

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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7
8 ALBANY, NEW YORK

9
10 February 3, 2020

11 3:44 p.m.

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13
14 REGULAR SESSION

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

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

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

15 THE SECRETARY: In Senate, Sunday,
16 February 2, 2020, the Senate met pursuant to
17 adjournment. The Journal of Saturday,
18 February 1, 2020, was read and approved. On
19 motion, the Senate adjourned.

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

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: Senator Comrie

1 moves to discharge, from the Committee on Rules,
2 Assembly Bill Number 8946 and substitute it for
3 the identical Senate Bill Number 6948, Third
4 Reading Calendar 27.

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

7 THE SECRETARY: Senator Parker
8 moves to discharge, from the Committee on Rules,
9 Assembly Bill Number 8960 and substitute it for
10 the identical Senate Bill 6958, Third Reading
11 Calendar 37.

12 ACTING PRESIDENT BENJAMIN:
13 Substitution so ordered.

14 Messages from the Governor.

15 Reports of standing committees.

16 Reports of select committees.

17 Communications and reports from
18 state officers.

19 Motions and resolutions.

20 Senator Gianaris.

21 SENATOR GIANARIS: On behalf of
22 Senator Kaplan, Mr. President, on page 21 I offer
23 the following amendments to Calendar Number 250,
24 Senate Print 5239, and ask that said bill retain
25 its place on Third Reading Calendar.

1 ACTING PRESIDENT BENJAMIN: The
2 amendments are received, and the bill shall
3 retain its place on the Third Reading Calendar.

4 SENATOR GIANARIS: And on behalf of
5 Senator Carlucci, I move that the following bill
6 be discharged from its respective committee and
7 be recommitted with instructions to strike the
8 enacting clause: Senate Bill 6628.

9 ACTING PRESIDENT BENJAMIN: It is
10 so ordered.

11 SENATOR GIANARIS: Please call on
12 Senator Griffo.

13 ACTING PRESIDENT BENJAMIN: Senator
14 Griffo.

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

17 I also move that the following bills
18 be discharged from their respective committees
19 and be recommitted with instructions to strike
20 the enacting clause: Senate Bill 6807, by
21 Senator Helming, and Senate Bill 1578, by
22 Senator Gallivan.

23 ACTING PRESIDENT BENJAMIN: It is
24 so ordered.

25 Senator Gianaris.

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

3 ACTING PRESIDENT BENJAMIN: The
4 Secretary will read.

5 THE SECRETARY: Calendar Number 27,
6 Assembly Bill Number 8946, substituted earlier by
7 Assemblymember Darling, an act to amend a chapter
8 of the Laws of 2019.

9 ACTING PRESIDENT BENJAMIN: Read
10 the last section.

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

13 ACTING PRESIDENT BENJAMIN: Call
14 the roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BENJAMIN:
17 Senator Skoufis to explain his vote.

18 SENATOR SKOUFIS: Thank you very
19 much, Mr. President.

20 This is the first of two bills today
21 that I'll be voting against. This underlying
22 bill is an excellent bill. The chapter
23 amendment, however, is not so excellent in the
24 sense that the only reason why we are moving
25 forward with this chapter amendment is to

1 acquiesce to a power grab by this Governor.

2 In fact, I find it strange and
3 reprehensible that he would hold all legislation
4 hostage unless we acquiesce to providing a
5 majority of appointees to him on given
6 commissions and task forces, committees,
7 et cetera. And that's what this chapter
8 amendment does.

9 I believe we should vote down this
10 chapter amendment, which preserves the
11 legislative prerogative of the underlying bill in
12 having a fair and proportional number of
13 appointees. So I'll be voting down on this, with
14 respect to the sponsor, and support the
15 underlying bill.

16 Thank you.

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

19 Announce the results.

20 THE SECRETARY: In relation to
21 Calendar Number 27, those Senators voting in the
22 negative are Senators Akshar, Borrello, Boyle,
23 Gallivan, Griffio, Helming, Jacobs, Jordan, Liu,
24 O'Mara, Ortt, Ramos, Ranzenhofer, Rivera, Robach,
25 Skoufis and Tedisco.

1 Ayes, 42. Nays, 17.

2 ACTING PRESIDENT BENJAMIN: The
3 bill is passed.

4 THE SECRETARY: Calendar Number 37,
5 Assembly Print Number 8960, substituted earlier
6 by Assemblymember Peoples-Stokes, an act to amend
7 the Environmental Conservation Law.

8 ACTING PRESIDENT BENJAMIN: Read
9 the last section.

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

13 ACTING PRESIDENT BENJAMIN: Call
14 the roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BENJAMIN:
17 Announce the results.

18 THE SECRETARY: In relation to
19 Calendar Number 37, those Senators voting in the
20 negative are Senators Akshar, Jacobs, Lanza, Ortt
21 Ramos, Rivera, Skoufis. Also Senator
22 Ranzenhofer, Senator Helming and Senator Griffo.
23 Senator O'Mara. Senator Borrello.

24 ACTING PRESIDENT BENJAMIN:
25 Announce the results.

1 THE SECRETARY: In relation to
2 Calendar Number 37, those Senators voting in the
3 negative are Senators Akshar, Borrello, Griffo,
4 Helming, Jacobs, Jordan, Lanza, Liu, O'Mara,
5 Ortt, Ramos, Ranzenhofer, Rivera and Skoufis.

6 Ayes, 45. Nays, 14.

7 ACTING PRESIDENT BENJAMIN: The
8 bill is passed.

9 THE SECRETARY: Calendar Number 40,
10 Senate Print 6961, by Senator Myrie, an act to
11 amend a chapter of the Laws of 2019.

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:
20 Announce the results.

21 THE SECRETARY: Ayes, 59.

22 ACTING PRESIDENT BENJAMIN: The
23 bill is passed.

24 THE SECRETARY: Calendar Number 84,
25 Senate Print 7160, by Senator Jackson, an act to

1 amend the Tax Law.

2 ACTING PRESIDENT BENJAMIN: Read
3 the last section.

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

6 ACTING PRESIDENT BENJAMIN: Call
7 the roll.

8 (The Secretary called the roll.)

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

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

13 My colleagues, I rise to explain my
14 sponsorship of this bill. This body's support of
15 the New York State film tax credit has helped the
16 film and TV production industry in New York State
17 continue to grow. Specifically, the increase in
18 the number of television productions in New York
19 gives us the opportunity to bring about positive
20 change to the industry by implementing policies
21 aimed at improving the lack of representation
22 plaguing our TV industry.

23 Writers and directors have critical
24 control over the creative direction that a
25 television series will take. These professionals

1 craft the stories that people come to enjoy on
2 the screen, and their life experiences inform
3 their creative decisions. A lack of diversity in
4 the background of the staff who are writing and
5 directing shows has translated to a lack of
6 diversity in the stories told on screen. In the
7 Writers Guild of America East, only 27 percent of
8 creative writers from the past five years were
9 women, and only 14 percent were people of color.

10 Numbers for writers across the
11 country are similarly out of touch with our
12 country's current makeup, and the data of lack of
13 diversity among directors is even more dismal.

14 This bill will help fix that problem
15 by giving an incentive to companies to give women
16 and minority writers and directors of episodic TV
17 shows a chance to showcase their skills and build
18 up their resumes.

19 First, the bill now requires a
20 disparity study to statistically prove these
21 issues and concerns of representation. And once
22 the study has been completed, assuming it shows
23 what we see to be true, the bill would designate
24 \$5 million for hiring women and minority writers,
25 offering \$50,000 in tax credits per hire per

1 episode, for up to \$150,000 total.

2 By encouraging greater diversity
3 among writers and directors of TV shows, we are
4 doing very important work upstream to make sure
5 that the onscreen media representations that
6 children consume downstream are more
7 representative of them. To me, that's well worth
8 the tax credit this bill will grant, and I look
9 forward to doing even more in the future.

10 And today, my colleagues, I hope I
11 can count on you in supporting this particular
12 bill and voting aye. Thank you.

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

15 Senator Skoufis to explain his vote.

16 SENATOR SKOUFIS: Thank you very
17 much, Mr. President.

18 I'll be voting in the negative on
19 this bill. And I certainly understand what the
20 sponsor and many of my colleagues are looking to
21 achieve here, but I do believe that this
22 presents -- and during the budget negotiations,
23 the next couple of months present an opportunity
24 to take a wholesale look at this and many other
25 economic development programs and incentives that

1 exist.

2 Let's be clear. I view this and
3 have viewed this incentive as a Hollywood
4 giveaway by our esteemed Governor. And the fact
5 is just a couple of months ago there was a study
6 done by the University of Southern California
7 that reads, in part: "States like New York
8 investing the most in incentives for film tax
9 credits are not getting the return on investment
10 taxpayers deserve, pure and simple."

11 Here in New York, from 2004 when
12 this all began, projected through 2024 -- which
13 is when the tax credit currently runs through --
14 \$7.3 billion will have been disbursed through
15 this film tax credit, \$7.3 billion.

16 We talk a lot in this chamber and in
17 our conference about fulfilling CFE, fulfilling
18 the promise to our public schools. That's
19 \$3 billion and change. This tax credit,
20 7 billion plus dollars. By 2009, 44 states had
21 programs, but since then 13 states have
22 completely eliminated their film tax credit
23 programs. Studio Binder, a Hollywood consulting
24 firm, on their own website: "Your film budget
25 isn't complete until you factor in taxes. What

1 if you were told you could magically get some of
2 moolah back? That's right, I'm talking film tax
3 credits, baby. Whether or not film tax credits
4 actually work, however, is up for debate. So
5 filmmakers, get them while they're hot."

6 That's right on a Hollywood
7 consulting website pointing people to states like
8 New York.

9 Of course film-related jobs have
10 increased since we put this tax credit in place.
11 If we gave billions --

12 ACTING PRESIDENT BENJAMIN: Senator
13 Skoufis, how do you vote?

14 SENATOR SKOUFIS: -- and billions
15 of dollars to any industry, we'd create jobs.
16 The question is, are we getting back in returns
17 what those jobs are?

18 I vote no, I hope we'll reconsider
19 this tax credit.

20 ACTING PRESIDENT BENJAMIN:
21 Senator Skoufis to be recorded in the negative.

22 Senator Akshar to explain his vote.

23 SENATOR AKSHAR: Mr. President,
24 thank you. I didn't think I would ever say this,
25 but I agree with Senator Skoufis.

1 (Laughter.)

2 SENATOR AKSHAR: This film tax
3 credit, in my humble opinion, the biggest waste
4 of money in the state.

5 Just by way of example, no money for
6 the Dwyer program this year in the Executive's
7 budget -- \$3.7 million, a paltry \$3.7 million.
8 One million dollars the Governor suggests we
9 spend for suicide prevention for law enforcement
10 and for our veterans. There is zero extra
11 dollars, zero extra dollars to deal with the
12 heroin and the opioid crisis. But yet we would
13 spend \$420 million to give to multimillionaires
14 and multibillionaires.

15 Here's a suggestion. Why don't we
16 give every hardworking taxpayer in New York a
17 \$50,000 tax credit? That's what I think we
18 should be doing with the \$420 million, is taking
19 care of people who break their back day in and
20 day out to pay their property taxes, to make
21 payroll taxes, to pay their insurance. That's
22 what we should in fact be doing, putting the
23 taxpayers first.

24 There is a reason why 1.4 million
25 people have left this state over the last decade.

1 It is because New York is not affordable. And it
2 is because of programs just like this. Programs
3 just like this make New York not affordable.

4 I stand with the taxpayer, and I
5 vote no.

6 ACTING PRESIDENT BENJAMIN:
7 Senator Akshar to be recorded in the negative.

8 Senator Lanza to explain his vote.

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

11 Now, I never thought that I would
12 say this, which is that I disagree with
13 Senator Akshar.

14 (Laughter.)

15 SENATOR LANZA: Of course Southern
16 California doesn't like this, because we're
17 stealing business from them. That's the only
18 thing they care about. Since when does Southern
19 California take a look at anything we're doing
20 here in New York? They're hemorrhaging jobs, and
21 those jobs are coming right here to this state.

22 This works. We know. You can talk
23 about all the studies you want to. The thing
24 that we know and is confirmed by the Budget
25 Office is that we receive more revenue in

1 economic activity in the State of New York than
2 this credit costs us. I say that's a good deal.
3 Anytime we can do something in this state that
4 creates jobs, we ought to be supporting it
5 wholeheartedly.

6 And one last point. It's a tax cut.
7 And I'll go on the record, I'll support any tax
8 cut from anyone here in New York State.

9 I vote in the affirmative. Thank
10 you, Mr. President.

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

13 Senator Tedisco to explain his vote.

14 SENATOR TEDISCO: Yeah, earlier
15 this year we spent 80 minutes listening to the
16 Governor give his State of the State, and then he
17 gave us the budget. And he neglected to mention
18 two issues. Of course one has been obvious,
19 because we've seen that purge. That's the cash
20 bail issue.

21 But the other thing he neglected to
22 mention and talk about is he got up there and
23 said "We have the greatest progressive agenda in
24 the whole United States of America." Of all 50
25 states, the greatest progressive agenda.

1 If you look into one of those
2 chimneys over there, not only are there
3 Republican elephants here, but there's an
4 elephant in the chimney. It's the 77,000
5 individuals who left the State of New York last
6 year. If that's the greatest progressive agenda,
7 I'd hate to see a medium or poor progressive
8 agenda. Where 77,000 people, number one in the
9 United States of America, have walked out of the
10 State of New York.

11 And the biggest question, and the
12 reason I mention that, is 420 million for
13 millionaire moguls. My constituents in the 49th
14 Senatorial District don't understand, because
15 they don't even have broadband so they could get
16 Amazon out there to get those 25,000 jobs over
17 there.

18 The big question is when enough of
19 those individuals leave the State of New York.
20 Number one, 10 years, 1.4 million, statistics
21 show they're \$150,000 or more in income. The
22 wealthy are leaving. They can afford to leave.
23 Of those \$50,000 or less, only 8.4 percent of
24 those. Largest outmigration, who are here left?
25 Who is going to pay for a \$170 billion budget

1 when you're spending \$420 million to give moguls
2 and millionaires from Hollywood these tax credits
3 and tax breaks over there? How are you going to
4 pay for our educational system, our senior
5 citizen programs -- our most vulnerable
6 population -- our infrastructure, if most of
7 those who are leaving can afford to pick up and
8 leave?

9 Ladies and gentlemen, we're supposed
10 to be the Empire State. We will shortly be the
11 empty state. "I love New York" is our slogan.
12 It's beginning to be "I leave New York" in
13 New York.

14 Think about it --

15 ACTING PRESIDENT BENJAMIN: Senator
16 Tedisco.

17 SENATOR TEDISCO: -- use some
18 common sense. Not the common sense you used --

19 ACTING PRESIDENT BENJAMIN: Senator
20 Tedisco, how do you vote?

21 SENATOR TEDISCO: -- to pass cash
22 bail over a year ago. Bad, bad news.

23 ACTING PRESIDENT BENJAMIN: How do
24 you vote, Senator Tedisco?

25 SENATOR TEDISCO: I vote no.

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

3 Senator Rivera to explain his vote.

4 SENATOR RIVERA: Thank you,
5 Mr. President. And now you're going to hear
6 something else that you don't hear often. I
7 agree with Senator Lanza.

8 (Laughter.)

9 SENATOR RIVERA: We're having all
10 sorts of firsts here this afternoon, ladies and
11 gentlemen.

12 So Mr. President, I agree with
13 Senator Lanza because -- and this is coming from
14 somebody who obviously -- as many have heard me
15 say before and will continue to hear me say, we
16 should tax the wealthy more. But in this case,
17 what is important about this particular tax break
18 is the extension that it has. It's not just for
19 the moguls. But I would actually ask you to go
20 to these studios, where you have hundreds of
21 people, not just the actors, but every single
22 person behind the camera, those folks operating
23 the camera, the folks that are building the sets,
24 the folks that are -- and some of these studios
25 actually have a great relationship with local

1 businesses, so they buy coffee or buy bagels
2 every single day. They have all of these
3 extended jobs that come from the folks that go to
4 those productions.

5 And I will also tell you,
6 Mr. President, that the thing that is important
7 about keeping tax credits like this is that
8 indeed companies, certain companies -- we have
9 certain companies that own the studios that are
10 in New York and employ New Yorkers, but the folks
11 that are actually making the production, the
12 production houses, they sometimes have a lot of
13 flexibility. So if we're not able to provide
14 them with a situation in which they would stay
15 here, they would seek other places.

16 Now, we've been able to create this
17 great environment where people are producing
18 shows here, producing TV shows and movies in the
19 city and the state of New York. And even, again,
20 as somebody who has always called for more taxes,
21 in this case I believe that we should actually
22 keep this because of all the extra jobs that it
23 produces.

24 So it might not ever happen again,
25 but Senator Lanza, you are right. I will be

1 voting in the affirmative.

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

4 Senator Bailey to explain his vote.

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

7 (Inaudible) but we agree relatively
8 often, so this is another situation where we do
9 agree. I think this is great for us. I think
10 that if you see what's happening with the film
11 tax credit, and if -- you're seeing that more
12 locations are being utilized, especially in my
13 home borough of the Bronx. Anytime you go to the
14 Grand Concourse or to the Courthouse, there are
15 some signs up. If you're going around Walton
16 Avenue, if you're going in my district, Co-op
17 City and so many places in the Bronx, you're
18 seeing more -- you're seeing people, you're
19 seeing directors utilize the city more. And for
20 whatever that's worth, if somebody else somewhere
21 else gets to see how beautiful the Bronx is, this
22 might be worth it.

23 But aside from that, it's creating
24 jobs. It is giving opportunity. And one of the
25 other things that nobody has said, though I think

1 Senator Jackson mentioned it, is diversity. You
2 have to be able to see something in order to be
3 something.

4 And I think that the component about
5 creating this study to make sure that whoever is
6 behind the camera is just as important as who's
7 front of the camera, I think it will make our
8 state greater in the long run. Everything can't
9 be about just tomorrow or next year.

10 Mr. President, I speak ad nauseam sometimes about
11 my daughters, who are five and three. I want to
12 do today what's going to make them better in
13 their state when they're parents -- hopefully not
14 for a long time, but when they're parents.

15 I vote aye, Mr. President.

16 ACTING PRESIDENT BENJAMIN:

17 Senator Bailey to be recorded in the affirmative.

18 Senator Kennedy to explain his vote.

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

21 I never thought I'd say this, but
22 it's great to see our colleague and friend
23 Senator Andy Lanza finally speaking some common
24 sense and talking like a Democrat.

25 (Laughter.)

1 SENATOR KENNEDY: It's wonderful,
2 wonderful to see.

3 That being said, let me just take a
4 moment to recognize the importance of this film
5 tax credit in our state. It is helping to drive
6 the economy certainly across the state, certainly
7 in Buffalo and Western New York where I
8 represent. And we're seeing thousands of jobs
9 created across this state, tens of thousands of
10 jobs supported, billions of dollars invested in
11 New York all across the state, from the tip of
12 Long Island all the way out to Western New York
13 and everywhere in between. From a film industry
14 that could and has otherwise ignored the State of
15 New York and gone elsewhere, whether it was out
16 on the West Coast, whether it was into Canada or
17 other states surrounding New York, because this
18 incentive wasn't there.

19 Now we finally have an incentive
20 that's working, it's creating jobs, and our
21 colleagues on the other side of the aisle want to
22 throw bombs at it. I think it's misguided and
23 it's unfortunate.

24 And to somehow tie to this
25 initiative, this very smart and thoughtful

1 initiative about diversifying the industry from
2 Senator Jackson, to a loss of population that I
3 believe has been directly impacted by our former
4 colleagues that held the majority for the better
5 part of 70 or 80 years, and the policies that
6 were driven by the Republican majority here and
7 now are being driven out of Washington, that are
8 having a true negative impact on the state, on
9 our tax base and on our ability to bring people
10 here into the state.

11 That's what I believe we're going to
12 find from those that want to study why people are
13 leaving the state. We have jobs here for people
14 to fill, but it's the misguided policy coming out
15 of Washington --

16 ACTING PRESIDENT BENJAMIN: Senator
17 Kennedy, how do you vote?

18 SENATOR KENNEDY: -- and supported
19 by our colleagues across the aisle that's
20 continuing the outflow.

21 I support this bill and vote aye.

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

24 Senator Savino to explain --

25 SENATOR LANZA: Mr. President,

1 point of personal privilege.

2 ACTING PRESIDENT BENJAMIN: Senator
3 Gianaris.

4 SENATOR GIANARIS: Mr. President, I
5 apologize, I had to step out momentarily. So
6 let's recognize Senator Lanza for a point of
7 personal privilege.

8 ACTING PRESIDENT BENJAMIN: Senator
9 Lanza.

10 SENATOR LANZA: Mr. President, for
11 the record, I'm still waiting for Senator Kennedy
12 to make any sense at all.

13 I still vote aye.

14 (Laughter.)

15 ACTING PRESIDENT BENJAMIN:
16 Senator -- Senator Savino -- Senator Kennedy.

17 SENATOR KENNEDY: Yes, point of
18 personal privilege.

19 Number one, uncalled for. Number
20 two, my friend should open up his ears.

21 Thank you, Mr. President.

22 (Reaction from Senators.)

23 ACTING PRESIDENT BENJAMIN: Senator
24 Gianaris.

25 SENATOR GIANARIS: Mr. President,

1 let's all take a breath. There's a couple more
2 speakers on this bill, and we have the rest of
3 the agenda to go, so I suggest we move on at this
4 point. Thank you.

5 ACTING PRESIDENT BENJAMIN: Senator
6 Savino to explain her vote.

7 SENATOR SAVINO: Thank you,
8 Mr. President. Of course I would have to follow
9 that exchange.

10 So let me just say I agree with
11 Senator Lanza, I agree with Senator Rivera, I
12 agree with Senator Jackson, and I agree with
13 anybody who supports this. I've been in the
14 Senate now 15 years, and I have seen what the
15 film tax credit has done, how it has transformed
16 the industry in New York.

17 And it's not just about movie moguls
18 or even famous actors and actresses. It's behind
19 the scenes. It's every grip, it's every lighting
20 guy, it's every set designer, it's the
21 stagehands, it's the restaurants that serve. It
22 is everybody that helps support this industry.

23 I am old enough now that I remember
24 the Kaufman Studios when it was an abandoned
25 building. I lived up the street from it. If you

1 look at it today, it is not just one of the
2 premier studios in the United States, it's what,
3 three streets closed around? They've turned it
4 into an open sound stage. I remember when
5 Silvercup Studios was still baking bread. Now it
6 is a premier studio. I remember when, nine years
7 ago, this Legislature allowed the Governor to
8 close prisons. One of those prisons now is
9 Broadway Stages on the south shore of Staten
10 Island, a major sound stage. Steiner Studios.
11 The list goes on and on.

12 The effect of the film tax credit is
13 beneficial, it puts real people to work, keeps
14 really good jobs here in New York State, the kind
15 of jobs that we want -- good union jobs that
16 allow people to live in dignity, put food on
17 their table, plan for their retirement, and be
18 part of the community.

19 So I wholeheartedly support this
20 bill, Senator Jackson, and I agree with all of my
21 colleagues who do. And for those of you who
22 don't agree with me, I'm going to keep talking to
23 you till you do.

24 Thank you, Mr. President. I vote
25 aye.

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

3 Senator Sanders to explain his vote.

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

6 Since everyone joined with
7 Mr. Lanza, Senator Lanza, I will associate myself
8 with Senator Tedisco. I think that there are
9 concerns, but you've got the wrong target, sir.
10 There are areas that we do need to look at that
11 there's just downright corporate welfare taking
12 place, and we need to get rid of that fat.

13 This is not one of them, sir. If it
14 was, I would say that. This is actually one of
15 the smartest things that we have done, this type
16 of tax credit. It has delivered more in terms of
17 dollars returning -- for every one dollar we put
18 out, we get several back. So this is an example
19 of what should be done.

20 But there are numerous others that I
21 would love to speak to you about, and we should
22 talk of pruning waste and things of that nature.
23 I look forward to those conversions.

24 I vote -- I'm still within my time,
25 let the record show, and I vote aye.

1 ACTING PRESIDENT BENJAMIN:

2 Senator Sanders to be recorded in the
3 affirmative.

4 Senator Stavisky to explain her
5 vote.

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

8 And I thank Senator Savino for the
9 commercial for the Silvercup and Kaufman in
10 Astoria and all of the studios in Queens County.
11 And you're not going to find a more diverse place
12 in the entire country than Queens County.

13 I have toured the studios, I find
14 them exciting. I don't watch their programs that
15 they have on TV, but nevertheless it's exciting
16 to see the jobs, the people waiting on line to be
17 extras for what they are filming for that day.

18 It is exciting to provide the tax
19 revenue, the tax revenue. These are good
20 union-paying jobs, as Senator Savino said. These
21 are postproduction and preproduction tax credits.

22 And it seems to me that this is a
23 very easy vote if you support diversity in our
24 system. I proudly vote aye.

25 ACTING PRESIDENT BENJAMIN: Senator

1 Stavisky to be recorded in the affirmative.

2 Announce the results.

3 THE SECRETARY: In relation to
4 Calendar Number 84 those Senators voting in the
5 negative are Senators Akshar, Borrello, Flanagan,
6 Funke, Gallivan, Griffio, Helming, Jacobs, Jordan,
7 LaValle, O'Mara, Ortt, Ritchie, Serino, Seward,
8 Skoufis and Tedisco. Also Senator Ranzenhofer.
9 Also Senator Robach.

10 Ayes, 40. Nays, 19.

11 ACTING PRESIDENT BENJAMIN: The
12 bill is passed.

13 THE SECRETARY: Calendar Number 93,
14 Senate Print 7169, by Senator Benjamin, an act to
15 amend the General Business Law.

16 ACTING PRESIDENT BENJAMIN: Read
17 the last section.

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

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 93, those Senators voting in the
3 negative are Senators Akshar, Flanagan, Funke,
4 Gallivan, Jacobs, Jordan, Lanza, LaValle, O'Mara
5 and Ortt. Also Senator Ranzenhofer.

6 Ayes, 48. Nays, 11.

7 ACTING PRESIDENT BENJAMIN: The
8 bill is passed.

9 THE SECRETARY: Calendar Number
10 106, Senate Print 7182, by Senator Sepúlveda, an
11 act to amend the Correction Law.

12 ACTING PRESIDENT BENJAMIN: Read
13 the last section.

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

17 ACTING PRESIDENT BENJAMIN: Call
18 the roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BENJAMIN: Senator
21 Sepúlveda to explain his vote.

22 SENATOR SEPÚLVEDA: Thank you for
23 allowing me to explain my vote.

24 As chair of the Committee on
25 Corrections, I saw it necessary to address the

1 mortality reports that come out of the
2 Correctional Medical Review Board, which is
3 supposed to provide information about an inmate's
4 death in the report. It's supposed to be
5 provided to me as chair, to the Assembly
6 committee, and the Governor.

7 The problem we're having is that the
8 redactions are so numerous -- and purportedly for
9 privacy concerns, but these redactions have
10 nothing to do with privacy -- that you really
11 can't make an intelligent -- or have a critical
12 review of the cause of death of the incarcerated
13 individual.

14 So this is a chapter amendment to
15 clean up these technical issues with the original
16 bill. And I'd like to thank my colleagues on
17 the Assembly side, the Governor's staff, for
18 working diligently. And I hope that Senator
19 Lanza agrees with my bill.

20 Thank you.

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

23 Announce the results.

24 THE SECRETARY: In relation to
25 Calendar Number 106, those Senators voting in the

1 negative are Senators Borrello, Flanagan,
2 Gallivan, Griffo, Helming, Jacobs, Jordan,
3 LaValle, O'Mara, Ortt, Ranzenhofer, Serino,
4 Seward and Tedisco. Also Senator Little. Also
5 Senator Akshar.

6 Ayes, 43. Nays, 16.

7 ACTING PRESIDENT BENJAMIN: The
8 bill is passed.

9 There is a substitution at the desk.
10 The Secretary will read.

11 THE SECRETARY: Senator Sanders
12 moves to discharge, from the Committee on Rules,
13 Assembly Bill Number 8965 and substitute it for
14 the identical Senate Bill 7189, Third Reading
15 Calendar 113.

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

18 The Secretary will read.

19 THE SECRETARY: Calendar Number
20 113, Assembly Print Number 8965, by
21 Assemblymember Englebright, an act to amend the
22 Environmental Conservation Law.

23 ACTING PRESIDENT BENJAMIN: Read
24 the last section.

25 THE SECRETARY: Section 2. This

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

3 ACTING PRESIDENT BENJAMIN: Call
4 the roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BENJAMIN:
7 Announce the results.

8 THE SECRETARY: Ayes, 59.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 128, Senate Print 250A, by Senator Kennedy, an
13 act to establish a private student loan finance
14 task force.

15 ACTING PRESIDENT BENJAMIN: Read
16 the last section.

17 THE SECRETARY: Section 5. 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, 59.

25 ACTING PRESIDENT BENJAMIN: The

1 bill is passed.

2 THE SECRETARY: Calendar Number
3 129, Senate Print 3661, by Senator Gounardes, an
4 act to amend the Education Law.

5 SENATOR GIANARIS: Lay it aside for
6 the day.

7 ACTING PRESIDENT BENJAMIN: Lay it
8 aside for the day.

9 THE SECRETARY: Calendar Number
10 229, Senate Print 4489, by Senator Gounardes, an
11 act to amend the Education Law.

12 ACTING PRESIDENT BENJAMIN: Read
13 the last section.

14 THE SECRETARY: Section 3. This
15 act shall take effect one year after it shall
16 have become a law.

17 ACTING PRESIDENT BENJAMIN: Call
18 the roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BENJAMIN:
21 Announce the results.

22 THE SECRETARY: In relation to
23 Calendar Number 229, those Senators voting in the
24 negative are Senators Akshar and Funke. Also
25 Senator Ortt. Also Senator Jacobs. Also

1 Senator O'Mara.

2 Ayes, 54. Nays, 5.

3 ACTING PRESIDENT BENJAMIN: The
4 bill is passed.

5 THE SECRETARY: Calendar Number
6 246, Senate Print 3548A, by Senator Stavisky, an
7 act to amend the State Finance 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, 59.

18 ACTING PRESIDENT BENJAMIN: The
19 bill is passed.

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

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

25 ACTING PRESIDENT BENJAMIN: There

1 will be an immediate meeting of the
2 Rules Committee in Room 332.

3 SENATOR GIANARIS: The Senate
4 stands at ease.

5 ACTING PRESIDENT BENJAMIN: The
6 Senate will stand at ease.

7 (Whereupon, the Senate stood at ease
8 at 4:19 p.m.)

9 (Whereupon, the Senate reconvened at
10 4:30 p.m.)

11 ACTING PRESIDENT BENJAMIN: The
12 Senate will return to order.

13 Senator Gianaris.

14 SENATOR GIANARIS: Mr. President,
15 can we please return to reports of standing
16 committees.

17 There's a report of the Rules
18 Committee at the desk. Please take that up.

19 ACTING PRESIDENT BENJAMIN: There's
20 a report of the Rules Committee at the desk.

21 The Secretary will read.

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

25 Senate Print 4741B, by Senator

1 Harckham, an act to amend the Mental Hygiene Law;

2 Senate Print 5150B, by Senator

3 Harckham, an act to amend the Public Health Law;

4 Senate Print 5312A, by Senator

5 Harckham, an act in relation to directing the

6 State Board of Real Property Tax Services to

7 conduct a study on real property tax saturation;

8 Senate Print 5480, by

9 Senator Rivera, an act to amend the Public Health

10 Law; and

11 Senate Print 7623, by

12 Senator Hoylman, an act to amend the Vehicle and

13 Traffic Law.

14 All bills reported direct to third

15 reading.

16 SENATOR GIANARIS: Move to accept

17 the report of Rules Committee.

18 ACTING PRESIDENT BENJAMIN: All

19 those in favor of accepting the report of the

20 Rules Committee signify by saying aye.

21 (Response of "Aye.")

22 ACTING PRESIDENT BENJAMIN:

23 Opposed, nay.

24 (No response.)

25 ACTING PRESIDENT BENJAMIN: The

1 report of the Rules Committee is accepted.

2 Senator Gianaris.

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

5 ACTING PRESIDENT BENJAMIN: There
6 is no further business at the desk.

7 SENATOR GIANARIS: Move to adjourn
8 until tomorrow, Tuesday, February 4th, at
9 3:00 p.m.

10 ACTING PRESIDENT BENJAMIN: On
11 motion, the Senate stands adjourned until
12 Tuesday, February 4th, at 3:00 p.m.

13 (Whereupon, at 4:31 p.m., the Senate
14 adjourned.)

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