going
14 to the Ways and Means committee over there
15 because of, once again, costs. Can you tell me
16 why this bill is moving so quickly and why it did
17 not go to the Finance Committee for some
18 financial vetting?

19 SENATOR BRESLIN: Yes indeed,
20 Mr. President. A great deal of what is contained
21 in this bill was in fact in our one-house budget
22 here in the Senate. And as the year went along,
23 the Senate majority and the Assembly majority
24 talked more and put something together recently,
25 and that would be June 14th.

1 But most of the parts of that, with
2 some slight adjustments, have been in existence
3 for the better part of a half-year.

4 SENATOR SEWARD: Thank you. Would
5 the sponsor continue to yield?

6 ACTING PRESIDENT BAILEY: Does the
7 sponsor yield?

8 SENATOR BRESLIN: The sponsor
9 continues to yield.

10 ACTING PRESIDENT BAILEY: The
11 sponsor yields.

12 SENATOR SEWARD: There are a lot of
13 provisions in the bill that look like they will
14 have a huge impact on, once again, healthcare
15 costs and health insurance costs.

16 Did you do any sort of cost analysis
17 on how this will impact the unions? That was a
18 discussion of -- on our previous bill, employers
19 and health plans. You know, they're the ones
20 that have contracts with PBMs and pay for drug
21 coverage.

22 SENATOR BRESLIN: Through you,
23 Mr. President, there were some additional dollars
24 for increased staffing. But because this is
25 pharmacy benefit managers, who act in the dark a

1 great deal -- and it's our belief that a policing
2 of PBMs will do much to save money and make the
3 pharmacy industry much more responsible to the
4 general citizens.

5 SENATOR SEWARD: Would the sponsor
6 continue to yield for a few more questions?

7 ACTING PRESIDENT BAILEY: Does the
8 sponsor yield?

9 SENATOR BRESLIN: The sponsor
10 continues to yield.

11 ACTING PRESIDENT BAILEY: The
12 sponsor yields.

13 SENATOR SEWARD: Well, the plans
14 and the various groups that I mentioned earlier
15 that I've heard from have all told me that this
16 is going to have a huge cost impact.

17 Your bill includes language that
18 gives every provider and person covered under a
19 prescription drug benefit with a PBM a private
20 right of action to enforce -- to be enforced
21 against PBMs. Do you recognize that this is
22 going to create a whole wave of litigation which
23 will be costly for all concerned?

24 SENATOR BRESLIN: I think what this
25 does is keeps us accountable to the clients that

1 you have mentioned. And I think it's a proper
2 course to go to protect the consumer, that if
3 there is wrongdoing, that they will have a cause
4 of action before them.

5 SENATOR SEWARD: Would the sponsor
6 continue to yield?

7 ACTING PRESIDENT BAILEY: Does the
8 sponsor yield?

9 SENATOR BRESLIN: The sponsor
10 continues to yield.

11 ACTING PRESIDENT BAILEY: The
12 sponsor yields.

13 SENATOR SEWARD: And with increased
14 litigation comes increased cost. This is all
15 going to roll back to not only the health plans,
16 but increase drug costs for everyone.

17 Do you recognize that, Mr. Chairman?

18 SENATOR BRESLIN: No, I don't. I
19 would suggest that the increased policing,
20 through you, Mr. President, has better outcomes,
21 and if there's more eyes looking at what's done
22 by PBMs.

23 And it isn't all about profit, it's
24 all about healthcare. And you can't consider one
25 without the other, but I'd be more interested in

1 making sure we take care of the people who are
2 insured and take care of them first.

3 SENATOR SEWARD: Would the sponsor
4 continue to yield?

5 ACTING PRESIDENT BAILEY: Does the
6 sponsor yield?

7 SENATOR BRESLIN: The sponsor
8 continues to yield.

9 ACTING PRESIDENT BAILEY: The
10 sponsor yields.

11 SENATOR SEWARD: That certainly is
12 the objective of -- for all of us, no matter how
13 you feel about this particular bill.

14 Senator, your bill says that funds
15 received by the PBM will be used in trust for the
16 health plan or provider. Are you aware that
17 using those words creates a fiduciary duty on the
18 part of the PBM for the health plans or provider?

19 SENATOR BRESLIN: Through you,
20 Mr. President. As you know, the word "fiduciary"
21 was taken out. It's in trust. We want to make
22 sure that the PBM has an obligation to take care
23 of those dollars for the benefit of the holders
24 of health insurance.

25 ACTING PRESIDENT BAILEY: Will the

1 sponsor yield for a question?

2 SENATOR SEWARD: Yes, will the
3 sponsor yield for a couple more questions?

4 SENATOR BRESLIN: The sponsor
5 continues to yield.

6 ACTING PRESIDENT BAILEY: The
7 sponsor yields.

8 SENATOR SEWARD: Your bill in
9 effect overrides contracts between a PBM and a
10 payer. It says what payments must be passed back
11 and how it must be used.

12 What about health plans and
13 employers that have negotiated contracts to their
14 mutual satisfaction or that want to structure
15 their own contract for the benefit of cost
16 control and those that they're looking to provide
17 pharmaceutical services to?

18 SENATOR BRESLIN: Through you,
19 Mr. President. In response, again, the PBMs are
20 operating in the dark, and we're looking for
21 transparency. We want to know about contracts,
22 where money is coming in and where it's going.

23 SENATOR SEWARD: Will the sponsor
24 continue to yield?

25 ACTING PRESIDENT BAILEY: Does the

1 sponsor yield?

2 SENATOR BRESLIN: The sponsor
3 continues to yield.

4 ACTING PRESIDENT BAILEY: The
5 sponsor yields.

6 SENATOR SEWARD: Senator, do you
7 think that the Legislature, through statute,
8 should tell sophisticated health plans and
9 purchasers how they should structure their
10 contracts? Because in effect your bill does
11 that.

12 SENATOR BRESLIN: Thank you for the
13 question. And I yield again.

14 Through you, Mr. President, I
15 actually think that our job as a legislature is
16 to police too. And if we have PBMs that are
17 operating in the dark without regulation, without
18 anyone looking over them, then it's our job to
19 make sure that our money is -- their money is
20 being spent properly.

21 And when we do that, and if we see
22 that PBMs are really saving a lot of money --
23 which we don't know now, despite many discussions
24 to the contrary -- we will be better able to
25 answer that question.

1 SENATOR SEWARD: On the bill,
2 Mr. President.

3 ACTING PRESIDENT BAILEY: Senator
4 Seward on the bill.

5 SENATOR SEWARD: Yeah. I agree
6 with the sponsor, and I want to thank him once
7 again for responding to my questions.

8 I would agree that there is
9 certainly room for being supportive of PBM
10 licensure and regulation to a degree. Even the
11 PBMs acknowledged it was happening and were
12 certainly willing to work with all of us on that
13 particular issue.

14 Yet it doesn't seem like everyone
15 was included in the process. And now that we --
16 we have a bill before us with a clear premium
17 impact, once again, and it also has ERISA issues.
18 This is the bill that's before us on the floor.

19 Thank you, Mr. President.

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

22 Seeing and hearing none, debate is
23 closed.

24 Senator Liu.

25 SENATOR LIU: Mr. President,

1 without objection, please restore this bill to
2 the noncontroversial reading of the calendar.

3 ACTING PRESIDENT BAILEY: Without
4 objection, so ordered.

5 Read the last section.

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

9 ACTING PRESIDENT BAILEY: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BAILEY: Senator
13 Breslin to explain his vote.

14 SENATOR BRESLIN: Right. I think
15 this state has waited long enough to regulate
16 PBMs, pharmacy benefit managers, who do many
17 things. They make contracts with everybody
18 contained in the healthcare process. And that
19 could be wonderful, but it might not be so
20 wonderful. And it's come time to know who they
21 are, what they do, how much money they're making,
22 and where that money goes.

23 And if there's regulation,
24 regulation and knowledge of their operations, the
25 healthcare marketplace is a better place.

1 This is the first time we've done
2 it. I think it's a very expansive bill that will
3 regulate and control pharmacy benefit managers
4 for the feasible future.

5 I vote aye.

6 ACTING PRESIDENT BAILEY: Senator
7 Breslin to be recorded in the affirmative.

8 Announce the results.

9 THE SECRETARY: In relation to
10 Calendar Number 1467, those Senators voting in
11 the negative are Senators Amedore, Antonacci,
12 Flanagan, Gallivan, Helming, Jacobs, Jordan,
13 Lanza, Little, O'Mara, Ortt, Seward and Tedisco.

14 Ayes, 49. Nays, 13.

15 ACTING PRESIDENT BAILEY: The bill
16 is passed.

17 Senator Liu, that completes the
18 reading of the controversial supplemental
19 calendar.

20 SENATOR LIU: Mr. President, can we
21 please take up the controversial reading of the
22 active list.

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

25 The Secretary will read.

1 THE SECRETARY: Calendar Number
2 987, Assembly Print Number 3009, by
3 Assemblymember Quart, an act to amend the
4 Insurance Law.

5 ACTING PRESIDENT BAILEY: Senator
6 Ranzenhofer.

7 SENATOR RANZENHOFER: Will the
8 sponsor yield for a few questions?

9 ACTING PRESIDENT BAILEY: Will the
10 sponsor yield?

11 SENATOR BRESLIN: I'd be delighted
12 to answer a few questions.

13 ACTING PRESIDENT BAILEY: The
14 sponsor will be delighted, Senator Ranzenhofer.

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

17 Senator Breslin, does your bill, the
18 synchron -- this is the synchronization bill. So
19 would your bill allow people who receive
20 prescriptions from mail order pharmacy, if they
21 wanted to have it synced, could they get it
22 synced?

23 SENATOR BRESLIN: I can't hear you.
24 There's too much --

25 ACTING PRESIDENT BAILEY: Some

1 order in the chamber, please.

2 Senator Ranzenhofer, would you be so
3 kind as to repeat your question?

4 SENATOR RANZENHOFER: Sure.

5 Does your bill allow people who
6 receive prescriptions from a mail-order pharmacy
7 to fill them at a retail pharmacy through a sync
8 program?

9 SENATOR BRESLIN: I'm unaware of
10 how that would happen, Senator Ranzenhofer.

11 SENATOR RANZENHOFER: Okay. Can
12 you tell me what the cost impact of the bill
13 would be?

14 SENATOR BRESLIN: It's believed to
15 be -- through you, Mr. President, it's our
16 opinion that it would actually save money.

17 Because there's been many studies
18 about compliance, and compliance helps the
19 resolution of healthcare. And if you have
20 synchronization, you're more likely -- I called
21 it in committee, if you recall, the four hands of
22 peanuts, that -- what would happen if you don't
23 synchronize, you keep going back to the pharmacy
24 and buying something. And if you have four
25 prescriptions, you go four times in a month.

1 If you synchronize them, you go
2 once, you have the pharmacist looking at the
3 prescriptions, he can have indications of whether
4 they're compatible or not and give you the advice
5 that makes you comply fully, thus saving money
6 ultimately.

7 SENATOR RANZENHOFER: If the
8 sponsor will continue to yield.

9 ACTING PRESIDENT BAILEY: Does the
10 sponsor yield?

11 SENATOR BRESLIN: Yes, I yield.

12 ACTING PRESIDENT BAILEY: The
13 sponsor yields.

14 SENATOR RANZENHOFER: Well, right
15 now I know that a lot of unions and employers
16 require mail order for maintenance medications
17 because it saves money, it helps keep their
18 members' premiums low.

19 So it seems to me that your bill
20 would create an end-run around this. So if
21 somebody says they want their drugs synced at a
22 local retail location, would your bill then
23 require a drug that's provided by mail order to
24 be filled at the retail pharmacy?

25 SENATOR BRESLIN: No, this bill

1 deals with the retail pharmacy. I didn't
2 understand the meaning of your -- that the retail
3 pharmacy does not generally include mail order.
4 If someone wanted to switch to picking up at the
5 pharmacy, that would be fine.

6 But no, it does not countenance the
7 mail order.

8 SENATOR RANZENHOFER: So is it --
9 if the sponsor will continue to yield.

10 ACTING PRESIDENT BAILEY: Does the
11 sponsor yield?

12 SENATOR BRESLIN: The sponsor
13 yields.

14 ACTING PRESIDENT BAILEY: The
15 sponsor yields.

16 SENATOR RANZENHOFER: So there are
17 certain maintenance medications like cholesterol
18 medication and things that people take on, you
19 know, a monthly basis to maintain their status.

20 So if someone is receiving these
21 medications through the mail and then they're
22 trying to sync other medications, whether it be a
23 heart medication or whatever other medication
24 they want, they can then opt out of the mail
25 order and get it through the pharmacy so it can

1 all be synced?

2 SENATOR BRESLIN: I think that
3 would be up to the patient. If he felt that it
4 was a better compliance mechanism, there was
5 efficiencies doing it and he could pick them all
6 up at once and at the same time get his can of
7 peanuts, I think everybody would be happy.

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

10 ACTING PRESIDENT BAILEY: Does the
11 sponsor yield?

12 SENATOR BRESLIN: The sponsor
13 continues to yield.

14 ACTING PRESIDENT BAILEY: The
15 sponsor yields.

16 SENATOR RANZENHOFER: So that's
17 provided for under your bill, opting out of mail
18 order to be able to sync at the retail
19 establishment?

20 SENATOR BRESLIN: The bill does not
21 talk about opting out of mail order, through you,
22 Mr. President. It talks about what would be
23 available at your pharmacy, and that would be the
24 synchronization of prescriptions approved by the
25 plan and approved by your doctor.

1 SENATOR RANZENHOFER: If the
2 sponsor will continue to yield.

3 SENATOR BRESLIN: At your request.

4 ACTING PRESIDENT BAILEY: Does the
5 sponsor yield?

6 SENATOR BRESLIN: The sponsor
7 yields.

8 ACTING PRESIDENT BAILEY: The
9 sponsor yields.

10 SENATOR RANZENHOFER: So I
11 understand that, you know, it's done through the
12 retail but many people get their prescriptions
13 through mail order. So how does the
14 synchronization work? If you're getting some
15 prescriptions through mail order and some
16 prescriptions at your pharmacy, how do you sync
17 that? Are you allowed to opt out?

18 SENATOR BRESLIN: That might be
19 add-ons later. Maybe we could get together and
20 talk about if there's a possibility of
21 synchronization with half mail order and half
22 pharmacy.

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

25 ACTING PRESIDENT BAILEY: Does the

1 sponsor yield?

2 SENATOR BRESLIN: The sponsor
3 continues to yield.

4 ACTING PRESIDENT BAILEY: The
5 sponsor yields.

6 SENATOR RANZENHOFER: So if you
7 have partly -- some of your medications are
8 through mail order and some are through your
9 retail pharmacy, would only the ones from the
10 retail pharmacy be synced but the ones from the
11 mail order would not be?

12 SENATOR BRESLIN: Through you,
13 Mr. President. I think that you'll find that
14 most people pick one or the other, that they find
15 when they begin to get mail order and through the
16 pharmacy that they're having problems
17 categorizing them and it's easier if they go one
18 or the other.

19 SENATOR RANZENHOFER: So let me
20 just ask you a final question or two.

21 So if you're on a monthly medication
22 regimen and all of a sudden you want to sync, so
23 you're either going to get, you know, fewer pills
24 so you can line it up or you're going to get more
25 pills so you can line it up -- so you're changing

1 what you have normally gotten. Normally you get
2 a 30-day dosage or a 90-day dosage, but here
3 you're going to change it up because in order to
4 get everything coordinated, you have to get
5 either fewer or more.

6 Medicare, I know, requires advanced
7 notice. So my understanding is that if you then
8 make this change on Medicare, it's very likely
9 that you're going to get a denial.

10 So how do you deal with Medicare,
11 which requires advanced notice, and how do you
12 keep patients from getting their medications
13 denied when they're going to a new -- you know, a
14 greater or a lesser number of pills than they've
15 been getting in the past?

16 SENATOR BRESLIN: Through you,
17 Mr. President. In that case I would suggest that
18 a patient would be knowing his prescriptions and
19 be able to react accordingly. And if he couldn't
20 coordinate them, there would be no reason to try
21 to synchronize them.

22 SENATOR RANZENHOFER: Through you,
23 Mr. President --

24 ACTING PRESIDENT BAILEY: Senator
25 Ranzenhofer.

1 SENATOR RANZENHOFER: -- if the
2 sponsor will yield.

3 SENATOR BRESLIN: The sponsor
4 yields.

5 ACTING PRESIDENT BAILEY: Will the
6 sponsor yield? The sponsor yields.

7 SENATOR RANZENHOFER: So the
8 patient would then have to choose between either
9 synchronizing their medications and getting a
10 denial or not synchronizing them, would that be
11 fair?

12 SENATOR BRESLIN: Through you,
13 Mr. President, I don't think there would be any
14 reason for a denial on a synchronization when
15 it's -- it helps compliance, it helps facilitate
16 the transaction, and it helps the pharmacist
17 being able to look at all the prescriptions at
18 once and would cut down on serious medical
19 errors.

20 SENATOR RANZENHOFER: Through you,
21 Mr. President, I agree with those noble causes,
22 and I do agree, I am a --

23 ACTING PRESIDENT BAILEY: Senator
24 Ranzenhofer, are you on the bill or asking the
25 sponsor to yield?

1 SENATOR RANZENHOFER: I'm getting
2 to a question. So I'm asking him to yield --

3 ACTING PRESIDENT BAILEY: Will the
4 sponsor yield? Senator Breslin --

5 SENATOR BRESLIN: And you might
6 also notice in the bill, Mr. President, you can't
7 deny a partial fill.

8 ACTING PRESIDENT BAILEY: Will the
9 sponsor yield for a question?

10 SENATOR BRESLIN: Yes, I'll yield.

11 ACTING PRESIDENT BAILEY: The
12 sponsor yields, Senator Ranzenhofer.

13 SENATOR RANZENHOFER: Isn't it --
14 would it be fair to say that Medicare requires
15 advance notification if you're going to change
16 your prescription?

17 SENATOR BRESLIN: In my experience,
18 not to a significant degree. Not something that
19 would interfere with the synchronization.

20 SENATOR RANZENHOFER: So if the
21 sponsor will continue to yield for one more
22 question.

23 ACTING PRESIDENT BAILEY: Does the
24 sponsor yield?

25 SENATOR BRESLIN: The sponsor

1 continues to yield.

2 ACTING PRESIDENT BAILEY: The
3 sponsor yields.

4 SENATOR RANZENHOFER: Is there a
5 reason that there's not language in the bill that
6 would deal with the issue of not being able to
7 deny because you are going off of your 30-day or
8 your 90-day sequence, to make it clearer so that
9 no patient who is taking medication would have to
10 deal with that issue? Could that have been
11 included in the bill?

12 SENATOR BRESLIN: The bill
13 specifically says "cannot deny." That would be
14 on 2B.

15 SENATOR RANZENHOFER: One further
16 question, if the sponsor will yield.

17 ACTING PRESIDENT BAILEY: Will the
18 sponsor yield?

19 SENATOR BRESLIN: The sponsor
20 continues to yield.

21 ACTING PRESIDENT BAILEY: The
22 sponsor yields.

23 SENATOR RANZENHOFER: And whose
24 responsibility will it be to notify your
25 insurance carrier of the synchronization? Will

1 that be the doctor prescribing the medication,
2 the pharmacy, or the patient?

3 SENATOR BRESLIN: It isn't
4 specified. So it would seem to me either the
5 doctor or the patient or both could do that.

6 SENATOR RANZENHOFER: Thank you.
7 And thank the sponsor for his colloquy.

8 ACTING PRESIDENT BAILEY: Are there
9 any other Senators wishing -- Senator Breslin on
10 the bill.

11 SENATOR BRESLIN: I think this is
12 just a wonderfully simple change, being able to
13 synchronize medications.

14 And I have to pay tribute to a
15 certain Senator in here who did a lot of work to
16 make this happen in past years, and that's
17 Senator Andrew Lanza. I commend him for his
18 efforts in that area.

19 (Scattered applause.)

20 SENATOR BRESLIN: No clapping,
21 please.

22 (Laughter.)

23 SENATOR BRESLIN: And I will -- I
24 also wanted to go on and indicate that there are
25 a lot of groups that -- including but not limited

1 to Northeast Kidney Foundation, Pfizer, American
2 Heart Association, Susan Komen Foundation, just
3 to name a few. There's a lot of medical groups
4 that are on the forefront of making simple
5 decisions to give better healthcare at a lower
6 cost, and this is one of them.

7 I vote aye.

8 ACTING PRESIDENT BAILEY: Are there
9 any other Senators wishing to be heard?

10 SENATOR ROBACH: No.

11 (Laughter.)

12 ACTING PRESIDENT BAILEY: Seeing
13 and hearing none, except for Joseph Robach,
14 debate is closed.

15 Senator Liu.

16 SENATOR LIU: Mr. President,
17 without objection -- what happened to the bell?
18 Mr. President, without objection, please restore
19 this bill to the noncontroversial reading of the
20 calendar.

21 ACTING PRESIDENT BAILEY: Without
22 objection, so ordered.

23 Read the last section.

24 THE SECRETARY: Section 3. This
25 act shall take effect on the first of January,

1 2020.

2 ACTING PRESIDENT BAILEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BAILEY: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Calendar Number 987, voting in the negative:
9 Senator Flanagan.

10 Ayes, 61. Nays, 1.

11 ACTING PRESIDENT BAILEY: The bill
12 is passed.

13 THE SECRETARY: Senator Liu, that
14 completes the reading of the controversial
15 calendar.

16 SENATOR LIU: Can we please return
17 to motions and resolutions.

18 ACTING PRESIDENT BAILEY: Motions
19 and resolutions.

20 Senator Liu.

21 SENATOR LIU: Mr. President, on
22 page number 36 I offer the following amendments
23 to Calendar Number 1083, Senate Print Number
24 6052A, and ask that the said bill retain its
25 place on the Third Reading Calendar.

1 ACTING PRESIDENT BAILEY: The
2 amendments are received, and the bill shall
3 retain its place on the Third Reading Calendar.

4 SENATOR LIU: Is there any further
5 business at the desk?

6 ACTING PRESIDENT BAILEY: There is
7 no further business at the desk.

8 SENATOR LIU: I move to adjourn
9 until Tuesday, June 18th, at 1:00 p.m.

10 ACTING PRESIDENT BAILEY: On
11 motion, the Senate stands adjourned until
12 Tuesday, June 18th, at 1:00 p.m.

13 (Whereupon, at 9:25 p.m., the Senate
14 adjourned.)

15
16
17
18
19
20
21
22
23
24
25