NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 12, 2020

3:46 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, Tuesday, February 11, 2020, the Senate met pursuant to adjournment. The Journal of Monday, February 10, 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.

The Secretary will read.

THE SECRETARY: Senator Jackson

moves to discharge, from the Committee on Housing, Construction and Community Development, Assembly Bill Number 2625 and substitute it for the identical Senate Bill 3320, Third Reading Calendar 390.

ACTING PRESIDENT BENJAMIN: The substitution is 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: Mr. President, at this time can we please take up previously adopted Resolution 2719, by Senator Harckham, have that read in its entirety, and recognize Senator Harckham.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Senate Resolution 2719, by Senator Harckham, congratulating the Pleasantville Girls Soccer Team upon the occasion of capturing the New York State Public High

School Athletic Association Class B Championship.

"WHEREAS, Individual and team championships are highly sought after in high school sports; this Legislative Body commends rare athletic achievements and pays special recognition to those who pursue such excellence and become examples for the youth of this great Empire State; and

"WHEREAS, Excellence and success in competitive sports can be achieved only through strenuous practice, team play and team spirit, nurtured by dedicated coaching and strategic planning; and

"WHEREAS, This Legislative Body is justly proud to congratulate the Pleasantville Girls Soccer Team upon the occasion of capturing the New York State Public High School Athletic Association Class B Championship on Sunday, November 17, 2019, in Cortland, New York; and

"WHEREAS, To the praise and applause of their excited fans, the Panthers were able to surmount their opponents in the New York State Championship game and accomplish the utmost high school sporting accomplishment in this great Empire State; and

"WHEREAS, The Pleasantville Panthers ended a very successful season, finishing with an overall record of 20-1-2, and capped their historic season off with a 3-2 victory over Section 3 Champion Central Valley Academy to secure the programs first Class B New York State Girls Soccer Championship; and

"WHEREAS, In a sport such as soccer, which demands athletic prowess, speed and agility, and mental toughness, Head Coach Chris Osterhoudt and his expert coaching staff worked hard to hone the skills of this championship team, teaching these outstanding athletes lessons which will prove invaluable both on and off the pitch; and

"WHEREAS, Coach Osterhoudt and all of the outstanding athletes on the Pleasantville High School Girls Soccer Team have clearly utilized dedication, determination and teamwork in providing a lasting contribution to the spirit of excellence which is a tradition of their school; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to congratulate the members of the Pleasantville High School

Girls Soccer Team: Lila Donohue, Eliza Murphy, Allison Portera, Katrina Kelly, Riley Vavolizza, Mary Grace O'Neill, Lauren Mathews, Grace Capko, Ella O'Malley, Maddie Braverman, Maya Sauthoff, Julia O'Reilly, Amber Nanaj, Maeve Roney, Avery Manna, Isabelle Kapoor, Elsa Ammirati, Analese Picart, Izzy Pepdjonovic, Katie Moses, Lauren Drillock, Lexie Rippstein, Carolyn Lee, Summer Deluca, Norah Foley; and Head Coach Chris Osterhoudt upon their outstanding season and overall team record of 20-1-2; and be it further

"RESOLVED, That copies of this resolution, suitably engrossed, be transmitted to the members of the Pleasantville High School Girls Soccer Team, and Head Coach Chris Osterhoudt."

ACTING PRESIDENT BENJAMIN: Senator Harckham on the resolution.

SENATOR HARCKHAM: Thank you, Mr. President.

With this resolution we pay tribute and congratulations to the Pleasantville High School Panthers Women's Soccer Team. And I call them the women's soccer team. I don't like that moniker "girls soccer team." They're fine young

women, and we refer to them as the women's soccer team.

Thank you, Madam Secretary, for reading the names of the members on the team and the coaches. The principal, Joe Palumbo, is here as well. And we'd like to also note a noted alumni of Pleasantville High School, our own Eric Katz, on our counsel team.

I had a coach when I played soccer who used to say "When you hustle, good things happen." And in the case of the Panthers, nothing could be more true. This was a team that was down by 2, with 20 minutes left to go in the game. And being down by 2, for those of you who know soccer, is almost insurmountable. And yet with four seconds left, the game-winning goal was notched because of hustle and grit and determination.

So it was a fabulous season that these young women had, based on their hard work, their dedication to each other, buying into the system. But it took something extra in those last 20 minutes, and that's what makes champions, is what's inside, to give that little extra when nobody else thinks you can.

So I congratulate the Pleasantville Panthers.

And, Mr. President, I ask that you extend the privileges of the chamber.

ACTING PRESIDENT BENJAMIN: To the Pleasantville High School Women's Soccer Team, I welcome you on behalf of the Senate. We extend to you all of the courtesies and privileges of this house. Please stand and be recognized.

(Standing ovation.)

ACTING PRESIDENT BENJAMIN: The resolution was previously adopted on February 4th.

Senator Gianaris.

SENATOR GIANARIS: At this time, Mr. President, can you recognize Senator Kennedy for an introduction.

ACTING PRESIDENT BENJAMIN: Senator Kennedy for an introduction.

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

I just want to take this opportunity -- it's a great privilege of mine -- to introduce, all the way from Western New York, our great county executive, Mark Poloncarz, who

has joined us here today.

Our county executive, just reelected to a third term -- only the second individual ever to be elected to a third term as county executive -- is doing a tremendous job. He's here working on behalf of the people of Erie County.

He's joined by his deputy budget director and former Senate staffer, Ben Swanekamp. Thank you very much for joining us here today as well.

County Executive Poloncarz has led the charge as it pertains to economic development efforts, efforts to ensure that we have a clean environment, focusing on creating jobs and our greater economy in Western New York, and at the same time ensuring -- and this is important to all of us, both sides of the aisle, and everywhere across the state -- that the only New York State football team, the Buffalo Bills, stays right here in New York State and in Buffalo.

He is really on the cutting edge of the issues that are important to people, and he has dedicated his life to public service and,

most importantly, helping people, oftentimes the most vulnerable.

We thank you, County Executive. We welcome you and your team here today. Thank you for everything that you do on behalf of the great people of Erie County, Western New York, and all of the great State of New York.

Please join me in welcoming our county executive.

And, Mr. President, if you could offer all of the privileges of the house to our guests. Thank you.

ACTING PRESIDENT BENJAMIN: To our Erie County executive, I welcome you on behalf of the Senate. We extend to you all of the courtesies and privileges of this house.

We want to recognize you at this time. Thank you.

(Standing ovation.)

ACTING PRESIDENT BENJAMIN: Senator Gianaris.

SENATOR GIANARIS: Can we now take up previously adopted Resolution 2773, by Senator Little, read its title only, and recognize Senator Little.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Senate Resolution 2773, by Senator Little, commemorating the 40th anniversary of the 1980 Lake Placid Winter Olympics and celebrating its legacy, past, present and future.

ACTING PRESIDENT BENJAMIN: Senator Little on the resolution.

SENATOR LITTLE: Thank you, Mr. President.

While I acknowledge that there are many here today that were not even born in 1980, many of us do remember the last time that Lake Placid and New York hosted the World Olympic Winter Games.

Lake Placid first hosted the Olympic Games in 1932, and then again in 1980. They're one of very few locations that has held two Olympic Games.

So in order to celebrate, we have a big parade going on beginning on February 13th, which is the exact same days as the Olympics were held back then, February 13th to the 23rd. If you recall, those of who you remember, there was

a shortage of snow that winter, and they were trucking snow from everyplace they could to bring it into the venues.

But at any rate, so doing it the same way. The games begin on the 13th, but on the 14th, we have a parade with many of the volunteers -- Lake Placid is a village of volunteers -- who had volunteered in 1980 and continue to volunteer at the events that take place then.

And then we will go to the original site of where the torch was lit, and we will light the torch again in recognition and celebration of 40 years and still having all of the Olympic venues.

Many cities that have had the Olympics, you know, put a lot of money into their venues, and then they become historic. We are not doing that here in New York State. We're very proud of Lake Placid having had the Olympics. This year's budget has millions of dollars in it to help keep the venues -- the ski jumps, the bobsled, the luge, the cross country skis, the downhill skiing area, the ice skating rinks, the Ice Oval, all of these things. So

that we're not historic, we are relevant. We will continue to hold World Cup Games. And we are going to host, in 2023, the World Universiade Games, where 2600 athletes will come from around the world and compete over the course of 12 days.

But back to our celebration, which starts Friday, Thursday and Friday. I'll be there. And the temperature is only supposed to be minus 16 --

(Laughter.)

SENATOR LITTLE: -- so we will see how that goes. We need to warm it up.

But we're also going to have many Olympians return to the area. Some of them are from our area. But Andrew Weibrecht, Thomas Vonn, Dan Jansen. The figure skaters Scott Hamilton and Paul Wylie, who now lives in Lake Placid, will also be there.

So the point of the whole thing is just to have all of you help celebrate this and remember that we are very fortunate in New York.

And if you watch any, any winter competition on television, you will hear Lake Placid being named, because all of these athletes that compete on a worldwide stage have

competed in Lake Placid. And that helps us, it helps New York, it helps our tourism, and it attracts more people to the area.

So without further ado, I would invite you to get to Lake Placid -- if you can't in the next two weeks, at some point -- and enjoy what we call the Winter Sports Capital of the World.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: The resolution was previously adopted on February 11th.

Senator Gianaris.

SENATOR GIANARIS: At the request of the sponsors, the two resolutions we took up today are open for cosponsorship.

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

Senator Gianaris.

SENATOR GIANARIS: Please take up the reading of the calendar.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Calendar Number 387, Senate Print 1714, by Senator Brooks, an act to amend the Executive 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: Those Senators voting in the negative are Senators Funke, Helming, Jordan, O'Mara and Ortt.

Ayes, 54. Nays, 5.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 388, Senate Print 1726A, by Senator Skoufis, an act to amend the Real Property Actions and Proceedings Law.

SENATOR GRIFFO: Lay it aside.

ACTING PRESIDENT BENJAMIN: Lay it aside.

THE SECRETARY: Calendar Number 389, Senate Print 2813A, by Senator Comrie, an act to amend the Executive 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.

THE SECRETARY: Calendar Number 390, Assembly Print Number 2625, substituted earlier by Assemblymember Dinowitz, an act to amend the Real Property Actions and Proceedings Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 30th day 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 390, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Flanagan, Funke, Griffo, Helming, Jacobs, Jordan, Little, LaValle, O'Mara, Ortt, Ritchie, Robach, Serino and Tedisco.

Ayes, 43. Nays, 17.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 391, Senate Print 4938, by Senator Carlucci, 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 first of January.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN:

Announce the results.

THE SECRETARY: Those Senators voting in the negative on Calendar 391 are Senators Akshar, Amedore, Flanagan, Funke, Jordan, LaValle, O'Mara, Ortt, Serino and Seward.

Ayes, 50. Nays, 10.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 392, Senate Print 7287A, by Senator Bailey, 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 180th day 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: Those Senators voting in the negative on Calendar Number 392 are Senators Akshar, Amedore, Borrello, Boyle, Flanagan, Funke, Griffo, Helming, Jacobs, Jordan,

Lanza, LaValle, Little, O'Mara, Ortt, Ritchie, Robach, Serino, Seward and Tedisco.

Ayes, 40. Nays, 20.

THE SECRETARY: Calendar Number 393, Senate Print 7288A, by Senator Kavanagh, an act to amend the Executive Law.

SENATOR GRIFFO: Lay it aside.

ACTING PRESIDENT BENJAMIN: Lay it aside.

THE SECRETARY: Calendar Number 394, Senate Print 7291A, by Senator Persaud, 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 120th day 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: Those Senators recorded in the negative on Calendar Number 394 are Senators Akshar, Amedore, Borrello, Griffo,

Helming, Jordan, Little, O'Mara, Ortt, Ritchie, Serino, Seward and Tedisco.

Ayes, 47. Nays, 13.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 395, Senate Print 7292A, by Senator May, an act to amend the Executive Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 120th day 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 regard to Calendar Number 395, those Senators recorded in the negative are Senators Akshar, Amedore, Borrello, Boyle, Flanagan, Griffo, Helming, Jacobs, Jordan, Lanza, LaValle, Little, Martinez, O'Mara, Ortt, Ritchie, Serino, Seward and Tedisco.

Ayes, 41. Nays, 19.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 396, Senate Print 7300A, by Senator Skoufis, an act to amend the Executive Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

SENATOR GIANARIS: Lay it aside for the day.

ACTING PRESIDENT BENJAMIN: Lay it aside for the day.

THE SECRETARY: Calendar Number 397, Senate Print 7301, by Senator Skoufis, an act to amend the Executive 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: In regard to

Calendar Number 397, those Senators voting in the negative are Senators Akshar, Amedore, Flanagan, Griffo, Helming, Jacobs, Jordan, O'Mara, Ritchie and Serino.

Ayes, 50. Nays, 10.

ACTING PRESIDENT BENJAMIN: The bill is passed.

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

SENATOR GIANARIS: Let us now move on to the reading of the controversial calendar, please.

ACTING PRESIDENT BENJAMIN: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 388, Senate Print 1726A, by Senator Skoufis, an act to amend the Real Property Actions and Proceedings Law.

ACTING PRESIDENT BENJAMIN: Senator Amedore.

SENATOR AMEDORE: Mr. President, will the sponsor yield for a couple of questions?

ACTING PRESIDENT BENJAMIN: Will the sponsor yield?

SENATOR SKOUFIS: Of course.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AMEDORE: Through you, Mr. President. Thank you, Senator Skoufis, for yielding and hopefully answering a few of these questions. As it applies to this bill, what is the definition of "vacant and abandoned"?

SENATOR SKOUFIS: Through you, Mr. President, this bill would affect those properties that are in the foreclosure process. Zombie properties, as they're known.

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

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR SKOUFIS: Yup.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AMEDORE: So under any circumstance, would this bill apply to homes that have been damaged due to natural disasters -- fires, floods, storm events -- vacated by the owner?

SENATOR SKOUFIS: Through you, Mr. President, the short answer is no.

So, you know, if a tree falls into a home or if there's a hurricane that does damage to a property, plywood will still be a permissible material.

This -- again, this bill only applies to those properties that are in the foreclosure process.

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

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AMEDORE: Instead of plywood, wood composites, wood veneers or similar wood-based products, what would be used to board up the homes?

SENATOR SKOUFIS: Through you, Mr. President, the primary alternative would be clear boarding.

So just as a little bit of

background, in 2017 the State of Ohio actually did what we are proposing to do here in prohibiting plywood from being used to board up foreclosed homes.

And additionally, a number of municipalities, including Oyster Bay here in New York State, have enacted similar laws.

The primary alternative would be clear boarding, which is a polycarbonate. It's about 250 times as strong as glass, it's very secure. And perhaps most importantly, if you're a home right across the street from a vacant foreclosed property that is polycarbonate clear boarding, you would not even be able to tell that the windows are boarded up. It would seem like a window was there.

And so this bill looks to reduce blight. That's what we've seen in Ohio and these other municipalities that have employed a law like this.

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

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AMEDORE: So the sponsor mentioned polycarbonate, which in industry standards, sheet goods would be Lexan sheets. That's what I think you're talking and referring to when you say clear view type of product.

Basically, in layman's terms, you refer polycarbonate to plastic. So you would much rather have a plastic material be used to board up or to secure an abandoned home than a more rigid material such as a plywood -- that is very green, by the way. Wood is very green and sustainable.

But through you, Mr. President, does the sponsor know what the cost of a sheet of polycarbonate would be?

SENATOR SKOUFIS: Through you, Mr. President, I think approximately $20 to board up a single window with plywood.

SENATOR AMEDORE: Through you, Mr. President. So with plywood, wood product, you're talking about a $20 cost for a sheet good, a 4-by-8 sheet, it would cost.

My question was -- through you, Mr. President -- what would the cost of a 4-by-8 sheet of carbon or polycarbonate be? And I know it's depending on the thickness. So if you went to maybe a 4 mil or 6 mil, which is equivalent to about 3/8ths-inch thick, or maybe a quarter-inch thick, do you know what the cost would be?

SENATOR SKOUFIS: Through you, Mr. President, there's no doubt that certainly using polycarbonate would be more expensive than plywood on the front end.

However, I would point out that, for example, the U.S. Fire Administration offers very positive remarks and recommends clear boarding because it cuts down on arson, it cuts down on squatters, lots of problems that wind up costing municipalities down the road on the back end.

Furthermore, I'll also point out that a number of years ago Fannie Mae voluntarily, internally, decided that for any mortgages backed by their organization, that they would require their lending organizations -- banks, et cetera -- that issued these mortgages to employ clear boarding.

And so for many, many, many

foreclosures and vacant homes already that have mortgages backed by Fannie Mae, they're already doing this.

And so, you know, this is -- I understand what my colleague is trying to get to. But the point is that home values are dramatically negatively impacted by boarded-up blights all throughout this state. This is an attempt to try and preserve home values and, on the back end, prevent some of the problems that come with squatters, fires, arson, et cetera, that also puts our first responders in more danger.

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

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AMEDORE: I understand the intent of the sponsor's bill here that you're trying to protect from blight and making sure that we have safe abandoned structures or homes

so that they will not be vandalized.

But through you, Mr. President, will the sponsor answer how would someone know that a home is in foreclosure in the neighborhood?

SENATOR SKOUFIS: Through you, Mr. President, pursuant to some zombie property legislation that we enacted a couple of years ago, these properties, these zombie properties now have to be registered with the state.

SENATOR AMEDORE: Through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AMEDORE: Is there a law that requires the municipality or the bank or the mortgage provider to post a very distinct colorful poster or notice on the door of the building or home, that it is in foreclosure?

SENATOR SKOUFIS: Through you, Mr. President, not that staff nor I are aware of.

SENATOR AMEDORE: Through you,

Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AMEDORE: It actually is part of the rule or law that we have, I believe -- look it up, counsel can. Because that really is and determines and signifies that this home is going through a foreclosure process.

Many times it's a very bright yellow notice that's affixed to a building. Which is more of a target to a vandal or someone who wants, maybe a squatter, to go into a vacant home, than a boarded home that has wood product that is securing the home from the vandals.

So I just think that you should understand what that really is with that notice.

Through you, Mr. President, will the sponsor yield for one more question?

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AMEDORE: Who would be responsible to install and pay for this plastic screening that you want to put on the windows and doors?

SENATOR SKOUFIS: Through you, Mr. President, primarily banks. Except in those more rare situations where a municipality owns a building through condemnation or some other means.

SENATOR AMEDORE: Mr. President, on the bill --

SENATOR SKOUFIS: If I may also -- if I may, through you, Mr. President. I also want to note, you know, in response to a number of items that my colleague just had remarked upon, that law enforcement is actually, in many cases where this is employed, very positive towards clear boarding.

Because, look, we're not touching -- this law does not touch any posting of flyers on doors. And so, look, if there's an issue with that that my colleague has, you know, I would recommend that we revisit the zombie property

legislation that he's referring to. This bill does not touch on any notification, posting of flyers as he's suggesting.

But I'll also note what he's describing, then, is actually a remark in support of this legislation, makes it even more imperative that we have clear boarding, such that when law enforcement is trying to determine whether there are folks, squatters, other individuals that shouldn't be in a vacant building but are there, they can't obviously see through plywood. They can see through clear boarding.

And that in itself will, we believe, deter squatting, but also provide a means by which law enforcement can determine if there are people in a building that shouldn't be there.

SENATOR AMEDORE: Mr. President, on the bill.

ACTING PRESIDENT BENJAMIN: Senator Amedore on the bill.

SENATOR AMEDORE: You know, the sponsor's memo states that properties boarded up with plywood present themselves as an easy target for vandals. And that's why I brought up the

notice issue, because there's no -- there's -- it's absolutely a no-brainer for someone to go down a road, drive down a road, walk down the sidewalk, whatever it may be -- when they see that notice, you want to talk about an easy target, to understand that this building or this home is vacant. That's the definition or the significant difference between a home that's vacant and one that is not. It's not the plywood or it's not the plastic that you want to put in the windows.

The sponsor also mentioned that it could be and in some cases it will be the municipality. I asked if the -- if he knew what the cost of polycarbonate, a sheet good of polycarbonate would be. And I wouldn't expect anyone in this room really to understand, because you typically never buy a sheet of polycarbonate or Lexan on a day-to-day basis.

But I've got a little bit of industry knowledge to understand and know what building costs are. So I will say he was right when he responded back to about $20 when that cost refers to a plywood wood-type product. Because you could buy, you can buy today a sheet

of, say, 4-by-8-by-half-inch-thick plywood for about $20. It will range from about $17 to $30, depending on the grade of plywood.

But polycarbonate, depending on the thickness -- and the thickness really talks about the rigidity. And when you want to secure a building, you can't tell me that putting on an eighth-inch-thick piece of plastic or even quarter-inch-thick piece of plastic is going secure the building more than a half-inch wood or three-quarter-inch wood product that they currently do now.

The bill also goes on to refer to not just wood products or plywood, but it also talks about wood composites and wood veneers. Wood composites are products that are very green friendly. They're recyclable products. They're recycled material products.

So I just think that this bill, well-intentioned, because we want to make sure all of our neighborhoods are safe, are free from vandalism, fighting the blight problems that we all face in all of our districts, that we have products that we can use that are green and safe and just really just common sense because they're

much stronger and more readily available. Try to go and buy polycarbonate in your local hardware store. You're not going to. You've got to order it.

But then it's the cost factor. And when we talk about unfunded mandates -- and if the municipality has to pay for this cost, the cost of polycarbonate is well in excess of over $150 a sheet based on the thickness, which really is going to be around an eighth-inch-thick 4-by-8 sheet of plastic.

So if I go from $20 of being wood-product-based to now the municipality to have to pay about $150 a sheet for a eighth-inch-thick, I think that this is an unfunded mandate that municipalities can't absorb and that will not do -- will not do the job that I really, truly believe that the sponsor's intention is going to do or what he wants to do, and that is secure the buildings and to help fight blight.

So with that, Mr. President, I'll be voting in the negative. Thank you.

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

Seeing and hearing none, debate is closed.

The Secretary will ring the bell.

Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 90th day 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 388, those Senators recorded in the negative are Senators Akshar, Amedore, Borrello, Boyle, Brooks, Flanagan, Funke, Griffo, Helming, Jacobs, Jordan, Lanza, LaValle, Little, Martinez, O'Mara, Ortt, Ritchie, Robach, Serino, Seward and Tedisco.

Senator Montgomery absent from voting.

Ayes, 37. Nays, 22.

ACTING PRESIDENT BENJAMIN: The bill is passed.

The Secretary will read.

THE SECRETARY: Calendar Number 393, Senate Print 7288A, by Senator Kavanagh, an act to amend the Executive Law.

ACTING PRESIDENT BENJAMIN: Senator Helming.

SENATOR HELMING: Thank you, Mr. President. I rise to ask if the sponsor will yield for a few questions.

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR KAVANAGH: Absolutely, Mr. President.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR HELMING: Through you, Mr. President, this legislation directs the Secretary of State to administer a registry to receive information from three entities -- from landlords, local governments, and also code enforcement agencies.

Senator Kavanagh, I was wondering if you could explain for me how code enforcement agencies are defined.

SENATOR KAVANAGH: Let me just begin -- just for context, the bill generally

would view code enforcement agencies as part of -- the code enforcement agencies in the state are generally administered by local governments, and I think there's not an expectation that code enforcement agencies that are not part of our local governments would be complying with this law.

So basically it is the -- under our current state law, there is a Uniform Code. That Uniform Code is applicable all over the state, and localities are required to enforce it unless they take a step to adopt their own code, at which point there's a process by which the Secretary of State can review that code and determine whether it is at least as stringent as the Uniform Code.

In the circumstance where there is a local code or the state code is applicable, each locality is enforcing that code and those agencies are operating throughout the state.

SENATOR HELMING: Through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Mr. President.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR HELMING: Thank you, Senator Kavanagh.

So through the administration of the uniform building codes and fire codes, et cetera, is it possible that fire departments and fire districts, both paid and volunteer, could be responsible for the costly reporting requirements, the onerous requirements that are a part of this legislation?

SENATOR KAVANAGH: Mr. President, that's quite a leading question, so let me just begin by saying we do not believe there are onerous requirements on any localities or code enforcement agencies in this bill.

Secondly, if an agency is not currently required to be enforcing the code, then this bill would not create any obligation on them at all.

So I will confess that I have great familiarity with the FDNY and the City Buildings Department in HPD. I'm not sure how fire codes

are enforced in every jurisdiction, but my sense is that in general, volunteer fire departments and other such agencies are not currently obligated to enforce building, fire and housing codes. So they would be unaffected in any way by this bill.

SENATOR HELMING: Through you, Mr. President. So will the sponsor continue to yield?

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Mr. President.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR HELMING: Section 2 of this legislation defines "covered dwelling." Is it possible that this definition could be interpreted to apply to, for instance, bed and breakfasts, Airbnb and even mobile home parks or mobile homes?

SENATOR KAVANAGH: Through you, Mr. President. Let me actually get the words in front of me. But the bill in general is intended to cover rental -- sorry, I'm having -- I was

trying to get -- make sure I was looking at the same language you're looking at.

So the bill defines a covered dwelling as a dwelling which is either rented, leased, let or hired out to be occupied, or is occupied as a residence or home of two or more families living independently of each other.

So if a dwelling unit is a residence for somebody and it is rented out or you have, you know, a situation where independent families are living in the same space, it would be covered by this law.

And whether, you know, if I -- presumably calling it an Airbnb or calling it a bed and breakfast does not preclude compliance with the law related to rental -- the many laws related to rental housing in this state, and I think this would be no different.

But generally speaking, just to be clear, this is intended to be broad, it is intended to cover rental housing, rental residential units anywhere we find them in the state.

SENATOR HELMING: Through you, Mr. President, will the sponsor continue to

yield.

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Mr. President.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR HELMING: There are a lot of good intentions that pass through this floor in the form of legislation, and we've seen a number of chapter amendments because things are rushed through and don't accurately reflect what we intend them to do, or don't do what we intend them to do.

So my question is, as we all know, in many areas of our state -- we've talked about this here on this floor -- residents, municipalities, small businesses, even some libraries in my district do not have internet services.

And it's possible that some landlords -- and I think you need to think outside of New York City, think upstate New York, rural areas. Some landlords, they may have -- for instance, it may be a very small family farm

who produces enough food maybe just to even feed the family. Maybe they have a roadside stand. But on their property, they have a rental home. But they don't have the desire or maybe even the means to own a computer. And again, they don't have access, all of them, to internet services.

So in these situations, Senator Kavanagh, what alternatives exist to the online registration that are available for a landlord to register?

SENATOR KAVANAGH: So, Mr. President, if I may, first let me respond to the implicit first part of the question, which is about legislation that is sometimes rushed and ill-considered, just to note that this bill is one of the recommendations that came out of an investigation that we announced, along with Senator Skoufis and the Investigations and Government Operations Committee 13 months ago.

It was a five-month investigation looking very thoroughly at the code enforcement operations in four localities that were selected as samples of what might be going on in other places. That then led to a hearing in May of last year where we took testimony from many

parties, including parties representing small localities and other jurisdictions throughout the state.

We then produced a report of about a hundred pages that reflects the findings of the investigation and also makes recommendations, including a recommendation that there be a statewide rental registry. That report has been available for all of us to review. It's a page-turner, at about a hundred pages.

We then earlier this year announced an intention to do 11 bills. They are the bills that are before you today. We announced a public hearing on those bills. We held that public hearing. We got testimony on these bills from the Real Estate Board of New York, Legal Aid of New York City, Enterprise, the New York Conference of Mayors, the New York State Codes Coalition and the International Codes Committee and the New York State Building Officials Conference, the Rockland County Illegal Housing Task Force, the New York State Attorney General, Citizen Action, the Community Service Society, the City of Albany, United Tenants of Albany, the Rochester Tenants Union, and the Mayor's Office

of New York City.

And in addition, we had informal conversations with the state executive branch as well as the Center for Community Progress and many others.

We also had, obviously, a lively discussion in committee a few days ago about this.

And I would just say that, you know, this is a very thoroughly considered process. I would also note that subsequent to our hearing, we made several amendments to the bill that are intended to diminish the burden on localities, and I'm happy to discuss those as well. But that was in response to testimony received on this bill.

In terms of an individual owner renting an individual apartment as a business and to make some money on the side, if you choose to be a landlord in this state, you are choosing to put yourself in the business of providing housing to somebody else. And that comes with many obligations to protect the safety of the occupant. Also, by the way, to protect the safety of first responders who might find

themselves coming to that place in an emergency.

And there is no alternative to registering, but once a year you would have to get this information to the Secretary of State, which is basically the basic information that you ought to have at your disposal as an owner of a piece of property. There's no obligation that you do it on a computer in your home. And the penalty for not doing so if you have a single unit would be $25.

SENATOR HELMING: Through you, Mr. President. I didn't hear the sponsor say yes or no on whether or not there were alternatives to online registration. Also --

ACTING PRESIDENT BENJAMIN: Senator, are you asking the sponsor to yield for a question?

SENATOR HELMING: Yes.

ACTING PRESIDENT BENJAMIN: Will the sponsor yield?

SENATOR KAVANAGH: I'm happy to clarify, yes.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR KAVANAGH: There is no

obligation -- there's no requirement in this bill that the application be submitted online. It is expected that most people in the real estate business would prefer the option of submitting it online.

But the Secretary of State, under this bill, would be required to set up a process that permits people to register online. And certainly it would be within the discretion of the Secretary of State to have somebody receive a mailed piece of paper from this owner of a one-unit rental operation.

SENATOR HELMING: Through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR HELMING: So the legislation refers to --

ACTING PRESIDENT BENJAMIN: Does the sponsor yield? Do you yield?

SENATOR KAVANAGH: Yes, Mr. President.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR HELMING: The legislation refers to an online portal. I didn't see anything else about paper or any other alternatives.

Also, when we talk about municipalities -- am I on -- through you, Mr. -- okay.

When we talk about the research that's been done to develop this particular piece of legislation, because that's all we're addressing right now, not all of the bills that have been brought forth today, there were four communities, it's my understanding, that provided testimony.

I'd like to just point out that the average population exceeds 50,000. Compare that to areas where I live, where the largest city, the population is about 11,000, and I think it really changes the story.

So my question is this legislation states that the Secretary of State will provide municipalities with technical support. I'd like to understand what that technical support will look like. And will it include assistance with securing consistent, reliable and affordable

broadband services?

Again, we're not talking about just New York City, we're talking about the entire State of New York, where some of our municipalities do not have -- they have intermittent internet services or no internet services.

SENATOR KAVANAGH: Mr. President, if I may, may I return to the previous subject? That I think counsel was helpful in understanding what the -- what my colleague was referring to.

Just to clarify, there is language in the bill that says the data from the registry must be available online. It is the Secretary of State's job to make the data available to people online. There's nothing in this bill that requires the Secretary of State to receive the data online.

So the Secretary of State could receive the data in any manner that they choose from landlords. And presumably if a small landlord wants to send a single registry by mail or some other purpose, that would be perfectly compliant with this law.

In term -- I just -- again, I don't

want to be argumentative, but I'm perplexed by the repeated assertions that it's important we think about places other than New York City.

We had a hearing in Newburgh on this topic, and we had a hearing in Albany on this topic. The Housing Committee and other committees have traveled the state to have hearings. We had a hearing in Greenburgh last year and in other parts of the state. And we continue to seek input from all parts of the state.

We also had input from, as I mentioned before, the New York Conference of Mayors, which represents mayors of some quite small jurisdictions, and other organizations, and we reached out to the Association of Towns and the Association of Counties and others to get as much input as we could on this piece of legislation.

In terms of the question of how localities will comply, again I would note that we amended the bill in response to commentary about that. Under the bill as currently written, it is the obligation of the Secretary of State to provide the means by which people will produce

this information, and it is also their obligation to assist localities, to the extent necessary, to comply with the -- with this, and particularly to help them have the ability to submit data through -- in a machine-readable format, electronically.

There is -- if a locality does not have the capacity to do that, it is not practical for that locality to do that, the landlords in that jurisdiction would still be required to register. But there is no mandate in this bill for localities to do things that they're not capable of doing.

SENATOR HELMING: Thank you.

Through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR KAVANAGH: Yeah, with pleasure, Mr. President.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR HELMING: Can you explain to me how landlords will be identified and notified about these registration requirements?

SENATOR KAVANAGH: Through you, Mr. President, this will take a significant amount of time before this process is up and running.

First of all, obviously the bill would still need to go through the Assembly and be signed by the Governor, and it doesn't take effect for a full year after that. And the portal, the database that would be required, would be available two years after the effective date of this law, which again could be many months from now.

I think it's -- landlords and people who choose to be in the business of being a landlord and renting apartments to others presumably have some obligation to keep up with the basic requirements that come with being a landlord. And I mentioned there are many, and many of those are essential to the life and safety of the tenants and of first responders and of others.

But we would -- presumably the Secretary of State and others would have some obligation to notify people of their requirements. Presumably localities would do

that. I would also note that there are several localities in the state that already have these kinds of systems in place, and presumably they would -- the local authorities would play some role in ensuring, as they do with many requirements that are about code enforcement and life and safety, would play some role in informing people.

But, you know, landlords need to stay abreast on the obligations they have as landlords, and this would be one more modest obligation that once a year they identify their apartment. And again, if they fail to do so or they do not hear about this, the implication of that will be a $25 penalty that would be imposed.

SENATOR HELMING: Through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Mr. President.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR HELMING: The original

version of this bill required landlords to register every three years. The amended version that we saw that's before us today changes that to annually. Can you explain the reason for this change?

SENATOR KAVANAGH: Again, this was, as you note, a change in the bill, along with a number of changes that were intended to make this registry both easier for localities to comply with and also more useful.

And we found that many existing registries have a one-year requirement rather than a three-year requirement, and that is intended to make the registry more useful for the many purposes for which it's intended, including having localities have some ability to track who currently owns real estate in their -- rental real estate in their jurisdiction.

So we thought that if one of the purposes that we can be sure that local authorities know who to call in the event there's a serious problem, they have a name and address and a phone number, which is part of this requirement -- we thought that having that information perhaps be as much as three years out

of date is not wise, so we decided to make it an annual requirement.

And again, for most landlords, the information, if nothing has changed about your property, the information you're registering also won't change in a significant way.

SENATOR HELMING: Through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Mr. President.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR HELMING: Section 5 of the bill states that any local governmental with a registry may continue to maintain that registry. If the local registry does not comply with the state registry, the landlord must register with the state, according to this language.

Senator Kavanagh, under these circumstances, does this mean the landlord must register twice, once with the local registry and a second time with the state registry?

SENATOR KAVANAGH: To the extent -- through you, Mr. President. To the extent that such registries exist in localities already, we decided that we would not choose to preempt local registration requirements. And so local registries are allowed to continue to have registries.

And again, that registry may serve a different purpose in the locality than this registry is intended to serve. So what the bill contemplates is a process where the Secretary of State will review an existing registry. If they find that existing registry to have the information necessary to comply with this law, then the bill expressly says that somebody won't have to register twice.

However, we didn't want to say as long as there's a registry, irrespective of whatever condition that registry is in, whatever information that registry is in, we didn't want to exempt people from this bill, because the goal is to ensure that rental properties, all rental properties are registered in a manner that this bill contemplates.

So if a locality has a registry and

they either decline to make it conform to this and or they don't make it conform to this for some other reason, then a register -- just as now, landlords have to continue to comply with local law and they would also have to comply with this law.

Just to note, it's -- current localities that do have a registry are the City of New York, Buffalo, Syracuse and Easthampton. There may be others as well. We've had conversations with some of them, and they have expressed an expectation that they would comply their -- they would conform their registry with this registry so that the landlords in their jurisdiction wouldn't have to register twice.

SENATOR HELMING: Through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Mr. President.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR HELMING: So it is

possible, then -- or according to this legislation, a municipality must provide the information back to the Secretary of State in the format that the Secretary of State deems acceptable. So there is the possibility for, again, unfunded mandates on the community and so much more.

Section 7B of this legislation talks about a schedule of reasonable registration fees based on the type of dwelling and the number of units registered. Is there a cost to the landlord to register?

SENATOR KAVANAGH: Through you, Mr. President, I think there were sort of -- there were two questions in there.

SENATOR HELMING: There was one question, Mr. President.

SENATOR KAVANAGH: Sorry, there was a statement that I might want to respond to. I'll take the first question -- the explicit question first.

Yes, there is in this bill an expectation that the Secretary of State would charge a fee to register, which is common in registration systems. And that fee would be

required by this law to be reasonable and presumably, in this context, reasonable. Like many fees -- this is not a tax, this is a fee -- presumably the fee should reflect the cost of providing this service of creating a registry and of having people register.

So again, if this is -- it also requires that there be an online portal through which people can do it, so the expectation would be that the Secretary of State would identify an efficient way to do this and charge a fee.

And that fee is not set by this law, because I think there are a lot of steps between now and this being implemented that would be necessary to determine the precise cost.

SENATOR HELMING: Through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Mr. President.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR HELMING: Senator Kavanagh,

can you explain if this registration fee -- or when this registration fee is assessed, where the money will go? Will it go to the General Fund in the State Budget? Or where will the money go?

SENATOR KAVANAGH: Mr. President, through you, I'm not a hundred percent certain whether this bill -- I mean, it is clear that the Secretary of State is being authorized to charge a fee.

I would note that the Secretary of State charges many, many fees to register for many, many things in the state already. And -- but I will confess I'm not an expert in how much discretion the Secretary of State, which of course is a part of the executive branch, how much discretion that -- the Secretary of State has over fees that are charged.

But I would note that we have many, many statutes that charge fees that don't specify what part of the State Budget they go to, and I think this bill is like many, many other statutes in that way.

SENATOR HELMING: Through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Mr. President.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR HELMING: In the case where the landlord is required to register twice, once potentially with the municipality and the second time with the state, is it possible that they will be assessed a registration fee twice?

SENATOR KAVANAGH: Again, and let me -- I've been -- my very helpful counsel has noted that absent any language in this bill about where the fee would go, it is likely that -- sorry, absent any language in this bill about where the fee would go, the fee would likely go to the General Fund of the State of New York to offset the costs of -- the general costs of state government.

In terms of the likelihood that a fee is assessed by a locality in addition to this fee, that would be up to the locality.

So again, we are not requiring localities to have a registry, we're not

requiring them to assess fees, we're just creating a single statewide standard with a fee associated with it. If localities choose to maintain their own registry for their own reasons, that is an important aspect of our system, that localities can run their governments in the manner that they choose.

And so there's nothing in this bill that would require people to be charged twice, and in fact there are many provisions of this bill that are intended to facilitate there being a single registry. But if a locality decides to continue its registry and continues to charge a fee, there's nothing in this bill that would stop them.

SENATOR HELMING: Through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Mr. President.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR HELMING: According to the

legislation, local governments at a minimum must submit reports on a monthly basis. Taking into consideration the manpower that that is going to require, upgrades to systems to comply with the formatting requirements and more, do you have an estimate of the cost to our local counties, our cities, our towns and our villages?

SENATOR KAVANAGH: Through you, Mr. President, the bill requires that -- this is something that we've changed since a prior draft of the bill.

The bill requires that to the extent practicable, local governments submit that information and that the Secretary of State provide localities, to the extent they have any difficulty doing that, provide localities with assistance in figuring out how to do that.

Our assumption is that that will be done digitally, and our assumption is that it will be done with a very modest level of physical work by paid employees, because most systems -- most code enforcement systems at this point are either currently working off digital systems that track violations, because it's very difficult to run a code enforcement operation without such a

system, or they're moving in that direction.

But again, this bill contemplates that if that is not practicable for the local government, they would not have to do it under this bill.

SENATOR HELMING: Through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Mr. President.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR HELMING: Am I to understand, then, if a municipality chooses not to comply with this, they will not be penalized in any way, or there's no language in this bill that requires them to provide registry information or to provide code enforcement violations?

SENATOR KAVANAGH: Through you, Mr. President, again, there's nothing in this law that -- there's nothing in this bill that says they may choose freely, irrespective of their

capacity not to comply.

What the bill says is that they shall submit this information unless it is not practicable for them to do so, given their capacity. And in that case, the Secretary of State is required by this bill to work with them and provide them with assistance in submitting that information in a machine-readable format, digitally. Presumably there will be conversations between the Secretary of State and localities about what it would take to submit the information necessary to populate this portal with the relevant data.

But again, in a previous version of this bill it required this data to be submitted. And we have -- in order to respect the complexity of this and the different capacities of local governments, we have modified the bill to say that they are only required to do this to the extent practicable.

I will say that one of the beneficiaries of a bill like this will be the localities themselves, because having a database of all rental properties is a very valuable thing if you're a local code enforcement agency or a

local government and you're trying to enforce your code. So we expect that many local governments will embrace this. But there's nothing in this bill that requires them to do so if it's not practicable for them to do so.

SENATOR HELMING: Through you, Mr. President, will the sponsor continue to yield for one more question.

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Mr. President.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR HELMING: Looking at the long list of information that is now going to be required to be reported in this registry, there really is going to be significant information -- physical addresses of all the rental properties, total number of rooms, and accessibility features into these properties.

I have some concerns about privacy issues. I also have concerns about in my small communities, when you look at a database and you look at a community that may have, say, 15

rentals maximum, if there is a victim of domestic violence hiding out, residing in one of those rental properties, now the person who has victimized him or her could potentially go to this database if they know the community that they're living in and narrow it down to those 10, 15 rentals and systematically, easily, go through each one of them. Now they'll have access to know how to get into these properties. Because like I said, all the accessibility features are required to be reported in this database, et cetera.

So, Senator Kavanagh, I'm wondering if you have any privacy concerns with this legislation or any concerns that this registry would provide a mechanism for domestic abusers to more easily locate their victims, who may be living and hiding in a rental property.

SENATOR KAVANAGH: Through you, Mr. President, obviously if there -- there are many people with a great deal more expertise than I have about the needs of people who may be in that terrible situation of having an abuser and somebody they want to be physically separated from. If there were -- you know, if any of the

many organizations that address that had some concern about that, we certainly would be willing to address that, as we have in other circumstances.

For example, we've passed laws in this house about the voter rolls, which are also somewhat publicly accessible, but to make exceptions there.

Having said that, I don't see any provision in this bill that would meaningfully alter that. If you are looking for someone and you know they live in a jurisdiction -- you know that they're renting an apartment and you know that they're renting in a jurisdiction with only 15 apartments in it, or a very small jurisdiction, you know, you have various means to try to locate rental apartments in that jurisdiction.

But this bill doesn't give you additional -- any additional information at all about who's living in apartments. The reference to accessibility features is things that would help an apartment comply with the ADA and would help people who are seeking an accessible apartment, something that might be accessible

given a physical disability, to rent an apartment.

But there's nothing in here that suggests how to get into the building or what the security features of buildings are. None of that would be included in the registry as contemplated by this bill.

SENATOR HELMING: On the bill, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Helming on the bill.

SENATOR HELMING: First I'd like to thank Senator Kavanagh for all of his time in answering all of my questions. I appreciate it. Thank you.

SENATOR KAVANAGH: Thank you.

SENATOR HELMING: When I consider how to vote on legislation, I look at the legislation and I evaluate a number of factors. Some of those factors include is it an unfunded mandate, is it yet another burden that we're placing on our small cities, our towns, our villages, and our counties.

The answer here is an emphatic absolutely yes. This is an unfunded mandate.

When I did my summer small business tours and I talked to so many business owners from not only in my district but across the State of New York, one of their concerns was about onerous, unnecessary regulations. And when I evaluate this bill, I evaluate it -- is it creating more regulations that are going to create more unnecessary paperwork? And I have to say, this bill, absolutely yes.

Does this bill create the potential for new fees? Absolutely yes, new fees on New Yorkers who are already overburdened with regulations and taxes.

Mr. President, I'll be voting no on this legislation. I believe this type of legislation, with complete disregard for private, personal information, for increasing taxes or fees, whatever you want to call it -- they're both the same -- is going to continue to drive people and businesses out of New York State.

So as I said, I'll be voting no.

ACTING PRESIDENT BENJAMIN: Senator Amedore.

SENATOR AMEDORE: Mr. President, will the sponsor rise for -- or yield for a

question?

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Mr. President. And just note I'm thanking the ranking member of our committee for engaging in this in the committee meeting, and I look forward to questions today.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AMEDORE: Thank you, Senator Kavanagh.

I've got a question that -- as you were discussing this with Senator Helming, and correct me if I'm wrong, but I think I heard you say if a landlord does not register to the registry, statewide registry, could the landlord then evict a tenant? Or would it take away the qualification of eviction?

SENATOR KAVANAGH: Mr. President, through you. I'm not actually sure this issue was addressed in the prior conversation.

But yes, there is a provision in the bill that says if you are attempting to evict a tenant, your papers that you file in court ought

to assert that the apartment is properly registered. And if it is not registered, that that would prevent you from proceeding with an eviction action.

So you would, if you were trying to evict a tenant, first of all meet this basic requirement of being a landlord in the state.

SENATOR AMEDORE: Through you, Mr. President --

SENATOR KAVANAGH: And if I may clarify, only if the eviction is for nonpayment, by the way.

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

SENATOR KAVANAGH: I would yield for an additional question, yes.

SENATOR MONTGOMERY: The sponsor yields.

SENATOR AMEDORE: So I understand, you did mention who is eligible or who would register on a statewide level in this registry. But just can you give us a very simplistic explanation? Because I know you're very studied and well-versed and smart. But let's think about -- because I look at this and -- when you

talk about two-family, I think of my grandmother.

And Mr. President, through you, my grandmother who lived -- lives in a house or lived in a house on Wabash Avenue in the City of Schenectady, in the Bellevue section, rented two units there.

So what I believe I heard you say -- and that's why I want you to explain to me in a very simplistic way who would need to register on this statewide registry with the Department of State?

SENATOR KAVANAGH: Through you, Mr. President, the bill would -- again, I'm going to -- first of all, I'm going to take the -- my colleague's assertion that I'm studied as a compliment.

And I will say, just to keep it simple, the goal of this bill is to have a complete registry of all rental housing units in the state.

So if the sponsor's grandmother were engaging in that business right now in the City of New York, she would already be required to register the two units she is renting, and presumably little or nothing would change as a

rule of passing this bill.

In other -- in other parts of the state, if there is no such registry requirement -- again, we have great sympathy for people that are renting units to pay for the cost of continuing to live there themselves. But the -- someone who is actually renting units to others would be required to register those units.

If someone has a roommate or perhaps two roommates, three roommates or even four roommates, that would not be a situation where they would have to register.

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

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Mr. President.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AMEDORE: So if my grandmother does not register in the statewide registry -- which she does not live in the City of New York, but in the City of Schenectady, and

there's no requirement to register -- and she's not a business, she's just little old grandma trying to live in the very expensive State of New York, trying to make ends meet. And maybe that little rent money that comes in helps her pay those outrageous taxes on her property.

If she doesn't register, because I think what you said in a very long-winded answer -- I was hoping for a very short answer, that's why I said please keep it very simple -- you're going to make my grandmother register. This bill would make my grandmother register.

And so if she doesn't register, what you're saying is there's going to be a fine to anyone who doesn't register. Is that correct?

SENATOR KAVANAGH: Mr. President, through you, I look forward to meeting my colleague's grandmother at some point and we can discuss this further.

But yes. And with all due respect to my colleague's grandmother, who I'm sure is wonderful, if you are renting apartments to other people, you are in a business. You're in the business of being a landlord, and you are renting apartments to people. And in that circumstance,

there are a variety of requirements that already adhere to your decision to do that. And we are adding one additional one, and that is a requirement that they be registered. And if you fail to register, yes, it would be a $25 fine per unit for failing or choosing not to register.

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

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Mr. President.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AMEDORE: For clarification, Senator Kavanagh, would the landlord as an entity, one, have to register one time in the state registry as well as if the local municipal required it, like for instance in New York City, that would be two times. Or would the registry require the entity plus each unit that they rent?

SENATOR KAVANAGH: Mr. President, there were two questions there. I will attempt

to keep this short.

The first question is -- as I understood it, would be: Are you required to register with a local registry? And the answer is yes if, in spite of our passage of this bill and in spite of the many mechanisms in this bill that are intended to have that local registry count as this registration, if the locality chose to continue, in spite of that, to have a separate local requirement that you register, the locality would not be preempted from doing so.

But it is our expectation that the localities -- and we think there are a handful in the state that have registries now -- would conform their registries to this, and landlords in those jurisdictions would register only once in that circumstance.

And the second question is basically you are required to register as a landlord, and you would register -- in the circumstance we're talking about, an owner-occupied unit with two apartments, would register themselves as a landlord and they would specify that they have two units, and they would meet the requirements of the law with respect to those two units.

SENATOR AMEDORE: So through you, Mr. President --

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Mr. President.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AMEDORE: So then would the fine be imposed upon the entity and the two units that are not registered now, if they fail to register? Or if a landlord had multiple, hundreds of units, would the fine be the entity of $25 plus 100 units that weren't registered, which would then be multiplied by 25, which is now we're talking about big money in fines. What is the correct answer to the fine?

SENATOR KAVANAGH: So the -- again, the obligation goes to the landlord. Apartments don't have an obligation to register themselves. So the landlord would be required to register, and if they failed to register a rental building, it would be $25 per unit in the covered dwelling.

So a landlord that has another building across town that they're properly

registered for, that would not affect the penalty for not registering this building. But if this is a two-unit building, it would be $25 times the two units, for $50. And if it's a 10-unit building, it would be 25 times 10, and it would be $250.

SENATOR AMEDORE: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BENJAMIN: Will the sponsor yield?

SENATOR KAVANAGH: Yes, Mr. President.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AMEDORE: So I think of a lot of the small business owners that are out there who do have income properties and that are landlords, and they may have multiple projects or multiple rental locations.

So, Senator Kavanagh -- through you, Mr. President -- would the landlord be required to register the entity, the business name, the LLC or whatever it may be, sole proprietorship, whatever his corporate or her corporate structure

is, as well as each of the locations that the dwelling units are at?

SENATOR KAVANAGH: I'm not sure I understood this line of questioning, Mr. President.

But yes, if you are a landlord in the state, you are required to register the -- your rental property through this thing. And the requirement is that each unit be -- that you register and specify the unit. So if you're renting a hundred-unit building, you specify the hundred units in that building. If you're renting a one-unit building, you specify the one unit.

And if you -- if you are -- if there's an LLC that I have a beneficial ownership in that owns a building and another LLC that I have a beneficial ownership in that owns a building, that the LLC is technically the landlord, each of those LLCs would have the obligation of registering. And they would also have to specify that I'm the person that owns the thing.

SENATOR AMEDORE: On the bill, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Amedore on the bill.

SENATOR AMEDORE: Thank you, Senator Kavanagh, for -- I know you and I have had numerous conversations about this and other bills that were on the agenda or the calendar today.

And, you know, Senator Helming I think hit the ball out of the park when she talked about the word "onerous." And there's no question -- and I know every single member in this chamber understands this, and I know the reason why, because we all say it in the district that we serve, why we go for Albany to fight for and to stand up for the rights of our constituents and individuals and to bring about some sensibility and to bring about affordability and to bring about a sense of well-being and quality of life for all New Yorkers. We all talk about that. We all got elected based on those principles.

And we all sit here and we all fight and we all say, yeah, we need to do this and we need to change that, and we've got a budget coming up. And you know, before you know it,

it's going to pass and what's the effect going to be? Hopefully more good than bad.

But unfortunately, this particular bill adds and compounds to the pain and suffering that our small businesses -- or even the grandparents -- face in the State of New York.

And for full disclosure, Senator Kavanagh, unfortunately you can't speak to my grandmother anymore who had the apartment, because she is now deceased.

But I used that as an analogy, really because there's so many of us here who have loved ones or family members or friends, and their parents or their grandparents are in the same boat. And they came to this country, they worked hard, and they may live in a two-story or a two-family or a three-family home, and in order to make ends meet, they rent it out. Because their kids moved on, and they're old and they have this vacancy.

This body now is requiring big government to get the information from very small -- now small business owners or individuals who are just leasing out two apartments in their home to make ends meet, as if they were a large

developer that had hundreds or thousands of units in the State of New York. And if they don't do so, we're going to fine you, penalize you.

This is not making New York more affordable. This is not even bringing a quality of life to New Yorkers. This is about more taxes or more fees and more penalties that will be imposed upon New Yorkers.

I don't even see how this is going to change the quality of a landlord who's a bad landlord and doing the wrong things and not making the necessary improvements in the dwelling units as they should and investing their money in making a habitable dwelling space safe and warm and cool and clean. This does nothing about truly changing the quality of living conditions, but going after, what, more taxes, more revenue, more fines and fees?

This is not the narrative that this house should be sending out. Not in this day and age. Not when we've got people leaving the State of New York, not by the thousands but by the tens of thousands, because of onerous, ridiculous overregulation -- legislation that this is because it will not change the quality of life

for any New Yorker.

We think that a registry is going fix -- you know, we've proposed registries. Senator Tedisco has probably proposed the most registries of anyone here in the chamber. And he proposes those because of the quality of life of the circumstance or situation. Sex offenders, yeah, we should find out who they are, put them on a registry. Animal abusers, yeah, we should do that.

But there's a lot of law-abiding good landlords who have never broken the law, who are taxpaying citizens or businesses in the State of New York, who already apply and abide by -- if there's a registry in a local municipality in that jurisdiction, then they sign up. Why do we need a statewide if we already have a local? It's not necessary.

Now businesses will have to or individuals will have to register twice if required. And it's double the fine or three times if required, triple the fines. Doesn't change a single thing about bringing affordability and sensibility to the State of New York.

And because of that, Mr. President, I think this bill should hopefully get pulled and worked on in a way that brings about affordability and a quality of life for all New Yorkers.

I'll be voting in the negative.

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

Seeing and hearing none, debate is closed.

The Secretary will ring the bell.

Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Robach to explain his vote.

SENATOR ROBACH: Yes, Mr. President, very briefly.

I don't even know -- I didn't want to take up more time, but Senator Kavanagh never really even indicated who wants this bill or what the need of it -- for it. It's very duplicitous

{sic} at best. There's no reason for it. It seems to me very much that this is bad for the business and it's going to be bad for the tenants.

I think we can all understand now when you add costs, whether they're needed or unneeded -- and I think in this one they're unneeded -- you're just going to pass that on to the people who are looking for a place to stay as affordable as possible. And while it may only be a couple of hundred dollars over several years, everywhere I go in my district, people keep saying, Do what you can to reduce unnecessary red tape and cost to us. And many of them do not believe we're going to do that, certainly in upstate New York, and they are voting with their feet.

So this may seem funny to some people, or maybe only a couple of hundred dollars is a little bit of money in New York City and downstate New York. What we believe in upstate New York we're hearing from the people we represent, if you can hear it, is it's kind of time to draw the line in the sand and say unless this is absolutely necessary, there is a purpose,

let's not add any more cost, let's not add any more red tape.

And if it works in New York City, God bless you. We already have a local registry. There's just no reason, there really is no reason to have a duplicate statewide registry unless you want to milk these people more and pass more money on to the people who are renting.

I firmly cast my vote in the negative, and I hope for the remainder of the session we'll start to take a little bit more attitude, rather than laugh about it or cavalierly add to -- adding costs and things like this, without a very good reason.

So I vehemently oppose this legislation.

Thank you, Mr. President.

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

Senator Little to explain her vote.

SENATOR LITTLE: Thank you, Mr. President. Just to explain my vote.

I really am not aware of any of the towns in my six counties that have a rental registry. I know if you have a larger business,

a rental business, you get a d/b/a, you go and do that, so you are a designated business.

I know I have a lot of second homes who rent for a few months at a time. Not always, sometimes it's just a friendly rental. They would have to register their home on a statewide registry.

I know that many of my communities are because of Airbnb and Vrbo and all, are asking people who are putting their home on that place for rental, that they have to have a license and certain things to qualify for.

But I just think it's very, very onerous. I know a guy who has like 1500 apartments. Twenty-five hundred dollars an apartment every year? It's a money grab, really, because they're not getting anything back for it.

And my biggest concern is that if they have a code violation, it goes on the registry. My question is, when does it come off the registry? And we know that many times, even on restaurants, if you go and look it up on the Department of Health, they'll have a health violation that's like a year old. And you know that that place has had to correct it, and

they -- if you ask, you'll find out it did.

So I think there's way too much going on with this bill, and I vote no.

Thank you.

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

Senator Skoufis to explain his vote.

SENATOR SKOUFIS: Thank you, Mr. President.

I first want to commend my colleague Senator Kavanagh for this bill, and make it clear that the $25 that's been bandied around a little bit during this debate, that is not a fee, that is not a tax, that's not a cost. That's what's charged if you fail to register the unit.

So to suggest that, you know, this is some kind of money grab -- this is the penalty associated with failing to register under this bill.

And as far as its value, look, you know, outside of New York City, there are a few, but most of the rest of the state does not have a registry like this. There's going to be basically no duplication. In fact in the bill that's been amended, if there is a local registry

that seeks to make public the same information that this registry will make public, you don't have to register in each of the two registries.

And so I want to commend my colleague on a very thoughtful bill and also take this opportunity to thank him, the Housing Committee, the IGO Committee, and in particular two folks on my teams, Sara DiBernardo and Michael Mazzariello, who as Senator Kavanagh noted, spent an exhaustive five months looking into an issue that is for many people an esoteric issue, not something that a lot of people in the Legislature pay much attention to. But code enforcement is a nuts-and-bolts issue that affects every community in the state and pertains to a lot of folks' safety and well-being throughout New York.

And so I want to thank the Majority Leader for her support of this effort, and my colleagues for supporting this package.

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

Senator Lanza to explain his vote.

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

Actually, you ought to read the legislation. It does call for a registration fee. And we don't know where it's going to begin. It'll start as $50, and we know how things work around here; in five years it will be $250. So there is a fee, there is a cost.

And by the way, Senator Robach asked the question, who is the constituent here that is being served? In other words, it seems to me that this is solution in search of a problem.

We have a similar law in New York City. I can tell you at least on Staten Island, it doesn't work. It's a nuisance. It doesn't help anything, it doesn't make anything better. This is just nothing more than big brother, government intrusion.

Senator Robach, the constituent here is the government. And we ought to remember that we're here to serve the people. People make a decision every day in the State of New York: Should I live here, should I continue to raise my family here? And more and more I hear from people, certainly in my district, that it's getting harder and harder to answer in the affirmative.

Another piece to paper to fill out, another fee, another tax, another fine. None of it making my life better. People go to the mailbox with fear. Is there going to be another bill in the mailbox? And because of this law -- this legislation, if it becomes law, there will be another bill in the mailbox. You have a two-family home, you're providing a rental property for someone else? When you open your mailbox, there's going to be another bill, and government is going to be watching and government is going to intrude into your life. And at the end of the day, serving no good interest.

Mr. President, I vote no.

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

Senator Boyle to explain his vote.

SENATOR BOYLE: Mr. President, to explain my vote quickly.

I'd like to associate myself with the remarks of my colleagues.

And the big question is why are we doing this. If the talk is about code enforcement, I've got news for you. I live in the Town of Islip, we have 325,000 people there.

A lot of them are renters and landlords. And you know how many violations they've given out in the month of January that's just passed? Because with the new discovery laws, zero. Not one violation was given out in Islip in the month of January.

So we're doing a lot of this, and all we're going to do is add a list of landlords and houses that are being rented and cause more problems with code enforcement, who are not able to do it, put violations out there now. I vote in the negative.

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

Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Mr. President and my colleagues. I rise in order to speak on this particular bill.

And I've listened to the testimony and discussion and debate on the floor, and I refer back to Senator Kavanagh, when he was responding. And basically he said that the Investigations and Government Operations Committee investigated this matter and what they found out was that code enforcement officials had

difficulty serving notices of violations and orders to comply because landlords do not reside in the community of the property, or it's owned by an LLC without a registered agent.

Come on. We're talking about a accountability in the system. And that's what we need, and that's what we want.

I say to you that obviously this was taken up by New York City and other municipalities because it's very important. And it should be statewide. And we need accountability at every single level -- the local level, the regional level, and the statewide level.

Senator, thank you for holding the fort down and communicating why this bill is important.

And let me thank Senator Skoufis and his Investigations Committee for doing a good job in bringing this forward. And that's what brought about this legislation.

So I vote aye, Mr. President.

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

Senator Kavanagh to explain his vote

and close.

SENATOR KAVANAGH: Thank you, Mr. President.

I just want to note that it's commonly the practice in this house to begin by asking for an explanation for the bill. My colleague on the other side of the aisle just started asking subsequent questions, and I started answering them. I presumably could have done what many other people do, which is make a several-minute speech about the bill before getting to the answer, and chose not to do so.

And then once the debate was closed, it was noted that the question of why this bill -- we're doing this bill was not asked and not answered. So let me take, in a few minutes now, the opportunity to speak about that.

We had, again, numerous hearings, we heard from numerous localities across the state. The notion that we're focused on New York City and New York City only is simply empty rhetoric. The Senate Housing Committee has had eight hearings in the past 14 months, and only one of them was in the City of New York.

We have had roundtables, we've had

hearings, to get to the question of how we improve affordability and how we improve housing conditions in this state.

We heard from tenants and we heard from landlords and we heard from code enforcement officials that it is very difficult to implement the most basic laws that are intended to protect the quality and safety of our housing because they have a great deal of difficulty tracking where the rental housing is, who owns it, and how to get in touch with the beneficial owners.

It is -- very frequently people told us that it is residents of New York City that own this housing, and they own it through corporate entities that make it impossible for localities across this state to enforce their laws. And the rental benefit is going to landlords that live in New York City that are unidentifiable by our localities.

We also heard that it is very difficult for localities to create systems like this by themselves. The numerous towns and villages, for each of them to create their own registry would have been an enormous amount of effort on their part.

What we are creating here is a single statewide service that would allow all of our localities and all of our code enforcement officials to have tools necessary to enforce the laws that protect the lives and safety and habitability that New Yorkers have a right to expect in their housing.

This is a very important piece of legislation. It will be broadly beneficial to the localities that we've been talking about so much today, and it will certainly be beneficial for the many, many tenants who are living in horrific conditions that we heard testimony from. And again, many members on both sides of the aisle were present for hearings. We heard that last year.

This is a big step forward. I appreciate the opportunity to speak about it today.

I also will note that the Investigations Committee and Senator Skoufis and his colleagues did extraordinary work during the investigatory phase, but the Housing Committee and my colleagues on that also did hold -- did participate in those hearings. And Amber

Marshall and Nic Rangel and Nadia Gareeb and my own counsel, Andra Stanley, have also done great work, and I wanted to acknowledge that as well.

Thank you, Mr. President. I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 393, those Senators recorded in the negative are Senators Akshar, Amedore, Borrello, Boyle, Brooks, Felder, Flanagan, Funke, Gaughran, Griffo, Helming, Jacobs, Jordan, Kaminsky, Lanza, LaValle, Little, Martinez, O'Mara, Ortt, Ritchie, Robach, Serino, Seward and Tedisco.

Ayes, 35. Nays, 25.

ACTING PRESIDENT BENJAMIN: The bill is passed.

Senator Gianaris, that completes the reading of the controversial calendar.

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, Thursday, February 13th, at 11:00 a.m.

ACTING PRESIDENT BENJAMIN: On motion, the Senate stands adjourned until Thursday, February 13th, at 11:00 a.m.

(Whereupon, at 5:42 p.m., the Senate adjourned.)