NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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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: Today's invocation will be delivered by Bishop Fitz Moodie, from the New Life Pentecostal Church in Spring Valley, New York.

BISHOP MOODIE: Thank you.

Our Father and God, as I stand here around this podium, I look to You. You are sovereign. You are the only wise God. There is no one like You.

I'm so thankful that this day, this congregation has asked me to stand here to invite Your very presence. I'm not standing here because I can pray, but I'm standing here because I want to invite Your presence in this Senate chamber.

That as I open my mouth, You will hear my voice as I ask God to bless every Senator, man and woman. And as I thank You for

blessing us with them, knowing You give them a task to help this state.

I ask, Dear God, that like never before, Your power and Your anointing will be on every man and woman in this chamber. I pray they will come to the understanding and realize who You are.

You have placed them for such a time like this. You have placed them for an hour in history like this. And because You have placed them and know their name, I hope, God, You will give them the understanding to know their purpose and their will for this state.

I am thankful unto You, God, that even the head, the Governor, will be touched, and the understanding that it gives to these people will go beyond their own understanding, knowing You have called them and placed them for this time.

God, help them to form laws and to sign it into action that will help the people of New York. I pray right now, Lord, that each and every one of them will understand today they are not just representing a state or a district, but they are representing You, because You are

looking on them to uphold Your people, that Your people will be a light unto many nations.

New York, New York, a blessed state.

I ask it today that as never before, neither diseases or sickness will come because You have chosen men to help us. I pray, dear God, that even the families of these men and women will never reach a time that they are in need because Your hand is upon them.

I cry unto You now, touch the entire State of New York and let us realize that this state is a light to many places because we are many people that become one. And out of many, we are one, and we're going to build together.

Thank you, Lord, because we look to You, who is our help, and Your help is unto all of us.

I pray this day in that mighty and wonderful name, Jesus Christ. Thank you.

Amen.

(Response of "Amen.")

ACTING PRESIDENT BENJAMIN: The reading of the Journal.

THE SECRETARY: In Senate, Tuesday, March 10, 2020, the Senate met pursuant to

adjournment. The Journal of Monday, March 9, 2020, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: On behalf of Senator Comrie, on page 28 I offer the following amendments to Calendar Number 494, Senate Print 2773, and ask that said bill retain its place on Third Reading Calendar.

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

Senator Gianaris.

SENATOR GIANARIS: Can we take up previously adopted Resolution 3016, by

Leader Stewart-Cousins, have it read in its entirety, and call on Senator Myrie on the resolution.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Senate Resolution 3016, by Senator Stewart-Cousins, commemorating the 55th Anniversary of Bloody Sunday and the Selma-to-Montgomery march across the Edmund Pettus Bridge in Selma, Alabama, which served as a catalyst for the passage of the 1965 Voting Rights Act.

"WHEREAS, The Selma to Montgomery march was part of a series of civil rights protests that occurred in 1965 in Alabama, a state with deeply entrenched racist policies; and

"WHEREAS, In March of that year, in an effort to register black voters in the South, protesters marching the 54-mile route from Selma to the state capital of Montgomery were confronted with deadly violence from local authorities and white vigilante groups; and

"WHEREAS, As the world watched, the protesters, under the protection of federalized National Guard troops, finally achieved their

goal, walking around the clock for three days to reach Montgomery, Alabama; the historic march, and Martin Luther King, Jr.'s participation in it, raised awareness of the difficulties faced by black voters, and the need for a national Voting Rights Act; and

"WHEREAS, Even after the Civil Rights Act of 1964 forbade discrimination in voting on the basis of race, efforts by civil rights organizations such as the Southern Christian Leadership Council and the Student Nonviolent Coordinating Committee to register black voters were met with fierce resistance in southern states such as Alabama; and

"WHEREAS, On March 17, 1965, even as the Selma-to-Montgomery marchers fought for the right to carry out their protest, President Lyndon Johnson addressed a joint session of Congress, calling for federal voting rights legislation to protect African-Americans from barriers that prevented them from voting; and

"WHEREAS, That August, Congress passed the Voting Rights Act of 1965, which guaranteed the right to vote, first awarded by

the 15th Amendment, to all African-Americans; and

"WHEREAS, Specifically, the Voting Rights Act of 1965 banned literacy tests as a requirement for voting, mandated federal oversight of voter registration in areas where tests had previously been used, and gave the U.S. attorney general the duty of challenging the use of poll taxes for state and local elections; and.

"WHEREAS, Along with the Civil Rights Act, the Voting Rights Act was one of the most expansive pieces of civil rights legislation in American history; it greatly reduced the disparity between black and white voters in the United States and allowed greater numbers of African-Americans to participate in politics and government at the local, state and national level; and

"WHEREAS, On March 7, 2015, marchers walked over the Brooklyn Bridge in solidarity with the 50th Anniversary of Bloody Sunday and the Selma-to-Montgomery march across the Edmund Pettus Bridge; the Selma is Everywhere march honored those who fought and continue to fight for social injustice and to remind all United States citizens to never forget the pain

which was endured in the movement to attain basic civil rights; and

"WHEREAS, To commemorate the 55th anniversary of Bloody Sunday and the historic march, a myriad of events were held from Selma to New York, and across this great nation, to remember and recall that pivotal day which forever changed the lives of each and every American citizen; one such event included the Manhattan kick-off of the nationwide tour of Turning 15 on the Road to Freedom, a musical filled with songs telling the story of Lynday Blacmon Lowery, the youngest child to walk all the way from Selma to Montgomery; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to commemorate the 55th anniversary of Bloody Sunday and the Selma-to-Montgomery march across the Edmund Pettus Bridge in Selma, Alabama, which served as a catalyst for passage of the 1965 Voting Rights Act; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to Hazel N. Dukes, president, National Association

for the Advancement of Colored People, New York State Conference."

ACTING PRESIDENT BENJAMIN: Senator Myrie on the resolution.

SENATOR MYRIE: Thank you, Mr. President.

And thank you to Leader Senator Stewart-Cousins for introducing this resolution.

The Department of Justice has called the Civil Rights Act and the Voting Rights Act the most expansive and powerful civil rights laws in the history of this country. But this resolution speaks to why we should never forget that before those pieces of legislation entered the halls of Congress, that there were men and women that were brutalized in the defense of the right that protects all other rights.

That march from Selma to Montgomery has left indelible images in our country's history. We remember seeing black men, black women, white men and white women marching and being brutalized in order to protect the franchise. It is a reminder that the rights that we enjoy today, the rights that we take for granted, were paid for in blood by brave men and

women 55 years ago.

And let us also remember that while we are not brutalized at the polls today, that voter suppression still exists and that it requires us to step up to the promise of the men and women that marched from Selma to Montgomery. We remember Dr. King's speeches. We remember the civil rights leaders of our history. But we are now charged with carrying the torch. We must continue to march. We must continue to protect the rights of the franchise.

So I thank you for voting for this resolution, and I hope that all of you will join me in remembering the 55th anniversary of this momentous occasion in this country's history.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: The resolution was previously adopted on March 10th.

Senator Gianaris.

SENATOR GIANARIS: Can we now take up previously adopted Resolution 2957, by Senator Montgomery, read its title only, and recognize Senator Montgomery.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Resolution 2957, by Senator Montgomery, honoring Esmeralda Simmons, Esq., upon the occasion of her retirement after more than 34 years of distinguished service as the Founding Executive Director of the Center for Law and Social Justice.

ACTING PRESIDENT BENJAMIN: Senator Montgomery on the resolution.

SENATOR MONTGOMERY: Thank you, Mr. President.

It is so befitting that we -- I rise today to honor Esquire Esmeralda Simmons, especially in light of the fact that we're also honoring the Selma, Alabama, event.

We're honoring Esmeralda today for her role in founding the Center for Law and Social Justice at Medgar Evers College, that's so true, and what she has done there to empower so many parents, especially, and others in her community.

We also note that she was the first deputy commissioner for human rights for New York State. She was also the civil rights attorney for the U.S. Department of Education, and she was also New York State assistant attorney general

and the New York City assistant corporation counsel.

However, I want to point out a role that she has played as it relates to voting rights that is not in this particular resolution, and that is the fact that as a young attorney in the City of New York, Esmeralda Simmons, along with a couple of her colleagues, in concert with PRLDF, the Puerto Rican Legal Defense Fund, the NAACP Legal Defense Fund, was able to go into court and sue in the name of the Voting Rights Act, the 1965 Voting Rights Act, and especially as it related to the drawing of districts which allowed for the representation of the people who actually lived in those districts.

So this Voting Rights Act case was brought on behalf of people living in the County of Kings and the County of Queens especially. And so it is really based on that lawsuit, brought on behalf of residents of those counties, that some of us have been able to be representative in both the New York City Council as well as the State Legislature.

So I am truly indebted to the work of Esmeralda Simmons, who, as a voting rights

special attorney, has been able to create a level of representation in the houses of the legislature at both the city and the state level that we enjoy today.

We all owe her an -- and I am particularly proud of the fact that I have known her, she has worked in her community with those of us in elective office, but more especially on behalf of the citizens that she has been able to ensure equal representation in their communities and in the legislatures of the city and the state.

So I'm happy that I'm able to bring this resolution. Thank you, Mr. President, for allowing me -- and our leader for allowing us -- to be able to celebrate a woman who has meant so much, especially to people of color in this state as it relates to our Voting Rights Act.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Myrie on the resolution.

SENATOR MYRIE: Thank you, Mr. President.

I believe that Esmeralda Simmons is a constituent of Senator Montgomery's, but the

Center for Law and Social Justice is in the heart of the 20th Senate District, and so I claim part of her as well.

It really is an honor for us to be introducing this resolution today -- I want to thank Senator Montgomery -- because Esmeralda Simmons is the pinnacle of what public service is. All of us should aspire to be what she has meant not just to Brooklyn, but to the entire State of New York.

She has served as a law clerk to a federal judge. She has served as the first deputy commissioner of human rights for the State of New York. She has served as an assistant attorney general in the State of New York. She has served as an assistant attorney in the Department of Education. She has served as an assistant corporation counsel in the City of New York.

She was a mayoral appointee to the city's Board of Education. She was a mayoral appointee to the Commission on Redistricting. She argued before the United States Supreme Court legend Thurgood Marshall.

All of us should aspire to be the

public servant that Esmeralda Simmons is. And she did all of this while being a black woman in a profession where only 5 percent of lawyers look like her.

Her impact will be felt for years to come. She helped form the CCRB, the citizen complaint board. She helped millions of dollars go back into the hands of employees who were discriminated against because of their color. And she helped serve our immigrants in our community before those structures were set up.

And so we pay homage to Esmeralda Simmons for everything that she has done for the city, for the state, and indeed for this nation. We honor you today and thank you for your service.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Parker on the resolution.

SENATOR PARKER: Thank you, Mr. President.

I rise to add my voice to those who are honoring Esmeralda Simmons today on the floor. It is very apropos during Women's History Month that we would bring up the legacy and the

life of Esmeralda Simmons and how important it has been.

I had prepared remarks, Mr. President. I unfortunately misplaced them, but I'm glad that Senator Myrie found them and read them verbatim.

(Laughter.)

SENATOR PARKER: No, I certainly want to associate myself with Senator Myrie's exhaustive remarks about Esmeralda Simmons' background, and certainly want to thank Senator Velmanette Montgomery. You know, what she's not telling you is her mentorship of not just members of this body, but of people like Esmeralda, is part of what gave birth to the Center for Law and Social Justice.

And so let me make two quick points, one about the Center for Law and Social Justice and how important it has been for serving the Central Brooklyn community.

This institution really has been on the front lines of making sure that equal rights and civil rights for Brooklynites and for New Yorkers generally have been at the forefront. They have been engaged in everything from census

to redistricting to commissions on charter revision, they were engaged both times.

They have taken up individual cases around immigration and helping people in the immigrant community get the rights that they need and are entitled to, and have been really involved in making sure that things like stop and frisk and other illegal practices in our communities have been quashed.

And so I certainly have been a supporter of the center and want to thank Esmeralda for her stalwartness in that.

And let me just make a comment about Esmeralda Simmons as a person. And she's somebody who I've known quite well, and she's been a mentor to me in the same way that she's been mentored by people like Senator Montgomery. She has tried to bring me along and certainly has come to me with many important issues and helped me on some things that I'm sure that Senator Myrie is working with her and the center still on voting rights issues.

And one of the things I'm hoping we'll take up in this body is expanding the Voting Rights Act. Now that we've lost

preclearance and those things on the federal level, it is an opportunity for us to do those things here on the state level. And certainly I know he's been engaged in that, Senator Leroy Comrie I know is super interested in that as well.

But it is really Esmeralda Simmons who has been the person banging -- you know, been the drum major on making sure that voting rights in the State of New York is something that we protect for every class of persons in this state.

And so I just have a -- owe a world of thanks to her and her pouring into me, both personally, professionally but then also spiritually. She is somebody who has a deep spiritual practice that is rooted in traditional African culture and practice, and an essential reverence, and certainly that has been important not just for her life but to what she's brought to the center and what's brought to our community and to myself.

And so I thank her for all that she does. And I think that this resolution today is just a modicum of the kind of acknowledgment and respect that she deserves, and happy to have an

opportunity to add my voice to those who are singing her praises.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Sanders on the resolution.

SENATOR SANDERS: Thank you, Mr. President.

First I'd like to correct the record. Somehow we hear this Brooklyn, but she must be from Queens. She's always in Queens, so therefore she must be from there.

(Laughter.)

SENATOR SANDERS: Perhaps she is more of a ubiquitous figure, and that's what I mean. But she's a hero in many different ways.

She played a major role in the disparity study of New York City when we were trying to figure out how to correct a historic wrong. We went to -- I was in charge of that effort, and I went to a major school whose name I will not mention, and they basically were trying to charge the entire price that we had -- the entire amount that we had to work with. And what they were offering was not much.

When I went to the center where

Esmeralda and others were, they did four times the amount of work for half the price and a far better job, and a study that has stood unlegislated ever since.

So under those conditions, she is a hero of no small magnitude, and I want to thank the sponsor for putting her forward.

I wish her well in her so-called retirement. I'm sure she will work even harder now than she was before. But while that's happening, I do offer her to come to Queens, where she really needs to be.

Thank you very much. Mr. President, thank you.

ACTING PRESIDENT BENJAMIN: Senator Comrie on the resolution.

SENATOR COMRIE: Thank you, Mr. President.

I rise to align myself with the words of my colleagues on behalf of Esmeralda Simmons and her retirement. She truly has been a person that has been a stalwart of so many activities that have improved our city, that have changed opportunities, that have created a new spirit for women in the legal profession to be

social activists.

So I won't repeat all of the wonderful words that have been said, but she isn't just Brooklyn's jewel, she's the city's jewel. And she's actually a jewel of this entire state, because she has been someone that has been unafraid, unapologetic, and willing to take on the difficult tasks and willing to do them with panache, with style, with detail, with information, and with a power in her delivery equal to anyone here -- except for maybe Andy Lanza when he gets on one of his major speeches --

(Laughter.)

SENATOR COMRIE: -- you know. And to my good colleague, I'm giving credit where credit is due, you know.

But I just want to acknowledge her, thank Senator Montgomery, who has also been a stalwart of this state and will be missed in this body when she retires at the end of this year.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: The resolution was previously adopted on March 10th.

Senator Gianaris.

SENATOR GIANARIS: Can we take up the reading of the calendar, Mr. President.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Calendar Number 125, Senate Print 2145, by Senator Gianaris, an act to amend the General Municipal Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first of January next succeeding the date on which 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: Ayes, 58.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 152, Senate Print 5073A, by Senator Mayer, an act to amend the Education Law.

ACTING PRESIDENT BENJAMIN: Read

the last section.

THE SECRETARY: Section 2. This act shall take effect July 1, 2020.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Mayer to explain her vote.

SENATOR MAYER: Thank you, Mr. President.

I'm so pleased that this bill is coming before the floor today and that we're going to pass this legislation that will further the ability of 16- and 17-year-olds to have the opportunity to preregister.

Last year when we made significant changes to the Election Law and allowed 16-year-olds, in addition to 17-year-olds, to preregister, we had provisions in the bill to encourage our local Boards of Elections to work with our schools to facilitate this.

In too many school districts it takes an active social studies teacher or a principal or a League of Women Voters chapter to actually do the work of setting up tables and

getting kids to preregister.

We are saying to the schools, find a way, adopt a policy that furthers this state law, that gives every child 16 and 17 years old the opportunity -- obviously, without any pressure, without any undo influence -- to choose, if they do, to register to vote and have the opportunity, when they are old enough, to be able to cast their ballot.

It's one of the most wonderful things about our democracy that voting is viewed so positively, but frankly we have to do better with our young people, and we need to encourage them. This bill is a step in that direction.

I'm pleased to vote aye, and I thank my colleagues and the leader for allowing this bill to come to the floor.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 152, those Senators recorded in the negative are Senators Amedore, Borrello, Boyle, Flanagan, Funke, Griffo, Helming, Jacobs,

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

Senator Amedore in the affirmative.

Senator Akshar in the negative.

Ayes, 40. Nays, 18.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 197, Senate Print 6327, by Senator Parker, an act to amend the General Business Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Parker to explain his vote.

SENATOR PARKER: Thank you, Mr. President.

First let me thank my colleagues who are going to vote for this important measure today. This bill puts some teeth into the Do Not

Call Law.

You know, as many of us remember, you know, years ago before the Do Not Call Law, you'd be sitting at dinner with your family, trying to enjoy it, and then the phone would ring. And you'd think it's a relative or something like that, and you'd pick it up, and it was a telemarketer. And then you'd hang up and you'd sit back down and you're about to, you know, get back to your corned beef -- you know, St. Paddy's Day reference, we're getting there --

(Laughter.)

SENATOR PARKER: -- and, you know, the phone rings again, another telemarketer. And so we created the Do Not Call Law.

There's a loophole in it that now, with the advent of cellphones, telemarketers are using that technology to get around it. And so now all of us are scared to answer a phone call that is not a number that we don't recognize on our phones, because we're getting so many telemarketing calls. This law is going to close that loophole, protect the privacy of the people of the State of New York.

And I want to thank everyone for

their vote today, and looking forward to making the world safe for dinner again.

Thank you.

(Laughter.)

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 197, recorded in the negative: Senator Flanagan.

Ayes, 57. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 288, Senate Print 769A, by Senator Breslin, an act to amend the Insurance Law.

ACTING PRESIDENT BENJAMIN: 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: Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 289, Senate Print 1603, by Senator Breslin, an act to amend the Insurance 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, 58.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 300, Senate Print 6168, by Senator Hoylman, an act to amend the Family Court Act and the Domestic Relations Law.

ACTING PRESIDENT BENJAMIN: 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: Ayes, 58.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 306, Senate Print 1455, by Senator Sanders, an act to amend the Public Health 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: Ayes, 58.

ACTING PRESIDENT BENJAMIN: The

bill is passed.

THE SECRETARY: Calendar Number 343, Senate Print 4004, by Senator Carlucci, an act to amend the Social Services Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. 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: Ayes, 58.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 345, Senate Print 5196, by Senator Kaminsky, an act to amend the Environmental Conservation 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 relation to Calendar Number 345, those Senators recorded in the negative are Senators Akshar, Amedore, Funke, Gallivan, Griffo, Jacobs, Jordan, O'Mara, Ortt, Ritchie and Tedisco.

Ayes, 47. Nays, 11.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 376, Senate Print 5462A, by Senator May, an act to amend the Election 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: Senator May to explain her vote.

SENATOR MAY: Thank you,

Mr. President.

One of the more discouraging aspects of our election law in New York State has been how difficult it is to get off the ballot if you have a minor party line and then you don't win the major party primary that you're seeking. So you're stuck being a spoiler on the ballot even if you don't want to run.

And your choices are to get off the ballot, you can either die or move out of state or be convicted of a felony or run on some other line for some office that you don't actually want. So all of these things are either really inadvisable or actually further undermine public trust in our democracy.

So I am proud to sponsor this bill, and I'm grateful to my colleagues for supporting it.

Thank you, and I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 376, those Senators recorded in the negative are Senators Akshar, Amedore,

Borrello, Flanagan, Funke, Griffo, Jordan, Lanza, Robach, Seward and Tedisco.

Ayes, 47. Nays, 11.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 476, Senate Print 6533, by Senator Montgomery, an act to amend the Family Court Act.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first of November in the year next succeeding.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Montgomery to explain her vote.

SENATOR MONTGOMERY: Yes, thank you, Mr. President.

I'm very excited to be able to vote on this bill today. This is a bill, if it becomes law, that would require the video recording of interrogations of juveniles in juvenile delinquency proceedings in Family Court.

Because we understand that recording of juvenile proceedings creates an objective record and provides an independent basis to resolve credibility disputes about Miranda warnings, waivers or statements. It also helps to identify false confessions and provides an objective and reliable record of what occurred during an interrogation.

I have met with many judges in our state and they have said to me that through their practice, video interrogations is only the best means of preserving credibility and making the justice system actually mean justice, especially for juveniles.

And in addition to the words of the judges, the Justice Task Force in January 2012 issued recommendations regarding electronic recording of custodial interrogations as a means of rectifying the problem of false confessions that has led to wrongful convictions.

So, Mr. President, if this bill becomes law -- when this bill becomes law, we should never experience a situation such as happened with the Central Park Five in the City of New York.

So I vote yes. Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 476, those Senators recorded in the negative are Senators Akshar, Borrello, Gallivan, Helming, Jacobs, O'Mara, Ortt and Seward.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 498, Senate Print 5228C, by Senator Gounardes, an act to amend the Vehicle and Traffic 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: Ayes, 58.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 516, Senate Print 6142, by Senator Addabbo, an act to amend the Racing, Pari-Mutuel Wagering and Breeding 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, 58.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 532, Senate Print 6800A, by Senator Metzger, an act to amend the State Administrative Procedure Act.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Metzger to explain her vote.

SENATOR METZGER: Thank you, Mr. President.

I've had quite a number of conversations with local businesses in my district who have expressed frustration with not having information about new regulations, new laws. And of course it's difficult to comply with them if you don't have the necessary information.

So this legislation is important. It requires the Secretary of State to put together annually a small business guide that will provide them with access to this information in plain English, and also do outreach around that guide to make sure it gets into their hands.

Small businesses, they are the

backbone of our economy. Every 67 cents on the dollar of sales stays in the community. But at the same time, they really lack the bandwidth. So this bill will help them and support their efforts to comply.

So thank you very much. I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 533, Senate Print 7123, by Senator Persaud, an act to amend the Economic Development Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the first of April.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT BENJAMIN: The bill is passed.

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

SENATOR GIANARIS: Back to motions and resolutions, Mr. President, the two resolutions we took up today should be 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: 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 Monday, March 16th, at 3:00 p.m., intervening days being legislative days.

ACTING PRESIDENT BENJAMIN: On motion, the Senate stands adjourned until Monday, March 16th, at 3:00 p.m., intervening days being legislative days.

(Whereupon, at 12:19 p.m., the Senate adjourned.)