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

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, Tuesday, May 12, 2026, the Senate met pursuant to adjournment. The Journal of Monday, May 11, 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 May moves

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

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

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

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

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

ACTING PRESIDENT BAILEY: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good afternoon, Mr. President.

ACTING PRESIDENT BAILEY: Good afternoon.

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

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

Senator Gianaris.

SENATOR GIANARIS: Please recognize Senator Fernandez for an introduction.

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

SENATOR FERNANDEZ: Thank you, Mr. President.

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

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

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

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

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

today.

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

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

ACTING PRESIDENT BAILEY: Thank you, Senator Fernandez.

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

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

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: Senator Gianaris.

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

ACTING PRESIDENT BAILEY: Senator

Rolison for the purposes of an introduction.

SENATOR ROLISON: Mr. President, thank you.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

And, Mr. President, if you could,

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

ACTING PRESIDENT BAILEY: Thank you, Senator Rolison.

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

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

Please remain standing and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: Senator Gianaris.

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

ACTING PRESIDENT BAILEY: The Secretary will read.

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

Genocide Remembrance Day in the State of New York.

ACTING PRESIDENT BAILEY: Senator Gounardes on the resolution.

SENATOR GOUNARDES: Thank you, Mr. President.

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

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

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

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

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

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

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

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

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

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

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

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

I vote aye.

ACTING PRESIDENT BAILEY: Thank you, Senator Gounardes.

The resolution was previously adopted on April 21st.

Senator Gianaris.

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

ACTING PRESIDENT BAILEY: The Secretary will read.

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

ACTING PRESIDENT BAILEY: Senator Mayer on the resolution.

SENATOR MAYER: Thank you, Mr. President.

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

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

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

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

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

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

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

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

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

While his passing is a tremendous

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

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

May he rest in peace.

I vote aye.

ACTING PRESIDENT BAILEY: Thank you, Senator Mayer.

The resolution was adopted on May 12th.

Senator Gianaris.

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

ACTING PRESIDENT BAILEY: The Secretary will read.

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

ACTING PRESIDENT BAILEY: Senator Persaud on the resolution.

SENATOR PERSAUD: Thank you, Mr. President.

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

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

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

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

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

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

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

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

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

Thank you.

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

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

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

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

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

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

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

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

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

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

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

ACTING PRESIDENT BAILEY: Thank you, Senator Persaud.

Senator Webb on the resolution.

SENATOR WEBB: Thank you, Mr. President.

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

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

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

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

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

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

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

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

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

other challenges that we need to do.

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

I proudly vote aye.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Webb.

Senator Cleare on the resolution.

SENATOR CLEARE: Thank you, Mr. President.

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

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

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

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

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

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

Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator Cleare.

This resolution was adopted on January 21st.

Senator Gianaris.

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

ACTING PRESIDENT BAILEY: The Secretary will read.

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

ACTING PRESIDENT BAILEY: Senator Gallivan on the resolution.

SENATOR GALLIVAN: Thank you, Mr. President.

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

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

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

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

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

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

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

At a time when our healthcare system

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

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

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Gallivan.

The resolution was adopted on January 13th.

Senator Gianaris.

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

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

Senator Gianaris.

SENATOR GIANARIS: Please call on

Senator Lanza for a motion.

ACTING PRESIDENT BAILEY: Senator Lanza.

SENATOR LANZA: Thank you, Senator Gianaris.

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

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

Senator Gianaris.

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

ACTING PRESIDENT BAILEY: The Secretary will read.

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

SENATOR PALUMBO: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

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

Ayes, 44. Nays, 16.

ACTING PRESIDENT BAILEY: The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

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

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

Ayes, 42. Nays, 18.

ACTING PRESIDENT BAILEY: The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

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

Ayes, 53. Nays, 7.

ACTING PRESIDENT BAILEY: The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

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

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

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

Ayes, 54. Nays, 6.

ACTING PRESIDENT BAILEY: The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 747, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 40. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

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

Assemblymember McDonald, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

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

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill

is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 852, voting in the negative:

Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

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

Ayes, 58. Nays, 2.

ACTING PRESIDENT BAILEY: The bill remains passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

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

Ayes, 45. Nays, 15.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris.

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

Can we please give her that opportunity.

ACTING PRESIDENT BAILEY: Certainly, Senator Gianaris.

Senator Ramos to explain her vote.

SENATOR RAMOS: Thank you, Mr. President.

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

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

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

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

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

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

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

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

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

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

Thank you.

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

Senator Gianaris.

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

ACTING PRESIDENT BAILEY: The Secretary will read.

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

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

Ayes, 44. Nays, 16.

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

Senator Gianaris.

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

pass the Senate.

(Standing ovation.)

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

SENATOR BOTTCHER: Yes, Mr. President.

ACTING PRESIDENT BAILEY: Senator Bottcher to explain his vote.

SENATOR BOTTCHER: Thank you, Mr. President.

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

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

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

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

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

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

I vote aye.

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

The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

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

Ayes, 41. Nays, 19.

ACTING PRESIDENT BAILEY: The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

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

shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

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

Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 12. This

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

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

Senator Skoufis.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 957, voting in the negative:
Senator Skoufis.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

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

(Laughter.)

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

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

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

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

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

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

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

I vote aye.

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

Senator Skoufis to explain his vote.

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

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

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

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

That is why I vote no. Thank you.

(Laughter.)

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

Announce the results.

THE SECRETARY: In relation to Calendar 958, voting in the negative:

Senator Skoufis.

Ayes, 59. Nays, 1.

(Laughter.)

ACTING PRESIDENT BAILEY: The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 996, Senate Print 5159A, by Senator Comrie, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 996, voting in the negative are Senators Skoufis and Walczyk.

Ayes, 58. Nays, 2.

ACTING PRESIDENT BAILEY: The bill is passed.

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

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

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

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

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

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

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

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MARTINEZ: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

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

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

(Laughter.)

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

SENATOR WALCZYK: Thank you, Madam President.

(Laughter.)

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

Seeing and hearing none, the debate is closed.

Senator Gianaris.

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

calendar, please.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

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

Ayes, 55. Nays, 5.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

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

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

(Laughter.)

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

And the reason for that is because

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

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

We have examples from Kroger's. We

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

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

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

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

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

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

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

will be constrained by this.

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

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

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

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: the sponsor yields.

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

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

SENATOR BORRELLO: Madam President, on the bill.

ACTING PRESIDENT PERSAUD: Senator Borrello on the bill.

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

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

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

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

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

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

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

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

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

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

to determine the price.

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

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

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

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed.

Senator Gianaris.

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

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Gianaris to explain his vote.

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

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

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

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

I vote aye. Thank you.

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

Announce the results.

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

Ayes, 50. Nays, 10.

ACTING PRESIDENT PERSAUD: The bill is passed.

Senator Gianaris, that completes the reading of the calendar.

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

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

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

11:00 a.m.

ACTING PRESIDENT PERSAUD: On motion, the Senate stands adjourned until Thursday, May 14th, at 11:00 a.m.

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