NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 3, 2025

3:34 p.m.

REGULAR SESSION

SENATOR SHELLEY B. MAYER, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT MAYER: The Senate will come to order.

I ask everyone to please rise and recite the Pledge of Allegiance.

(Whereupon, the assemblage recited the Pledge of Allegiance to the Flag.)

ACTING PRESIDENT MAYER: Before we have the invocation, I would ask that we have a moment of silence in memory of Dr. Hazel Dukes, president of the New York State NAACP Conference for nearly 50 years, who passed away last week.

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

ACTING PRESIDENT MAYER: Thank you.

Today Pastor Jim O'Hanlon, of St. Paul's Evangelical Lutheran Church in my district in Rye Brook, New York, will deliver the invocation.

Pastor.

PASTOR O'HANLON: I invite us all to draw a deep, healthy breath and dwell in stillness. And I share this prayer.

Divine God, You created humanity in a splendid rainbow of diversity -- faces,

languages, cultures and beliefs. This rainbow is but a fraction of the infinite colors and hues that are You, as we are created in Your image.

Bless us with wisdom to respect and cherish and protect our diversity. This week Christians begin a solemn season of Lent, and our Muslim neighbors begin a solemn month of Ramadan. Next week our Jewish neighbors will remember the courage of Esther, who faced a terrifying tyrant.

As these legislators begin their deliberations, may they -- may all of us -- give thanks for the wondrous world You have with a beautiful, diverse collection of peoples. May they, and we, listen for and seek the greatest good.

Bless them. Bless their staffs, their families. Bless all who work in this complex, especially the essential workers and service providers.

May we all seek to live with each other and with all creation with kindness and a keen awareness of the needs awaiting our assistance.

Amen.

(Response of "Amen.")

ACTING PRESIDENT MAYER: Thank you so much, Pastor.

And as a moment of personal privilege, let me just salute our pastor, who has been a leader in the fight for social justice, the building of interfaith coalitions, and support for equal opportunity throughout the New York suburbs and particularly in Port Chester and Rye Brook.

He's been a true leader in the efforts to ensure that we do have peace and tranquility between all of us.

So thank you, Pastor, for joining us, and thank you for your lovely prayer.

Reading of the Journal.

THE SECRETARY: In Senate, Friday, February 28, 2025, the Senate met pursuant to adjournment. The Journal of Thursday, February 27, 2025, was read and approved. On motion, the Senate adjourned.

ACTING PRESIDENT MAYER: 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: Madam President, on behalf of Senator Skoufis, I wish to call up Senate Print 1356, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 9, Senate Print 1356, by Senator Skoufis, an act to amend the Election Law and the Vehicle and Traffic Law.

SENATOR GIANARIS: Move to reconsider the vote by which the bill was passed.

ACTING PRESIDENT MAYER: The Secretary will call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT MAYER: The bill is restored to its place on the Third Reading Calendar.

SENATOR GIANARIS: I offer the following amendments.

ACTING PRESIDENT MAYER: The amendments are received.

SENATOR GIANARIS: Please recognize Senator Sanders for an introduction.

ACTING PRESIDENT MAYER: Senator Sanders for an introduction.

SENATOR SANDERS: Thank you, Madam President.

Madam President, today the Senate recognizes and welcomes Cariol Horne to the State Capitol. Cariol Horne is a former Buffalo police officer known for her courageous act of standing up against all brutality, and this time police brutality.

In 2006, while on duty, she intervened to stop her fellow officer from using excessive force during the arrest of a suspect. Horne was subsequently fired from the Buffalo Police Department and faced disciplinary action.

But her actions gained her recognition as a symbol of accountability within law enforcement. Over time, she became an advocate for police reform and justice,

highlighting the importance of holding officers accountable for misconduct. Horne's story has since inspired many and sparked conversations about the need for change in police practices.

The story doesn't end there. In 2021, she won her case and got her pension and back pay. And in 2022, Buffalo created Cariol's Law, which requires police to intervene in all different types of crimes, including crimes of blue.

I want to thank Ms. Horne for visiting the Senate today.

And Madam President, I ask you to extend a welcome of this great body to Ms. Horne.

Thank you very much.

ACTING PRESIDENT MAYER: Thank you, Senator Sanders.

To our guest, Cariol Holloman-Horne, we welcome you on behalf of the Senate. We extend to you the privileges and courtesies of the house. Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT MAYER: Senator Gianaris.

SENATOR GIANARIS: Now please

recognize Senator O'Mara for another introduction.

ACTING PRESIDENT MAYER: Senator O'Mara for an introduction.

SENATOR O'MARA: Thank you, Madam President.

I have a group I would like to introduce that's here today from the Tioga County Future Farmers of America. I understand we're doing a resolution on behalf of FFA, but not till tomorrow. They're here visiting us today, talking about the future of agriculture, their involvement as youth in the importance of agriculture.

They're all here from Tioga County, so I'll identify them, ask you to please stand up. We have students Mason Hill, Mariana Slocum, Jessica Baumbach, Grayden Stanton, Mikayla Wilbur, Mahayla Walsh, Kayla Coppage, Mary Cox. Two advisors: Derek Hill and Susan Armstrong. And FFA Chairman and Tioga County Farm Bureau President Cub Frisbie.

Thank you. Thank you for being here, and welcome.

ACTING PRESIDENT MAYER: Thank you,

Senator O'Mara.

To our guests from Tioga County FFA, we welcome you on behalf of the Senate. We extend to you the privileges and courtesies of the house. Please stay standing and be recognized.

(Standing ovation.)

ACTING PRESIDENT MAYER: Senator Gianaris.

SENATOR GIANARIS: Let's take up previously adopted Resolution 391, by Senator Persaud, read that resolution's title, and recognize Senator Persaud.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Resolution 391, by Senator Persaud, memorializing Governor Kathy Hochul to proclaim March 3-7, 2025, as School Breakfast Week in the State of New York.

ACTING PRESIDENT MAYER: Senator Persaud on the resolution.

SENATOR PERSAUD: Thank you, Madam President.

I stand today to celebrate the importance of a nutritious school breakfast in

setting students up for success as we recognize School Breakfast Week, taking place from March 3rd to March 7th in New York State.

Here in New York, 19 percent of children are food-insecure. Think of that. In New York State, 19 percent of children are food-insecure.

School-aged children who experience hunger are more likely to miss school, struggle academically, and face health challenges -- something that should not be occurring in our state or our country.

Every child deserves to start their day with a nutritious breakfast. Eating breakfast improves children's overall diets, builds healthy lifelong eating habits, and enhances their ability to learn and perform academically.

Making breakfast a part of the school day at no cost to families is an important and effective way to ensure children reap the benefits of breakfast.

In 2024, more than 152 million breakfast meals were served in New York State, reaching more than 876,000 students, with more

than 1200 schools participating in the New York State breakfast program.

I want to remind us to continue our commitment to expanding access to and improving current school breakfast programs to ensure our children are properly fed and have the tools they need to succeed.

Today in our chamber we have our guest, Rachel Sabella. She's the director of New York No Kid Hungry. And they are strong advocates for school lunch programs and breakfast programs.

So, Madam President, I ask you to please extend the cordialities of the house to No Kid Hungry so that we continue to fight to ensure that no kid across the State of New York goes hungry.

Thank you.

ACTING PRESIDENT MAYER: Thank you, Senator Persaud.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Madam President.

I just want to thank Senator Persaud for introducing this incredibly important

resolution.

Those of us who are adults often opine about how we can't get our day started without coffee. And those of us who are drivers would never dare to drive a vehicle without gas. Well, how can you expect a child to learn optimally if we don't give them the fuel that they need?

Studies show, as Senator Persaud illuminated that, that our kids do better when they're full. When they have a full stomach, they can have a fuller mind. With so many kids facing so many different things in society, from not just food insecurity, to housing insecurity, to clothing insecurity, making sure that within our school buildings that there is a safe haven, there is a respite for these children. That they have the beginning of their day to start.

And while I am, you know, admittedly no fan of breakfast myself -- that's a choice that I can make as an adult -- the choice should not be made for these children. They should have the ability and the full plates in front of them so that they can learn.

The Breakfast Club should be more

than a regaled '80s movie or a group of people on a radio station that talk about things. It should be what each of our children in every school throughout this state have the opportunity to have.

So I'm incredibly honored to be able to speak on the resolution. I'm incredibly grateful for the work that Rachel and No Kid Hungry are doing throughout the great State of New York to make sure that we have everything that our kids need, because they are the most important thing that we can ever invest in.

So I proudly vote aye on the resolution, Madam President. Thank you.

ACTING PRESIDENT MAYER: Thank you, Senator Bailey.

Senator Hinchey on the resolution.

SENATOR HINCHEY: Thank you, Madam President.

I would like to rise and thank Senator Persaud for bringing this resolution to the floor today.

As was said, you cannot teach a hungry student. No student should have to worry about where their next meal is going to come

from.

And yet for too many kids across our state, school is where they get fed. And so making sure that they have two healthy meals a day is critical. That way they can focus on their studies, they can focus on social and emotional learning. And it's something that the teachers then can be committed -- or already be committed to and know that they can just focus on teaching students and not have to worry about if anyone is hungry in their classroom.

One thing to note as well is New York is an ag state. And so it's incumbent upon us to make sure that the food that our students are getting in their schools is locally sourced, healthy food. And I want to thank the students here from FFA, because that's the next generation.

And this body has done a lot of work not just to ensure that we have universal school meals across all of our schools in this state, but also that we can add breakfast to the Farm to School program so that every student is actually getting locally sourced food. It's one thing to talk about it. It's another to actually make

sure that that's a reality.

And so, Senator Persaud, thank you for bringing this to the floor. And I look forward to working with all of my colleagues to ensure that these programs stay well into the future.

Thank you.

ACTING PRESIDENT MAYER: Thank you, Senator Hinchey.

Senator Murray on the resolution.

SENATOR MURRAY: Thank you, Madam President.

I'd like to echo my colleagues in thanking Senator Persaud for bringing this to the floor and bringing attention and keeping attention on the important issue of making sure our children are fed properly in school.

As one who, when I was a child growing up, I was on the free and reduced meal program, and I would come in for my free meals. But the teasing and everything, and the bullying, got so bad that I frankly stopped eating. And it affected me.

And so the fact that we are bringing attention to this issue, the fact that we are

pushing hard to make sure that every child in this state will get a meal, will not be in school hungry, will not be suffering -- I cannot overstate the importance of that.

So thank you, Senator Persaud. Thank you to my colleagues. I proudly vote aye.

ACTING PRESIDENT MAYER: Thank you, Senator Murray.

Senator Oberacker on the resolution.

SENATOR OBERACKER: Thank you, Madam President.

I think those of you that know when I stand up when it comes to food -- it is a very strong and a very passionate subject for me. So Senator Persaud, thank you for bringing this very important resolution to the floor.

You know, my dad, who grew up under postwar Germany conditions, when he immigrated to the United States was in the food industry.

And I'll always remember a certain time, and this was back when I was actually playing Little League, and I had an extremely good game. And he was talking -- my dad was there, and he was talking to a friend of his, and the friend of his said, "I'll bet you that you're

so proud of your son and that you wish that he would become a professional ballplayer."

And I'll always remember this. My dad said, "No. My wish for my son is that he never has to go to bed hungry."

It has stuck with me all these years. It has stuck to me all these years.

So, Senator Persaud, you're 100 percent on-mark. Well done. And any time that we can feed the children, we have done a great thing. So I proudly, proudly vote aye.

Thank you.

ACTING PRESIDENT MAYER: Thank you.

To our guests from No Kid Hungry, we welcome you on behalf of the Senate. We extend to you the privileges and courtesies of the house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT MAYER: Senator Gianaris.

SENATOR GIANARIS: Madam President, Senator Oberacker would like to make sure that there was sausage included in whatever breakfast is provided.

(Laughter.)

SENATOR GIANARIS: At the request of Senator Persaud, that resolution is open for cosponsorship.

ACTING PRESIDENT MAYER: The resolution was previously adopted on February 25th and is open for cosponsorship. Should you choose not to be a cosponsor, please notify the desk.

Senator Gianaris.

SENATOR GIANARIS: Let's take up the calendar, please.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 115, Senate Print 270, by Senator Harckham, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

THE SECRETARY: In relation to Calendar 115, voting in the negative: Senator Walczyk.

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 116, Senate Print 279, by Senator Skoufis, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 170, Senate Print 925, by Senator Kavanagh, an act to amend the Real Property Actions and

Proceedings Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 6. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 170, those Senators voting in the negative are Senators Ashby, Borrello, Oberacker, Palumbo, Stec, Tedisco and Weber.

Ayes, 54. Nays, 7.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Excuse me. Senator Ashby actually in the affirmative.

Ayes, 55. Nays, 6.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 175, Senate Print 464, by Senator Hoylman-Sigal,

an act to amend the Criminal Procedure Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 175, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martinez, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 38. Nays, 23.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 188, Senate Print 641, by Senator S. Ryan, an act to amend the Public Service Law.

SENATOR GIANARIS: Lay it aside for the day.

ACTING PRESIDENT MAYER: The bill is laid aside for the day.

THE SECRETARY: Calendar Number 196, Senate Print 2157, by Senator Comrie, an act to amend the Public Authorities Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 203, Senate Print 363, by Senator Gianaris, an act to amend the General Business Law.

SENATOR GIANARIS: Lay it aside for the day.

ACTING PRESIDENT MAYER: The bill is laid aside for the day.

THE SECRETARY: Calendar Number

261, Senate Print 593, by Senator Hinchey, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect one year after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 269, Senate Print 11, by Senator Skoufis, an act to amend the Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 271, Senate Print 353, by Senator Rivera, an act to amend the Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first of January.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 276, Senate Print 115, by Senator Cleare, an act to amend the Arts and Cultural Affairs Law.

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 276, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Murray, Oberacker, O'Mara, Ortt, Rhoads, Stec, Tedisco, Walczyk and Weik.

Ayes, 44. Nays, 17.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 290, Senate Print 654, by Senator Krueger, an act to amend the Election Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 290, those Senators voting in the negative are Senators Gallivan, Griffo, Helming, Oberacker and Skoufis. Also Senator Walczyk.

Ayes, 55. Nays, 6.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 316, Senate Print 1104, by Senator Cooney, an act to amend the General Business Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 357, Senate Print 83, by Senator Liu, an act to amend the Penal Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 357, voting in the negative are Senators Brisport and Salazar.

Ayes, 59. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 362, Senate Print 3693, by Senator Sanders, an act to amend the Penal Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 13. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 362, voting in the negative are Senators Brisport and Salazar.

Ayes, 59. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

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

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

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

SENATOR GIANARIS: I move to adjourn until tomorrow, Tuesday, March 4th, at 3:00 p.m.

ACTING PRESIDENT MAYER: On motion, the Senate stands adjourned until Tuesday,

March 4th, at 3:00 p.m.

(Whereupon, at 3:58 p.m., the Senate adjourned.)