

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 April 28, 2026

11 3:25 p.m.

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14 REGULAR SESSION

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18 SENATOR JAMAAL T. BAILEY, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT BAILEY: 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 BAILEY: 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 BAILEY: Reading
of the Journal.

THE SECRETARY: In Senate, Monday,
April 27, 2026, the Senate met pursuant to
adjournment. The Journal of Friday, April 24,
2026, was read and approved. On motion, the
Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Krueger

1 moves to discharge, from the Committee on Codes,
2 Assembly Bill Number 2239 and substitute it for
3 the identical Senate Bill 2273, Third Reading
4 Calendar 797.

5 ACTING PRESIDENT BAILEY: So
6 ordered.

7 Messages from the Governor.

8 Reports of standing committees.

9 Reports of select committees.

10 Communications and reports from
11 state officers.

12 Motions and resolutions.

13 Senator Gianaris.

14 SENATOR GIANARIS: Good afternoon,
15 Mr. President.

16 ACTING PRESIDENT BAILEY: Good
17 afternoon.

18 SENATOR GIANARIS: On behalf of
19 Senator Sanders, I wish to call up Senate Print
20 Number 3180, recalled from the Assembly, which is
21 now at the desk.

22 ACTING PRESIDENT BAILEY: The
23 Secretary will read.

24 THE SECRETARY: Calendar Number
25 490, Senate Print 3180, by Senator Sanders, an

1 act to amend the Elder Law.

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

4 ACTING PRESIDENT BAILEY: The
5 Secretary will call the roll on reconsideration.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 52.

8 ACTING PRESIDENT BAILEY: The bill
9 is restored to its place on the Third Reading
10 Calendar.

11 SENATOR GIANARIS: I offer the
12 following amendments.

13 ACTING PRESIDENT BAILEY: The
14 amendments are received.

15 SENATOR GIANARIS: Amendments are
16 also offered to the following Third Reading
17 Calendar bills:

18 By Senator Rivera, page 20,
19 Calendar 590, Senate Print 614A;

20 By Senator Brisport, page 27,
21 Calendar 727, Senate Print 8204.

22 ACTING PRESIDENT BAILEY: The
23 amendments are received on those bills, and they
24 will retain their place on the Third Reading
25 Calendar.

1 Senator Gianaris.

2 SENATOR GIANARIS: I now move to
3 adopt the Resolution Calendar, with the exception
4 of Resolutions 1845, 1847, 1934, 1961, and 1981.

5 ACTING PRESIDENT BAILEY: All those
6 in favor of adopting the Resolution Calendar,
7 with the exception of Resolutions 1845, 1847,
8 1934, 1961, and 1981, please signify by saying
9 aye.

10 (Response of "Aye.")

11 ACTING PRESIDENT BAILEY: Opposed,
12 nay.

13 (No response.)

14 ACTING PRESIDENT BAILEY: The
15 Resolution Calendar is adopted.

16 Senator Gianaris.

17 SENATOR GIANARIS: Please call on
18 Senator Mayer for an introduction.

19 ACTING PRESIDENT BAILEY: Senator
20 Mayer for an introduction.

21 SENATOR MAYER: Thank you,
22 Mr. President.

23 I rise today to proudly introduce a
24 terrific group of students from my district who
25 came to Albany as part of the Voices Unfiltered

1 policy program at the YWCA of White Plains and
2 Central Westchester.

3 These students, if you saw their
4 work, if you came between the LOB and where
5 security is, you would see they shared their
6 research, their very substantive policy
7 proposals, and their advocacy campaigns with
8 legislators and staff.

9 Hopefully you have had the
10 opportunity to see their work today, but their
11 projects tackle critical issues, including the
12 number of unhoused students, housing
13 affordability, and support for our immigrant
14 neighbors.

15 I continue to be impressed by their
16 creativity, their thoughtfulness, and their deep
17 commitment to addressing the challenges facing
18 all of our communities.

19 Programs like this are so important
20 because they empower young people to engage
21 directly in the policymaking process and make
22 their voices and opinions heard. New York's
23 youth bring powerful voices and unique
24 perspectives, and we honor them today.

25 Adam Munoz, Aiden Munoz,

1 Austin Munoz, Benjamin Elkin, Ina Borja,
2 Morgan Bowman, Oliver Chow, Caileigh Coffey,
3 Juliet Anderson Rosen, Marabel Ceden0 and
4 Svara Gawde -- along with their chaperone,
5 Lesley Mazzotta -- are here today in the gallery.
6 And I would ask that you extend them all the
7 privileges of the house, welcome them to Albany,
8 and thank them for their work, being civic
9 participants at this young age.

10 Thank you, Mr. President.

11 ACTING PRESIDENT BAILEY: Thank
12 you, Senator Mayer.

13 To these incredible young people
14 making their mark on the world at an early age,
15 we welcome you to our State Capitol. We extend
16 to you all of the privileges and courtesies of
17 this house.

18 Please rise and be recognized, and
19 keep on doing what you're doing.

20 (Standing ovation.)

21 ACTING PRESIDENT BAILEY: Senator
22 Gianaris.

23 SENATOR GIANARIS: Mr. President,
24 let's take up Resolution 1847, by Senator Cleare,
25 read that resolution's title, and call on

1 Senator Cleare.

2 ACTING PRESIDENT BAILEY: The
3 Secretary will read.

4 THE SECRETARY: Resolution 1847, by
5 Senator Cleare, commemorating the
6 66th Anniversary of Senegalese Independence on
7 April 4, 2026.

8 ACTING PRESIDENT BAILEY: Senator
9 Cleare on the resolution.

10 SENATOR CLEARE: Thank you,
11 Mr. President.

12 First, I want to say {in Wolof}.
13 That means "Welcome to Albany."

14 Today represents a very-first-of-
15 its-kind occurrence: Senegalese Day in Albany,
16 paying tribute to our beloved Senegalese
17 community, in Senate District 30 and statewide.

18 It is a day to honor our great
19 friends on the floor and in the gallery.

20 Today marks the first annual
21 Senegalese Day in Albany, celebrating the
22 66th anniversary of Senegalese independence.
23 Senegalese independence is very unique and
24 notable because it was achieved through
25 negotiation, and not bloodshed, in 1960.

1 New York is famously known as the
2 melting pot of all cultures, and it is important
3 that we recognize and honor them. In the
4 mid-1980s and late 1970s, individuals and
5 families from many West African countries
6 migrated to the United States, settling in my
7 district, including the great people of Senegal,
8 known as the Land of Teranga, meaning welcome.

9 Located in Central Harlem, on
10 West 116th Street, is a vibrant neighborhood
11 founded on family, tradition, and cultural
12 preservation, made up of residents and business
13 owners who originated from Senegal, West Africa.

14 This area quickly became a main
15 shopping and local social hub for residents of
16 their community.

17 Today the Senegalese bring the same
18 spirit of welcome from their homeland to our
19 communities and our beloved hair braiders,
20 restaurateurs, beauty supply shop owners, fabric
21 merchants, car service business owners. So many
22 of their businesses are women-led and
23 women-owned. For example, the Malcolm Shabazz
24 Marketplace is packed with a large variety of
25 vendors selling goods ranging from traditional

1 African goods to hair braiding boutiques.

2 Truth be told, when our friends from
3 Senegal moved in, the neighborhood was in a
4 vulnerable position. Buildings were abandoned.
5 Drugs were epidemic. And city disinvestment was
6 rampant.

7 Following in the spirit of the
8 proverb "Spilled water is better than a broken
9 jar," the Senegalese made the community their
10 own. They provided car service uptown in an era
11 when taxis did not travel north of Central Park.
12 They endured many struggles, but stayed and
13 worked hard to build our beautiful community.

14 They brought with them their faith,
15 both Muslim and Christian, and work to better our
16 neighborhoods today through groups like the
17 Senegalese Islamic orders such as MICA, the
18 Murid Islamic Community in America, and the
19 Harlem Islamic Cultural Center, which is a
20 spiritual home to many of the Tidjani order, the
21 Layene.

22 In addition to the day-to-day
23 enrichment they bring, twice in this decade they
24 had the opportunity to celebrate in the streets
25 when the Senegalese National Soccer Team won the

1 African Cup of Nations Tournament in both 2022
2 and, yes, again in 2026.

3 For over 40 years, the Senegalese
4 have offered a taste of home for immigrants
5 adjusting to their new life in the States,
6 bringing in new shops, restaurants, bakeries, and
7 have greatly contributed to the cultural and
8 economic structure of New York.

9 Commemorating the past, present and
10 future of the Senegalese community will continue
11 to strengthen the fabric of New York's cultural
12 identity.

13 Today we are joined by
14 His Excellency Mr. Demba Camara, Consul General
15 of Senegal, and Mr. Mamadou Lamine Mbow,
16 president of the Senegalese Association of
17 America, as well as friends, leaders, colleagues
18 and staff from these organizations.

19 Also joining us is Ms. Astatou
20 Andow, leader of the Women's Community, Women's
21 Senegalese Community; Mr. Elhadji Sow,
22 Casamance Association; Mr. Mamadou Drame, former
23 president of the Senegalese Association; and so
24 many others are here with me today.

25 I ask that we extend to them a great

1 sense of Teranga from the chambers.

2 Thank you.

3 (Applause from the gallery.)

4 ACTING PRESIDENT BAILEY: To the
5 Consul General, the president of the Senegalese
6 Association, and to our guests from the mighty
7 nation of Senegal, we celebrate your independence
8 and we welcome you to the Senate.

9 I extend to you all of the
10 privileges and courtesies of this house.

11 Please rise and be recognized.

12 (Standing ovation.)

13 ACTING PRESIDENT BAILEY: The
14 question is on the resolution.

15 All those in favor signify by saying
16 aye.

17 (Response of "Aye.")

18 ACTING PRESIDENT BAILEY: Opposed,
19 nay.

20 (No response.)

21 ACTING PRESIDENT BAILEY: The
22 resolution is adopted.

23 Senator Gianaris.

24 SENATOR GIANARIS: Mr. President,
25 let's move on to Resolution 1981, by

1 Senator Sanders. Read its title and call on
2 Senator Sanders, please.

3 ACTING PRESIDENT BAILEY: The
4 Secretary will read.

5 THE SECRETARY: Resolution 1981, by
6 Senator Sanders, memorializing Governor Kathy
7 Hochul to proclaim April 28, 2026, as MWBE
8 Advocacy Day in the State of New York.

9 ACTING PRESIDENT BAILEY: Senator
10 Sanders on the resolution.

11 SENATOR SANDERS: Thank you,
12 Mr. President.

13 A pillar of the American dream is
14 the pillar of equality of opportunity, equality
15 of opportunity. Basically that means that, as we
16 understand it, a person who works hard, plays by
17 the rules, and invests their time and treasure
18 has the same opportunity to make it big in
19 America, to get to the American dream.

20 Sadly, this is really more dream
21 than reality -- not even in New York State.

22 One example of this is that more
23 than 54 percent of New York State is composed of
24 women and people of color. Of the \$160 billion
25 or more budget that New York State has, the state

1 share of MWBE has been \$3 billion. Now, I'm not
2 the world's greatest mathematician, but that does
3 not sound like 54 percent or anywhere close to
4 it.

5 Yet this meager amount even troubles
6 some. We have an ill wind coming out of D.C.
7 that says that this is too much, that this is not
8 fair and somehow this threatens something -- they
9 never really say what.

10 But we in the Empire State have
11 taken a different position. We say that we are
12 going to stand for all, that we're going to fight
13 and make sure there's equality of opportunity,
14 that everyone gets a fair chance at competing
15 here.

16 We in the Empire State are not going
17 to let these ill winds, this foul-smelling wind,
18 determine what we're going to do here. And I
19 want to take a moment to praise the Governor and
20 to praise this body for standing firm on this.

21 Now, MWBE Day is a day where we get
22 to speak and read that this is part of New York,
23 that everybody here is part of the great culture
24 that we call New York. And we have some of the
25 greatest heroes of MWBE here today.

1 We have -- and I will only read a
2 couple of names, because if I go further we will
3 be here for quite a while.

4 I would not do right if I didn't
5 speak of Jason Clark and Dr. Tammy Pate and
6 Carla Hernandez and Michael Garner and of course
7 the New York Women's Chamber of Commerce and
8 others.

9 Mr. President, I would like for us
10 to give these great guests and this great day the
11 benefit of this great chamber and to reward them
12 for their great efforts.

13 I thank you, and I thank this great
14 chamber for allowing this day to happen.

15 Thank you, sir.

16 ACTING PRESIDENT COONEY: Thank
17 you, Senator Sanders.

18 To our guests, I welcome you on
19 behalf of the Senate. We extend to you the
20 privileges and courtesies of this house.

21 Please rise and be recognized.

22 (Standing ovation.)

23 ACTING PRESIDENT COONEY: The
24 question is on the resolution. All those in
25 favor please signify by saying aye.

1 (Response of "Aye.")

2 ACTING PRESIDENT COONEY: Opposed,
3 nay.

4 (No response.)

5 ACTING PRESIDENT COONEY: The
6 resolution is adopted.

7 Senator Gianaris.

8 SENATOR GIANARIS: Next up,
9 Mr. President, is Resolution 1845, by
10 Senator Bailey. Please read that resolution's
11 title and call on Senator Cleare first to speak
12 on that resolution.

13 ACTING PRESIDENT COONEY: The
14 Secretary will read.

15 THE SECRETARY: Resolution 1845, by
16 Senator Bailey, celebrating the 100th Anniversary
17 of the birth of John Coltrane, renowned artistic
18 trailblazer and innovative New York jazz
19 musician.

20 ACTING PRESIDENT COONEY: Senator
21 Cleare on the resolution.

22 SENATOR CLEARE: Thank you,
23 Mr. President.

24 John Coltrane is a beloved figure
25 whose singularly unique jazz virtuosity built

1 upon Harlem Renaissance legends and influenced
2 the entire world.

3 Many of Coltrane's earliest
4 performances were uptown at the Apollo Theater.
5 One of Coltrane's final performances was at the
6 christening of the African Cultural Center in
7 Harlem, where he dedicated the song "Tunji" to
8 Babatunde Olatunji. In between, he was simply
9 beloved all over the world.

10 His masterwork, A Love Supreme, was
11 described as a musical prayer in four
12 movements -- Acknowledgement, Resolution,
13 Pursuance, and Psalm -- which combined to form
14 thanks to God for a spiritual awakening.

15 For the past five years in my
16 district we have extended and enriched the
17 Coltrane legacy in Harlem with an annual tribute
18 each September called the John Coltrane Jazz
19 Appreciation Day Festival. Performers have
20 included legends such as Dr. John "Satchmo"
21 Mannan, trombonist Craig Harris,
22 Patience Higgins, Antonio Hart, Bill Saxton,
23 Camille Thurman, and the Darrell Green Quartet.

24 The John Coltrane Jazz Appreciation
25 Day Festival is a treasured event that draws a

1 capacity crowd of nearly 2,000 people. And we
2 hope that this year, on the 100th birthday of
3 John Coltrane, in the heart of the
4 Harlem Renaissance Cultural District, we will
5 continue to pay proper tribute to the greatest of
6 all time, John Coltrane.

7 I want to thank Senator Jamaal
8 Bailey for bringing this important resolution
9 today.

10 This is more than just about art and
11 entertainment; it is about preservation. And in
12 a period in time where much of our culture is
13 threatened with erasure, it is important that we
14 pay tribute and lift up our great artists like
15 John Coltrane.

16 The music of Coltrane represents so
17 much of not only the Black experience in America,
18 but also the human experience of struggle and
19 triumph.

20 Mr. President, thank you, and I
21 proudly vote aye.

22 ACTING PRESIDENT COONEY: Thank
23 you, Senator Cleare.

24 Senator Gounardes on the resolution.

25 SENATOR GOUNARDES: Thank you,

1 Mr. President.

2 I love jazz, Mr. President. Before
3 I got elected, when I had free time in my life, I
4 used to go to Senator Cleare's district, to
5 Bill's Place, Friday nights, right, go listen to
6 some amazing jazz.

7 But among my favorites was
8 John Coltrane. And everyone talks about A Love
9 Supreme. To me, it's the live version recorded
10 in 1965 in Paris. That 48 minutes, that
11 spiritual journey which is a joyous cacophony of
12 sound and music and energy.

13 And it all starts with that slow,
14 haunting humming. And he just starts bringing it
15 in, you know {singing}, "A love supreme, a love
16 supreme" -- nothing is better. Nothing is
17 better. And whenever -- whenever I'm feeling
18 that I need some spiritual rejuvenation, I put
19 that on, because that just fills me up.

20 And it's because of the power that
21 he has, the way he harnessed the power of music
22 to heal people who may or may not know that they
23 were broken, or that they were hurting, or that
24 they needed some kind of healing, is unmatched by
25 any musician I think that has ever lived on this

1 planet.

2 And so I'm really thankful that we
3 get to take a moment from our deliberations today
4 to pay tribute to Mr. John Coltrane on the
5 100th anniversary of his birth.

6 I want to thank Senator Bailey for
7 reminding us of just how important that is.

8 I vote aye. Thank you.

9 ACTING PRESIDENT COONEY: Thank
10 you, Senator.

11 Senator Webb on the resolution.

12 SENATOR WEBB: Thank you,
13 Mr. President.

14 I too want to extend my appreciation
15 to Senator Cleare and Senator Bailey and of
16 course our Majority Leader for supporting this
17 important resolution.

18 You know, John Coltrane, as we've
19 shared so far and as a lot of us know, he was an
20 incredible pioneer. And his shaping of music --
21 not just jazz, but music overall -- is something
22 that we most certainly still recognize. And it's
23 important that this resolution is happening today
24 as part of commemorating his 100th birthday.

25 He has not only inspired generations

1 of musicians to pursue their dreams, he is also
2 noted as one of the most influential and prolific
3 artists in the history of jazz and music.

4 It is also important to note that
5 his inspiration to artists pushed them to move
6 past what is comfortable or what is safe and to
7 reach for something that is true.

8 John Coltrane also served his
9 country. He enlisted in the Navy to fight in
10 World War II, though it was obvious that his true
11 calling was music. And while stationed in
12 Hawaii, he played clarinet in the Navy band
13 The Melody Masters, though due to segregation he
14 was only a guest performer and could not be
15 considered a permanent member.

16 He came of age at a time of
17 pervasive racism and bigotry, yet he dedicated
18 his life to spreading a love supreme and being
19 the force which is truly for good.

20 He collaborated with trailblazing
21 artists like Miles Davis and Thelonious Monk.
22 And

23 We all know that music is one of
24 those things that brings us all together
25 regardless of cultural identity. I shared the

1 story about my family; my parents in particular
2 were vast collectors of albums. They were known
3 in my neighborhood as our neighborhood music
4 store. And most certainly amongst the many
5 albums that they collected, John Coltrane's music
6 was most certainly prominently featured in that
7 collection.

8 Next month the Black Legislative
9 Task Force is coordinating a celebration to
10 commemorate Black Music History Month, and of
11 course we will be recognizing John Coltrane and
12 other icons who have shaped and continue to shape
13 our culture through music and more.

14 John Coltrane's music continues that
15 connection. His music lives on in concert halls,
16 on sidewalks, and in jazz clubs around at world.
17 His music lives on in each and every one of us
18 when we pursue our true calling, and when we find
19 our own song or theme music and refuse to let it
20 go unplayed.

21 I am proud to be voting in favor of
22 this resolution, and I encourage my colleagues
23 most certainly in honoring the extraordinary life
24 and enduring legacy of Mr. John Coltrane.

25 Thank you, Mr. President. I proudly

1 vote aye.

2 ACTING PRESIDENT COONEY: Thank
3 you, Senator Webb.

4 Senator Martinez on the resolution.

5 SENATOR MARTINEZ: Thank you,
6 Mr. President.

7 I rise today because his wonderful
8 house sits in my district. And while we're
9 celebrating this milestone, as mentioned before,
10 let's not forget the preservation for future
11 individuals to listen to such great music.

12 And A Love Supreme, the fact that it
13 was created in Dix Hills, on Long Island, is one
14 of the proudest moments that I can possibly say
15 that I have right now.

16 Because when I found out that
17 Senator Bailey was presenting the 100th -- our
18 districts are so big, and there's so much history
19 in them, and even though jazz is all over the
20 state and the city, in Queens and in Bronx and so
21 forth -- but he's on Long Island. Right? So I
22 just needed to stand up for that.

23 And I just want to say to the
24 family, thank you for uniting so many people
25 through music, through culture. And please know

1 that you will remain in our hearts forever.

2 Thank you.

3 ACTING PRESIDENT COONEY: Thank
4 you, Senator Martinez.

5 Senator Sanders on the resolution.

6 SENATOR SANDERS: It is true that
7 John Coltrane was an amazing spirit, a force of
8 nature that chose to harness itself through the
9 question of jazz. It is true that Harlem
10 certainly played a major role with him. And you
11 pointed out your part of Long Island.

12 But it is also true that when
13 John Coltrane went home, he went to Queens.

14 (Laughter.)

15 SENATOR SANDERS: His home was in
16 Queens. His home was in St. Albans, as a matter
17 of fact. That perhaps this is the soil that gave
18 him the supreme love that we all are speaking of.
19 Perhaps this is where he was able to bring it
20 together.

21 And I invite all of you to discover
22 what John Coltrane discovered, that there's
23 something godly about Queens and that we all
24 should go there.

25 Jazz is noted by many different

1 things. Improvisation is one of the most
2 important things to jazz. And a good jazz
3 concert, you never hear the music the same way
4 twice. Unlike other music. You never are
5 hearing the music the same way twice. You're
6 always going to hear it slightly different or
7 sometimes radically different, depending on your
8 album, depending on what the feel of the day is.

9 John Coltrane took jazz and took it
10 to just a whole 'nother level that we frankly
11 have yet to figure out where it is. People have
12 branched off -- many people have branched off
13 from him and have gone in so many different ways.
14 The Mahavishnu Orchestra quickly comes to mind.
15 And others just gone all over the place with
16 jazz.

17 So I invite everyone to find two
18 different things. First, of course, to find
19 yourself in jazz. John Coltrane is a great way
20 to start. But jazz is so wide, it has room for
21 everyone.

22 And another place that has room for
23 everyone is of course Queens. So find yourself
24 in Queens also, because you'll fit in well with
25 John Coltrane.

1 Thank you very much. I vote yes.

2 ACTING PRESIDENT COONEY: Thank
3 you, Senator Sanders.

4 Senator Bailey to share his love
5 supreme, and to close.

6 SENATOR BAILEY: Thank you,
7 Mr. President.

8 I'd like to thank Leader
9 Stewart-Cousins, Senator Martinez for being so
10 gracious, Senator Cleare for sharing her views
11 from Harlem, and Senator Gounardes and
12 Senator Webb and Senator Sanders.

13 We talk about the soil that was
14 rooted, but we're going to talk about the soil
15 that John Coltrane came from. He was born in
16 Hamlet, North Country, raised in High Point,
17 which is my state. This one's for
18 North Carolina -- come on and raise up.

19 And North Carolina raised up one of
20 the true legends in music -- not just jazz music,
21 Mr. President, in music. In 40 years this man
22 had created an art form that, as Senator Sanders
23 indicated, has never been replicated.

24 The precision or imprecision in
25 which he's able to play -- I'll get to hip-hop in

1 a second, because there is a fusion. But Rakim
2 noted, he borrowed his delivery when he heard
3 John Coltrane play two notes at the same time.
4 So he pushed the boundaries of music, not just
5 jazz music.

6 And he did a lot of great things.
7 He said, You know what, Sound of Music, but I'm
8 going to make it soulful, with his
9 re-interpolation of "My Favorite Things."

10 "Giant Steps," one of my favorite
11 songs, the frenetic energy. And I would imagine
12 you'd never hear that song played twice, just the
13 frenetic energy. Not so mellow, but mellow at
14 the same time.

15 "Mr. P.C." "A Love Supreme," of
16 course. But, Mr. President, my favorite Coltrane
17 song was "Alabama." Relatively short in
18 comparison to the rest of his magnum opuses. But
19 it plays like the soundtrack to Black Americans
20 because it was, in fact, part of the soundtrack
21 to Black America.

22 It was inspired by the 16th Street
23 Baptist Church bombing. And he actually, without
24 words, Mr. President, took the same rhythm of
25 Dr. King's eulogy and played the sax in that

1 form. That's not genius, that's beyond genius,
2 Mr. President.

3 You know, I learned a lot about jazz
4 music from my dad. And in preparing for this
5 resolution, I listened to a lot of Coltrane over
6 again. And, you know, growing up you don't know
7 the names of the songs, but you know you've heard
8 them quite a few times. So I have to make sure I
9 give due notes to my dad.

10 And now, speaking of him, he talked
11 about growing up in Carolina. That was the first
12 tenor man that he saw that inspired him. And he
13 listened to Blue Train, which was his favorite
14 song. So what my dad says is the seminal song of
15 jazz music, Blue Train.

16 WBGO and Jazz Mobile and all of the
17 places that we've heard jazz growing up, so
18 important to our culture.

19 Hip-hop and jazz, Mr. President, in
20 my opinion are the greatest American art forms.
21 You can argue with me if you wish; I don't think
22 you'll be successful.

23 "Amen" was sampled by Lords of the
24 Underground's "Chief Rocka." "Functional," with
25 Thelonious Monk, was sampled in Method Man.

1 As I mentioned, Rakim, one of the
2 greatest MCs of all time, was a saxophone player
3 in his youth, and he patterned his rhymes -- his
4 flow, one of the most legendary flows in hip-hop
5 history, after the way that Coltrane played the
6 saxophone.

7 Mr. President, there's so much that
8 we can learn. As Senator Gounardes said earlier,
9 if you have not listened to Coltrane, I would
10 implore you -- I'd wonder what you're doing, but
11 secondly, I'd implore you to listen. You can go
12 on whatever streaming service of your choice.
13 I'm not going to advertise for them. But I want
14 you to go on there and pick any Coltrane song,
15 and you will be satisfied.

16 I just want to make sure we
17 recognize the guests that we have who continue to
18 help bring jazz music at a major level:
19 Mr. Charles Wadelington, from Universal Records,
20 and Ken Druker, the senior vice president of jazz
21 development at the Verve Label Group, the
22 preeminent jazz label of our time.

23 And recognize -- even though that
24 his family was supposed to be here, I'm going to
25 recognize them for all that they do to continue

1 the legacy: Ravi Coltrane, Michelle Coltrane,
2 and Oran Coltrane, his children; his late wife,
3 Alice Coltrane, and his late son, John Jr.

4 And I want to leave us with a quote
5 from John Coltrane in 1966. He said: "I know
6 that there are bad forces, forces that bring
7 suffering to others and misery to the world. I
8 want to be the opposite force. I want to be the
9 force which is truly for good."

10 He was truly for good,
11 Mr. President. May his legacy live on. And on
12 his 100th birthday, we celebrate one of the
13 greatest to ever pick up a sax, Mr. John
14 Coltrane.

15 I vote aye on the resolution,
16 Mr. President.

17 And please recognize our guests.

18 ACTING PRESIDENT COONEY: Thank
19 you, Senator Bailey.

20 To our guests, I welcome you on
21 behalf of the Senate. We extend to you the
22 privileges and courtesies of this house.

23 Please rise and be recognized.

24 (Standing ovation.)

25 ACTING PRESIDENT COONEY: The

1 question is on the resolution.

2 All those in favor please signify by
3 saying aye.

4 (Response of "Aye.")

5 ACTING PRESIDENT COONEY: Opposed,
6 nay.

7 (No response.)

8 ACTING PRESIDENT COONEY: The
9 resolution is adopted.

10 Senator Gianaris.

11 SENATOR GIANARIS: Please call on
12 Senator Harckham for an introduction.

13 ACTING PRESIDENT COONEY: Senator
14 Harckham for an introduction.

15 SENATOR HARCKHAM: Thank you very
16 much, Mr. President.

17 You know, it is said that we can't
18 know where we're going unless we know where we've
19 been. And so we need to understand the stories
20 of our past to inform the vision of our future.

21 And so I'm proud today that we have
22 folks from my district today from the Sing Sing
23 Prison Museum, telling fascinating stories of the
24 folks who, in the 200-year history of that
25 correctional facility, the folks who served

1 there, the folks who worked there, the folks who
2 built the facility, and the complex interaction
3 with the community of Ossining and the
4 surrounding community and the proximity to
5 New York City.

6 I want to thank them for their
7 really stimulating, important conversations about
8 our correction system as it stands today, where
9 we need to go, conversations around reform. And
10 just being a catalyst for these important
11 conversations that we as a society need to have.

12 In the wake of the 200th
13 anniversary, they'll open the visiting center
14 later this year in the Village of Ossining, and
15 continue the difficult work of trying to preserve
16 the original cell block.

17 Imagine trying to create an active
18 museum within an active correctional facility --
19 and the challenges and the roadblocks they
20 continue to meet, but yet they remain undaunted
21 while they try to continue to tell these
22 important stories.

23 So Mr. Chair, from the Sing Sing
24 Prison Museum we have Minerva Coffie,
25 Amy Hufnagel, and from the board, retired

1 Sing Sing correctional officer Lieutenant
2 John Gilman.

3 If you would, please, sir, welcome
4 them to the chamber and extend to them the
5 courtesies and privileges of the house.

6 ACTING PRESIDENT BAILEY: Thank
7 you, Senator Harckham.

8 To our guests from the Sing Sing
9 Museum, we thank you for coming up here and
10 continuing to impart knowledge upon us.

11 We welcome you on behalf of the
12 Senate. We extend to you all the privileges and
13 courtesies of this house.

14 Please rise and be recognized.
15 (Standing ovation.)

16 ACTING PRESIDENT BAILEY: Senator
17 Gianaris.

18 SENATOR GIANARIS: Now let's take
19 up Resolution 1934, by Senator Serrano, read its
20 title and call on Senator Serrano, please.

21 ACTING PRESIDENT BAILEY: The
22 Secretary will read.

23 THE SECRETARY: Resolution 1934, by
24 Senator Serrano, recognizing May 2, 2026, as
25 I Love My Park Day in the State of New York.

1 ACTING PRESIDENT BAILEY: Senator
2 Serrano on the resolution.

3 SENATOR SERRANO: Thank you,
4 Mr. President, for hearing me on this resolution.

5 I would like to thank the Senate and
6 my colleagues for adopting this important
7 resolution today recognizing Saturday, May 2,
8 2026, as I Love My Park Day in the State of
9 New York.

10 I Love My Park Day is a day where
11 everyone can become a steward of their own parks
12 and open spaces. There is always a tremendous
13 amount of sponsorship and volunteers for this
14 vital cleanup.

15 We should treasure our parks and
16 historic sites every day. New York has the best
17 parks system in the nation. New York's public
18 lands and parks are vital resources that shape
19 communities, support wildlife habitats, and
20 benefit both physical and mental health. The
21 safeguarding of these spaces is paramount, as
22 they provide opportunities for everyone to
23 explore, play, wonder, unwind, learn and find
24 inspiration.

25 My colleagues have heard me speak on

1 both the economic and mental health benefits that
2 access to open spaces offers, as well as the
3 lifelong lessons that environmental stewardship,
4 learning to swim, and exposure to the natural
5 world around us provide for people of all walks
6 of life.

7 I would like to thank our parks
8 friends groups, the office of parks, recreation
9 and historic preservation, DEC, and the parks
10 advocates who continue to be fantastic stewards
11 of our state parks and historic sites.

12 Thank you, Mr. President, for
13 hearing me on this resolution, and I thank my
14 colleagues for supporting this today.

15 Thank you.

16 ACTING PRESIDENT BAILEY: Thank
17 you, Senator Serrano.

18 The question is on the resolution.

19 All those in favor please signify by
20 saying aye.

21 (Response of "Aye.")

22 ACTING PRESIDENT BAILEY: Opposed,
23 nay.

24 (No response.)

25 ACTING PRESIDENT BAILEY: The

1 resolution is adopted.

2 Senator Gianaris.

3 SENATOR GIANARIS: And now it's
4 time for Resolution 1961, by Senator Martinez.
5 Please read that resolution's title and call on
6 Senator Martinez.

7 ACTING PRESIDENT BAILEY: The
8 Secretary will read.

9 THE SECRETARY: Resolution 1961,
10 by Senator Martinez, memorializing Governor
11 Kathy Hochul to proclaim April 28, 2026, as
12 Animal Advocacy Day in the State of New York.

13 ACTING PRESIDENT BAILEY: Senator
14 Martinez on the resolution.

15 SENATOR MARTINEZ: Thank you,
16 Mr. President.

17 I rise today on this fun day that we
18 have here in our State Capitol, and that's
19 Animal Advocacy Day.

20 I also want to thank
21 Senator Hinchey, our chair of Ag & Markets, for
22 continuing this tradition that has been happening
23 here in the state Capitol for 15 years.

24 And it serves as a tradition to
25 provide our state's animal ambassadors an

1 opportunity to meet with one another and with
2 their elected officials for policies to protect
3 these creatures.

4 This year I am proud to sponsor this
5 resolution, joining a bipartisan legacy of
6 respect and support for those who literally do
7 not have a voice.

8 Today many of us had the opportunity
9 to meet with the people, the organizations who
10 are speaking on their behalf. They came asking
11 that we act on bills pending before us here in
12 Albany to protect the animals both domesticated,
13 wild, those on land, air and sea, which
14 complement our time here on earth.

15 Bills such as 197, Tucker's Law,
16 would allow greater judicial discretion and order
17 consecutive and concurring sentences when an
18 individual is convicted of multiple counts of
19 aggravated cruelty.

20 Bill Number 252, which would prevent
21 wild and exotic animals from being imported, sold
22 and owned. No animals should be removed from
23 their native habitat for the purpose of profit.

24 And for those who visited the Well,
25 I'm sure you saw an octopus around. You didn't

1 get one? Well, every elected should have
2 received one of these. All right, talk to me.

3 But this bill, what it would do, it
4 would prohibit the importation and the
5 environmentally damaging octopus farming.

6 Now, it is not time for us to roll
7 over on these important issues that we protect
8 animals within our state from being abused,
9 killed, as a result of willful negligence and
10 literally just deliberate viciousness against our
11 animals.

12 I thank the leader, my colleagues,
13 all the advocates that were here today for really
14 showing us that animals tend to be a part of our
15 family sometimes.

16 And in honor today, too, of the
17 package that we are about to pass, we also must
18 recognize that some of these animals are also
19 family, and many of our women and men who are
20 victims of domestic violence sometimes do not
21 leave their environment because they do not have
22 a place to go with their animal.

23 So aside from being Animal Advocacy
24 Day and supporting victims of domestic violence,
25 I urge my colleagues to vote yes on this

1 resolution.

2 And thank you for the day.

3 ACTING PRESIDENT BAILEY: Thank
4 you, Senator Martinez.

5 The question is on the resolution.
6 All those in favor please signify by saying aye.

7 (Response of "Aye.")

8 ACTING PRESIDENT BAILEY: Opposed,
9 nay.

10 (No response.)

11 ACTING PRESIDENT BAILEY: The
12 resolution is adopted.

13 Senator Gianaris.

14 SENATOR GIANARIS: Okay, let's take
15 up previously adopted Resolution 1827, by
16 Senator Webb, read its title and call on
17 Senator Webb, please.

18 ACTING PRESIDENT BAILEY: The
19 Secretary will read.

20 THE SECRETARY: Resolution 1827, by
21 Senator Webb, memorializing Governor Kathy Hochul
22 to proclaim March 2026 as Neuromyelitis Optica
23 Spectrum Disorder Awareness Month in the State of
24 New York.

25 ACTING PRESIDENT BAILEY: Senator

1 Webb on the resolution.

2 SENATOR WEBB: Thank you,
3 Mr. President.

4 I rise to of course thank our
5 Majority Leader for supporting this important
6 resolution to proclaim March 2026 as
7 Neuromyelitis Optica Spectrum Disorder Awareness
8 Month in the State of New York.

9 This condition, also known as NMOSD,
10 is a very rare autoimmune disease of the central
11 nervous system that attacks the optic nerve,
12 spinal cord, and in some cases the brain stem.

13 NMOSD is often misdiagnosed, and
14 every delay in diagnosis can carry significant
15 and devastating consequences. A single relapse
16 could mean permanent loss of vision, mobility,
17 and independence.

18 I think today of a young man named
19 Ni, who's a constituent from my district who is
20 navigating right now this diagnosis with
21 remarkable resilience.

22 Imagine being a young person
23 pursuing your education and building your future
24 when suddenly your body begins to turn against
25 you. Your vision changes. Your strength fades,

1 and your search for answers is inconclusive.

2 That is the reality for those living
3 with NMOSD. Like so many others, Ni's journey
4 has been filled with uncertainty, setbacks, and
5 challenges that no person should have to face,
6 but he continues to push forward, holding on to
7 hope and showing strength in the face of a
8 disease that can change lives in an instant.

9 In 2022, there were about
10 22,000 individuals living with NMOSD in the
11 United States. Studies show that up to
12 90 percent of those diagnosed are women, and that
13 NMOSD is more prevalent among those of African or
14 East Asian descent.

15 We must continue to invest in
16 research and make space in our healthcare system
17 for rare diseases that often go unseen.

18 We also have to ensure that patients
19 have access to timely, accurate diagnoses,
20 specialized care, and treatments that can prevent
21 further harm.

22 This resolution recognizes
23 individuals like Ni and the families who walk in
24 this path alongside their loved ones. Ni, we
25 recognize your strength and, to all those who are

1 impacted by this condition, your resilience and
2 your courage.

3 And we commit ourselves to ensuring
4 that no one facing this disease or any other
5 underrepresented health condition feels
6 invisible, because rare should never mean
7 forgotten.

8 Thank you to Senate Majority Leader
9 Andrea Stewart-Cousins for her support. I am
10 very proud to be voting in favor of this
11 resolution, and I hope my colleagues will join me
12 in voting aye and recognizing this month.

13 Thank you, Mr. President.

14 ACTING PRESIDENT BAILEY: Thank
15 you, Senator Webb.

16 The resolution was adopted on
17 March 31st.

18 Senator Gianaris.

19 SENATOR GIANARIS: And lastly, but
20 not least, previously adopted Resolution 1399, by
21 Senator Persaud. Read that resolution's title
22 and recognize Senator Persaud, please.

23 ACTING PRESIDENT BAILEY: The
24 Secretary will read.

25 THE SECRETARY: Resolution 1399, by

1 Senator Persaud, memorializing Governor Kathy
2 Hochul to proclaim April 29, 2026, as Denim Day
3 in the State of New York.

4 ACTING PRESIDENT BAILEY: Senator
5 Persaud on the resolution.

6 SENATOR PERSAUD: Thank you,
7 Mr. President.

8 Today I rise to speak on Denim Day,
9 as I usually do.

10 As you know, we stand today in
11 solidarity with survivors of sexual violence and
12 reaffirm a simple but powerful truth: No one
13 ever asked to be harmed, and no one should ever
14 be blamed for experiencing this harm.

15 April is considered Sexual Assault
16 Awareness Month. But we should not have to speak
17 about sexual assault awareness, because it's
18 something that should never happen.

19 Denim Day originated in response in
20 1998, because of an Italian court's decision. It
21 overturned a rape conviction, and the reason for
22 them overturning the rape conviction was because
23 the person who was raped was wearing tight denim.
24 And so the judges, in their infinite wisdom,
25 implied that because the person was wearing these

1 tight denims, that she had had to help the person
2 who violated her. And they threw out that
3 conviction, and the person walked free.

4 The young woman was devastated, as
5 anyone should be, because she was violated.

6 So in response to that decision,
7 women in the Italian Parliament, the next day
8 they all wore jeans in solidarity with the
9 victim.

10 Today, across the world, we wear
11 jeans. And it will be tomorrow, so anyone who
12 wants to wear jeans tomorrow -- not in the
13 chamber, but anyone who wants to wear jeans
14 tomorrow, take your picture to show solidarity
15 with sexual assault victims.

16 April 29th is the day we wear jeans
17 to show that we will not tolerate sexual assault,
18 sexual violence. It is unacceptable.

19 Sexual violence is not an abstract
20 issue in our communities. Survivors are our
21 neighbors, they're our relatives, they're our
22 friends, they're our coworkers, they are people
23 that we see on a daily basis. And many of them
24 are afraid to speak about the violation that's
25 occurred to them.

1 It also affects people from every
2 background. Sexual assault, sexual violence does
3 not discriminate. And so again, we ask that we
4 stand in solidarity with sexual assault victims.

5 But we have to take action. As a
6 state, we have a responsibility to ensure that
7 survivors have access to services,
8 trauma-informed care, and meaningful pathways to
9 justice.

10 We must also continue to strengthen
11 partnerships with our community-based
12 organizations and invest in our prevention
13 efforts. Prevention starts early. Let's have
14 those early conversations. Your voice matters.

15 Please, if you hear of someone who
16 has suffered a sexual assault, don't turn your
17 back on that person. Have the courage to speak
18 up on their behalf.

19 To every survivor, we want them to
20 know, their voice matters. We respect them. We
21 support them. And we will do everything in our
22 power to ensure that it never happens to another
23 person.

24 On Denim Day, again, I encourage you
25 to do more than just wear your denim, but to

1 speak up -- speak up, speak out, be supportive.

2 Again, I want to thank Leader
3 Stewart-Cousins and all of you in this chamber,
4 all of you, my colleagues, who continue to
5 support this resolution every year that we bring
6 it to the floor. Because sexual assault, sexual
7 violence, should not be tolerated, and we should
8 not hide from the realities of what's occurring.

9 So again, I thank you all for your
10 support, and I vote aye.

11 Thank you, Mr. President.

12 ACTING PRESIDENT BAILEY: Thank
13 you, Senator Persaud.

14 Senator Webb on the resolution.

15 SENATOR WEBB: Thank you,
16 Mr. President.

17 I want to thank Senator Persaud for
18 continuing to lift up this important conversation
19 around Denim Day.

20 I'll just add that it is one of the
21 longest-running sexual violence prevention and
22 education campaigns in history, and is most
23 certainly a testament to how far we've come and
24 the work that has already been done in this
25 space.

1 But it also underscores even more
2 how much further we have to go with respect to
3 preventing sexual assault: 81 percent of women
4 report experiencing sexual harassment in their
5 lifetime, and that statistic is painfully
6 disturbing and unacceptable.

7 Awareness campaigns like Denim Day
8 allow every person to stand together in
9 solidarity with victims of all genders. It
10 creates the time and space for victims and
11 advocates to feel supported, heard and, most
12 importantly, recognized for their truth.

13 No one should be blamed for their
14 sexual assault because of what they were wearing,
15 no article of clothing can ever bear
16 responsibility for the violent actions of another
17 person.

18 Mr. President, I'll be voting in
19 favor of this resolution, and I encourage my
20 colleagues to do the same.

21 Thank you.

22 ACTING PRESIDENT BAILEY: Thank
23 you, Senator Webb.

24 The resolution was previously
25 adopted on January 21st.

1 Senator Gianaris.

2 SENATOR GIANARIS: Mr. President,
3 the sponsors of today's resolutions would like to
4 open them for cosponsorship.

5 ACTING PRESIDENT BAILEY: All the
6 resolutions are open for cosponsorship. Should
7 you choose not to be a cosponsor, please notify
8 the desk.

9 Senator Gianaris.

10 SENATOR GIANARIS: I have a motion
11 here by Senator Mayer. On page 25, I offer the
12 following amendments to Calendar Number 707,
13 Senate Print 9517, and ask that said bill retain
14 its place on the Third Reading Calendar.

15 ACTING PRESIDENT BAILEY: The
16 amendments are received, and the bill will retain
17 its place on the Third Reading Calendar.

18 SENATOR GIANARIS: Please take up
19 the calendar.

20 ACTING PRESIDENT BAILEY: The
21 Secretary will read.

22 THE SECRETARY: Calendar Number
23 199, Senate Print 54A, by Senator Fernandez, an
24 act to amend the Penal Law.

25 ACTING PRESIDENT BAILEY: Read the

1 last section.

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

4 ACTING PRESIDENT BAILEY: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BAILEY: Senator
8 Fernandez to explain her vote.

9 SENATOR FERNANDEZ: Thank you,
10 Mr. President.

11 Following off the last resolution,
12 Denim Day, I proudly wore my denim suit today.

13 But the message is relevant to this
14 bill. What you wear is not an invitation for
15 assault or attack or rape. And what you choose
16 to consume, should you get intoxicated, is not an
17 invitation to assault, attack or rape.

18 I rise today in support of this
19 legislation. I thank my colleagues for advancing
20 a bill that brings our laws closer to reality.
21 Gaps in the law are leaving survivors without
22 clear protection, allowing the focus to drift
23 away from the actions of those who caused the
24 harm and towards the circumstances surrounding
25 the survivor.

1 This bill addresses that gap, and by
2 making clear that a person who is intoxicated to
3 the point where they cannot remember, is
4 incapable of consent, regardless of how the
5 condition occurred. It affirms a simple
6 standard: Consent cannot exist where capacity
7 does not.

8 I thank this body for passing this
9 bill once again, and I look forward to seeing its
10 full passage so that survivors of rape, when they
11 are intoxicated, however way they got
12 intoxicated, can get justice.

13 Thank you.

14 ACTING PRESIDENT BAILEY: Senator
15 Fernandez to be recorded in the affirmative.

16 Announce the results.

17 THE SECRETARY: Ayes, 58.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 287, Senate Print 156A, by Senator Salazar, an
22 act to amend the Executive Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BAILEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BAILEY: Announce
6 the results.

7 THE SECRETARY: Ayes, 58.

8 ACTING PRESIDENT BAILEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 386, Senate Print 871, by Senator Bailey, an act
12 to amend the Public Housing Law.

13 ACTING PRESIDENT BAILEY: Read the
14 last section.

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

17 ACTING PRESIDENT BAILEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BAILEY: Announce
21 the results.

22 THE SECRETARY: Ayes, 58.

23 ACTING PRESIDENT BAILEY: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 427, Senate Print 8628, by Senator Salazar, an
2 act to amend the Executive Law.

3 ACTING PRESIDENT BAILEY: Read the
4 last section.

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

7 ACTING PRESIDENT BAILEY: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BAILEY: Announce
11 the results.

12 THE SECRETARY: Ayes, 58.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 469, Senate Print 6750, by Senator Webb, an act
17 to amend the Retirement and Social Security Law.

18 ACTING PRESIDENT BAILEY: Read the
19 last section.

20 THE SECRETARY: Section 8. This
21 act shall take effect on the 180th day after it
22 shall have become a law.

23 ACTING PRESIDENT BAILEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BAILEY: Announce
2 the results.

3 THE SECRETARY: Ayes, 58.

4 ACTING PRESIDENT BAILEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 546, Senate Print 4584A, by Senator Salazar, an
8 act to amend the Executive Law.

9 ACTING PRESIDENT BAILEY: Read the
10 last section.

11 THE SECRETARY: Section 6. This
12 act shall take effect on the 120th day after it
13 shall have become a law.

14 ACTING PRESIDENT BAILEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BAILEY: Announce
18 the results.

19 THE SECRETARY: Ayes, 58.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 549, Senate Print 6814, by Senator Bailey, an act
24 to amend the Executive Law.

25 ACTING PRESIDENT BAILEY: Read the

1 last section.

2 THE SECRETARY: Section 5. This
3 act shall take effect on the 90th day after it
4 shall have become a law.

5 ACTING PRESIDENT BAILEY: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BAILEY: Announce
9 the results.

10 THE SECRETARY: Ayes, 58.

11 ACTING PRESIDENT BAILEY: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 711, Senate Print 7612, by Senator Martinez, an
15 act to amend the Social Services Law.

16 ACTING PRESIDENT BAILEY: Read the
17 last section.

18 THE SECRETARY: Section 3. This
19 act shall take effect on the 120th day after it
20 shall have become a law.

21 ACTING PRESIDENT BAILEY: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BAILEY: Announce
25 the results.

1 THE SECRETARY: Ayes, 58.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 712, Senate Print 8045, by Senator Bynoe, an act
6 to amend the Executive Law.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

9 THE SECRETARY: Section 2. This
10 act shall take effect on the 90th day after it
11 shall have become a law.

12 ACTING PRESIDENT BAILEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BAILEY: Announce
16 the results.

17 THE SECRETARY: Ayes, 58.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 730, Senate Print 8877, by Senator Gianaris, an
22 act to amend the Labor Law.

23 SENATOR LANZA: Lay it aside.

24 ACTING PRESIDENT BAILEY: The bill
25 is laid aside, and the perfect game is over.

1 (Laughter.)

2 THE SECRETARY: Calendar Number
3 737, Senate Print 9311, by Senator Persaud, an
4 act directing the Department of Environmental
5 Conservation to conduct a study of ecological
6 restoration needs of Jamaica Bay.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

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

11 ACTING PRESIDENT BAILEY: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BAILEY: Announce
15 the results.

16 THE SECRETARY: Ayes, 58.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 756, Senate Print 17, by Senator Skoufis, an act
21 to amend the General Municipal Law.

22 ACTING PRESIDENT BAILEY: Read the
23 last section.

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

1 ACTING PRESIDENT BAILEY: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BAILEY: Announce
5 the results.

6 THE SECRETARY: Ayes, 58.

7 ACTING PRESIDENT BAILEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 777, Senate Print 5516A, by Senator Hinchey, an
11 act to amend the Railroad Law.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

14 THE SECRETARY: Section 2. This
15 act shall take effect on the 30th day after it
16 shall have become a law.

17 ACTING PRESIDENT BAILEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BAILEY: Announce
21 the results.

22 THE SECRETARY: In relation to
23 Calendar 777, voting in the negative:
24 Senator Walczyk.

25 Ayes, 57. Nays, 1.

1 ACTING PRESIDENT BAILEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 789, Senate Print 441A, by Senator Myrie, an act
5 to amend the Election Law.

6 SENATOR LANZA: Lay it aside.

7 ACTING PRESIDENT BAILEY: Lay it
8 aside.

9 THE SECRETARY: Calendar Number
10 797, Assembly Print Number 2239, by
11 Assemblymember Braunstein, an act to amend the
12 Penal Law.

13 ACTING PRESIDENT BAILEY: Read the
14 last section.

15 THE SECRETARY: Section 2. This
16 act shall take effect on the first of November.

17 ACTING PRESIDENT BAILEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BAILEY: Announce
21 the results.

22 THE SECRETARY: In relation to
23 Calendar 797, voting in the negative:
24 Senator Brisport.

25 Ayes, 57. Nays, 1.

1 ACTING PRESIDENT BAILEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 806, Senate Print 3356A, by Senator Rivera, an
5 act to amend the Public Health Law.

6 ACTING PRESIDENT BAILEY: Read the
7 last section.

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

10 ACTING PRESIDENT BAILEY: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BAILEY: Announce
14 the results.

15 THE SECRETARY: In relation to
16 Calendar 806, voting in the negative are
17 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
18 Chan, Griffo, Helming, Lanza, Martins, Mattera,
19 Murray, O'Mara, Ortt, Palumbo, Rhoads, Rolison,
20 Tedisco, Walczyk, Weber and Weik.

21 Ayes, 39. Nays, 19.

22 ACTING PRESIDENT BAILEY: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 816, Senate Print 8234A, by Senator Jackson, an

1 act to amend the Education Law.

2 ACTING PRESIDENT BAILEY: Read the
3 last section.

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

6 ACTING PRESIDENT BAILEY: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BAILEY: Announce
10 the results.

11 THE SECRETARY: Ayes, 58.

12 ACTING PRESIDENT BAILEY: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 820, Senate Print 2416, by Senator Parker, an act
16 to amend the Public Service Law.

17 ACTING PRESIDENT BAILEY: Read the
18 last section.

19 THE SECRETARY: Section 6. This
20 act shall take effect immediately.

21 ACTING PRESIDENT BAILEY: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BAILEY: Announce
25 the results.

1 THE SECRETARY: Ayes, 58.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

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

6 SENATOR GIANARIS: Let's go to the
7 controversial calendar, please.

8 ACTING PRESIDENT BAILEY: The
9 Secretary will ring the bell.

10 The Secretary will read.

11 THE SECRETARY: Calendar Number
12 730, Senate Print 8877, by Senator Gianaris, an
13 act to amend the Labor Law.

14 ACTING PRESIDENT BAILEY: Senator
15 Borrello, why do you rise?

16 SENATOR BORRELLO: Mr. President,
17 would the sponsor yield for a question, please.

18 ACTING PRESIDENT BAILEY: Will the
19 sponsor yield?

20 SENATOR GIANARIS: Yeah.

21 ACTING PRESIDENT BAILEY: The
22 sponsor yields.

23 SENATOR BORRELLO: Through you,
24 Mr. President.

25 So I read this bill with some

1 curiosity. I'm trying to figure out what
2 exactly -- what problem it's trying to solve.
3 Could you just kind of explain to me what the
4 genesis -- you know, what brought this bill
5 about?

6 SENATOR GIANARIS: Sure. There is
7 a phenomenon called "ghost jobs." And if you're
8 not familiar with it, I encourage you to do some
9 research. It is one where a job is posted but
10 the posting company has no real intention of
11 filling the jobs.

12 And so people who are out of work,
13 who are trying to plan their lives, who are
14 seeking employment, will apply for these jobs
15 when there is no real job that is pending to be
16 filled.

17 And the companies do this in order
18 to gather data on applicants, in order to create
19 the impression of growth of their company when
20 they're not really trying to hire. There are
21 various reasons why this is a thing that occurs.

22 But it is definitely a phenomenon
23 that is growing and that we would solve for by
24 requiring some very simple disclosures.

25 SENATOR BORRELLO: Mr. President,

1 will the sponsor continue to yield?

2 ACTING PRESIDENT BAILEY: Will the
3 sponsor yield?

4 SENATOR GIANARIS: Mm-hmm.

5 ACTING PRESIDENT BAILEY: The
6 sponsor yields.

7 SENATOR BORRELLO: That's pretty
8 interesting. So we're going to really try to
9 delve into the intent of someone that was
10 intentionally trying to deceive someone.

11 As someone who's hired a lot of
12 people over the years, you know, sometimes jobs
13 don't get filled because the right person doesn't
14 step forward, or you want to just make sure that
15 you're always available to have a good person
16 come forward.

17 So how are we going to determine the
18 bad actors from people that just simply want to
19 make sure that they are, you know, engaging in
20 every opportunity to hire a good person?

21 SENATOR GIANARIS: The bill is very
22 simple. It says if the job is for an immediate
23 opening that is intended to be filled within
24 90 days, that it certainly should say so. This
25 job is for -- I think the disclosure says, "This

1 posting is for a current vacancy, the employer
2 intends to fill this position by such-and-such a
3 date."

4 If there's a job that they know will
5 be filled beyond a 90-day period, it will require
6 a disclosure saying that: "This posting is for a
7 current vacancy; the employer intends to fill
8 this position for a date after such-and-such."

9 And if in fact it's just an
10 open-ended job posting, which I think is the
11 example you're referring to, it would require
12 something to say "This posting is not for a
13 current vacancy, but the employer is seeking
14 resumes to review in the future when jobs do
15 become available."

16 SENATOR BORRELLO: Mr. President,
17 will the sponsor continue to yield?

18 ACTING PRESIDENT BAILEY: Will the
19 sponsor yield?

20 SENATOR GIANARIS: Yes.

21 ACTING PRESIDENT BAILEY: The
22 sponsor yields.

23 SENATOR BORRELLO: Well, but aren't
24 you -- by giving a certain fill-by date within
25 90 days, you're insinuating there has to be some

1 kind of a guarantee. So you have to be
2 guaranteed that you're going to actually fill a
3 position that you're looking for? Sometimes you
4 just don't find the right person or at the -- you
5 know, at an affordable, you know, salary.

6 How are we going to determine that
7 this is a guarantee?

8 SENATOR GIANARIS: There's no
9 guarantee required in this legislation. In fact,
10 it specifically says the employer intends for the
11 position to be filled in 90 days or less.

12 SENATOR BORRELLO: Mr. President,
13 will the sponsor continue to yield?

14 ACTING PRESIDENT BAILEY: Will the
15 sponsor yield?

16 SENATOR GIANARIS: Yes.

17 ACTING PRESIDENT BAILEY: The
18 sponsor yields.

19 SENATOR BORRELLO: So who's going
20 to determine the intent, whether or not it was,
21 you know, actually genuine or not?

22 SENATOR GIANARIS: The Department
23 of Labor would have enforcement powers. If they
24 believe that someone was violating this statute,
25 then they could bring action.

1 SENATOR BORRELLO: Mr. President,
2 will the sponsor continue to yield?

3 ACTING PRESIDENT BAILEY: Will the
4 sponsor yield?

5 SENATOR GIANARIS: Yes.

6 ACTING PRESIDENT BAILEY: The
7 sponsor yields.

8 SENATOR BORRELLO: You know, I was
9 looking at the fines. This is pretty excessive.
10 A \$2500 fine, and then that will double? Even if
11 it's remedied within 30 days, that fine still
12 applies, and then it doubles to 5,000 after that?
13 Doesn't it seem excessive and harsh for a job
14 posting?

15 SENATOR GIANARIS: I mean, I
16 don't -- "no" is the short answer.

17 And if Senator Borrello thinks a
18 company can't in 30 days have a posting taken
19 down, then I don't really know what to tell him.
20 It seems pretty reasonable that if you give
21 someone a month's notice to take down a posting,
22 they should be able to do it.

23 SENATOR BORRELLO: Mr. President,
24 will the sponsor continue to yield?

25 ACTING PRESIDENT BAILEY: Will the

1 sponsor yield?

2 SENATOR GIANARIS: Yes.

3 ACTING PRESIDENT BAILEY: The
4 sponsor yields.

5 SENATOR BORRELLO: But doesn't your
6 bill say that even if they do take it down,
7 they're still subject to a \$2500 fine? If it's
8 beyond 30 days, then \$5,000?

9 SENATOR GIANARIS: Yes, you are
10 asking about the increase in fines as the months
11 roll on.

12 So yes, there would be an initial
13 \$2500 fine for a violation.

14 If the posts are taken down with a
15 month of that notice, then that would be the end
16 of it.

17 SENATOR BORRELLO: Mr. President,
18 will the sponsor continue to yield?

19 ACTING PRESIDENT BAILEY: Will the
20 sponsor yield?

21 SENATOR GIANARIS: Yes.

22 ACTING PRESIDENT BAILEY: The
23 sponsor yields.

24 SENATOR BORRELLO: One of my peeves
25 with a lot of the bills here is they don't

1 distinguish between full-time equivalents, FTEs,
2 and people.

3 You know, this says a hundred people
4 or a hundred employees. So I know you're trying
5 to set a threshold that you have to be a business
6 that employs a hundred people or more. But, you
7 know, there's a lot of companies out there, you
8 know, like myself that are part-time seasonal
9 businesses.

10 Does this contemplate FTEs or just
11 the number of people?

12 SENATOR GIANARIS: Just employees,
13 which is the standard definition we use to
14 delineate what's a small business versus a large
15 business.

16 SENATOR BORRELLO: Mr. President,
17 will the sponsor continue to yield?

18 ACTING PRESIDENT BAILEY: Does the
19 sponsor yield?

20 SENATOR GIANARIS: Yes.

21 ACTING PRESIDENT BAILEY: The
22 sponsor yields.

23 SENATOR BORRELLO: So does this
24 apply to just like a minimum-wage job? A
25 part-time, you know, minimum-wage job, this would

1 still apply? There's no threshold where we're --
2 you know, you're going after a professional
3 person that's making a six-figure salary?

4 What's the determining factor here
5 as to what would be considered, you know, a
6 violation worthy of a punishment of \$2500?

7 SENATOR GIANARIS: There's no
8 salary threshold in this, in the legislation. It
9 would apply across the board. In fact, people
10 that are applying for minimum-wage jobs would
11 perhaps be more in need of protection than people
12 who would be seeking higher-paying jobs.

13 SENATOR BORRELLO: Mr. President,
14 will the sponsor continue to yield?

15 ACTING PRESIDENT BAILEY: Will the
16 sponsor yield?

17 SENATOR GIANARIS: Yes.

18 ACTING PRESIDENT BAILEY: The
19 sponsor yields.

20 SENATOR BORRELLO: Through you,
21 Mr. President. So you're going to allow --
22 you're basically going to task the Department of
23 Labor -- this could be very I think
24 labor-intensive, no pun intended, for the
25 Department of Labor, because you're allowing

1 really any aggrieved person to report this, and
2 an investigation has to be, you know, commenced
3 after that.

4 I mean, so you see a job posting for
5 a job that maybe you weren't even going to apply
6 for, and now we're going to create an
7 investigation by the Department of Labor? Is
8 that what this bill would do?

9 SENATOR GIANARIS: I don't believe
10 it would require an investigation if the
11 department's incapable of conducting one.

12 But it authorizes them to conduct
13 investigations.

14 SENATOR BORRELLO: Mr. President,
15 will the sponsor continue to yield?

16 ACTING PRESIDENT BAILEY: Will the
17 sponsor yield?

18 SENATOR GIANARIS: Yes.

19 ACTING PRESIDENT BAILEY: The
20 sponsor yields.

21 SENATOR BORRELLO: You're an
22 attorney, I'm not. But doesn't this bill kind of
23 create some legal ambiguity around what an
24 employer intends to do?

25 SENATOR GIANARIS: Uh, no.

1 (Laughter.)

2 SENATOR BORRELLO: Mr. President,
3 will the sponsor continue to yield?

4 ACTING PRESIDENT BAILEY: Will the
5 sponsor yield?

6 SENATOR GIANARIS: Yes.

7 ACTING PRESIDENT BAILEY: The
8 sponsor yields.

9 SENATOR BORRELLO: Why?

10 SENATOR GIANARIS: Every law we
11 pass requires an intentional -- well, not every
12 one, but predominantly the laws we pass require
13 an intentional violation. I am a lawyer. It's
14 called mens rea, right, in the legal jargon,
15 because we don't want to punish people when they
16 do things that they don't intend to do. Right?

17 And so that is so much of the
18 statutes of our state and every state, and the
19 nation, and the world, require an intent to
20 commit the crime. And so that is -- or not
21 crime, a violation in this case.

22 That is just a part of
23 jurisprudence. So I understand you're not a
24 lawyer, but you've probably got some surrounding
25 you you can ask.

1 SENATOR BORRELLO: A few.

2 Mr. President, will the sponsor
3 continue to yield?

4 ACTING PRESIDENT BAILEY: Will the
5 sponsor yield?

6 SENATOR GIANARIS: No. Uh, yes,
7 I'm sorry.

8 (Laughter.)

9 ACTING PRESIDENT BAILEY: The
10 sponsor does indeed yield.

11 SENATOR BORRELLO: It's not that
12 late.

13 SENATOR GIANARIS: We're almost
14 there, Borrello, but not yet.

15 SENATOR BORRELLO: Through you,
16 Mr. President.

17 So I know you say we don't want
18 to -- you know, if somebody did something
19 unintentionally, that we don't want to punish
20 them for it. But again, I'm not a legal expert
21 here, but what is to stop -- who is determining
22 whether or not it was intentionally done or not?

23 You know, I just think that's an
24 ambiguity in itself. You could have, you know,
25 someone that -- you know, whatever, the job

1 posting company or the publication that they use
2 left it up longer, or maybe they're using a
3 company that hires people for them, a head
4 hunter. Who's liable, then, if that was the
5 case --

6 SENATOR GIANARIS: The --

7 SENATOR BORRELLO: -- the company
8 or the company hired?

9 SENATOR GIANARIS: Sorry to
10 interrupt.

11 That's a determination for the
12 enforcing authority whose decision could be
13 challenged in court if the aggrieved party sees
14 fit to do so.

15 I would point out to
16 Senator Borrello the intent requirement is
17 intended to protect someone who might be accused
18 of violating the law. So if he wants to remove
19 that to make it cleaner, he could put in a bill
20 to amend this further. But I think the people
21 you are trying to protect would be further hurt
22 by that.

23 SENATOR BORRELLO: Mr. President,
24 will the sponsor continue to yield?

25 ACTING PRESIDENT BAILEY: Will the

1 sponsor yield?

2 SENATOR GIANARIS: Yes.

3 ACTING PRESIDENT BAILEY: The
4 sponsor yields.

5 SENATOR BORRELLO: I think this
6 is my -- I guess this is my last question here.

7 Has there been an outcry about
8 ghost jobs? Where have we heard this -- you
9 know, this is the first time I'm hearing about
10 this. I'm an employer, I'm a member of the NFIB,
11 the New York State Restaurant Association. I'd
12 never even heard of ghost jobs before I saw this
13 bill.

14 So is there a real outcry? Are we
15 really looking -- is this a problem that's really
16 out there to be solved?

17 SENATOR GIANARIS: Yes.

18 SENATOR BORRELLO: That long
19 question, I only get one word for a response?

20 All right. Mr. President, on the
21 bill.

22 ACTING PRESIDENT BAILEY: Senator
23 Borrello on the bill.

24 SENATOR BORRELLO: You know, this
25 bill does what a lot of other bills that we've

1 passed in this chamber do, and that is create a
2 private right of action.

3 So I'm not much concerned, quite
4 frankly, about someone who is truly, you know --
5 I guess duped, if you will, that they thought the
6 job was open, they applied for the job and they
7 never heard.

8 But I am worried about, once again,
9 creating an opportunity for someone to create a
10 class-action lawsuit and getting a lot of small
11 companies in particular, because 100 FTEs
12 wouldn't necessarily mean 100 full-time
13 employees, it might mean 10 or 20 employees.

14 You know, it might mean somebody,
15 quite frankly, that, you know, doesn't
16 necessarily have a huge business but has a lot of
17 labor, like a restaurant. I can speak from
18 personal -- I guess personal experience there.

19 But what we're really doing here is
20 we're in search of a solution for a problem that
21 really doesn't exist, in my opinion. And at a
22 very, very hefty fine.

23 This is going to create what I would
24 consider to be a bounty hunter situation, where
25 we're going to have attorneys out there combing

1 through all the job postings, whether it be on
2 social media or in a newspaper or some kind of a
3 job site, and then we're going to start creating
4 lawsuits and, you know, issues like that that
5 make it harder and harder and more expensive to
6 do business here.

7 This is why New York State is
8 consistently at the bottom of every list when it
9 comes to businesses, as a friendly place to do
10 business. We rank 41st out of 50 states in the
11 country for starting a new business, 41st for the
12 great Empire State. We make it harder and harder
13 for people to be able to just have a business, be
14 profitable, employ people, and have a -- make a
15 living for themselves and the people and the
16 families that they support in their business.

17 And this is just another step in
18 that direction, unfortunately. I just don't see
19 this as something -- a problem that is worthy of
20 such a hefty, severe fine -- \$2500, \$5,000 for
21 posting a job for a little too long? That seems
22 excessive to me.

23 As a small business owner, I can
24 tell you -- as a member of the NFIB, who also has
25 big problems with this, I can tell you this is

1 already a difficult place to do business. Let's
2 not make it even more difficult with such a heavy
3 burden like this bill.

4 So I'll be voting no. Thank you.

5 ACTING PRESIDENT BAILEY: Thank
6 you, Senator Borrello.

7 Senator Murray, why do you rise?

8 SENATOR MURRAY: Through you,
9 Mr. President, would the sponsor yield for a
10 couple of questions?

11 ACTING PRESIDENT BAILEY: Will the
12 sponsor yield?

13 SENATOR GIANARIS: I do, yes.

14 ACTING PRESIDENT BAILEY: The
15 sponsor yields.

16 SENATOR MURRAY: Thank you.
17 Through you, Mr. President.

18 Just for clarification, I'm trying
19 to get ahold of the time frames on -- so when it
20 says that they must be clear about whether it's
21 to be filled before 90 days or after 90 days,
22 would that be solved easily by them simply saying
23 "immediate openings"?

24 SENATOR GIANARIS: I'm not sure I
25 understand the question, Senator.

1 SENATOR MURRAY: So when the -- I'm
2 sorry, through you, Mr. President --

3 ACTING PRESIDENT BAILEY: Senator
4 Murray, please rephrase the question.

5 SENATOR MURRAY: Sure.

6 So in the -- you're placing an ad,
7 you have some openings, and you start your ad
8 with "immediate openings." Would that cover the
9 time frame?

10 SENATOR GIANARIS: No, there's a
11 very exact text that's in the legislation that
12 they would have to use.

13 SENATOR MURRAY: Mr. President,
14 will the sponsor continue to yield?

15 ACTING PRESIDENT BAILEY: Will the
16 sponsor yield?

17 SENATOR GIANARIS: Yes.

18 ACTING PRESIDENT BAILEY: The
19 sponsor yields.

20 SENATOR MURRAY: Thank you.

21 Through you, Mr. President. I also
22 just wanted to cover the fines, where it says a
23 violation for each print publication or digital
24 platform.

25 Many times you'll have a print

1 publication that also offers the digital platform
2 as one. So when you purchase the ad, it will go
3 in the print, also on the website or on the
4 digital platform.

5 Would that count -- if there's a
6 violation, would it count as one or two?

7 SENATOR GIANARIS: I'm sorry, I was
8 talking with staff. Can you repeat that one more
9 time?

10 SENATOR MURRAY: Sure. Through
11 you, Mr. President --

12 ACTING PRESIDENT BAILEY: By all
13 means, Senator Murray.

14 SENATOR MURRAY: So many times when
15 you place a help wanted ad, there is a print
16 publication as well as a digital platform. And
17 you get it as one. You purchase one ad, it goes
18 on both.

19 For the violation purposes, if you
20 were to be found in violation and you had it on
21 both, is that one violation or two?

22 SENATOR GIANARIS: That would be
23 two.

24 SENATOR MURRAY: That would be two
25 separate.

1 Thank you, Mr. President. On the
2 bill.

3 ACTING PRESIDENT BAILEY: Senator
4 Murray on the bill.

5 SENATOR MURRAY: Thank you,
6 Senator Gianaris.

7 The problem is real. I was in this
8 business, I owned an employment newspaper and
9 website. The problem is real, in that -- and it
10 is very, very frustrating. Some companies will
11 place ads that either aren't real or for a ghost
12 position. Sometimes they'll place ads to gather
13 information, to gather data that later they sell.

14 I'm not saying this is right to do
15 this. I'm just wondering if the punishment may
16 far exceed what's happening.

17 The problem is, as I said,
18 frustrating. That's about as far as it goes.
19 It's not illegal. It's not -- it's not putting
20 anybody in jeopardy or anything. It's just
21 frustrating. You see an ad, you send a resume
22 in, you didn't hear anything back. Two months go
23 by, you still see the ad. Well, what happened?
24 Why didn't they get back to me? So yes, it is
25 frustrating.

1 Is it worth punishing people who are
2 employing people? I'll give you an example.
3 You've got a company that gets a big contract,
4 they're a manufacturer. They've got multiple
5 positions that they're hiring for, and they put
6 that ad in there that they have these multiple
7 positions.

8 Well, they may fill some of them.
9 They may want to do it within 90 days. They just
10 can't. Or maybe they're just going through the
11 resumes very, very carefully and they want to get
12 more.

13 I'll give you another example. Some
14 publications, when it comes to employment, some
15 are biweekly publications, some are monthly
16 publications. If you place an ad in a monthly
17 print publication, once that ad is placed, you
18 can't magically pull it out.

19 So if in fact it's found that the
20 position was filled but the deadline passed,
21 you're still running that ad for a full other
22 month. You didn't do anything wrong, you just
23 missed the deadline because it was a monthly
24 publication.

25 So 30 days really isn't very

1 realistic. But I'll tell you what, \$2500 is very
2 realistic to the pockets of people -- of
3 companies that are trying to employ New Yorkers.

4 So I do think we should continue to
5 look at the problem, at the situation, and I
6 appreciate that that's what's being done. But I
7 think the punishment here far, far outpaces the
8 so-called problem here.

9 So I'll be voting no. Thank you.

10 ACTING PRESIDENT BAILEY: Thank
11 you, Senator Murray.

12 Senator Tedisco, why do you rise?

13 SENATOR TEDISCO: Yeah, will the
14 Met fan -- I mean Senator Gianaris rise?

15 ACTING PRESIDENT BAILEY: As a
16 Met fan, Senator Gianaris, do you yield?

17 SENATOR GIANARIS: I am both of
18 those things, yes.

19 SENATOR TEDISCO: My condolences.

20 ACTING PRESIDENT BAILEY: The
21 Senator yields.

22 SENATOR TEDISCO: The definition of
23 employer here, is it for part-time or full-time
24 employment, or both?

25 SENATOR GIANARIS: Both.

1 SENATOR TEDISCO: And if I was --

2 ACTING PRESIDENT BAILEY: Senator
3 Tedisco, are you on the bill or are you asking
4 the sponsor to yield?

5 SENATOR TEDISCO: You want to yield
6 again?

7 ACTING PRESIDENT BAILEY: Will the
8 sponsor yield?

9 SENATOR GIANARIS: Yes.

10 ACTING PRESIDENT BAILEY: The
11 sponsor yields.

12 SENATOR TEDISCO: And if I was just
13 a citizen and I want somebody to mow my lawn and
14 I put an advertisement in the paper, or come to
15 my farm and clean up the horses and do some
16 things around the farm -- not hiring them
17 full-time, but maybe a one-time thing, would they
18 have to stipulate anything about that?

19 SENATOR GIANARIS: Only if you're
20 hiring more than a hundred people.

21 SENATOR TEDISCO: A hundred people?

22 SENATOR GIANARIS: Yes.

23 SENATOR TEDISCO: Yeah. And --

24 SENATOR GIANARIS: It's a pretty
25 big operation at that point.

1 SENATOR TEDISCO: Yeah, would the
2 gentleman yield again?

3 SENATOR GIANARIS: It's a big lawn,
4 Senator Tedisco.

5 ACTING PRESIDENT BAILEY: Will the
6 sponsor yield?

7 SENATOR GIANARIS: You know, in the
8 city we don't have lawns that need 100 people to
9 mow them. Maybe in Saratoga you do.

10 Yes, I yield.

11 ACTING PRESIDENT BAILEY: The
12 sponsor yields.

13 SENATOR TEDISCO: So one of the
14 things that upsets our constituents to the extent
15 that -- they think we treat ourselves differently
16 than we treat them sometimes. Like, they have
17 deadlines and when they have to get something
18 done, they get it done on a deadline.

19 We have budgets. When we've got to
20 get it done in the last five years, we haven't
21 got it done, we're late now.

22 I'm wondering, the State of New
23 York, in all our divisions, and all of us in this
24 room, when we put out advertisements to hire
25 people, these stipulations would relate to us and

1 the State of New York also, right? Although
2 we're not a business, we shouldn't treat
3 ourselves any differently than the employees we
4 want to hire.

5 So all the stipulations in this bill
6 relate to like the director of some organization
7 here, or a staffing need that we put out
8 advertisements, and they'd have the same
9 stipulations? And you or I, if we wanted to hire
10 a staff person and we put an advertisement out
11 there, we'd have the same stipulations as the
12 businesses would? Does that bill cover that?

13 SENATOR GIANARIS: No.

14 SENATOR TEDISCO: Okay, thank you.

15 This is another illustration --

16 ACTING PRESIDENT BAILEY: Senator
17 Tedisco, are you on the bill?

18 SENATOR TEDISCO: Yup.

19 ACTING PRESIDENT BAILEY: Senator
20 Tedisco on the bill.

21 SENATOR TEDISCO: -- another
22 illustration of how we treat others in our state,
23 which has forced them to walk out of the state
24 and vote with their feet.

25 I mean, I can't express it enough.

1 You know, you're going to treat businesses like
2 this, but then you're going to treat the
3 employees that we hire in the state and have the
4 opportunity to put these advertisements in
5 there -- and you know what? I have my
6 constituents call me, and they say they go for
7 interviews, and the same thing you're talking
8 about that businesses might do, they're ghosting
9 and doing to some of my constituents in my
10 district.

11 So why would you treat yourselves
12 differently, or the State of New York
13 differently, when you hire people? You are
14 employers, you're also elected officials, you're
15 also representatives.

16 You're telling businesses: You'd
17 better not make any mistakes, you've got a
18 certain number of days to get this done, you'd
19 better be truthful, but you're treating the
20 constituents, all the state people who we hire
21 here, potentially, a little bit differently.

22 We can ghost them -- you can ghost
23 them when you become their employer, with the
24 employees, but the businesses in the state,
25 they've got to have specific guidelines and

1 mandates. And these specific guidelines and
2 mandates are the reason why people are voting
3 with their feet.

4 And remember what the situation is.
5 You're projected to lose two or three in the next
6 counting procedure, census. And every
7 two minutes and 24 seconds, somebody leaves the
8 State of New York, because of this.

9 You're an employer, everybody who
10 hires somebody in our state agencies are
11 employers. You want to treat businesses like
12 this, give them guidelines, give them more
13 mandates, and they're going to pack up and walk
14 out.

15 And then the Governor last year, who
16 says I don't care if millionaires leave the State
17 of New York, what do I care if they don't like --
18 but then last week she was on her knees, please
19 come back, we need your dollars.

20 Why do they need the dollars and
21 their money? Because of spending that takes
22 place, because of the taxes in New York State,
23 because of energy policies that are ridiculous.
24 And she's pointed them out with a memo from her
25 own office. And that's part of why we're here

1 today with a late budget, the fifth year in a
2 row. We couldn't do the number-one thing that's
3 probably most important by our constitution: A
4 good, balanced, on-time budget to keep people in
5 New York State and attract them to come here.

6 And again, I'll tell you, it's not
7 to South Carolina or Florida or Texas. Things
8 like this bill, what you're doing to businesses
9 and jobs in New York State -- it's Connecticut,
10 it's Pennsylvania, it's New Jersey. They're
11 leaving the state in droves.

12 Stop this. Please, treat yourselves
13 in the State of New York like you're treating
14 your constituents, or do better for them like
15 you're doing better for yourself.

16 Thank you, Mr. President.

17 ACTING PRESIDENT BAILEY: Thank
18 you, Senator Tedisco.

19 Are there any other Senators wishing
20 to be heard?

21 Seeing and hearing none, debate is
22 closed.

23 The Secretary will ring the bell.

24 Senator Gianaris.

25 SENATOR GIANARIS: We've agreed to

1 restore this bill to the noncontroversial
2 calendar.

3 ACTING PRESIDENT BAILEY: On
4 consent, the bill is restored to the
5 noncontroversial calendar.

6 Read the last section.

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

9 ACTING PRESIDENT BAILEY: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BAILEY: Senator
13 Gianaris to explain his vote.

14 SENATOR GIANARIS: Thank you,
15 Mr. President.

16 As an initial matter, I'm fascinated
17 by how Senator Tedisco is hiring a hundred
18 lawn-mowers when he hasn't got a paycheck in a
19 month. But I can ask him that offline.

20 And I appreciate that
21 Senator Borrello doesn't have a great knowledge
22 of the legal system in our state. But there is
23 no private right of action in this bill. A
24 private right of action is when an individual is
25 empowered to bring suit him or herself against a

1 violation.

2 This would have to go through the
3 Department of Labor, so there is not in fact a
4 private right of action provided for in this
5 bill.

6 Also, I appreciate that his own
7 colleagues contradicted him about whether this is
8 a real problem or not. Senator Borrello pointed
9 out that he didn't think this was something he's
10 ever heard of.

11 Senator Murray, who I appreciate his
12 recognition of the problem being a real one that
13 a lot of people who are frustrated deal with
14 it -- it may seem like it's just a frustration
15 and nothing more, but if you're unemployed and
16 looking for a job, I guarantee you that if you
17 have to wait around for a job that doesn't exist,
18 it's more than just a frustration.

19 And let's talk about the burdens on
20 businesses. Let's be serious. We're talking
21 about a sentence in a job posting. It either
22 says the job is open right now, we hope to fill
23 it within three months, the job's going to be
24 open after three months and we'll fill it then,
25 or we're not sure when the job is going to be

1 open, but we're collecting resumes.

2 That's all this bill says, one of
3 those three things, when you post a job, just say
4 that. I don't think it's a tremendous burden on
5 a business that employs over a hundred people to
6 add one sentence to a job posting.

7 I vote yes, Mr. President.

8 Thank you.

9 ACTING PRESIDENT BAILEY: Senator
10 Gianaris to be recorded in the affirmative.

11 Senator Murray to explain his vote.

12 SENATOR MURRAY: Thank you,
13 Mr. President.

14 I appreciate what the sponsor is
15 saying there, but it's more than just a sentence.
16 Because if you put that sentence in and don't
17 fill it within that time frame, then it's a
18 violation -- that can cost you \$2500, \$5,000
19 because you're trying to hire someone?

20 I don't think we want to punish
21 employers. So for that reason I'm voting no.

22 ACTING PRESIDENT BAILEY: Senator
23 Murray to be recorded in the negative.

24 Announce the results.

25 THE SECRETARY: In relation to

1 Calendar 730, voting in the negative are
2 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
3 Chan, Gallivan, Griffo, Helming, Mattera, Murray,
4 O'Mara, Ortt, Palumbo, Rhoads, Rolison, Tedisco,
5 Walczyk, Weber and Weik. Also Senator Martins.

6 Ayes, 39. Nays, 19.

7 ACTING PRESIDENT BAILEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 789, Senate Print 441A, by Senator Myrie, an act
11 to amend the Election Law.

12 ACTING PRESIDENT BAILEY: Senator
13 Walczyk, why do you rise?

14 SENATOR WALCZYK: Mr. President, I
15 hope the sponsor would yield.

16 ACTING PRESIDENT BAILEY: Will the
17 sponsor yield?

18 SENATOR MYRIE: Yes.

19 ACTING PRESIDENT BAILEY: The
20 sponsor yields.

21 SENATOR WALCZYK: Through you,
22 Mr. President.

23 So the John R. Lewis Voting
24 Rights Act provides for assistance for language
25 minority groups currently. That's under

1 Section 17-208 of Election Law.

2 What does this bill change?

3 SENATOR MYRIE: Through you,
4 Mr. President. It adds two groups to the
5 language minority and protected class, language
6 minority groups, to the language assistance
7 requirement.

8 Those two groups are the Haitian
9 Creole and Middle Eastern and North African,
10 which has been recognized by the federal
11 government as its own separate category worthy of
12 recognition.

13 SENATOR WALCZYK: Would the sponsor
14 continue to yield?

15 ACTING PRESIDENT BAILEY: Will the
16 sponsor yield?

17 SENATOR MYRIE: Yes.

18 ACTING PRESIDENT BAILEY: The
19 sponsor yields.

20 SENATOR WALCZYK: Through you,
21 Mr. President.

22 So adding Haitian Creole as well as
23 Middle East and North African, as you were
24 pointing out, has been newly defined.

25 And currently in the John R. Lewis

1 Voting Rights Act, if there's greater than
2 2 percent of those groups or greater than
3 4,000 individuals in a political subdivision,
4 they would qualify for the language assistance
5 from boards of elections.

6 What languages in these new
7 additions -- obviously Haitian Creole, as you've
8 named it. What languages would boards of
9 elections have to be prepared to provide all of
10 that material for if this bill becomes law?

11 SENATOR MYRIE: Through you,
12 Mr. President. In the instance of Middle
13 Eastern/North African or MEAN, as it is
14 affectionately called, we have in this bill not
15 specified all of the languages, as it is not on
16 the federal level exhausted in the explanation of
17 where those countries of origin or languages may
18 be.

19 However, if you look at where the
20 State of New York is on the top languages that
21 are spoken, Arabic happens to be one of those top
22 languages.

23 And if we approximate the
24 information already provided by OGS on its
25 Language Diversity Dashboard, I would just note

1 that the state already provides language access
2 in 50 state agencies for these top languages, of
3 which Arabic is one. We would add some counties
4 to this language assistance requirement.

5 SENATOR WALCZYK: And through you,
6 Mr. President, would the sponsor continue to
7 yield?

8 ACTING PRESIDENT BAILEY: Will the
9 sponsor yield?

10 SENATOR MYRIE: Yes.

11 ACTING PRESIDENT BAILEY: The
12 sponsor yields.

13 SENATOR WALCZYK: So of the
14 additional languages that we might be adding
15 here, what's the trigger? Is it on the language
16 proficiency and the actual language that people
17 are speaking? Or is it based on the census
18 number, you know, based on Statistical Policy
19 Directive 15? Which you point to in your bill,
20 and that's the change that you articulated here
21 on the floor that's adding the new check block in
22 the census for Middle Eastern and North African.

23 Will it be any of the -- will it be
24 a language trigger within those nations that have
25 been described by the federal government? Or

1 will it be the number of people that have checked
2 that block within a census tract and then a
3 political subdivision? What's the trigger?

4 SENATOR MYRIE: Through you,
5 Mr. President. This is not wholly tied to the
6 census numbers. It refers to the census by way
7 of the American Community Survey, as ACS defines
8 language minorities and limited English
9 proficient. That is the language that is used in
10 the statute, and that would be how we would
11 categorize.

12 SENATOR WALCZYK: And would the
13 sponsor continue to yield?

14 ACTING PRESIDENT BAILEY: Will the
15 sponsor yield?

16 SENATOR MYRIE: Yes.

17 ACTING PRESIDENT BAILEY: The
18 sponsor yields.

19 SENATOR WALCZYK: Through you,
20 Mr. President. Yeah, the question is still the
21 same.

22 So if in the American Community
23 Survey that's scheduled to go out in 2027, if
24 they've surveyed the political subdivisions of
25 the State of New York and have found 2 percent or

1 4,000, which are the thresholds in the John R.
2 Lewis Voting Rights Act, if they've found those
3 thresholds to exceed the 2 percent or the 4,000,
4 does that mean they'll be providing for all of
5 the languages of all of those countries that are
6 of Middle Eastern and North African descent? Or
7 is there a particular language or will it be
8 language-based to find that 2 percent or that
9 4,000?

10 SENATOR MYRIE: Through you,
11 Mr. President. I think I understand the question
12 now, and I think it is a determination that would
13 have to be made by the boards of elections.

14 The requirement of providing
15 materials, et cetera, that would make it easier
16 for eligible voters to access the ballot I think
17 could be determined by the Board of Elections'
18 own experience with limited English proficient
19 voters and speakers.

20 And I think we have some of that
21 information by way of what the state already
22 collects through its language access requirement
23 for all of the other state agencies.

24 So it could be the case that there
25 would be more than one language under the MEAN

1 requirement, should this become law, but that
2 would be a determination made by the local board.

3 SENATOR WALCZYK: Briefly on the
4 bill, Mr. President.

5 ACTING PRESIDENT BAILEY: Senator
6 Walczyk on the bill.

7 SENATOR WALCZYK: So the countries
8 that have been listed in Statistical Policy
9 Directive 15, which the sponsor refers to here
10 and has an impact on the bill that's before us,
11 those countries are Lebanon, Syria, Egypt,
12 Morocco, Iran, Israel, Palestine, Iraq,
13 Kurdish -- which is not a nation -- and others.

14 But of those, many languages
15 spoken -- French, Arabic, Armenian, Kurdish,
16 Aramaic, Coptic, Berber, Spanish, Farsi, Luri,
17 Asuri, Balochi, Hebrew, Russian, Yiddish,
18 Ladino -- the list goes on. So I think, if I
19 would ask the sponsor to yield --

20 ACTING PRESIDENT BAILEY: Will the
21 sponsor again yield?

22 SENATOR MYRIE: Yes.

23 ACTING PRESIDENT BAILEY: The
24 sponsor yields.

25 SENATOR WALCZYK: I think for

1 purposes -- through you, Mr. President, for
2 purposes of providing your intent to the Board of
3 Elections, if we're going to allow the Board of
4 Elections to determine whether it's the number of
5 people that are from this region that the federal
6 government is now going to count and account for
7 and provide data for, would you provide some
8 intent as to whether it's to meet the threshold
9 for those languages within that region or whether
10 it's that region at large?

11 SENATOR MYRIE: Yes. Through you,
12 Mr. President. In both cases, whether it is a
13 language minority group or a language by way of
14 limited English proficiency, both of those make
15 reference to language and what is spoken.

16 And it is our intent that if you are
17 a limited English proficient speaker, if you
18 speak another language but are eligible to vote,
19 and you hit certain thresholds, that you would
20 have the materials provided by the Board of
21 Elections to help you.

22 So if that happens to be other
23 languages that grow, as the Haitian Creole
24 speaker population has grown, as the
25 Arabic-speaking population has grown, and

1 certainly as other language speakers will be
2 growing in our electorate, it is our intent to
3 provide as much access as they are eligible for.

4 SENATOR WALCZYK: And,
5 Mr. President, will the sponsor continue to
6 yield?

7 ACTING PRESIDENT BAILEY: Will the
8 sponsor yield?

9 SENATOR MYRIE: Yes.

10 ACTING PRESIDENT BAILEY: The
11 sponsor yields.

12 SENATOR WALCZYK: So then now that
13 we have this new region -- through you,
14 Mr. President. So now that we have this new
15 region that we'll be considering under the
16 John R. Lewis Voting Rights Act, and providing
17 those services, why not just, with such a
18 plethora of languages, why not open it up to all
19 languages of the globe, with the same thresholds
20 that you've proposed?

21 SENATOR MYRIE: Through you,
22 Mr. President, I welcome my good colleague from
23 the other side of the aisle, should he be so
24 moved to open up language access for as many
25 New York voters as possible, to introduce

1 legislation to that effect.

2 This is not meant to be a limiting
3 principle, but to recognize growing population
4 and language speakers in this state. And it is
5 not meant or intended to be an exhaustive or
6 final list. It is a a list that recognizes the
7 current growing patterns in our state.

8 SENATOR WALCZYK: Mr. President,
9 would the sponsor continue to yield.

10 ACTING PRESIDENT BAILEY: Will the
11 sponsor yield?

12 SENATOR MYRIE: Yes.

13 ACTING PRESIDENT BAILEY: The
14 sponsor yields.

15 SENATOR WALCZYK: It is inclusive
16 for some, but not for all. And my question is
17 why.

18 SENATOR MYRIE: Through you,
19 Mr. President, this bill addresses two growing
20 language-speaking populations. I am happy to
21 hear that you support a New York for All and,
22 again, would welcome you to introduce legislation
23 to that effect that would open up access to more
24 languages more specifically.

25 This is not a limiting bill. This

1 would not prevent us from expanding this list.
2 But if you look at the languages that are spoken
3 in this state, the languages that we already are
4 required to provide language access for outside
5 of ballot access, these are two languages that
6 are growing. And that's why we are trying to
7 provide more access.

8 SENATOR WALCZYK: Mr. President,
9 would the sponsor continue to yield.

10 ACTING PRESIDENT BAILEY: Will the
11 sponsor yield?

12 SENATOR MYRIE: Yes.

13 ACTING PRESIDENT BAILEY: The
14 sponsor yields.

15 SENATOR WALCZYK: Why countries of
16 origin and heritage rather than judging the
17 English proficiency of a region?

18 SENATOR MYRIE: Through you,
19 Mr. President. We are matching what the federal
20 definition of MEAN is.

21 SENATOR WALCZYK: Mr. President,
22 would the sponsor continue to yield?

23 ACTING PRESIDENT BAILEY: Will the
24 sponsor yield?

25 SENATOR MYRIE: Yes.

1 ACTING PRESIDENT BAILEY: The
2 sponsor yields.

3 SENATOR WALCZYK: Through you,
4 Mr. President. Only citizens have the right to
5 vote in New York State. There is an English
6 proficiency portion of a naturalization process.

7 Does New York City already provide
8 assistance for Haitian Creole and for Arabic?

9 SENATOR MYRIE: Through you,
10 Mr. President, yes.

11 SENATOR WALCZYK: Mr. President,
12 would the sponsor continue to yield.

13 ACTING PRESIDENT BAILEY: Will the
14 sponsor yield?

15 SENATOR MYRIE: Yes.

16 ACTING PRESIDENT BAILEY: The
17 sponsor yields.

18 SENATOR WALCZYK: Are there
19 populations outside of New York City that you
20 anticipate that this will impact?

21 SENATOR MYRIE: Through you,
22 Mr. President, there may be. It depends on what
23 the demographic changes that may occur in the
24 future.

25 But if you reference the OGS

1 Language Diversity Dashboard and look at both of
2 these groups, whether it's Haitian Creole or
3 Arabic, for instance, you would see that in
4 Kings County, Queens County, Rockland County and
5 Nassau County, they potentially might have a
6 Haitian Creole-speaking population that would be
7 triggered. For Arabic, the two -- or the three,
8 rather, would be Kings, Queens and potentially
9 Erie County that might be included.

10 But I don't want to say that with
11 any finality. This would be up to the local
12 boards of elections to determine.

13 SENATOR WALCZYK: Mr. President,
14 would the sponsor continue to yield.

15 ACTING PRESIDENT BAILEY: Will the
16 sponsor yield?

17 SENATOR MYRIE: Yes.

18 ACTING PRESIDENT BAILEY: The
19 sponsor yields.

20 SENATOR WALCZYK: You continue to
21 say Haitian Creole and Arabic. But earlier in
22 debate we talked about the threshold meeting any
23 of the other languages in various nations that
24 are included in this new way to account for
25 people's heritage.

1 Is -- why not outline Arabic
2 specifically, if that's your intent?

3 SENATOR MYRIE: Through you,
4 Mr. President. I was using Arabic to be
5 illustrative in response to your question.

6 As I have stated previously, the
7 definition here, and referenced in the bill,
8 refers to the federal definition, because for a
9 long time MEAN was not its own category and MEAN
10 was looped in with categorizing yourself as white
11 for purposes of data collection.

12 Because this was a recent change on
13 the federal level, we thought it important for us
14 to incorporate that for language access purposes
15 in this bill.

16 SENATOR WALCZYK: Mr. President,
17 would the sponsor continue to yield?

18 ACTING PRESIDENT BAILEY: Will the
19 sponsor yield?

20 SENATOR MYRIE: Yes.

21 ACTING PRESIDENT BAILEY: The
22 sponsor yields.

23 SENATOR WALCZYK: You mentioned
24 some additional jurisdictions outside of New York
25 City.

1 Has a fiscal analysis been done for
2 how much this would cost those municipalities to
3 implement?

4 SENATOR MYRIE: Through you,
5 Mr. President. There has not been a fiscal
6 analysis done. We believe that the
7 responsibilities placed on the boards of
8 elections would be able to be resourced.

9 And as I have for the entirety of my
10 career here in the Senate, I continue to advocate
11 for more money for our local boards of elections.

12 SENATOR WALCZYK: And,
13 Mr. President, would the sponsor continue to
14 yield?

15 ACTING PRESIDENT BAILEY: Will the
16 sponsor yield?

17 SENATOR MYRIE: Yes.

18 ACTING PRESIDENT BAILEY: The
19 sponsor yields.

20 SENATOR WALCZYK: Through you,
21 Mr. President.

22 So I think in your last response
23 you've answered this next question. But can we
24 anticipate that that will be on the local
25 property taxpayers' funding for their local board

1 of elections to meet these new requirements?

2 SENATOR MYRIE: Through you,
3 Mr. President, we cannot anticipate that.

4 SENATOR WALCZYK: Mr. President,
5 will the sponsor continue to yield?

6 ACTING PRESIDENT BAILEY: Will the
7 sponsor yield?

8 SENATOR MYRIE: Yes.

9 ACTING PRESIDENT BAILEY: The
10 sponsor yields.

11 SENATOR WALCZYK: Through you,
12 Mr. President. Is there a separate pot of money
13 that we can anticipate as available for boards of
14 elections to meet the new compliance here?

15 SENATOR MYRIE: Through you,
16 Mr. President. We continue to advocate for more
17 resources for our local boards. I think this
18 majority, by way of budgets of years past, have
19 increased the funding going to our local boards
20 of elections.

21 We make changes to the Election Law
22 every single year, in some years more than
23 others, and our boards of elections have done
24 their best to keep up with those changes and to
25 try to comport with the law. And we don't

1 anticipate that this would be any different.

2 SENATOR WALCZYK: Mr. President,
3 would the sponsor continue to yield?

4 ACTING PRESIDENT BAILEY: Will the
5 sponsor yield?

6 SENATOR MYRIE: Yes.

7 ACTING PRESIDENT BAILEY: The
8 sponsor yields.

9 SENATOR WALCZYK: So the federal
10 government will implement the new Statistical
11 Policy Directive 15 in their 2027 Community
12 Survey. But this bill goes into effect a year
13 after it becomes law.

14 How can boards of elections comply
15 with data that hasn't yet been created by the
16 federal government?

17 SENATOR MYRIE: Through you,
18 Mr. President. The requirement from the federal
19 government in the Policy Order SP 15 is a request
20 for agencies to inform them on how they plan to
21 comply.

22 It is not a -- it does not require
23 them to wait a year until they implement, but
24 simply to by the year's end inform them how they
25 have either implemented or plan to implement.

1 So I don't think that SP 15 serves
2 as a barrier to our local boards of elections
3 determining what languages may fulfill this bill.

4 SENATOR WALCZYK: Thank you,
5 Mr. President. On the bill.

6 ACTING PRESIDENT BAILEY: Senator
7 Walczyk on the bill.

8 SENATOR WALCZYK: I appreciate your
9 answers.

10 To become a naturalized citizen, you
11 do have to pass an English proficiency test.
12 This bill picks some languages to assist
13 non-proficient-in-English citizens with
14 assistance, but it ignores others.

15 Rather than providing select groups
16 to help vote based on their first language, we
17 should be making elections free and fair for
18 everybody.

19 We also shouldn't be burdening local
20 government with additional unfunded mandates.

21 We also shouldn't be constantly
22 changing the rules of our elections to curry
23 favor with singular groups, to elevate one
24 political party over the other to a political
25 end.

1 I therefore will be voting no and
2 encourage my colleagues to do the same.

3 ACTING PRESIDENT BAILEY: Thank
4 you, Senator Walczyk.

5 Are there any other Senators wishing
6 to be heard?

7 Seeing and hearing none, debate is
8 closed.

9 The Secretary will ring the bell.
10 Senator Gianaris.

11 SENATOR GIANARIS: Mr. President,
12 we have agreed to restore this bill to the
13 noncontroversial calendar.

14 ACTING PRESIDENT BAILEY: On
15 consent, it has been agreed that this bill will
16 be restored to the noncontroversial calendar.

17 Read the last section.

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

21 ACTING PRESIDENT BAILEY: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BAILEY: Announce
25 the results.

1 THE SECRETARY: In relation to
2 Calendar 789, voting in the negative are
3 Senators Borrello, Canzoneri-Fitzpatrick, Chan,
4 Gallivan, Griffio, Helming, Lanza, Martins,
5 Mattera, Murray, O'Mara, Ortt, Rhoads, Walczyk
6 and Weik.

7 Ayes, 43. Nays, 15.

8 ACTING PRESIDENT BAILEY: The bill
9 is passed.

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

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

14 ACTING PRESIDENT BAILEY: There is
15 no further business at the desk.

16 SENATOR GIANARIS: I move to
17 adjourn until tomorrow, Wednesday, April 29th, at
18 11:00 a.m.

19 ACTING PRESIDENT BAILEY: On
20 motion, the Senate stands adjourned until
21 Wednesday, April 29th, at 11:00 a.m.

22 Let's go, Knicks!

23 (Whereupon, the Senate adjourned at
24 5:01 p.m.)

25