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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 13, 2026

3:39 p.m.

REGULAR SESSION

SENATOR JAMAAL T. BAILEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

1 P R O C E E D I N G S

2 ACTING PRESIDENT BAILEY: The
3 Senate will come to order.

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

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

8 ACTING PRESIDENT BAILEY: In the
9 absence of clergy, let us bow our heads in a
10 moment of silent reflection or prayer.

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

13 ACTING PRESIDENT BAILEY: Reading
14 of the Journal.

15 THE SECRETARY: In Senate, Tuesday,
16 May 12, 2026, the Senate met pursuant to
17 adjournment. The Journal of Monday, May 11,
18 2026, was read and approved. On motion, the
19 Senate adjourned.

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

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: Senator May moves

1 to discharge, from the Committee on
2 Higher Education, Assembly Bill Number 4840A and
3 substitute it for the identical Senate Bill 9673,
4 Third Reading Calendar 772.

5 Senator Rivera moves to discharge,
6 from the Committee on Health, Assembly Bill
7 Number 8849 and substitute it for the identical
8 Senate Bill 9401A, Third Reading Calendar 813.

9 Senator Ramos moves to discharge,
10 from the Committee on Consumer Protection,
11 Assembly Bill Number 7301B and substitute it for
12 the identical Senate Bill 7547B, Third Reading
13 Calendar 834.

14 Senator Sutton moves to discharge,
15 from the Committee on Higher Education,
16 Assembly Bill Number 9566 and substitute it for
17 the identical Senate Bill 9123, Third Reading
18 Calendar 924.

19 Senator Bailey moves to discharge,
20 from the Committee on Agriculture, Assembly Bill
21 Number 10703 and substitute it for the identical
22 Senate Bill 4769, Third Reading Calendar 995.

23 ACTING PRESIDENT BAILEY: So
24 ordered.

25 Messages from the Governor.

1 Reports of standing committees.
2 Reports of select committees.
3 Communications and reports from
4 state officers.

5 Motions and resolutions.

6 Senator Gianaris.

7 SENATOR GIANARIS: Good afternoon,
8 Mr. President.

9 ACTING PRESIDENT BAILEY: Good
10 afternoon.

11 SENATOR GIANARIS: On behalf of
12 Senator Rivera, on page 39 I offer the following
13 amendments to Calendar 812, Senate Print 8841,
14 and ask that said bill retain its place on the
15 Third Reading Calendar.

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

19 Senator Gianaris.

20 SENATOR GIANARIS: Please recognize
21 Senator Fernandez for an introduction.

22 ACTING PRESIDENT BAILEY: Senator
23 Fernandez for the purposes of an introduction.

24 SENATOR FERNANDEZ: Thank you,
25 Mr. President.

1 And thank you for this moment to
2 give an introduction to some good friends and
3 great leaders in the great State of New York.

4 Today we have some visitors from our
5 district in the Bronx, as well as all over
6 New York City, from the Yemen American community.
7 We've celebrated before in this house, we've
8 passed legislation to support a cultural district
9 in the Bronx. And today we have visitors seeing
10 us here in chambers.

11 And I'm going to ask them to stand,
12 but please, when you do give the cordialities of
13 the floor.

14 Please recognize Somia El-rowmeim,
15 Enas Al-Rumaim, Reena Almadhwahi. These ladies
16 have been staunch advocates for the
17 Yemen American community when it comes to owning
18 businesses, when it comes to making sure our
19 schools and communities are able to support their
20 various needs and values.

21 And much like all of us, those are
22 the same needs and values. But they have really
23 made strides in the advocacy world when women are
24 not seen much. So we really appreciate their
25 efforts, and I'm very honored to have them here

1 today.

2 They did join a greater group of
3 members of the Yemeni American community, some
4 friendly names we know -- Yahay Obeid, from
5 Morris Park, and Zaid Nagi, from the
6 Yemen American Merchant Association.

7 But we thank them for their work in
8 not only uplifting their community, but all our
9 communities. And I thank them for visiting us
10 today.

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

13 From the Bronx and beyond, our
14 Yemeni community, to the ladies of the Yemeni
15 community, we thank you for coming and advocating
16 for small businesses and for your community.

17 We extend to you all of the
18 privileges and courtesies of this house.

19 Please rise and be recognized.

20 (Standing ovation.)

21 ACTING PRESIDENT BAILEY: Senator
22 Gianaris.

23 SENATOR GIANARIS: Please call on
24 Senator Rolison for an introduction.

25 ACTING PRESIDENT BAILEY: Senator

1 Rolison for the purposes of an introduction.

2 SENATOR ROLISON: Mr. President,
3 thank you.

4 I think most of you probably would
5 remember two years ago in June when we did the
6 Alzheimer's resolution, I had the opportunity to
7 introduce to this chamber two very dear friends
8 of mine, Cheri and Chris Davies.

9 And at the time I had told the story
10 that Chris Davies, Jr., and I were police
11 officers together for about 20 years. And that
12 shortly after he retired from the PD, he
13 developed the early onset of Alzheimer's.

14 And I talked about that, and Chris
15 and Cheri were here to talk about what they were
16 doing together as a couple to bring awareness to
17 this. Because this happens to individuals far
18 too early, and that was what happened to Chris.

19 So today, Mr. President, earlier
20 Cheri Davies, who is here in the chamber with us
21 today, was the recipient of the Frank Carlino
22 Award for being an advocate for the Alzheimer's
23 Association here in New York State.

24 And I had a chance, of course, to
25 see her there and introduce her to the

1 individuals present from across the country who
2 were doing advocacy today on Alzheimer's.

3 Sadly, Mr. President, Chris is not
4 here with us today. He could not make the trip.
5 His situation, Mr. President, has deteriorated
6 quite rapidly in recent months.

7 So she accepted this award on behalf
8 of everybody that was in that room, many with the
9 same types of experiences. And what Cheri has
10 done, writing a chapter in this book called
11 The Grief Experience, on her journey through this
12 terrible disease with her husband Christopher, is
13 start a support group for other spouses of
14 individuals who have the early onset of dementia.

15 Because it is certainly a place that
16 is -- has many unknowns. And I heard it again
17 today, just catching up with her, both on the
18 phone in the past few weeks and then today, about
19 my friend Chris.

20 And so her work has led to an
21 establishment of an early stage task force within
22 the association. And she was recognized for it,
23 Mr. President.

24 And because she is here today, I
25 wanted to recognize her again to all of us, to

1 the things that she has done and will continue to
2 do.

3 Today I don't know where that
4 journey is going to go for my good friend, my
5 former brother in the police department, Chris
6 Davies, Jr. But I know that his wife Cheri and
7 his family and support system are going to be
8 with him.

9 And so, Cheri, you know how I feel
10 about you and how I feel about Chris. And I
11 wanted to say again, as I did two years ago, I
12 love you both so dearly.

13 And I want to end this,
14 Mr. President, with a writing in her chapter.
15 And she says -- and I think we all could really
16 use to think about this when we go about our
17 lives: "I no longer take for granted the
18 opportunities to be happy, present and joyful
19 with the people that I love."

20 Let's remember that today,
21 Mr. President, and every day, for Cheri, for
22 Chris, for our own families, for the struggles
23 that we may be having right now, the struggles we
24 may have in the future.

25 And, Mr. President, if you could,

1 could you extend the privileges of this house to
2 Cheri Davies.

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

5 To Ms. Cheri Davies, we thank you
6 for your advocacy, your strength, and your
7 courage, and your reminder to let us not take
8 anything for granted. That is certainly
9 necessary in these days and times.

10 We extend to you all the privileges
11 and courtesies of this house.

12 Please remain standing and be
13 recognized.

14 (Standing ovation.)

15 ACTING PRESIDENT BAILEY: Senator
16 Gianaris.

17 SENATOR GIANARIS: Mr. President,
18 let's take up previously adopted Resolution 1905,
19 by Senator Gounardes, read that resolution's
20 title, and recognize Senator Gounardes, please.

21 ACTING PRESIDENT BAILEY: The
22 Secretary will read.

23 THE SECRETARY: Resolution 1905, by
24 Senator Gounardes, memorializing Governor Kathy
25 Hochul to proclaim April 24, 2026, as Armenian

1 Genocide Remembrance Day in the State of
2 New York.

3 ACTING PRESIDENT BAILEY: Senator
4 Gounardes on the resolution.

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

7 My colleagues, I stand here today in
8 support of this resolution commemorating
9 April 24th as Armenian Genocide Remembrance Day.

10 The 20th century has seen some of
11 the greatest atrocities known in the history of
12 mankind, attempts to wipe out and fully
13 exterminate entire populations of people. And
14 even a generation before the terrible atrocities
15 that happened during the Holocaust in Nazi
16 Germany, the Ottoman Empire engaged in a
17 systematic pogrom to exterminate the Armenians
18 and the Greeks and the Pontians and the Assyrians
19 and other Christian minorities living in the
20 Ottoman Empire, living in modern-day Turkey.

21 On April 24, 1915 ultra-nationalist
22 Turkish factions in the Ottoman Empire known as
23 the Young Turks, began their eight-year-long
24 campaign to systemically wipe out the minority
25 communities living there.

1 Over the course of eight years,
2 1.5 million Armenians were exterminated because
3 of the Turkish Ottoman genocide pogrom. Eight
4 hundred thousand Greeks were exterminated by the
5 Turkish Ottoman genocide pogrom. Hundreds of
6 thousands of Assyrians, Pontics, and other
7 Christian minorities were terminated, killed,
8 slaughtered, displaced. They were forced into
9 death marches and placed in concentration camps.
10 Churches destroyed, whole communities set on
11 fire.

12 In 1923, the Ottoman Empire set fire
13 to the entire Greek city of Smyrna, in
14 Asia Minor, in an attempt to kill every person
15 living there.

16 This is an awful, awful legacy that
17 we have an obligation not just to never forget,
18 but to proactively remember.

19 Henry Morgenthau, who was the
20 U.S. Ambassador to the Ottoman Empire at that
21 time, observed in 1915 that the actions by the
22 Ottoman Turks constituted a carefully planned
23 scheme to thoroughly extinguish the
24 Armenian race, and that "a campaign of race
25 extermination is in progress."

1 Three years later, in 1918,
2 Ambassador Morgenthau issued a call to the world
3 to stand up for the truth, saying: "Will the
4 outrageous terrorizing -- the cruel torturing --
5 the driving of women into the harems -- the
6 debauchery of innocent girls -- the sale of many
7 of them at eighty cents each -- the murdering of
8 hundreds of thousands and the deportation to and
9 starvation in the deserts of other hundreds of
10 thousands -- the destruction of hundreds of
11 villages and cities -- will the willful execution
12 of this whole devilish scheme to annihilate the
13 Armenian, Greek and Syrian Christians of
14 Turkey -- will all this go unpunished?"

15 Sadly, Mr. President and my
16 colleagues, at that time it did go unpunished.

17 But we're here today, more than a
18 century later, to be able to say that we'll never
19 forget what happened to those communities and
20 that we'll do everything in our power to put
21 their memory into our consciousness.

22 At a time of renewed hatred and
23 bigotry against ethnic, racial and religious
24 minorities around the world, regardless of where
25 they are or where they come from, let us remember

1 the tragedies that occurred to the Armenian,
2 Greek, Assyrian and Pontic people a century ago,
3 pay tribute to their lives, and commit ourselves
4 to ensure that on our watch, and forever beyond,
5 these atrocities never happen again.

6 I vote aye.

7 ACTING PRESIDENT BAILEY: Thank
8 you, Senator Gounardes.

9 The resolution was previously
10 adopted on April 21st.

11 Senator Gianaris.

12 SENATOR GIANARIS: Let's now move
13 on to previously adopted Resolution 2058, by
14 Senator Mayer, read that resolution's title, and
15 call on Senator Mayer.

16 ACTING PRESIDENT BAILEY: The
17 Secretary will read.

18 THE SECRETARY: Resolution 2058, by
19 Senator Mayer, mourning the death of Dylan U.
20 Valle, distinguished citizen and devoted member
21 of his community.

22 ACTING PRESIDENT BAILEY: Senator
23 Mayer on the resolution.

24 SENATOR MAYER: Thank you,
25 Mr. President.

1 I rise to speak about an incredible
2 colleague and leader in our community, Dylan
3 Valle, a labor leader and community advocate who
4 died way too early last month in an automobile
5 accident.

6 Dylan dedicated his life to fighting
7 for working people and uplifting communities and
8 many of the communities I represent, as a
9 regional director for the New York Hotel Trades
10 Council, a union organizer with TWU Local 100,
11 and for the last 10 years as the district
12 director for Local 32BJ in our community.

13 During those 10 years, I worked
14 closely with him as he represented thousands of
15 union members and advocated for them, largely
16 office cleaners in the commercial sector, as well
17 as airport workers, and so many immigrant members
18 of 32BJ, fighting for affordable housing, tenant
19 protection, better benefits, better contracts,
20 and for more just immigration policies that
21 allowed the members of that union to feel
22 confident in their right to stay in this country
23 and work.

24 Just before Dylan died -- and I
25 watched it today -- he spoke at the White Plains

1 City Council with the new councilmembers, urging
2 them to take action condemning some of the
3 immigration policies that are before us. As well
4 as he had worked with me on expanding affordable
5 housing in the City of White Plains -- always
6 with a constructive voice to finding solutions,
7 always in a most heartfelt effort to ensure that
8 the members of that union, people that we live
9 among, our neighbors, were protected and got the
10 American dream they deserved.

11 He was respected not only for his
12 leadership, but his compassion. He worked with
13 families in need following Superstorm Sandy. He
14 supported the American Cancer Society, and served
15 as a delegate to the Westchester-Putnam
16 Central Labor body of the AFL-CIO.

17 Everywhere he went, he was a person
18 who brought people together. He fought for
19 fairness, opportunity and respect for all.

20 He was a beloved father and family
21 man. I met several of his children. He was so
22 proudly of them and all they had accomplished.

23 He also left behind his parents and
24 so many other family members who loved him.

25 While his passing is a tremendous

1 tragedy for our community, his legacy of
2 compassion and courage and service and commitment
3 to doing hard things, and political courage, will
4 be remembered for years.

5 We honor him today and extend our
6 deepest condolences to his family, his friends,
7 his colleagues in 32BJ, and all those whose lives
8 he touched.

9 May he rest in peace.

10 I vote aye.

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

13 The resolution was adopted on
14 May 12th.

15 Senator Gianaris.

16 SENATOR GIANARIS: Please call on
17 Senator Persaud in relation to previously adopted
18 Resolution 1382, whose title should be read.

19 ACTING PRESIDENT BAILEY: The
20 Secretary will read.

21 THE SECRETARY: Resolution 1382, by
22 Senator Persaud, memorializing Governor Kathy
23 Hochul to proclaim May 11th through 17th, 2026,
24 as Period Poverty Awareness Week in the State of
25 New York.

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

3 SENATOR PERSAUD: Thank you,
4 Mr. President.

5 Today I rise, as I've been doing for
6 many years now, to recognize Period Poverty
7 Awareness Week in the State of New York, and that
8 is May 11th through the 17th.

9 This week was initiated by the
10 Alliance for Period Supplies. It highlights a
11 prevalent issue: The lack of access to menstrual
12 products.

13 Yesterday -- I want to thank my
14 colleague Senator Gonzalez, who partnered with me
15 on our annual webinar, where we had educators,
16 physicians, et cetera, community advocates,
17 talking about what period poverty is and how it
18 affects people across all walks of life, not just
19 in our -- you know, in my community, but across
20 the State of New York -- actually, across the
21 world.

22 Period poverty is something that,
23 you know, the -- one of the advocates on the
24 webinar yesterday said she was in another country
25 and people were doing a collection of period

1 products to distribute to, you know,
2 underprivileged communities. And she said to
3 them, "Oh, we do that in the United States also."

4 And they looked at her and said,
5 "What are you talking about?" This is what the
6 person said. "What are you talking about -- the
7 United States?"

8 She said, "Yes, we have to collect
9 products to distribute within the United States
10 to people who have no access to period products."
11 Which should not happen.

12 You know, one in three low-income
13 individuals do not have access to these products.
14 Students going to school -- or not going to
15 school because they do not have access. The ones
16 who are attending classes, they go -- and
17 Senator Lanza, I can hear Senator Lanza.

18 ACTING PRESIDENT BAILEY: Can we
19 have some order, folks?

20 Thank you.

21 SENATOR PERSAUD: Students are
22 going to school, and they're sitting there all
23 day, afraid to get up, to leave the classroom
24 because they are afraid of what may happen, what
25 others may see when they get up.

1 People are sitting in classrooms, in
2 a very hot classroom with a scarf tied around
3 their waist, or a sweater tied around their waist
4 because they're afraid -- and they're afraid to
5 get up.

6 Some people have access, they have
7 to leave the classroom and get to a nurse's
8 office and ask for a product. That should not
9 be. Everyone should have access.

10 We talk about being a wealthy
11 nation, we talk about everyone having access to
12 everything that they should need. But period
13 poverty is real in this country. Period poverty
14 is something that we need to eliminate.

15 You know, I invite my colleagues to
16 do in your communities -- I ask every year, I ask
17 you this. Do drives in your community and ask
18 your constituents to donate products, and then
19 distribute those products to people who are in
20 need. Do so. We do that. We stand in front of
21 schools and distribute it to students as they're
22 coming out.

23 A few years ago, as we were
24 distributing these products, a young man came up
25 and said he wanted to take some home for his mom.

1 Right? A young man came up. He was not afraid,
2 he was not embarrassed, and he came up and said,
3 "Can I have some products to take home for my
4 mom?"

5 We want this to be a conversation
6 that people are having. We want people to
7 understand that this is a health issue. If
8 someone is unable to change the product that they
9 are using, or they have no access to the products
10 to keep them healthy, then we end up paying for
11 it on the other end. We end up paying for
12 healthcare.

13 And we're cutting back on
14 healthcare, right? If we're cutting back on
15 healthcare, we should do things to prevent them
16 from needing that healthcare that we're cutting
17 back on.

18 So, Mr. President, again, I
19 encourage my colleagues, please do drives in your
20 community. It does not only have to be during
21 this week. It can be any time of the year. And
22 as you go around your community, as you have any
23 kind of event, have a table, set it up and
24 distribute those products. That person will be
25 thankful.

1 So, Mr. President, again I thank
2 you, and I vote aye.

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

5 Senator Webb on the resolution.

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

8 I too want to thank Senator Persaud
9 for introducing this resolution.

10 You know, a number of us members in
11 our districts, not just simply during this week
12 but throughout the year, offer free menstrual
13 hygiene product drives because the need is that
14 great.

15 And so it's important that we not
16 only work through programs in trying to improve
17 access, but also to continue building awareness.
18 And so I want to thank Senator Persaud again for
19 her efforts.

20 You know, as the chair of
21 Women's Issues, we have done a lot in this space
22 in trying to pass policies that improve access.
23 As a body we have most certainly done this,
24 whether it was legislation that was passed in
25 2016 that has taken off what was known as a

1 period tax, where we were finding that a lot of
2 these products -- or a pink tax, excuse me --
3 that a lot of products that women use were being
4 taxed at much higher rates.

5 These are things that are essential.
6 They are needed. Every woman in their lifetime
7 goes through a significant amount of years with
8 respect to their menstrual cycle. It's a natural
9 process. And it's important to recognize the
10 barriers that still exist still to this day.

11 In this chamber we've also done
12 policies including expanding access at our K-12
13 schools, most certainly our colleges and
14 universities, and making free products available.
15 But we know there's still more work to do.

16 In New York it is documented that
17 more -- that individuals will spend more than
18 \$7,000 over the course of their lifetime on
19 period products.

20 Again, it is important that we
21 continue to raise awareness -- through policy,
22 strengthen most certainly access to these
23 important products, but also continue to work
24 collectively to remove barriers that are most
25 certainly driven by socioeconomic status and

1 other challenges that we need to do.

2 And Period Poverty Awareness Week is
3 a great way to not only lift up this important
4 issue, but to also encourage all of us to
5 collectively take a stand and support those who
6 are most impacted by this issue.

7 I proudly vote aye.

8 Thank you, Mr. President.

9 ACTING PRESIDENT BAILEY: Thank
10 you, Senator Webb.

11 Senator Cleare on the resolution.

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

14 And I want to thank my colleagues
15 for raising this issue. It is a very important
16 issue. Women do go through this, and girls, some
17 as young as even 9 years old. And if you can
18 imagine being in school or being afraid to go to
19 school because you don't have sufficient
20 products, you don't have the money.

21 And households where you have more
22 than one, more than two girls, more than three --
23 you know, I had a lot of sisters. That can be an
24 expense for a family, you know, and also maybe
25 mom.

1 But it's -- and also the other
2 reason why it's so important that we do things
3 like this and talk about it, is to lift the
4 stigma off of it. This is a natural process.
5 Every woman human being will get it. And, you
6 know, we have to make sure that we're not talking
7 about it like this is some kind of a, you know,
8 taboo. This is a period. This is what women
9 get. And we have to make sure that everybody
10 feels comfortable. It should be as normal as
11 toilet paper.

12 So these products should be
13 available to women everywhere, all the time, as
14 much as we can do.

15 So I took Senator Persaud up earlier
16 this year and we did a huge collection in my
17 district, and the women who received those
18 products were so grateful, so thankful to get
19 those products in their homes.

20 They're very expensive sometimes --
21 all the time they're expensive, and we have to
22 just make sure that we're thinking about these
23 things. So thank you so much for lifting that
24 up.

25 Thank you.

1 ACTING PRESIDENT BAILEY: Thank
2 you, Senator Cleare.

3 This resolution was adopted on
4 January 21st.

5 Senator Gianaris.

6 SENATOR GIANARIS: And now let's
7 move on to previously adopted Resolution 1339, by
8 Senator Gallivan, read that resolution's title,
9 and call on Senator Gallivan.

10 ACTING PRESIDENT BAILEY: The
11 Secretary will read.

12 THE SECRETARY: Resolution 1339, by
13 Senator Gallivan, memorializing Governor Kathy
14 Hochul to proclaim May 6-12, 2026, as Nurses Week
15 in the State of New York.

16 ACTING PRESIDENT BAILEY: Senator
17 Gallivan on the resolution.

18 SENATOR GALLIVAN: Thank you,
19 Mr. President.

20 I rise to recognize Nurses Week in
21 New York State and to honor the extraordinary
22 nurses who serve patients, families and
23 communities in every corner of our state.

24 This week, which also commemorates
25 the May 12th birthday of Florence Nightingale,

1 the founder of modern nursing, gives us an
2 opportunity to pause and express our deep
3 gratitude for a profession defined by skill,
4 compassion, and quiet strength.

5 In New York the Governor has also
6 recognized the month of May as Nurses Month,
7 underscoring the vital role nurses play not just
8 during one week a month, but every day of the
9 year.

10 Nurses are often the steady voice in
11 a moment of fear, and the reassuring presence
12 that helps families through some of life's most
13 difficult times.

14 They work in our hospitals, nursing
15 homes, schools, clinics, physician offices, and
16 home-care settings. They serve in urban centers,
17 suburban communities, and rural towns. They
18 bring clinical excellence, dedication, humanity
19 to every setting in which care is delivered.

20 New York is home to hundreds of
21 thousands of nursing professionals whose
22 expertise strengthens patient care, improves
23 outcomes, and supports the health of our
24 communities.

25 At a time when our healthcare system

1 continues to face serious demands, nurses remain
2 indispensable. The strength of our healthcare
3 system depends in large measure on the strength
4 of our nursing workforce.

5 So today I ask my colleagues to join
6 me in thanking the nurses of New York State for
7 their professionalism, their sacrifice, and their
8 unwavering commitment to others in our community,
9 as we all recognize and celebrate Nurses Week in
10 New York State.

11 Thank you, Mr. President.

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

14 The resolution was adopted on
15 January 13th.

16 Senator Gianaris.

17 SENATOR GIANARIS: The sponsors of
18 today's resolutions would like to open them for
19 cosponsorship.

20 ACTING PRESIDENT BAILEY: These
21 resolutions are open for cosponsorship. Should
22 you choose not to be a cosponsor, please notify
23 the desk.

24 Senator Gianaris.

25 SENATOR GIANARIS: Please call on

1 Senator Lanza for a motion.

2 ACTING PRESIDENT BAILEY: Senator
3 Lanza.

4 SENATOR LANZA: Thank you,
5 Senator Gianaris.

6 Mr. President, on behalf of
7 Senator Rhoads, on page 31 I offer the following
8 amendments to Calendar Number 663, Print Number
9 4325, and ask that said bill retain its place on
10 Third Reading Calendar.

11 ACTING PRESIDENT BAILEY: The
12 amendments are received, and the bill will retain
13 its place on the Third Reading Calendar.

14 Senator Gianaris.

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

17 ACTING PRESIDENT BAILEY: The
18 Secretary will read.

19 THE SECRETARY: Calendar Number 51,
20 Senate Print 252, by Senator Martinez, an act to
21 amend the Environmental Conservation Law.

22 SENATOR PALUMBO: Lay it aside.

23 ACTING PRESIDENT BAILEY: Lay it
24 aside.

25 THE SECRETARY: Calendar Number

1 169, Senate Print 1714A, by Senator Brouk, an act
2 to amend the Public Health Law.

3 ACTING PRESIDENT BAILEY: Read the
4 last section.

5 THE SECRETARY: Section 5. 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: In relation to
13 Calendar 169, voting in the negative are
14 Senators Borrello, Canzoneri-Fitzpatrick, Chan,
15 Gallivan, Griffo, Helming, Lanza, Mattera,
16 O'Mara, Ortt, Rhoads, Stec, Tedisco, Walczyk,
17 Weber and Weik.

18 Ayes, 44. Nays, 16.

19 ACTING PRESIDENT BAILEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 254, Senate Print 8861A, by Senator Ashby, an act
23 to amend the Highway Law.

24 ACTING PRESIDENT BAILEY: Read the
25 last section.

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

3 ACTING PRESIDENT BAILEY: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BAILEY: Announce
7 the results.

8 THE SECRETARY: Ayes, 60.

9 ACTING PRESIDENT BAILEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 550, Senate Print 7810, by Senator Salazar, an
13 act to amend the Correction Law.

14 ACTING PRESIDENT BAILEY: Read the
15 last section.

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

18 ACTING PRESIDENT BAILEY: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT BAILEY: Announce
22 the results.

23 THE SECRETARY: In relation to
24 Calendar 550, voting in the negative are
25 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,

1 Chan, Gallivan, Griffo, Helming, Lanza, Mattera,
2 O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco,
3 Walczyk, Weber and Weik.

4 Ayes, 42. Nays, 18.

5 ACTING PRESIDENT BAILEY: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 623, Senate Print 6463, by Senator Cleare, an act
9 to amend the Correction Law.

10 ACTING PRESIDENT BAILEY: Read the
11 last section.

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

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: In relation to
20 Calendar 623, voting in the negative are
21 Senators Borrello, Chan, O'Mara, Ortt, Stec,
22 Walczyk and Weik.

23 Ayes, 53. Nays, 7.

24 ACTING PRESIDENT BAILEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 649, Senate Print 8272, by Senator Stec, an act
3 to amend the Executive Law.

4 ACTING PRESIDENT BAILEY: Read the
5 last section.

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

8 ACTING PRESIDENT BAILEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BAILEY: Announce
12 the results.

13 THE SECRETARY: Ayes, 60.

14 ACTING PRESIDENT BAILEY: The bill
15 is passed.

16 Calendar 663 is high and will be
17 laid aside for the day.

18 ACTING PRESIDENT BAILEY: Calendar
19 Number 674, Senate Print 8294, by
20 Senator Sepúlveda, an act to amend the
21 Civil Practice Law and Rules.

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: In relation to
7 Calendar 674, voting in the negative are
8 Senators Borrello, Chan, Martinez, Murray, O'Mara
9 and Ortt.

10 Ayes, 54. Nays, 6.

11 ACTING PRESIDENT BAILEY: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 745, Senate Print 9418, by Senator Mayer, an act
15 to amend the Education Law.

16 ACTING PRESIDENT BAILEY: Read the
17 last section.

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

20 ACTING PRESIDENT BAILEY: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT BAILEY: Announce
24 the results.

25 THE SECRETARY: Ayes, 60.

1 ACTING PRESIDENT BAILEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 747, Senate Print 2305, by Senator Krueger, an
5 act to amend the Civil Practice Law and Rules.

6 ACTING PRESIDENT BAILEY: Read the
7 last section.

8 THE SECRETARY: Section 3. 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 747, voting in the negative are
17 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
18 Chan, Gallivan, Griffio, Helming, Lanza, Mattera,
19 Murray, O'Mara, Ortt, Palumbo, Rhoads, Rolison,
20 Stec, Tedisco, Walczyk, Weber and Weik.

21 Ayes, 40. Nays, 20.

22 ACTING PRESIDENT BAILEY: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 772, Assembly Bill Number 4840A, by

1 Assemblymember McDonald, an act to amend the
2 Education Law.

3 ACTING PRESIDENT BAILEY: Read the
4 last section.

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

8 ACTING PRESIDENT BAILEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BAILEY: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar 772, voting in the negative:
15 Senator Walczyk.

16 Ayes, 59. Nays, 1.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 813, Assembly Bill Number 8849B, by
21 Assemblymember McDonald, an act to amend the
22 Public Health Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 2. 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, 60.

8 ACTING PRESIDENT BAILEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 834, Assembly Bill Number 7301B, by
12 Assemblymember Tapia, an act to amend the
13 General Business Law.

14 ACTING PRESIDENT BAILEY: Read the
15 last section.

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

19 ACTING PRESIDENT BAILEY: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BAILEY: Announce
23 the results.

24 THE SECRETARY: Ayes, 60.

25 ACTING PRESIDENT BAILEY: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 852, Senate Print 7690, by Senator Gianaris, an
4 act to amend the Public Health Law.

5 ACTING PRESIDENT BAILEY: Read the
6 last section.

7 THE SECRETARY: Section 6. This
8 act shall take effect on the 180th day after it
9 shall have become a law.

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 852, voting in the negative:
17 Senator Walczyk.

18 Ayes, 59. Nays, 1.

19 ACTING PRESIDENT BAILEY: The bill
20 is passed.

21 THE SECRETARY: Oops, excuse me.
22 Also Senator Chan.

23 Ayes, 58. Nays, 2.

24 ACTING PRESIDENT BAILEY: The bill
25 remains passed.

1 THE SECRETARY: Calendar Number
2 853, Senate Print 7738A, by Senator Gounardes, an
3 act to amend the Social Services Law.

4 ACTING PRESIDENT BAILEY: Read the
5 last section.

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

8 ACTING PRESIDENT BAILEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BAILEY: Announce
12 the results.

13 THE SECRETARY: Ayes, 60.

14 ACTING PRESIDENT BAILEY: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 864, Senate Print 2476A, by Senator Parker, an
18 act to amend the Public Service Law.

19 ACTING PRESIDENT BAILEY: Read the
20 last section.

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

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: In relation to
4 Calendar 864, voting in the negative are
5 Senators Borrello, Canzoneri-Fitzpatrick, Chan,
6 Gallivan, Griffo, Helming, Mattera, O'Mara, Ortt,
7 Rhoads, Stec, Tedisco, Walczyk, Weber and Weik.

8 Ayes, 45. Nays, 15.

9 ACTING PRESIDENT BAILEY: The bill
10 is passed.

11 Senator Gianaris.

12 SENATOR GIANARIS: Mr. President,
13 we neglected to call on Senator Ramos to explain
14 her vote on Calendar 834.

15 Can we please give her that
16 opportunity.

17 ACTING PRESIDENT BAILEY:
18 Certainly, Senator Gianaris.

19 Senator Ramos to explain her vote.

20 SENATOR RAMOS: Thank you,
21 Mr. President.

22 Carmen Iris Santiago was murdered by
23 her estranged husband inside the beauty salon
24 where she worked on 37th Avenue in
25 Jackson Heights several years ago.

1 Her death shook our community
2 deeply, because salons are supposed to feel safe.
3 They're places where women gather, talk, build
4 trust, and look out for one another.

5 And after Carmen's murder, many
6 advocates and salon workers in Queens began
7 asking an important question: What if survivors
8 had more discreet access to information and
9 support in the places they already trust?

10 That's what this bill is about.
11 Domestic violence remains one of the most urgent
12 public health crises facing our state. More than
13 one in three New Yorkers will experience
14 intimate-partner violence in their lifetime.
15 That's an appalling statistic.

16 Survivors suffer in silence,
17 isolated by fear, stigma, language barriers, or
18 simply not knowing where to turn to for help.

19 This legislation requires salons,
20 barbershops, nail salons, spas and other
21 appearance-enhancement businesses to display
22 multilingual information about domestic violence
23 resources, hotlines, and victim services.

24 Because help should be visible. And
25 because immigrant communities and non-English

1 speakers should not have to navigate fear and
2 language barriers at the same time.

3 This bill does not ask businesses to
4 solve domestic violence. It asks us to make sure
5 survivors know they are not alone. Because
6 sometimes access to help begins with something as
7 small as seeing a phone number on the wall.
8 Sometimes visibility can save a life.

9 I want to thank the advocates,
10 survivors, salon workers, and community
11 organizations who helped bring attention to this
12 issue and continue fighting for safer communities
13 across New York. I want to thank my colleagues
14 who support this legislation, and especially
15 Senator May, for having it passed through her
16 Consumer Protection Committee.

17 Thank you.

18 ACTING PRESIDENT BAILEY: Senator
19 Ramos to be recorded in the affirmative.

20 Senator Gianaris.

21 SENATOR GIANARIS: Let's continue
22 with the calendar. I think we're up to
23 Calendar 895.

24 ACTING PRESIDENT BAILEY: The
25 Secretary will read.

1 THE SECRETARY: Calendar Number
2 895, Senate Print 9907, by Senator Bottcher, an
3 act to amend the Real Property Actions and
4 Proceedings Law.

5 ACTING PRESIDENT BAILEY: Read the
6 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: Announce
13 the results.

14 THE SECRETARY: In relation to
15 Calendar 895, voting in the negative are
16 Senators Borrello, Canzoneri-Fitzpatrick, Chan,
17 Gallivan, Griffo, Helming, Mattera, Murray,
18 O'Mara, Ortt, Palumbo, Rolison, Tedisco, Walczyk,
19 Weber and Weik.

20 Ayes, 44. Nays, 16.

21 ACTING PRESIDENT BAILEY: Before we
22 know that the bill is passed --

23 Senator Gianaris.

24 SENATOR GIANARIS: Mr. President, I
25 believe that's Senator Bottcher's first bill to

1 pass the Senate.

2 (Standing ovation.)

3 ACTING PRESIDENT BAILEY: Senator
4 Bottcher, are you going to explain your vote?

5 SENATOR BOTTCHER: Yes,
6 Mr. President.

7 ACTING PRESIDENT BAILEY: Senator
8 Bottcher to explain his vote.

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

11 Today I rise to discuss my first
12 bill, as a member of this body, to come to the
13 floor. And it's a bill that states something
14 simple but important, that New York City marshals
15 must serve a notice of eviction electronically
16 within one business day of service of the
17 eviction notice.

18 This bill is about transparency,
19 fairness, and giving tenants clear notice before
20 an eviction takes place.

21 Last year New York strengthened the
22 law to require New York City marshals to
23 electronically file eviction notices so tenants
24 and their attorneys could clearly understand
25 eviction timelines. But in practice, many

1 notices are not being uploaded promptly, creating
2 confusion and leaving tenants without critical
3 information when time matters most.

4 This bill simply clarifies the law
5 by requiring marshals to physically post
6 electronically filed notices of eviction within
7 one business day of service. This ensures that
8 tenants have accurate and timely access to
9 information so that they may seek legal
10 assistance, apply for rental aid, or pursue
11 relief before an eviction occurs.

12 It ensures the process is
13 transparent, consistent, and compliant with the
14 law. At a time when housing instability
15 continues to affect so many New Yorkers, we have
16 a responsibility to ensure due process
17 protections are meaningful and enforceable.

18 I vote aye.

19 ACTING PRESIDENT BAILEY: Senator
20 Bottcher to be recorded in the affirmative.

21 The bill is passed.

22 THE SECRETARY: Calendar Number
23 912, Senate Print 7279, by Senator
24 Scarcella-Spanton, an act to amend the
25 Surrogate's Court Procedure Act.

1 ACTING PRESIDENT BAILEY: Read the
2 last section.

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

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: In relation to
11 Calendar 912, voting in the negative are
12 Senators Borrello, Canzoneri-Fitzpatrick, Chan,
13 Gallivan, Griffo, Helming, Lanza, Martinez,
14 Mattera, Murray, O'Mara, Ortt, Rhoads, Rolison,
15 Stec, Tedisco, Walczyk, Weber and Weik.

16 Ayes, 41. Nays, 19.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 923, Senate Print 8899, by Senator Stavisky, an
21 act to amend the Education Law.

22 ACTING PRESIDENT BAILEY: Read the
23 last section.

24 THE SECRETARY: Section 3. This
25 act shall take effect on the 120th day after it

1 shall have become a law.

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, 60.

8 ACTING PRESIDENT BAILEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 924, Assembly Bill Number 9566A, by
12 Assemblymember Berger, an act to amend the
13 Education Law.

14 ACTING PRESIDENT BAILEY: Read the
15 last section.

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

19 ACTING PRESIDENT BAILEY: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BAILEY: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar 924, voting in the negative:

1 Senator Walczyk.

2 Ayes, 59. Nays, 1.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 929, Senate Print 9916, by Senator Jackson, an
7 act to amend the Correction Law.

8 ACTING PRESIDENT BAILEY: Read the
9 last section.

10 THE SECRETARY: Section 2. This
11 act shall take effect January 1, 2027.

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, 60.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 936, Senate Print 2517A, by Senator Cooney, an
22 act to amend the Vehicle and Traffic Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 12. This

1 act shall take effect on the 90th day after it
2 shall have become a law.

3 ACTING PRESIDENT BAILEY: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BAILEY: Announce
7 the results.

8 THE SECRETARY: Ayes, 60.

9 ACTING PRESIDENT BAILEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 953, Senate Print Number 10041, by
13 Senator Scarcella-Spanton, an act to amend the
14 Environmental Conservation Law.

15 ACTING PRESIDENT BAILEY: Read the
16 last section.

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

19 ACTING PRESIDENT BAILEY: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BAILEY: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar 953, voting in the negative:

1 Senator Skoufis.

2 Ayes, 59. Nays, 1.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 957, Senate Print 10045, by Senator Fernandez, an
7 act to amend the Environmental Conservation Law.

8 ACTING PRESIDENT BAILEY: Read the
9 last section.

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

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: In relation to
18 Calendar 957, voting in the negative:
19 Senator Skoufis.

20 Ayes, 59. Nays, 1.

21 ACTING PRESIDENT BAILEY: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 958, Senate Print 10046, by Senator Bynoe, an act
25 to amend the Environmental Conservation Law.

1 ACTING PRESIDENT BAILEY: Read the
2 last section.

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

5 ACTING PRESIDENT BAILEY: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BAILEY: Senator
9 May to explain her vote.

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

12 I rise in the hope that
13 Senator Skoufis might vote in favor of this bill.

14 (Laughter.)

15 SENATOR MAY: No, I -- I know it's
16 not normal to speak on these program bills, but I
17 wanted to take a moment to honor the American eel
18 as we are voting for protecting and managing this
19 species, because the American eel was once an
20 incredibly plentiful and important species in my
21 district.

22 The lore from the Haudenosaunee
23 about how many eels there would be in
24 Onondaga Lake was that they were so plentiful,
25 you could almost walk across the lake. They were

1 a very important food species for the Six Nations
2 of the Haudenosaunee, and so beloved and honored
3 that one of the nine clans of the Six Nations is
4 the Eel Clan to this day.

5 The American eel has an interesting
6 life cycle. They spawn in the Sargasso Sea in
7 the Caribbean. The juveniles swim all the way up
8 the East Coast of the continent. They used to go
9 up to the St. Lawrence River, labor their way up
10 that rushing river into Lake Ontario, and down
11 Seneca River into Onondaga Lake.

12 And they would sometimes stay as
13 many as 30 years, maturing, before they would
14 swim back down to the Sargasso Sea to mate and
15 spawn.

16 They can't do that anymore because
17 of all the dams on the St. Lawrence River. But
18 some intrepid American eels still make their way
19 up the East Coast to the Hudson River.

20 And I am proud that the State DEC
21 protects and manages this threatened species that
22 has been so important to our state in the past.

23 I vote aye.

24 ACTING PRESIDENT BAILEY: Senator
25 May to be recorded in the affirmative.

1 Senator Skoufis to explain his vote.

2 SENATOR SKOUFIS: Thank you very
3 much, Mr. President.

4 As they say, you learn something new
5 every day. I think I learned eight or nine new
6 facts about eel just a moment ago.

7 And so I too rise to celebrate the
8 eel. But I also wish to explain why I vote no
9 briefly. And it is not because I don't wish the
10 DEC to regulate eel and blueback herring and the
11 19 other species we'll no doubt authorize
12 regulation for later this session.

13 It's the way by which we legislate
14 these authorizations, splitting up all the
15 different fish and wildlife.

16 That is why I vote no. Thank you.

17 (Laughter.)

18 ACTING PRESIDENT BAILEY: Senator
19 Skoufis to be recorded in the negative.

20 Announce the results.

21 THE SECRETARY: In relation to
22 Calendar 958, voting in the negative:
23 Senator Skoufis.

24 Ayes, 59. Nays, 1.

25 (Laughter.)

1 ACTING PRESIDENT BAILEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 964, Senate Print 3336, by Senator Cooney, an act
5 to amend the General Municipal Law.

6 ACTING PRESIDENT BAILEY: Read the
7 last section.

8 THE SECRETARY: Section 2. 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: Ayes, 60.

16 ACTING PRESIDENT BAILEY: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 995, Assembly Bill Number 10703, by
20 Assemblymember Simon, an act to authorize and
21 direct the commissioner of Agriculture and
22 Markets to conduct a study on vertical farming.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 2. 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, 60.

8 ACTING PRESIDENT BAILEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 996, Senate Print 5159A, by Senator Comrie, an
12 act to amend the Agriculture and Markets 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: In relation to
23 Calendar 996, voting in the negative are
24 Senators Skoufis and Walczyk.

25 Ayes, 58. Nays, 2.

1 ACTING PRESIDENT BAILEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1009, Senate Print 8616A, by Senator Gianaris, an
5 act to amend the General Business Law.

6 SENATOR LANZA: Lay it aside.

7 ACTING PRESIDENT BAILEY: Lay it
8 aside.

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

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

13 ACTING PRESIDENT BAILEY: The
14 Secretary will ring the bell.

15 The Secretary will read.

16 THE SECRETARY: Calendar Number 51,
17 Senate Print 252, by Senator Martinez, an act to
18 amend the Environmental Conservation Law.

19 ACTING PRESIDENT BAILEY: Senator
20 Walczyk, why do you rise?

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

23 ACTING PRESIDENT BAILEY: Will the
24 sponsor yield?

25 SENATOR MARTINEZ: Yes.

1 ACTING PRESIDENT BAILEY: The
2 sponsor yields.

3 SENATOR WALCZYK: Through you,
4 Mr. President. I know we're 42 days late on the
5 New York State budget, but with priorities and a
6 long agenda today, we continue to work on
7 different legislative initiatives and various
8 priorities.

9 This bill would ban people from
10 owning walruses in the State of New York. How
11 many New Yorkers currently own a 4,000-pound
12 Pacific Arctic walrus?

13 (Laughter.)

14 SENATOR MARTINEZ: Madam President,
15 to my knowledge, no one.

16 SENATOR WALCZYK: Thank you,
17 Madam President.

18 (Laughter.)

19 ACTING PRESIDENT PERSAUD: Are
20 there any other Senators wishing to be heard?

21 Seeing and hearing none, the debate
22 is closed.

23 Senator Gianaris.

24 SENATOR GIANARIS: Madam President,
25 let's restore this bill to the noncontroversial

1 calendar, please.

2 ACTING PRESIDENT PERSAUD: The bill
3 is restored to the noncontroversial calendar.

4 Read the last section.

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

7 ACTING PRESIDENT PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar 51, voting in the negative are
14 Senators Lanza, O'Mara, Ortt, Stec and Walczyk.

15 Ayes, 55. Nays, 5.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1009, Senate Print 8616A, by Senator Gianaris, an
20 act to amend the General Business Law.

21 ACTING PRESIDENT PERSAUD: Senator
22 Borrello, why do you rise?

23 SENATOR BORRELLO: Well,
24 Madam President, that was the second-best
25 Walczyk Wednesday that I've ever seen.

1 (Laughter.)

2 SENATOR BORRELLO: But that being
3 said, would the sponsor yield for a question?

4 ACTING PRESIDENT PERSAUD: Will the
5 sponsor yield?

6 SENATOR GIANARIS: Yes.

7 ACTING PRESIDENT PERSAUD: The
8 sponsor yields.

9 SENATOR BORRELLO: Through you,
10 Madam President. You know, I've read through
11 this bill. And for the audience watching at
12 home, both of them, could you please explain what
13 this bill is actually looking to accomplish as
14 far as consumer protection? How is this going to
15 function?

16 SENATOR GIANARIS: Yes, once again
17 my colleague has taken up the mantle of the
18 defender of large corporate abuse, and so I'm
19 happy to defend this bill against that onslaught
20 from Senator Borrello.

21 This bill will prohibit the practice
22 of electronic shelf labeling, which is digital
23 labels that appear at grocery stores and large
24 box stores.

25 And the reason for that is because

1 as technology is emerging, those labels can be
2 used to scan or listen to a person's
3 conversations, or scan their faces and download
4 personal data and set prices specific to that
5 individual that would result in what is
6 effectively price gouging.

7 SENATOR BORRELLO: Madam President,
8 will the sponsor continue to yield?

9 ACTING PRESIDENT PERSAUD: Will the
10 sponsor yield?

11 SENATOR GIANARIS: Yes.

12 ACTING PRESIDENT PERSAUD: The
13 sponsor yields.

14 SENATOR BORRELLO: So with that
15 being said, do we have any documented cases of
16 this happening in New York State so far at
17 pharmacies and grocery stores? Which it appears
18 this is the bill that's targeting specifically
19 those two categories.

20 SENATOR GIANARIS: What we have,
21 Senator Borrello, is the fact that Walmart
22 specifically has indicated their intention to
23 implement these digital price labels throughout
24 their stores.

25 We have examples from Kroger's. We

1 have examples from a Wegmans in Brooklyn which
2 was doing a facial recognition program. We also
3 have the fact that in conjunction with Walmart
4 saying they're implementing electronic shelf
5 labeling, they have applied for two patents
6 related to machine learning, which would allow
7 for the kind of AI-generated pricing and
8 algorithmic pricing that we're referring to here.

9 So I for one don't want to wait
10 until we find documented individual cases of this
11 happening in stores in New York, when we know
12 it's coming and there's no reason not to stop it.

13 We know that Instacart, for example,
14 was doing this kind of thing online already.

15 And why you would want people to be
16 further subject to price gouging at a time of an
17 affordability crisis is beyond me, but we're
18 trying to take measures to stop that.

19 SENATOR BORRELLO: Madam President,
20 will the sponsor continue to yield?

21 ACTING PRESIDENT PERSAUD: Does the
22 sponsor yield?

23 SENATOR GIANARIS: Yes.

24 ACTING PRESIDENT PERSAUD: The
25 sponsor yields.

1 SENATOR BORRELLO: So you brought
2 up algorithms, you brought up Instacart, which
3 leads to another question of mine.

4 So how would this bill protect
5 someone from having Instacart change their price
6 on them?

7 SENATOR GIANARIS: Well, Instacart
8 is an online platform. This bill deals
9 specifically with in-person shopping at grocery
10 stores or big box stores.

11 There is legislation that I believe
12 my colleague Senator May is carrying that would
13 deal with the broader problem from the Instacarts
14 of the world.

15 SENATOR BORRELLO: Madam President,
16 will the sponsor continue to yield?

17 ACTING PRESIDENT PERSAUD: Does the
18 sponsor yield?

19 SENATOR GIANARIS: Yes.

20 ACTING PRESIDENT PERSAUD: The
21 sponsor yields.

22 SENATOR BORRELLO: So you have
23 brick-and-mortar businesses, which we value here
24 in New York State, particularly because they pay
25 property taxes, they employ our citizens. They

1 will be constrained by this.

2 But yet an online retailer would not
3 really be constrained by this because we're
4 really not addressing the algorithm, just the
5 actual shelf pricing. Is that correct?

6 SENATOR GIANARIS: Like I said,
7 this bill is specifically tailored to one aspect
8 of the problem.

9 There's another bill which you're
10 welcome to cosponsor -- I'm sure Senator May
11 would be happy to have your name on the bill --
12 that would deal with the broader problem.

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

15 ACTING PRESIDENT PERSAUD: Does the
16 sponsor yield?

17 SENATOR GIANARIS: Yes.

18 ACTING PRESIDENT PERSAUD: The
19 sponsor yields.

20 SENATOR BORRELLO: So with that
21 being said, what about a retailer that has
22 brick-and-mortar and online? If they have -- you
23 know, how will this impact them in their online
24 version of that same product that you're
25 concerned about the price changing?

1 SENATOR GIANARIS: This bill deals
2 with electronic shelf labeling on-site at a
3 store, in person.

4 SENATOR BORRELLO: Madam President,
5 will the sponsor continue to yield?

6 ACTING PRESIDENT PERSAUD: Does the
7 sponsor yield?

8 SENATOR GIANARIS: Yes.

9 ACTING PRESIDENT PERSAUD: the
10 sponsor yields.

11 SENATOR BORRELLO: Your bill speaks
12 to "bona fide discounts." How is that defined,
13 and how do you expect a business to comply with
14 something that's, I guess, kind of a vague term?

15 SENATOR GIANARIS: That is a
16 definition that we have used in reference to the
17 FTC. There is a definition of "bona fide
18 discount" that the FTC uses, and that's what we
19 would use for this legislation.

20 SENATOR BORRELLO: Madam President,
21 on the bill.

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

24 SENATOR BORRELLO: Thank you,
25 Senator Gianaris. These days are waning now with

1 you and I being able to do this. So thank you
2 for the time today.

3 So I realize -- I think I've seen
4 these -- I've seen these little digital price
5 things at many stores, some even here in the
6 Capital Region. And I think it's a convenient
7 way for businesses to be able to respond to
8 changes in their costs.

9 As a business owner, I can tell you
10 that costs change frequently. And the costs
11 involved of printing another sign and wasting
12 that paper and everything else is a real,
13 legitimate concern, particularly when you're
14 magnifying it towards big businesses.

15 But I'm told that the real reason
16 that these things are there is to provide
17 discounts. So if we're going to say you're no
18 longer allowed to have a dynamic pricing model,
19 and you instead are going to just have to have a
20 static price, do you think that price is going to
21 be lower or higher?

22 It's going to be higher. If they
23 have to pick one price, they're going to go with
24 the price that confirms that they're not going to
25 lose money on that product at any time.

1 So in the end, we're really not
2 going to help affordability with this bill, I
3 don't think. I think we're going to end up
4 pricing people that we want to give a discount in
5 order to incentivize them to buy something, and
6 they're instead probably not going to buy it and
7 they're going to pay a higher price.

8 But the bigger issue for me is this,
9 that, you know, we've seen this shift toward more
10 online purchases. It's much, much easier. Is
11 Amazon going to be impacted by this bill? No.
12 Is Instacart going to be impacted by this bill?
13 No.

14 Who will be impacted?
15 Brick-and-mortar businesses that employ people
16 right here in New York State, that pay property
17 taxes, that in the end are the driver of our
18 economy. And that is a concern for me.

19 Do I think -- am I concerned about
20 what Senator Gianaris described? Absolutely.
21 I'm concerned about it. But you know what? You
22 know, back in my day, as I'll say, you know, you
23 had -- if you wanted to find the price of
24 something, you had to maybe go out and buy a
25 Consumer Reports magazine or something like that

1 to determine the price.

2 Now, you pick up your phone and you
3 can instantly know where that item is in probably
4 10 different locations in 3 seconds. So if you
5 think you're being price-gouged, check it out.

6 But in the event of this bill
7 passing and becoming law, we may end up raising
8 prices for people, which I don't think is the
9 intent.

10 So for that reason, I'll be cautious
11 and I'll be voting no.

12 Thank you, Madam President.

13 ACTING PRESIDENT PERSAUD: Thank
14 you, Senator.

15 Are there any other Senators wishing
16 to be heard?

17 Seeing and hearing none, debate is
18 closed.

19 Senator Gianaris.

20 SENATOR GIANARIS: Madam President,
21 we've agreed to restore this bill to the
22 noncontroversial calendar.

23 ACTING PRESIDENT PERSAUD: The bill
24 is restored to the noncontroversial calendar.

25 Read the last section.

1 THE SECRETARY: Section 7. This
2 act shall take effect on the 180th day after it
3 shall have become a law.

4 ACTING PRESIDENT PERSAUD: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT PERSAUD: Senator
8 Gianaris to explain his vote.

9 SENATOR GIANARIS: Thank you,
10 Madam President. I just want to point out that
11 there are no less than 24 lines of this bill
12 dedicated to defining an effort to provide a
13 discount to a customer.

14 So in fact we've taken great pains
15 to make sure that whatever we do here continues
16 to allow people to get prices that are less than
17 the regular price.

18 What we are doing, in fact, is
19 preventing people from being gouged at prices
20 that are higher than the regular price because
21 the data that these stores may obtain through
22 electronic surveillance would give them
23 information about a person's income, their need
24 for a particular product, how often they buy that
25 product, and so on.

1 And so let's not pretend this is
2 about protecting discounts, when discounts are
3 explicitly protected. I think my colleague is
4 more interested in protecting the corporations
5 that are price-gouging than protecting the
6 customer.

7 I vote aye. Thank you.

8 ACTING PRESIDENT PERSAUD: Senator
9 Gianaris to be recorded in the affirmative.

10 Announce the results.

11 THE SECRETARY: In relation to
12 Calendar 1009, voting in the negative are
13 Senators Borrello, Chan, Gallivan, O'Mara, Ortt,
14 Stec, Tedisco, Walczyk, Weber and Weik.

15 Ayes, 50. Nays, 10.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 Senator Gianaris, that completes the
19 reading of the calendar.

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

22 ACTING PRESIDENT PERSAUD: There is
23 no further business at the desk.

24 SENATOR GIANARIS: I move to
25 adjourn until tomorrow, Thursday, May 14th, at

1 11:00 a.m.

2 ACTING PRESIDENT PERSAUD: On

3 motion, the Senate stands adjourned until

4 Thursday, May 14th, at 11:00 a.m.

5 (Whereupon, at 4:38 p.m., the Senate

6 adjourned.)

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