



NEW YORK STATE SENATOR

Rich Funke

## Senate Insider February 26

SENATOR RICH FUNKE February 26, 2019

| ISSUE: **VOTING REFORM, TEACHER EVALUATIONS, 2ND AMENDMENT**

In this week's insider I'd like to focus on legislation. The new Senate majority got off to a fast start with full floor agendas throughout January and early February. When it comes to determining my position on any bill, I meet with advocates on both sides, read each bill carefully as well as all of the opposition and support memoranda, and consider all of the input I have received from my constituents. Ultimately, I try to strike the proper balance and reflect the very moderate and pragmatic views held by those back home.

Here is a list of some of the key bills that have come up in the Senate and how I voted:

**S1102- Enacts Early Voting in New York State**-I voted in favor of this bill to allow greater access to the polls for all New Yorkers. This bill has since been signed by the governor making us the 38<sup>th</sup> state to allow early voting. We need to ensure that the costs that this imposes on counties are fully funded. I am pressing hard on this in the State Budget .

**S1049-Allows for No-Excuse absentee ballots in New York.** Again, this simply makes it easier to vote if you have to be out of town for the election. Currently you need to provide a reason, this bill eliminates that need. I voted yes and was proud to co-sponsor this bill. This has been adopted in both Houses.

**S240-Enacts the Reproductive Health Act-** This bill enacts several changes to law related to abortion. Some simply codify existing law and others dramatically expand it while providing reduced protections for women. **I voted no** because this bill allows for late-term abortions previously illegal in our state. It does so, by changing the exception language from “Life” of the mother to “Life or Health”. This is key because court decisions have allowed health to be widely defined, including mental stress. It does need a licensed healthcare provider’s ok, but it does not require that to be a doctor. This is a loophole that you could drive a truck through in my opinion. Finally, this bill takes abortion out of the penal code, which means that an assault on a pregnant woman who then loses the baby no longer triggers a second felony charge. To remedy that, I sponsor S.2408, which would add back the additional felony.

**S2440-Enacts the Child Victims Act-** This bill increases the criminal and civil statute of limitations for bringing a charge against someone who sexually abuses a child. It also creates a one-year look back window to allow victims of past abuse who were previously time-barred to file a civil suit. **I voted for and was proud to co-sponsor** this legislation to hold abusers and those who protect them fully accountable.

**S1047- Enacts the Gender Expression Non-Discrimination Act-** this bill amends several sections of law including the housing and human rights law to prohibit discrimination against transgender individuals. I support legal protections for people of all backgrounds. However, we also have to balance the privacy and free association rights of others with any new protections we offer. The one section of this bill that I could not support allowed for someone who was still anatomically male to change, shower and otherwise utilize a female locker room. To me, that went too far. **Because advocates refused to change that section, I voted no.**

**S1046-Bans gay conversion therapy-** This legislation bans the practice of engaging in therapy of a minor meant to change their sexual preference. I supported this bill because this practice is

universally rejected by the medical community and can lead to mental and emotional damage to children.

**S2451- “Red Flag Bill”-** This legislation allows a police officer or a school official to assess the mental state and threat level of a student and obtain a court order to take firearms out of the house where that student resides. The idea is aimed at preventing school shootings. The problem is that teachers are already overburdened and are ill-equipped to judge the mental state of a student. Schools already concerned with lawsuits and liability will over-report as a result. Cases will clog the courts and guns will be confiscated from law-abiding gun owners as a result. **What we need is a school resource officer in every school and greater investments in school security. This bill will not prevent the next school shooting, but greater security might. Therefore, I voted no.**

**S2448-Bans bump stocks and other rapid-fire modification devices-** This legislation bans devices aimed at modifying a firearm to allow it to fire rapidly, akin to an automatic weapon. Automatic weapons and machine guns are already illegal. A bump stock was used to increase the rate of fire in the Vegas shooting a couple of years ago. I support enforcing existing law, and therefore we should not allow the sale of devices that would allow someone to circumvent an existing restriction. **Therefore, I voted yes.**

**S1262-Relates to teacher evaluations-** This bill decouples standardized test scores from teacher evaluations and restored local control on this issue. One-size fits all education does not work and the APPR law passed in 2015 has been a failure. **This reform was much needed and I was proud to support it and co-sponsor it.**

I will continue to keep you in the loop on important issues being considered in Albany. As always, don't hesitate to reach out if you have any questions or concerns.

Sincerely,

RELATED LEGISLATION

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## 2019-S2440

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
- 

Provides for the timeliness of commencing criminal and civil action for sexual offenses committed against children

January 24, 2019

Signed by Governor

Sponsored by **Brad Hoylman-Sigal**

## 2019-S2448

- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
- 

Prohibits the possession, manufacture, transport and disposition of rapid-fire modification devices

January 24, 2019

Signed by Governor

Sponsored by **Luis R. Sepúlveda**

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## 2019-S1262

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
- 

Relates to state assessments and teacher evaluations

January 11, 2019

Signed by Governor

Sponsored by Shelley B. Mayer

Do you support this bill?