NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 3, 2020

3:44 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, February 2, 2020, the Senate met pursuant to adjournment. The Journal of Saturday, February 1, 2020, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Comrie

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

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

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

ACTING PRESIDENT BENJAMIN: Substitution so ordered.

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

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

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

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 be recommitted with instructions to strike the enacting clause: Senate Bill 6807, by Senator Helming, and Senate Bill 1578, by Senator Gallivan.

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 27, Assembly Bill Number 8946, substituted earlier by Assemblymember Darling, 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 immediately.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Skoufis to explain his vote.

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

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

acquiesce to a power grab by this Governor.

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

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

Thank you.

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

Announce the results.

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

Ayes, 42. Nays, 17.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 37, Assembly Print Number 8960, substituted earlier by Assemblymember Peoples-Stokes, an act to amend the Environmental Conservation 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 37, those Senators voting in the negative are Senators Akshar, Jacobs, Lanza, Ortt Ramos, Rivera, Skoufis. Also Senator Ranzenhofer, Senator Helming and Senator Griffo. Senator O'Mara. Senator Borrello.

ACTING PRESIDENT BENJAMIN: Announce the results.

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

Ayes, 45. Nays, 14.

ACTING PRESIDENT BENJAMIN: The bill is passed.

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

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BENJAMIN: The bill is passed.

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

amend the Tax Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Mr. President.

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

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

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

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

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

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

episode, for up to $150,000 total.

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

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

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

Senator Skoufis to explain his vote.

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

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

exist.

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

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

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

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

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

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

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

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

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

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

Senator Akshar to explain his vote.

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

(Laughter.)

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

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

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

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

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

I stand with the taxpayer, and I vote no.

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

Senator Lanza to explain his vote.

SENATOR LANZA: Thank you, Mr. President.

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

(Laughter.)

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

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

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

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

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

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

Senator Tedisco to explain his vote.

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

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

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

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

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

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

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

Think about it --

ACTING PRESIDENT BENJAMIN: Senator Tedisco.

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

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

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

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

SENATOR TEDISCO: I vote no.

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

Senator Rivera to explain his vote.

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

(Laughter.)

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

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

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

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

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

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

voting in the affirmative.

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

Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Mr. President.

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

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

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

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

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

I vote aye, Mr. President.

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

Senator Kennedy to explain his vote.

SENATOR KENNEDY: Thank you, Mr. President.

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

(Laughter.)

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

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

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

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

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

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

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

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

I support this bill and vote aye.

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

Senator Savino to explain --

SENATOR LANZA: Mr. President,

point of personal privilege.

ACTING PRESIDENT BENJAMIN: Senator Gianaris.

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

ACTING PRESIDENT BENJAMIN: Senator Lanza.

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

I still vote aye.

(Laughter.)

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

SENATOR KENNEDY: Yes, point of personal privilege.

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

Thank you, Mr. President.

(Reaction from Senators.)

ACTING PRESIDENT BENJAMIN: Senator Gianaris.

SENATOR GIANARIS: Mr. President,

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

ACTING PRESIDENT BENJAMIN: Senator Savino to explain her vote.

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

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

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

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

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

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

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

Thank you, Mr. President. I vote aye.

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

Senator Sanders to explain his vote.

SENATOR SANDERS: Thank you, Mr. President.

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

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

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

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

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

Senator Stavisky to explain her vote.

SENATOR STAVISKY: Thank you, Mr. President.

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

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

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

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

ACTING PRESIDENT BENJAMIN: Senator

Stavisky to be recorded in the affirmative.

Announce the results.

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

Ayes, 40. Nays, 19.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 93, Senate Print 7169, by Senator Benjamin, 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: In relation to Calendar Number 93, those Senators voting in the negative are Senators Akshar, Flanagan, Funke, Gallivan, Jacobs, Jordan, Lanza, LaValle, O'Mara and Ortt. Also Senator Ranzenhofer.

Ayes, 48. Nays, 11.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 106, Senate Print 7182, by Senator Sepúlveda, an act to amend the Correction 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: Senator Sepúlveda to explain his vote.

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

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

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

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

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

Thank you.

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

Announce the results.

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

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

Ayes, 43. Nays, 16.

ACTING PRESIDENT BENJAMIN: The bill is passed.

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

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

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 113, Assembly Print Number 8965, by Assemblymember Englebright, an act to amend the Environmental Conservation 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, 59.

ACTING PRESIDENT BENJAMIN: The bill is passed.

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

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BENJAMIN: The

bill is passed.

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

SENATOR GIANARIS: Lay it aside for the day.

ACTING PRESIDENT BENJAMIN: Lay it aside for the day.

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

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

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

Senator O'Mara.

Ayes, 54. Nays, 5.

ACTING PRESIDENT BENJAMIN: The bill is passed.

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

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 59.

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: The Senate stands at ease.

ACTING PRESIDENT BENJAMIN: The Senate will stand at ease.

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

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

ACTING PRESIDENT BENJAMIN: The Senate will return to order.

Senator Gianaris.

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

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

ACTING PRESIDENT BENJAMIN: There's 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 4741B, by Senator

Harckham, an act to amend the Mental Hygiene Law;

Senate Print 5150B, by Senator Harckham, an act to amend the Public Health Law;

Senate Print 5312A, by Senator Harckham, an act in relation to directing the State Board of Real Property Tax Services to conduct a study on real property tax saturation;

Senate Print 5480, by Senator Rivera, an act to amend the Public Health Law; and

Senate Print 7623, by Senator Hoylman, an act to amend the Vehicle and Traffic Law.

All bills reported direct to third reading.

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

ACTING PRESIDENT BENJAMIN: All those 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

report of the Rules Committee is accepted.

Senator Gianaris.

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

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

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

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

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