NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 13, 2020

3:17 p.m.

REGULAR SESSION

SENATOR BRIAN A. BENJAMIN, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT BENJAMIN: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT BENJAMIN: The reading of the Journal.

THE SECRETARY: In Senate, Sunday, January 12, 2020, the Senate met pursuant to adjournment. The Journal of Saturday, January 11, 2020, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

I move that the following bills be discharged from their respective committees and recommitted with instructions to strike the enacting clause: Senate Bill 3660, by Senator Gounardes; and Senate Bills 13, 226, 235, 2001, 3116 and 3293, by Senator Hoylman.

ACTING PRESIDENT BENJAMIN: It is so ordered.

SENATOR GIANARIS: Please call on Senator Griffo.

ACTING PRESIDENT BENJAMIN: Senator Griffo.

SENATOR GRIFFO: Thank you, Mr. President.

I also move that the following bills be discharged from their respective committees and recommitted with instructions to strike the enacting clause: Senate Bills 6392 and 6518, by

Senator O'Mara, and Senate Bill 155A, by Senator Helming.

ACTING PRESIDENT BENJAMIN: It is so ordered.

Senator Gianaris.

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

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Calendar Number 13, Senate Print 6934, by Senator Stewart-Cousins, an act to amend a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 51.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 15, Senate Print 6936, by Senator Parker, an act to amend the Public Service Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 15, those Senators voting in the negative are Senators Akshar, Helming, Ortt, Ranzenhofer and Seward.

Ayes, 46. Nays, 5.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 16, Senate Print 6937, by Senator Salazar, an act to amend the Public Buildings Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 50. Nays, 1. Senator Ortt recorded in the negative.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 19, Senate Print 6940, by Senator Kaminsky, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 51.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 24, Senate Print 6945, by Senator Kaplan, an act to amend the Executive Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 51.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 26, Senate Print 6947, by Senator Bailey, an act to amend the General Business Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the same date and in the same manner as a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 51.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 28, Senate Print 6949, by Senator Kavanagh, an act to amend the Private Housing Finance Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 28, those Senators recorded in

the negative are Senators Boyle, Flanagan, Helming and Ortt.

Ayes, 47. Nays, 4.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 34, Senate Print 6955, by Senator Kennedy, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 54.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 41, Senate Print 6962, by Senator Gaughran, an act to amend the General Municipal Law.

ACTING PRESIDENT BENJAMIN: Read

the last section.

THE SECRETARY: Section 4. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 54.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 43, Senate Print 6964, by Senator Serrano, an act to amend a chapter of the Laws of 2019 amending the Tax Law and the State Finance Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN:

Announce the results.

THE SECRETARY: In relation to Calendar Number 43, those Senators voting in the negative are Senators O'Mara and Ortt.

Ayes, 52. Nays, 2.

ACTING PRESIDENT BENJAMIN: The bill is passed.

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

SENATOR GIANARIS: Mr. President, there will be an immediate meeting of the Rules Committee in Room 332.

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

SENATOR GIANARIS: Mr. President, the Senate stands at ease.

ACTING PRESIDENT BENJAMIN: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 3:24 p.m.)

(Whereupon, the Senate reconvened at 3:43 p.m.)

ACTING PRESIDENT BENJAMIN: The Senate will return to order.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

Can you please recognize Senator Breslin for purposes of an introduction.

ACTING PRESIDENT BENJAMIN: Senator Breslin.

SENATOR BRESLIN: Thank you, Mr. President.

We are privileged today to have the University at Albany Women's Basketball Team upstairs to my left, who have a great tradition. They're joined by the athletic director, Mark Benson, and the assistant athletic director, Cara White, and their coach, Colleen Mullen, who's done a great job.

They're off to a fast start, and I expect that I'll see each one of you here, first after a league championship and then after the NCAA Invitation and great play.

It's great to have you here. Come back soon again. I hope you get a taste of what the Legislature is about. And I'll be back out to see you play to make sure that the NCAA is right in front of us. Thanks, ladies.

(Standing ovation.)

ACTING PRESIDENT BENJAMIN: Senator Gianaris.

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

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

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

The Secretary will read.

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

Senate Print 6185B, by Senator May, an act to amend the Transportation Law;

Senate Print 6186B, by Senator Metzger, an act to amend the Vehicle and Traffic Law;

Senate Print 6187C, by Senator Gaughran, an act to amend the Vehicle and Traffic Law;

Senate Print 6188B, by Senator Gaughran, an act to amend the Vehicle and Traffic Law;

Senate Print 6189C, by

Senator Kaplan, an act to establish the Stretch Limousine Passenger Safety Task Force;

Senate Print 6191C, by Senator Kennedy, an act to amend the Vehicle and Traffic Law;

Senate Print 6192A, by Senator Kennedy, an act to amend the Transportation Law and the Vehicle and Traffic Law;

Senate Print 6193C, by Senator Kennedy, an act to amend the Transportation Law;

Senate Print 6604B, by Senator Sanders, an act to amend the Vehicle and Traffic Law and the Transportation Law;

Senate Print 7134, by Senator Hoylman, an act to amend the Vehicle and Traffic Law;

Senate Print 7160, by Senator Jackson, an act to amend the Tax Law;

Senate Print 7161, by Senator Hoylman, an act to amend the Public Health Law and the Executive Law;

Senate Print 7162, by Senator May, an act to amend the Tax Law and the Alcoholic Beverage Control Law;

Senate Print 7163, by Senator May,

an act to amend the Correction Law;

Senate Print 7164, by Senator Mayer, an act to amend a chapter of the Laws of 2019;

Senate Print 7165, by Senator Jackson, an act to amend the Energy Law;

Senate Print 7166, by Senator Sanders, an act to amend the Tax Law;

Senate Print 7167, by Senator Hoylman, an act to amend the General Business Law and the General Municipal Law;

Senate Print 7168, by Senator Parker, an act to amend the Executive Law;

Senate Print 7169, by Senator Benjamin, an act to amend the General Business Law;

Senate Print 7170, by Senator Brooks, an act to amend the Military Law;

Senate Print 7171, by Senator Brooks, an act to amend the Executive Law;

Senate Print 7172, by Senator Rivera, an act to direct the Department of Health to convene a work group on rare diseases;

Senate Print 7173, by Senator Rivera, an act to amend the Public Health

Law;

Senate Print 7174, by Senator Persaud, an act to amend the Social Services Law;

Senate Print 7175, by Senator Montgomery, an act to amend the Public Health Law;

Senate Print 7176, by Senator May, an act to amend the Elder Law;

Senate Print 7177, by Senator Martinez, an act to amend the Environmental Conservation Law;

Senate Print 7178, by Senator Comrie, an act to amend the Election Law;

Senate Print 7179, by Senator Parker, an act to amend a chapter of the Laws of 2019;

Senate Print 7180, by Senator Kaplan, an act to amend a chapter of the Laws of 2019;

Senate Print 7181, by Senator Breslin, an act to amend the Financial Services Law;

Senate Print 7182, by Senator Sepúlveda, an act to amend the Correction Law;

Senate Print 7183, by Senator Kaplan, an act to amend the State Administrative Procedure Act;

Senate Print 7184, by Senator Gounardes, an act to amend the Real Property Law;

Senate Print 7185, by Senator Carlucci, an act to amend the Public Health Law;

Senate Print 7186, by Senator Kaplan, an act to amend the Alcoholic Beverage Control Law;

Senate Print 7187, by Senator Kaplan, an act to amend the Real Property Tax Law;

Senate Print 7188, by Senator Kaplan, an act to amend the Executive Law;

Senate Print 7189, by Senator Sanders, an act to amend the Environmental Conservation Law;

Senate Print 7190, by Senator Rivera, an act to amend the Social Services Law;

Senate Print 7191, by Senator Harckham, an act to amend the Lien Law;

Senate Print 7192, by Senator Salazar, an act to amend the Public Health Law;

Senate Print 7193, by Senator Kaplan, an act to amend the Executive Law;

Senate Print 7194, by Senator Benjamin, an act to amend the Election Law;

Senate Print 7195, by Senator Krueger, an act to amend a chapter of the Laws of 2019;

Senate Print 7196, by Senator Mayer, an act to amend the Election Law; and

Senate Print 7197, by Senator Metzger, an act to amend the Labor Law.

All bills reported direct to third reading.

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

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

(Response of "Aye.")

ACTING PRESIDENT BENJAMIN: Opposed, nay.

(No response.)

ACTING PRESIDENT BENJAMIN: The Rules Committee report is accepted.

Senator Gianaris.

SENATOR GIANARIS: Is there any further business at the desk?

ACTING PRESIDENT BENJAMIN: There is no further business before the desk.

SENATOR GIANARIS: I move to adjourn until tomorrow, Tuesday, January 14th, at 3:00 p.m.

ACTING PRESIDENT BENJAMIN: On motion, the Senate stands adjourned until Tuesday, January 14th, at 3:00 p.m.

(Whereupon, at 3:48 p.m., the Senate adjourned.)