NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 4, 2026

1:51 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, Wednesday, June 3, 2026, the Senate met pursuant to adjournment. The Journal of Tuesday, June 2, 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 Hinchey

moves to discharge, from the Committee on Rules, Assembly Bill Number 7594C and substitute it for the identical Senate Bill Number 3852C, Third Reading Calendar 102.

Senator Martinez moves to discharge, from the Committee on Rules, Assembly Bill Number 5079E and substitute it for the identical Senate Bill 194D, Third Reading Calendar 181.

Senator Gounardes moves to discharge, from the Committee on Internet and Technology, Assembly Bill Number 6578B and substitute it for the identical Senate Bill 6955A, Third Reading Calendar 433.

Senator Ramos moves to discharge, from the Committee on Rules, Assembly Bill Number 6950 and substitute it for the identical Senate Bill Number 9843, Third Reading Calendar 731.

Senator Webb moves to discharge, from the Committee on Local Government, Assembly Bill Number 7620 and substitute it for the identical Senate Bill 7072, Third Reading Calendar 761.

Senator Fahy moves to discharge, from the Committee on Disabilities, Assembly Bill

Number 1130A and substitute it for the identical Senate Bill 7794, Third Reading Calendar 1001.

Senator Fernandez moves to discharge, from the Committee on Finance, Assembly Bill Number 9113B and substitute it for the identical Senate Bill 8636B, Third Reading Calendar 1056.

Senator Bailey moves to discharge, from the Committee on Rules, Assembly Bill Number 11412 and substitute it for the identical Senate Bill 9833, Third Reading Calendar 1082.

Senator Comrie moves to discharge, from the Committee on Consumer Protection, Assembly Bill Number 3058C and substitute it for the identical Senate Bill 6438C, Third Reading Calendar 1105.

Senator Skoufis moves to discharge, from the Committee on Consumer Protection, Assembly Bill Number 10411A and substitute it for the identical Senate Bill 9348A, Third Reading Calendar 1107.

Senator Skoufis moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 4713A and substitute it for the identical Senate Bill

6200A, Third Reading Calendar 1118.

Senator Stewart-Cousins moves to discharge, from the Committee on Codes, Assembly Bill Number 3987A and substitute it for the identical Senate Bill Number 8274, Third Reading Calendar 1141.

Senator Stewart-Cousins moves to discharge, from the Committee on Codes, Assembly Bill Number 3988A and substitute it for the identical Senate Bill 8324, Third Reading Calendar 1142.

Senator Ramos moves to discharge, from the Committee on Civil Service and Pensions, Assembly Bill Number 10835A and substitute it for the identical Senate Bill 9577A, Third Reading Calendar 1151.

Senator Comrie moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 10135 and substitute it for the identical Senate Bill Number 9122, Third Reading Calendar 1213.

Senator Ryan moves to discharge, from the Committee on Transportation, Assembly Bill Number 11233A and substitute it for the identical Senate Bill Number 9806A, Third

Reading Calendar 1281.

Senator Addabbo moves to discharge, from the Committee on Veterans, Homeland Security and Military Affairs, Assembly Bill Number 3397A and substitute it for the identical Senate Bill 1242A, Third Reading Calendar 1343.

Senator Harckham moves to discharge, from the Committee on Health, Assembly Bill Number 329C and substitute it for the identical Senate Bill 3051B, Third Reading Calendar 1350.

Senator Comrie moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 6285 and substitute it for the identical Senate Bill 4430, Third Reading Calendar 1353.

Senator Hinchey moves to discharge, from the Committee on Rules, Assembly Bill Number 9581B and substitute it for the identical Senate Bill 8706B, Third Reading Calendar 1386.

Senator Bailey moves to discharge, from the Committee on Insurance, Assembly Bill Number 10030B and substitute it for the identical Senate Bill 8969B, Third Reading Calendar 1389.

Senator Weber moves to discharge, from the Committee on Local Government, Assembly

Bill Number 10184 and substitute it for the identical Senate Bill 9059, Third Reading Calendar 1394.

Senator Weber moves to discharge, from the Committee on Local Government, Assembly Bill Number 10158 and substitute it for the identical Senate Bill 9060, Third Reading Calendar 1395.

Senator Addabbo moves to discharge, from the Committee on Rules, Assembly Bill Number 9600A and substitute it for the identical Senate Bill 9063A, Third Reading Calendar 1396.

Senator May moves to discharge, from the Committee on Rules, Assembly Bill Number 10415 and substitute it for the identical Senate Bill 9305A, Third Reading Calendar 1401.

Senator Mayer moves to discharge, from the Committee on Finance, Assembly Bill Number 65B and substitute it for the identical Senate Bill 9498, Third Reading Calendar 1407.

Senator Skoufis moves to discharge, from the Committee on Health, Assembly Bill Number 10312A and substitute it for the identical Senate Bill 9555A, Third Reading Calendar 1409.

Senator Hinchey moves to discharge,

from the Committee on Health, Assembly Bill Number 9140 and substitute it for the identical Senate Bill 9604, Third Reading Calendar 1410.

Senator Martinez moves to discharge, from the Committee on Local Government, Assembly Bill Number 10419 and substitute it for the identical Senate Bill 9900, Third Reading Calendar 1423.

Senator Ryan moves to discharge, from the Committee on Local Government, Assembly Bill Number 11004 and substitute it for the identical Senate Bill 9901, Third Reading Calendar 1424.

Senator Ryan moves to discharge, from the Committee on Local Government, Assembly Bill Number 11006 and substitute it for the identical Senate Bill 9902, Third Reading Calendar 1425.

Senator Martinez moves to discharge, from the Committee on Rules, Assembly Bill Number 11376 and substitute it for the identical Senate Bill 9903, Third Reading Calendar 1426.

Senator Stavisky moves to discharge, from the Committee on Rules, Assembly Bill Number 11368 and substitute it for the identical

Senate Bill 10066, Third Reading Calendar 1429.

Senator Cooney moves to discharge, from the Committee on Consumer Protection, Assembly Bill Number 563A and substitute it for the identical Senate Bill 10227, Third Reading Calendar 1432.

Senator Gounardes moves to discharge, from the Committee on Rules, Assembly Bill Number 11234 and substitute it for the identical Senate Bill 10273, Third Reading Calendar 1433.

Senator Harckham moves to discharge, from the Committee on Rules, Assembly Bill Number 11392 and substitute it for the identical Senate Bill 10411, Third Reading Calendar 1434.

Senator Bottcher moves to discharge, from the Committee on Cities 1, Assembly Bill Number 10922 and substitute it for the identical Senate Bill 10431, Third Reading Calendar 1435.

Senator Martinez moves to discharge, from the Committee on Rules, Assembly Bill Number 11358 and substitute it for the identical Senate Bill Number 10432, Third Reading Calendar 1436.

Senator Ryan moves to discharge,

from the Committee on Codes, Assembly Bill Number 3191A and substitute it for the identical Senate Bill 10438, Third Reading Calendar 1437.

Senator Serrano moves to discharge, from the Committee on Cultural Affairs, Assembly Bill Number 9693 and substitute it for the identical Senate Bill 10525, Third Reading Calendar 1440.

Senator Skoufis moves to discharge, from the Committee on Rules, Assembly Bill Number 11372 and substitute it for the identical Senate Bill 10531, Third Reading Calendar 1441.

Senator Fahy moves to discharge, from the Committee on Rules, Assembly Bill Number 11464 and substitute it for the identical Senate Bill Number 10542, Third Reading Calendar 1442.

Senator Martinez moves to discharge, from the Committee on Rules, Assembly Bill Number 11377 and substitute it for the identical Senate Bill Number 10566, Third Reading Calendar 1443.

ACTING PRESIDENT BAILEY: Thank you, Gerald. And 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: I move to adopt the Resolution Calendar.

Forget what I just said, Mr. President.

Let's take up previously adopted Resolution 2314, by Senator Ramos, read that resolution's title and call on Senator Ramos.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Resolution 2314, by Senator Ramos, recognizing the New York Chapter of the National Domestic Workers Alliance.

ACTING PRESIDENT BAILEY: Senator Ramos on the resolution.

SENATOR RAMOS: Yes, thank you,

Mr. President.

Today we recognize the New York State Chapter of the National Domestic Workers Alliance and the extraordinary workers that they represent.

When we talk about what makes New York work, we often talk about industries and businesses and institutions. But behind all of those things are people who make it possible for everyone else to show up: The nanny who cares for a child before going to school, the home care worker helping a senior age with dignity, the house cleaner whose labor gives a family time and stability. Domestic workers are the workers who make all other work possible.

And yet for generations they were excluded from basic labor protections that many other workers have taken for granted. And that exclusion wasn't accidental. Much of this work has historically been performed by women, by immigrants, Black women and women of color. And for too long society depended on their labor while denying them the dignity, recognition, pay and protections they deserve.

But domestic workers are organized.

They refuse to remain invisible. And so today we honor that legacy of pioneers like Dorothy Bolden, who understood that dignity is not something workers should have to ask for; it's something that they are owed.

The National Domestic Workers Alliance has carried that legacy, organizing workers, developing leaders, recovering stolen wages, and fighting for policies that recognize the value of care work. Because care work -- because care is work, and care workers deserve rights.

Their advocacy has helped secure paid sick leave, paid family leave, workplace protections, and greater recognition of the essential role domestic workers play in our economy and in our communities.

As chair of the Senate Labor Committee, I believe protecting workers means protecting all workers -- not just the workers whose jobs are highly visible, not just the workers with the loudest voices, all workers.

And few workers embody the values of service, sacrifice and care more than domestic workers. They care for our children, our

parents, and our homes. And in doing so, they hold our communities together.

Today we proudly recognize the New York Chapter of the National Domestic Workers Alliance for their leadership, their advocacy, and their unwavering commitment to dignity, fairness and justice for working people.

Mr. President, one of the most incredible labor organizers from my community, Avi Gayil {ph}, is here with all of the domestic workers from across New York State who are making change happen. Please extend all of the courtesies of the house to them.

Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator Ramos.

Senator Hinchey on the resolution.

SENATOR HINCHEY: Thank you, Mr. President.

I rise today with profound gratitude to honor an extraordinary movement and the remarkable women who have built it. And I want to thank the sponsor for this resolution.

For the past decade, the We Dream in Black New York Chapter has been rewriting the

story of what's possible when people refuse to accept injustice. Today, as we celebrate their 10-year anniversary, I want the Senate record to reflect something our nation needs to hear. The domestic workers of this country are among the most powerful leaders and change-makers that we have.

I was meeting with my sisters from the Red Carpet for Social Justice Coalition, many of whom are members of We Dream in Black. After they told me about this incredible milestone, I knew that when the day came for us to welcome them here to the Capitol, I had to take a moment to say thank you, because across our communities they are the unsung heroes whose leadership deserves to be enshrined in the Senate record.

Labor is the backbone of every community, and domestic workers do some of the most important, sacred, difficult and deeply personal work there is. They are the people nurturing our children with patience and tenderness. They are the people caring for our aging loved ones with dignity and gentleness. And they often become trusted members of our families.

They deserve to be seen and celebrated. Their work requires tremendous skill and emotional intelligence. And without their caring hands and generous hearts, so much would fall away.

For far too long, their labor has been overlooked and underprotected, from the exclusion of domestic workers from Social Security in 1935 to the challenges and inequities still today.

But We Dream in Black has been changing that reality. In just 10 years they have built a home for Black, Afro-Latina and Afro-descendant domestic workers to unite, amplify their voices and illuminate their collective power.

They've recovered more than half a million dollars in stolen wages, helped workers understand their rights, and as the sponsor said, they've won landmark victories for paid family leave and paid sick and safe leave.

This is what the labor movement looks like. It's ordinary people standing together, lifting each other up, and moving mountains that once seemed unmovable. It's women

refusing to accept anything less than the rights and fairness that they so fundamentally deserve.

What We Dream in Black has achieved over the last 10 years is nothing short of remarkable. They have built a movement with a capital "M." And they have inspired so many to lead with courage, compassion, and belief in themselves.

To the phenomenal members of We Dream in Black here in the chamber today, we see you, we celebrate you, we thank you for being innovators, problem solvers, and for raising your voices to raise labor standards for domestic workers. Your fight is our fight. Happy 10-year anniversary.

Thank you, Mr. President. I proudly vote aye.

ACTING PRESIDENT BAILEY: Thank you, Senator Hinchey.

Senator Sanders on the resolution.

SENATOR SANDERS: Thank you, Mr. President.

I too want to commend the sponsor for this move. I would be -- it wouldn't be right if I didn't stand up for this moment.

I am the son of a domestic worker, and my mother actually had the ability to go out and work and help raise other families and then come back and raise her own family. She had that much love.

So I commend all of the people who are able to get out there and share love in this day and age, a love that this society desperately needs. So I continue to urge you to be the best you and then to come home and to make sure that your children have everything that they need.

I commend the struggle that you're having or that you're doing and stand shoulder to shoulder with you to make sure that you are treated with the dignity that you deserve.

I proudly vote aye.

ACTING PRESIDENT BAILEY: Thank you, Senator Sanders.

To the unsung heroes, to our sheroes, the fabric of society, the domestic workers, we celebrate you and we thank you for coming to the Capitol.

We recognize you, and on behalf of the Senate we extend to you all of the privileges and cordialities of the house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: The resolution was adopted on June 2nd.

Senator Gianaris.

SENATOR GIANARIS: Okay, Mr. President, we have several members of the Judiciary here as well as other appointees who we are here to confirm. So I just want to give the members a sense of the cadence here.

We're going to first take up the judicial nominations, and we have agreed with the Minority that only one member from each side will speak on these nominations, in the interests of time. There are so many of you up there, and we love you all, but we also have to get through our session today. It's our last day of scheduled session.

From there, we will take up the MTA nominees, and after that the remaining nominees. And we are simultaneously going to have a meeting of the Rules Committee in Room 332.

So for us it will be Senator Sepúlveda; I believe it will be

Senator Palumbo for the Minority on the judicial nominations. So call a meeting of the Rules Committee and recognize Senator Sepúlveda, please.

ACTING PRESIDENT BAILEY: There will be an immediate meeting of the Rules Committee in Room 332.

And Senator Sepúlveda on the nominations.

Excuse me. Hold on a sec.

The Secretary will read the nominations, I apologize.

THE SECRETARY: Senator Sepúlveda, from the Committee on Judiciary, reports the following nominations.

As Interim Justices of the Supreme Court:

Debra Givens, of Erie County;

Joseph Risi, of Queens County;

Tandra Dawson, of New York County;

Louis Gigliotti, of Oneida County.

And as Judges of the Court of Claims:

Adam Silverman, of Albany County;

R. Nadine Fontaine, of

Albany County;

Ramon Rivera, of Madison County;

Chris Anne Kelley, of Suffolk County;

Anna Grimaldi, of Nassau County;

Ellen Tobin, of Nassau County;

Richard Horowitz, of Suffolk County;

Alicia Gerez, of Nassau County;

Raymond Fernandez, of Westchester County;

Damaris Torrent, of Westchester County;

Charles Troia, of Richmond County;

Jeannette Rodriguez-Morick, of New York County;

Daniel Conviser, of New York County;

Alexander Jeong, of Richmond County;

Michele Rodney, of New York County;

Sarika Kapoor, of Nassau County;

Carmen Victoria St. George, of Suffolk County;

Fiordaliza Rodriguez, of Bronx County;

Andrew Amer, of New York County;

Danielle Eaddy, of Kings County;

Troy Smith, of Westchester County;
Jennifer Naiburg, of Nassau County;
Jordan Katz, of Suffolk County; and
Mara McCabe, of Erie County.
ACTING PRESIDENT BAILEY: Senator Serrano.
SENATOR SERRANO: Mr. President, I know we got a little bit ahead of ourselves.
But is there a report of the Judiciary Committee at the desk?
ACTING PRESIDENT BAILEY: Yes. And the Secretary read, and we are --
SENATOR SERRANO: We're good.
ACTING PRESIDENT BAILEY: No, we need to --
SENATOR SERRANO: Then I move to accept the report of the Judiciary Committee, and I ask that you then recognize Senator Sepúlveda.
ACTING PRESIDENT BAILEY: All those in favor of accepting the report of the Judiciary Committee please signify by saying aye.
(Response of "Aye.")
ACTING PRESIDENT BAILEY: Opposed, nay.
(No response.)

ACTING PRESIDENT BAILEY: The report of the Judiciary Committee is accepted.

Senator Sepúlveda on the nominations.

SENATOR SEPÚLVEDA: Thank you, Mr. President, for allowing me to speak on this nomination.

But before I do, I just want to take a personal point of privilege and thank retiring Justice Richard Sise, who has been just an incredible leader of the Court of Claims for several years, and he's going to be sorely missed.

After much deliberation and commitment and all of the work by all of the nominees, I am proud to announce that today we will bring to the floor the nomination of four interim Supreme Court justices, seven new Court of Claims justices, and 21 who are reappointed or extended.

Each and every person who appeared before our Judiciary Committee, every candidate, has an incredible story and an incredible resume. And I am so proud that this is my first nominees as the new chair of the Judiciary Committee, and

I am so proud that each and every one of them were here and that I'm able to see some friends and some judges who I've either appeared before, who are excellent justices, and I'm happy to be here to announce their nomination or renomination, and the renomination of the interim justices.

Thank you all for being here. Thank you to all my colleagues in the committee who worked so hard and sat with us throughout the process. They did a great job.

And now I hereby move the nominations to the floor.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Sepúlveda.

Before we move the nominations, Senator Palumbo on the nominations.

SENATOR PALUMBO: Thank you, Mr. President.

And I second this batch of nominees and associate myself with the comments of Chairman Sepúlveda.

And Judge Sise, thank you for your service to this great state and to the judiciary

as a whole. Yesterday during the nominating process, to the person, the nominees described and discussed how grateful they were to the administrative judge. You will be missed.

And congratulations to all of those nominees. We all throughout the day had -- we all have different relationships with many of these judges, so I won't single anyone in particular out. But they all have phenomenal resumes. They will continue to do great work and, for some of them, new work.

Particularly, while I have to do -- maybe I will mention one, Jennifer Naiburg. Her father was a very well respected attorney in Suffolk County and was a family friend as well. So congratulations to you and Ira, also a -- her husband is a very good friend.

So congratulations to all of you.

Thank you, Mr. President. And I proudly will be voting aye on this resolution.

ACTING PRESIDENT BAILEY: Thank you, Senator Palumbo.

The question for the house is on the nominations.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to the nominations, voting in the negative are Senators Ashby, Lanza, Mattera, Murray, Myrie, O'Mara, Ortt, Rivera, Stec, Walczyk and Weik. Also Senator Oberacker.

Ayes, 44. Nays, 12.

ACTING PRESIDENT BAILEY: The nominees are confirmed.

Please rise and be recognized, nominees.

(Standing ovation.)

ACTING PRESIDENT BAILEY: Congratulations, and thank you for your service.

Senator Serrano.

SENATOR SERRANO: Mr. President, there's a report of the Finance Committee at the desk. Please take that up.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senator Krueger, from the Committee on Finance, reports the following nominations.

As members of the Metropolitan Transportation Authority Board: Melanie Hartzog, Janette Sadik-Khan, Matthew W. Rand, James O'Donnell.

As members of the Advisory Council on Agriculture: Kimberly Ann Wagner, Olivia Fuller, Samuel J. Casella.

As members of the Convention Center Operating Corporation: Mark J.F. Schroeder, David Rappaport.

As members of the Dormitory Authority: Walter Oden, Elizabeth Velez, and Thehbia Hiwot.

As a member of the Port of Oswego Authority: William Crist.

As a member of the State Commission of Correction: Alexander Dockery.

As a member of the Palisades Interstate Park Commission: Steven Noble.

As a member of the Saratoga-Capital District State Park, Recreation and Historic Preservation Commission: Brian Stratton.

As a member of the Board of Visitors of the Central New York Developmental Disabilities Services Office: Beverly Gibbs.

As a member of the Power Authority of the State of New York: Michael Cusick.

As a member of the New York State Energy Research and Development Authority Board: Audrey Zibelman.

As a member of the New York Financial Control Board: Kathryn Wylde.

As members of the Public Health and Health Planning Council: Christina Gerdes, MD; Kathryn D. Haslanger; and Jon Van Valkenburg.

As a trustee of the Board of Trustees of Cornell University: Eric Gonzalez.

As members of the State University of New York College of Environmental Science and Forestry: Jessica Ottney Mahar, Peter Smith, and Steven Noble.

As members of the Industrial Board of Appeals: Richard Baum, Haeya Yim, and Robert McCreanor.

As a member of the State Insurance Fund: Richard Dollinger.

As members of the Behavioral Health Services Advisory Council: Alyssa Monfuletho; Christina Gerdes, MD; and Suzanne Lavigne.

As members of the New York State

Gaming Commission: Martin Mack and Brian O'Dwyer.

As a member of the Buffalo and Fort Erie Public Bridge Authority (Peace Bridge): Mark J.F. Schroeder.

And as a member of the New York State Thruway Authority: Linda Brown-Robinson.

SENATOR SERRANO: I move to accept the report of the Finance Committee, and I ask that you then recognize Senator Liu.

ACTING PRESIDENT BAILEY: Senator Serrano, I think we're going to temporarily stand at ease.

(Whereupon, the Senate stood at ease at 2:17 p.m.)

(Whereupon, the Senate reconvened at 2:18 p.m.)

ACTING PRESIDENT BAILEY: The Senate will come to order.

Senator Serrano.

SENATOR SERRANO: Okay. Mr. President, as I was mentioning, I move to accept the report of the Finance Committee, and I ask that you recognize Senator Liu.

ACTING PRESIDENT BAILEY: All those

in favor of accepting the report of the Finance Committee, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay.

(No response.)

ACTING PRESIDENT BAILEY: The report of the Finance Committee is accepted.

Senator Liu on the nominations.

SENATOR LIU: Mr. President, the Finance Committee held meetings for the purpose of considering these nominations, and the nominations were forwarded to the Senate floor for passage.

Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator Liu.

Senator Comrie on the nominations.

SENATOR COMRIE: Mr. President, the Corporations, Authorities and Commissions Committee also met simultaneously with Finance, and we support and submit the following nominations to the Metropolitan Transit Authority: Melanie Hartzog, Janette Sadik-Khan, Matthew W. Rand, and James O'Donnell, to be

members of the Metropolitan Transportation Authority.

We also had members for the other groups: Kimberly Ann Wagner, Olivia Fuller and Samuel J. Casella, for the Advisory Council on Agriculture; Mark J.F. Schroeder, for member of the Convention Center Operating Corporation; David Rappaport, for member of the Convention Center Operating Corporation; Walter Oden, Elizabeth Velez and Thehbia Hiwot, for the Dormitory Authority; William Crist, Port of Oswego Authority; Alexander Dockery, State Commission of Correction; Steven Noble, Palisades Interstate Park Commission; Brian Stratton, Saratoga-Capital District State Park, Recreation and Historic Preservation Commission; Beverly Gibbs, Board of Visitors of the Central New York DDSO; Michael Cusick, Power Authority; Audrey Zibelman, NYSERDA Board; Kathryn Wylde, New York Financial Control Board; Christina Gerdes, Kathryn Haslanger and Jon Van Valkenburg, Public Health and Health Planning Council; Eric Gonzalez, Board of Trustees of Cornell University; Jessica Ottney Mahar, Peter Smith and Steven Noble, SUNY College of

Environmental Science and Forestry; Richard Baum, Haeya Yim and Robert McCreanor, Industrial Board of Appeals; Richard Dollinger, State Insurance Fund; Alyssa Monfuletho, Christina Gerdes, and Suzanne Lavigne, Behavioral Health Services Advisory Council; Martin Mack, New York State Gaming Commission; Brian O'Dwyer, New York State Gaming Commission; Mark J.F. Schroeder, also who will be a member of the Buffalo and Fort Erie Public Bridge Authority; and Linda Brown-Robinson, New York State Thruway Authority.

We submit these names to be accepted in their positions.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Comrie.

The Secretary will read.

THE SECRETARY: As members of the Metropolitan Transportation Authority Board:

Melanie Hartzog, Janette Sadik-Khan, Matthew W. Rand, and James O'Donnell.

ACTING PRESIDENT BAILEY: The question is on the nominations.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

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

Ayes, 36. Nays, 24.

ACTING PRESIDENT BAILEY: The nominees are confirmed.

Congratulations to the nominees. Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: As members of the Advisory Council on Agriculture: Kimberly Ann Wagner, Olivia Fuller, Samuel J. Casella.

As members of the Convention Center Operating Corporation: Mark J.F. Schroeder, David Rappaport.

As members of the Dormitory Authority: Walter Oden, Elizabeth Velez, and

Thehbia Hiwot.

As a member of the Port of Oswego Authority: William Crist.

As a member of the State Commission of Correction: Alexander Dockery.

As a member of the Palisades Interstate Park Commission: Steven Noble.

As a member of the Saratoga-Capital District State Park, Recreation and Historic Preservation Commission: Brian Stratton.

As a member of the Board of Visitors of the Central New York Development Disabilities Services Office: Beverly Gibbs.

As a member of the Power Authority of the State of New York: Michael Cusick.

As a member of the New York State Energy Research and Development Authority Board: Audrey Zibelman.

As a member of the New York Financial Control Board: Kathryn Wylde.

As members of the Public Health and Health Planning Council: Christina Gerdes, MD; Kathryn D. Haslanger; and Jon Van Valkenburg.

As a trustee of the Board of Trustees of Cornell University: Eric Gonzalez.

As members of the SUNY College of Environmental Science and Forestry Board of Trustees: Jessica Ottney Mahar, Peter Smith, and Steven Noble.

As members of the Industrial Board of Appeals: Richard Baum, Haeya Yim, and Robert McCreanor.

As a member of the State Insurance Fund: Richard Dollinger.

As members of the Behavioral Health Services Advisory Council: Alyssa Monfuletho; Christina Gerdes, MD; and Suzanne Lavigne.

As members of the New York State Gaming Commission: Martin Mack and Brian O'Dwyer.

As a member of the Buffalo and Fort Erie Public Bridge Authority (Peace Bridge): Mark J.F. Schroeder.

And as a member of the New York State Thruway Authority: Linda Brown-Robinson.

SENATOR GIANARIS: Mr. President.

ACTING PRESIDENT BAILEY: Senator Gianaris.

SENATOR GIANARIS: We neglected, on the last batch of nominations, to call on

Senator Murray to speak on behalf of the minority.

So if we can do that now, and then we'll proceed with the nominees we just heard about.

ACTING PRESIDENT BAILEY: Certainly. My apologies.

Senator Murray on the nominations.

SENATOR MURRAY: Thank you, Mr. President.

So we listened to all the names, we listened to all of the different positions, whether it's Agriculture, the Dormitory Authority, the State Commission of Corrections, the Gaming Commission -- all of these different people. And some of the people I know. Some of the people I think are wonderful. But it's many different people, many different positions.

Now, I'm holding a calendar here; this is just the first of a few I imagine we're going to see today, with hundreds of bills. Should we just take every bill that deals with healthcare and put it in one pile, every bill that deals with New York City, put it in a pile, and we'll just vote up or down on all of those?

That would be ridiculous.

This is just as ridiculous. These are important positions, important people with good -- great backgrounds, some outstanding backgrounds. But we should be taking these up individually and show just how important these positions are, how important they are to all of New York's residents.

Instead, we're doing one block, up and down. It's absurd. And that's why I've been voting no and will continue to vote no.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Murray.

Senator Gianaris.

SENATOR GIANARIS: So it seems like Senator Murray was speaking about all of them generally, which is terrific.

Can you please recognize Senator Salazar, for the Majority, on these nominees.

ACTING PRESIDENT BAILEY: Senator Salazar on the nominations.

SENATOR SALAZAR: Thank you, Mr. President.

Today is the first time in New York State history that we are voting to confirm a formerly incarcerated individual to become a commissioner on the State Commission of Correction.

The State Commission of Correction, the SCOC, was created more 130 years ago. Its original purpose was to have nine commissioners providing rigorous oversight of New York's prisons and jails. Over time, the SCOC's ability to adequately perform that function suffered as the commission was reduced in size and in resources.

But last year this Legislature passed and the Governor signed legislation which, among other changes, seeks to expand the State Commission of Correction's size and its diversity.

The intent is to ensure the commission has both the capacity and expertise to objectively and effectively oversee New York's correctional facilities. This includes having at least one commissioner who has experienced incarceration firsthand.

Alexander Dockery has the

experience, the perspective, and the aptitude needed to work with fellow commissioners and staff to provide proper oversight of New York's prisons and jails.

Despite having an eighth-grade education upon entering prison at age 15, Mr. Dockery used his time while incarcerated to earn his high school equivalency diploma, his associate's degree, his bachelors degree, and his master's degree while incarcerated.

In 2023, in recognition of his clear and remarkable transformation while incarcerated, he was granted Executive clemency by Governor Hochul.

Since his commutation, Mr. Dockery has dedicated his life to mentoring young people, volunteering at food pantries, and helping formerly incarcerated New Yorkers transition back into society.

Mr. Dockery, I thank you for your dedication, and I look forward to your work as the newest commissioner on the State Commission of Correction.

I vote aye.

(Applause from the gallery.)

ACTING PRESIDENT BAILEY: The question is on the nominations.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

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

Ayes, 38. Nays, 22.

ACTING PRESIDENT BAILEY: The nominees are confirmed.

And now you may applaud for Mr. Dockery. Congratulations.

(Standing ovation.)

ACTING PRESIDENT BAILEY: Senator Gianaris.

SENATOR GIANARIS: Let's move on to previously adopted Resolution 2298, by Senator Hinchey. Please read its title and call on Senator Hinchey.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Resolution 2298, by Senator Hinchey, mourning the death of Minerva Solla, distinguished citizen and devoted advocate for workers' rights and social justice.

ACTING PRESIDENT BAILEY: Senator Hinchey on the resolution.

SENATOR HINCHEY: Thank you, Mr. President.

I rise today to commemorate the life of Minerva Solla, a legendary labor leader, a fierce champion for working people, and an unstoppable force for justice, who was taken from us this past April after a long and courageous battle with ovarian cancer.

Minerva's life and career were defined by her voice. She was most often seen standing at the picket line, bullhorn in hand, chanting one of her famous rallying calls.

She was a pioneering member and community organizer of the Young Lords Party and among the first women to serve in its defense ministry, shaping the movement during its formative years in the late 1960s in New York

City.

Minerva was fearless in speaking truth to power. But her true gift, the one that made her a legendary leader and mentor to so many, was helping others discover their own power in the struggle for justice and equality.

Her passion for organizing was ignited at just 15 years old when CWA called a strike just weeks into her part-time job at Bell Telephone. Despite threats of losing her job, Minerva organized many of her coworkers to join strikers on the line, a bold and fitting beginning to what would become a lifetime of union advocacy.

Minerva brought the same fire to Roosevelt Hospital in 1972, where she helped lead a historic 47-day strike that won union representation through 1199SEIU. This victory marked the beginning of a decades' long commitment to 1119, during which Minerva would help shape the union into the powerhouse that it is today, organizing workers from New York City to the Hudson Valley.

One of Minerva's proudest victories with 1199 came in the late 1980s at Our Lady of

Mercy Hospital in the Bronx, where she helped 500 workers secure representation.

At the time, Minerva was a single mom raising three kids, ages 2, 8, and 15. She wanted them to see why standing up for what you believe in matters and how being part of a union can change the course of a person's life and future.

So she brought her kids into her work and let them see their mother fight for working people. That was Minerva. She lived her values proudly, courageously, and in front of everyone, especially those she loved most.

That conviction drove everything she did, and it was always for the betterment of others. It moved her to fight at the picket line and in the halls of government, championing landmark legislation like Paid Family Leave and the Safe Staffing for Quality Care Act.

It drove her to found the 1199 Latinas Unidas Committee to uplift Latina voices and culture.

And when Hurricane Maria devastated Puerto Rico, that same conviction sent her to coordinate humanitarian relief missions to help

bring healing to the island.

Minerva never slowed down and never stopped fighting. So it came as no surprise when her retirement was a brief 30 days before she rejoined her brothers and sisters in labor, this time working with the New York State Nurses Association as the upstate organizing director for special campaigns.

In that role, Minerva built a coalition from the ground up that helped bring 20 mental health and detox beds back to Kingston Health Alliance Hospital, a coalition that I was proud to be a part of.

That same organizing spirit led her to cofound the Red Carpet for Social Justice, a coalition full of strong, dynamic and determined women working toward a better future for women and girls everywhere.

I had the honor of joining one of their celebrations in the city to commemorate legislation that we championed together, and it was unlike any event I've ever been to. It was electric seeing women so proudly representing their cultures, their womanhood, and unapologetically being who they are. The energy,

music, speeches and sense of purpose in that room was unforgettable, and I can't wait to go back.

Minerva and the sisters, as she lovingly called them, created the idea for New York to commemorate International Women's Day every March 8th. They brought that vision to many of us here in this chamber, and I was proud to sponsor it. And this year marked our third annual observance. And one of the last things we worked on together before Minerva's passing was strategizing how to make this an official state and federal holiday.

I can't tell you how proud I was to select Minerva as one of my first Women of Distinction honorees -- one of the easiest decisions I've made. I will cherish our friendship forever, and I will hold even closer the incredible coalition she helped build and the work we will continue to do together in her honor.

Minerva was a leader in every sense of the word -- a fighter for working people and the unions that represent them. It has been my privilege to watch this trailblazing woman in her element, to watch her organizing people toward a

single mission and, of course, electrifying crowds with the power of her voice.

One of my favorite memories with Minerva, of which there are countless -- but it was doing the Electric Slide on Election Day. This is something -- it was a tradition that just happened. It just happened in 2020. I went to meet her, and of course with all of her energy and her fire, she is rallying the people, she's waving at the cars, she's making sure that people know to do their civic duty and to cast their vote, and what power that means.

And when I joined her on the sidewalk, we broke into the Electric Slide.

(Laughter.)

SENATOR HINCHEY: And it was so much fun, something that we talk about all the time, because everything that Minerva did was fun. She brought joy to everything that she did. She brought that power to everything that she did.

Every time I saw her, she talked about Puerto Rico. She talked about the importance it was for standing up for people. When we celebrated her life, a moment that I will

cherish that I got to be a part of, she joined us through Zoom with her family next to her.

She was still teaching us in her final days. She was still teaching to us advocate for housing for everyone, teaching us to treat people with dignity, inspiring us to push for better because the work is never done. And everything that we do in this chamber and that we do outside these halls in our communities will have a flavor of Minerva to it, because she was that big of a presence, that big of an inspiration, and that important of a person.

I truly -- I feel her with us all the time, and I truly feel so blessed to have called her a friend.

We are joined today in the chamber by Minerva's family -- her loving husband, Bruce Richard; her sister, Gloria Solla, and her sister-in-law, Belinda Matos; and her children: Stepdaughter Gabriela Richard and her partner Alejandro Quiñones; Taina Martinez; Liana Berrios; Jose Gabriel Berrios.

We are joined also by many members of the Red Carpet for Social Justice, her sisters in power, her sisters in action.

Please, Mr. President, please welcome our guests to the chamber and help us remember Minerva for all the incredible things that she's done. Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator Hinchey.

Are there any other Senators wishing to be heard on the resolution?

Seeing and hearing none, Senator Ramos to close.

SENATOR RAMOS: Thank you, Mr. President.

This past March I had the honor of being the keynote speaker at the Social Justice Women's Red Carpet event. I had the honor of standing right beside Minerva Solla. I felt her strength, I felt her determination despite her ailment.

And for the past 20 years that I personally got to know Minerva, she was always and will always continue to be a source of strength and of daring us to imagine the impossible.

Minerva was unapologetic in her pursuit of liberation for the people of

Puerto Rico and people all over the world. Yes, she was a nurse, she worked at both NYSNA and 1199. But boy, would I -- would I have loved the ability to see her in her younger years as one of the Young Lords on the streets of New York, organizing Latinos in the Bronx and uptown Manhattan, organizing them for dignity, and making sure that the services that our people have paid for for so long were actually delivered with the dignity that we deserve.

I will miss Minerva. I already do. I will miss her every day. And I'm very thankful for the honor and the privilege to have known her, to have worked with her, and to have stood shoulder to shoulder with her just a few days before she passed.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Ramos.

To the Solla family, first and foremost, que viva Puerto Rico!

We welcome you on behalf of the New York State Senate, and we commemorate her legacy.

And to her family and friends in

labor, and blood family, we recognize her and we welcome you on behalf of the Senate. We extend to you all the privileges and courtesies of this house.

Please rise and be recognized.

(Extended standing ovation.)

ACTING PRESIDENT BAILEY: The resolution was adopted on June 2nd.

Senator Serrano.

SENATOR SERRANO: Mr. President, let's take up previously adopted Resolution 2272, by Senator Skoufis. Let's read that resolution title only and call on Senator Skoufis.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Resolution 2272, by Senator Skoufis, congratulating Daniel Casper of Briarcliff, New York, upon the occasion of representing the United States as an Olympic curler in the Milano Cortina 2026 Winter Olympic Games in February 2026.

ACTING PRESIDENT BAILEY: Senator Skoufis on the resolution.

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

Proud to rise today to welcome our honored guests who have joined us on the Senate floor this afternoon. You know, the first evidence of a curling stone was found in Scotland, inscribed with the year 1511.

Today we're here to honor an Olympian and New York native, Daniel Casper, who represented us on the USA Men's Curling Team in the 2026 Olympics in Italy, now over 500 years after history's first recorded stone slid across the ice.

A winter sport requiring incredible precision, curling has a long and storied history, and so does Danny Casper. It was Danny's father, Jeff Casper, who got him started at Westchester's Ardsley Curling Club, where I myself curled for many years beginning about a couple of decades ago.

But Danny comes from a long and successful family history in the sport. His great-aunt, Carla Casper, competed at the 1988 Calgary Olympics. And Carla Casper's husband, Tom Casper, coached Team USA at the 1998 Nagano Olympics.

Danny Casper is a skip -- or, for

everyone else who doesn't curl, captain of his team, the position who leads on overall strategy.

He competed with the US team at the 2023 FISU World University Games in Lake Placid, where his team won silver.

Danny's team went on to compete and medal at the national championships in 2023 and 2025, then on to the professional circuit.

Danny was diagnosed with an autoimmune disease, Guillain-Barre Syndrome, which causes the body's immune system to attack the nerves, causing weakness, numbness or paralysis. The onset caused him to miss part of the 2024-2025 curling season and to even struggle to walk or use his hands. And yet despite these challenges, Danny qualified and competed as skip on the USA Men's Curling Team in the 2026 Winter Olympics, an incredible story of perseverance overcoming enormous adversity to represent our country on the world's stage of the greatest athletes.

Congratulations to Daniel Casper for these incredible achievements. New York and the nation are deeply proud of your achievements as the United States representative in the recent

Olympics. I vote yes on this resolution.

And, Mr. President, if you could please afford a warm welcome to Danny and his father this afternoon.

ACTING PRESIDENT BAILEY: Thank you, Senator Skoufis.

To New York's own Olympian in curling, Mr. Daniel Casper, and his father, we welcome you on behalf of the Senate and thank you for all of your contributions to our great country.

We extend to you all the privileges and courtesies of this house. Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: The resolution was adopted on June 2nd.

Senator Serrano.

SENATOR SERRANO: Mr. President, there's a report of the Rules Committee at the desk.

Please take that up.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senator

Stewart-Cousins, from the Committee on Rules, reports the following bills:

Senate Print 82B, by Senator Liu, an act to amend the Education Law;

Senate Print 118A, by Senator Cleare, an act to amend the Elder Law;

Senate Print 845A, by Senator Salazar, an act to amend the Public Health Law;

Senate Print 1004B, by Senator Brouk, an act to amend the Criminal Procedure Law;

Senate Print 1086D, by Senator Rivera, an act to amend the Civil Rights Law;

Senate Print 1335C, by Senator Parker, an act to amend the General Municipal Law;

Senate Print 1455B, by Senator Kavanagh, an act to amend the Executive Law;

Senate Print 1511A, by Senator Liu, an act to amend the Vehicle and Traffic Law;

Senate Print 3622, by Senator Ortt, an act to amend the Highway Law;

Senate Print 4230, by
Senator Comrie, an act to amend the Vehicle and Traffic Law;

Senate Print 4527B, by
Senator Comrie, an act to amend the Tax law;

Senate Print 4593, by Senator Fahy, an act in relation to directing the New York State Department of Labor to establish a voluntary training and certification program;

Senate Print 4894, by
Senator Jackson, an act to repeal paragraph (g) of subdivision 4 of Section 209 of the Civil Service Law;

Senate Print 5711C, by
Senator Skoufis, Concurrent Resolution of the Senate and Assembly proposing amendments to Section 21 of Article 6, of Article 13, and Section 6 of Article 4 of the Constitution;

Senate Print 5754B, by
Senator Martinez, an act to amend the Retirement and Social Security Law;

Senate Print 6008B, by
Senator Baskin, an act to amend the Highway Law;

Senate Print 6043, by
Senator Cleare, an act to amend the Elder Law;

Senate Print 6376A, by Senator Scarcella-Spanton, an act to amend the Workers' Compensation Law;

Senate Print 6736A, by Senator Fahy, an act to amend the Social Services Law;

Senate Print 6983A, by Senator Brisport, an act to amend the Public Health Law;

Senate Print 7585A, by Senator Cleare, an act to amend the General Business Law;

Senate Print 7635B, by Senator Ryan, an act to amend the Retirement and Social Security Law;

Senate Print 7802A, by Senator Harckham, an act to amend the Vehicle and Traffic Law;

Senate Print 7819, by Senator Cleare, an act to amend the Mental Hygiene Law;

Senate Print 7867A, by Senator Walczyk, an act to amend the Tax Law;

Senate Print 8015B, by Senator Comrie, an act to amend the General Business Law;

Senate Print 8205A, by Senator Brisport, an act to amend the Social Services Law;

Senate Print 8217B, by Senator Hinchey, an act to amend the Criminal Procedure Law;

Senate Print 8237, by Senator Parker, an act to amend the Public Authorities Law;

Senate Print 8239, by Senator Ramos, an act to amend the Labor Law;

Senate Print 8240, by Senator Ramos, an act to amend the Workers' Compensation Law;

Senate Print 8246, by Senator Myrie, an act to amend the State Finance Law;

Senate Print 8253, by Senator Brisport, an act to amend the Abandoned Property Law;

Senate Print 8302D, by Senator Comrie, an act to amend the Penal Law;

Senate Print 8364, by Senator Webb, an act to amend the Education Law;

Senate Print 8385, Senator Comrie, an act to amend the State Finance Law;

Senate Print 8407, by Senator Fahy,

an act to amend the Social Services Law;

Senate Print 8410, by Senator Comrie, an act to amend the Vehicle and Traffic Law;

Senate Print 8472A, by Senator Cleare, an act to amend the Administrative Code of the City of New York;

Senate Print 8838A, by Senator Rivera, an act to amend the Social Services Law;

Senate Print 8852C, by Senator Harckham, an act in relation to authorizing the County of Putnam to lease certain lands used as parklands;

Senate Print 8865A, by Senator Harckham, an act to amend the Public Service Law;

Senate Print 8926, by Senator Ryan, an act to amend the Public Authorities Law;

Senate Print 8965, by Senator Hinchey, an act to amend the Public Health Law;

Senate Print 9068A, by Senator Griffo, an act to amend the Retirement and Social Security Law;

Senate Print 9138, by Senator Palumbo, an act relating to a death benefit option for the beneficiary of Justice Jerry Garguilo;

Senate Print 9221, by Senator Ryan, an act to amend the Mental Hygiene Law;

Senate Print 9287A, by Senator Hinchey, an act to amend the Real Property Tax Law;

Senate Print 9363, by Senator Palumbo, an act in relation to increasing the term of office from two years to four years for the Trustees of the Freeholders and Commonalty of the Town of Southampton;

Senate Print 9441, by Senator Chan, an act to amend the Multiple Dwelling Law;

Senate Print 9453, by Senator Rolison, an act to amend the Vehicle and Traffic Law;

Senate Print 9508, by Senator Gounardes, an act to amend the General Business Law;

Senate Print 9509, by Senator Ortt, an act to amend the Highway Law;

Senate Print 9606, by Senator Ortt,

an act to amend subpart H of Part C of Chapter 20 of the Laws of 2015;

Senate Print 9654, by Senator Murray, an act to amend the Highway Law;

Senate Print 9682, by Senator Liu, an act to amend the Education Law;

Senate Print 9723A, by Senator Cleare, an act to amend the Public Housing Law;

Senate Print 9725B, by Senator Harckham, an act to amend the Highway Law;

Senate Print 9736, by Senator Kavanagh, an act to amend the Penal Law;

Senate Print 9904, by Senator Ramos, an act to amend the Labor Law;

Senate Print 9905, by Senator Jackson, an act to amend the Retirement and Social Security Law;

Senate Print 9906, by Senator Myrie, an act to amend the Criminal Procedure Law;

Senate Print 9940, by Senator Scarcella-Spanton, an act to amend the Veterans' Services Law;

Senate Print 9982A, by

Senator Tedisco, an act in relation to authorizing Kurt Nolan to receive certain credit under Section 384-d and 384-e of the Retirement and Social Security Law;

Senate Print 10058C, by Senator Harckham, an act to amend the Vehicle and Traffic Law;

Senate Print 10079, by Senator Gianaris, an act to amend the Executive Law;

Senate Print 10095B, by Senator Rhoads, an act authorizing the Hicksville Water District to receive retroactive real property tax-exempt status;

Senate Print 10156B, by Senator Fernandez, an act to amend the Vehicle and Traffic Law;

Senate Print 10172, by Senator Skoufis, an act to amend the Alcoholic Beverage Control Law;

Senate Print 10196A, by Senator Fahy, an act to amend the Vehicle and Traffic Law;

Senate Print 10223A, by Senator Fahy, an act to authorize the South End

Children's Cafe to file an application for a retroactive real property tax exemption;

Senate Print 10443, by Senator Myrie, an act to amend the Criminal Procedure Law;

Senate Print 10446, by Senator Kavanagh, an act to amend Chapter 514 of the Laws of 1983;

Senate Print 10489, by Senator Bynoe, an act to amend the Local Finance Law;

Senate Print 10528, by Senator Oberacker, an act to amend the Alcoholic Beverage Control Law;

Senate Print 10563, by Senator Skoufis, an act to amend the Election Law;

Senate Print 10603, by Senator Weber, an act authorizing the Kong Kehal Square of Roman to receive retroactive real property tax-exempt status;

Senate Print 10611, by Senator Stewart-Cousins, an act authorizing the Town of Greenburgh, County of Westchester, to alienate and discontinue the use of certain

parkland;

Senate Print 10614, by Senator Palumbo, an act to amend Chapter 704 of the Laws of 2023;

Senate Print 10616, by Senator Gonzalez, an act to amend the Alcoholic Beverage Control Law;

Senate Print 10624, by Senator Bynoe, an act to authorize the Freeport Bible Center to file an application for a retroactive real property tax exemption;

Senate Print 10626, by Senator Gianaris, an act to amend the Judiciary Law;

Senate Print 10627, by Senator Mayer, an act to amend the General Business Law;

Senate Print 10628, by Senator Baskin, an act to amend the State Finance Law;

Senate Print 10629, by Senator Jackson, an act to amend the Civil Service Law;

Senate Print 10632, by Senator Fernandez, an act to amend the Penal Law;

Senate Print 10635, by Senator Kavanagh, an act to amend the Multiple Dwelling Law;

Senate Print 10636, by Senator Gounardes, an act to amend the General Municipal Law;

Senate Print 10639, by Senator Gianaris, an act to amend the Election Law;

Senate Print 10640, by Senator Gianaris, an act to amend Chapter 704 of the Laws of 1991;

Senate Print 10641, by Senator Comrie, an act to amend the New York State Medical Care Facilities Finance Agency Act;

Senate Print 10642, by Senator Gonzalez, an act to amend the Environmental Conservation Law;

Senate Print 10644, by Senator Stewart-Cousins, an act to amend the Chapter 747 of the Laws of 2023;

Senate Print 10648, by Senator Stavisky, an act implementing an agreement between the state and an employee organization.

All bills reported direct to third reading.

ACTING PRESIDENT BAILEY: All those in favor of accepting the report of the Rules Committee please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay.

(No response.)

ACTING PRESIDENT BAILEY: The report of the Rules Committee is accepted.

Senator Serrano.

(Pause.)

SENATOR SERRANO: Thank you, Mr. President. I move to accept the report of the Rules Committee.

ACTING PRESIDENT BAILEY: All those in favor of accepting the report of the Rules Committee please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay?

(No response.)

ACTING PRESIDENT BAILEY: The report of the Rules Committee is accepted.

Senator Serrano.

SENATOR SERRANO: Thank you, Mr. President.

At this time let's take up the reading of the calendar.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 102, Assembly Bill Number 7594C, by Assemblymember Lunsford, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT 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

141, Assembly Bill Number 2400A, by Assemblymember Eichenstein, an act to amend the Public Service 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 181, Assembly Bill Number 5079E, by Assemblymember O'Pharrow, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect August 1, 2027.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 181, voting in the negative are Senators Borrello, Griffo, Oberacker, O'Mara, Ortt, Walczyk and Weik. Also Senator Stec.

Ayes, 52. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 205, Senate Print 8609A, by Senator Myrie, an act to amend the Penal Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 7. 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 231, Senate Print 8742, by Senator Cleare, an act to amend the Elder Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. 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 319, Senate Print 6655, by Senator Griffo, 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 362, Senate Print 9057A, by Senator Baskin, an act to amend the Highway 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 395, Senate Print 8949, by Senator Harckham, 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 401, Senate Print 1615A, by Senator Brisport, an act to amend the Real Property Actions and Proceedings Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. 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 401, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 38. Nays, 22.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 433, Assembly Bill Number 6578B, by Assemblymember Bores, an act to amend the General Business 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 433, voting in the negative are Senators Canzoneri-Fitzpatrick, Helming, Martins,

O'Mara, Rhoads, Stec and Walczyk.

Ayes, 53. Nays, 7.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 435, Senate Print 4037C, by Senator Skoufis, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 11. This act shall take effect on the first of July.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 435, voting in the negative are Senators Borrello, Chan, Gallivan, Helming, Lanza, Martins, Mattera, Murray, 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

644, Senate Print 1463B, by Senator Kavanagh, an act to amend the Environmental Conservation Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 731, Assembly Bill Number 6950, by Assemblymember Cruz, an act to amend the Labor Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 5. 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: Senator Ramos to explain her vote.

SENATOR RAMOS: Yeah, thank you, Mr. President.

You know, there's an old adage in the building trades that goes that if you're early, you're on time. And if you're on time, you're late.

Construction workers understand that showing up matters, and they know that if they're late by even just a few minutes, their pay is most likely going to be docked for at least an hour.

But too often the opposite isn't true. A worker gets up before dawn, gets dressed, travels to the job site, arranges childcare, shows up ready to work only to be told the job has been canceled because of the weather or some other reason beyond their control -- and suddenly, that day's pay is gone. The worker kept their commitment, and the employer faced no consequence.

Well, that's not fair. And this bill establishes that when workers show up ready to work, their time is valued. If a construction worker reports to a job site and is sent home without cause, they should be compensated at least for some of their time. And if a shift is canceled with little notice, workers should not bear the full cost of that decision.

The people who build New York deserve more than our gratitude, they deserve predictability and respect. Their time is

valuable too, and nothing gets build without their hands.

I vote aye. Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 731, voting in the negative are Senators Ashby, Gallivan, Helming, Murray, O'Mara, Ortt, Stec, Tedisco, Walczyk and Weik.

Ayes, 50. Nays, 10.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 759, Senate Print 6439, by Senator Fahy, an act in relation to issuing the Village of Nelliston incorporation documents.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

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 761, Assembly Bill Number 7620, by Assemblymember Kelles, an act to amend the General Municipal 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 817, Senate Print 9301, by Senator Martinez, an act to amend the Parks, Recreation and Historic Preservation 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 854, Senate Print 9051B, by Senator Gonzalez, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. 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 872, Senate Print 5900A, by Senator Lanza, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 60th 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 920, Senate Print 3822, by Senator Rivera, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 13. This act shall take effect on the 60th 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 920, voting in the negative:

Senator Ortt.

Ayes, 59. Nays 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 928, Senate Print 9126B, by Senator Baskin, an act to amend the Correction Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Baskin to explain her vote.

SENATOR BASKIN: Thank you,

Mr. President.

2026 marks 10 years since India Cummings died while in custody at the Erie County sheriff's office.

India was born and raised in Rochester. Later in life, she and her mother moved to my district, where she lived in the City of Lackawanna.

I started my legislative career about two years after India's death. But the aftermath of the situation engulfed my early years as an elected official. Six months after I took my oath of office as a county legislator, the State Commission on Corrections determined India's death was a homicide due to neglect.

She was not eating, she was not drinking, she was living in extremely unsanitary conditions, and she had an untreated broken arm. Her mental health severely deteriorated in jail. And despite two different judges ordering her to undergo a psychiatric evaluation, she did not receive one before her untimely death.

This bill before us seeks to remedy two points that I believe could have saved

India's life. One, timely transfer to a mental health facility. And two, early intervention for a family member.

This bill requires the process for a mental health evaluation to start within 48 hours of a mental health crisis. India sat in the Erie County holding center for two weeks without any mental health intervention.

I have spoken with India's mother a number of times over the years, and she truly believed that if she, as a mother, was allowed to speak or knew what was happening with her daughter, she could have helped prevent her baby's death.

India's death was a primary motivator for this legislative action as I took my seat as a county legislator. It led to many things in county government in Erie County. It led to me bringing body cameras and a blind-spot camera into Erie County jails. It led to the creation of the Erie County Corrections Specialist Advisory Board. And it led to the creation of a medically assisted treatment program in Erie County jails.

But these improvements did not

directly address the causes of India's death. I was determined to pass a bill before, as a county local law, but was told it had to be done as a state bill.

So here I am today, Mr. President, determined not to let India Cummings' death to be in vain -- and to say her name just like we say the name of Robert Brooks, just like we must say the name of Messiah Nantwi and many others who have died in our incarceration system.

I want to especially shout out and thank our colleague Senator Julia Salazar for her intentional and steadfast leadership on correctional reform our state. Her push for many reforms that have been signed into law earlier this year will definitely save lives. And I am hopeful that this bill will too become a law that saves lives.

India Cummings, I say your name. I vote aye on this bill, and I thank you and encourage my colleagues to do the same.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 928, voting in the negative: Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1001, Assembly Bill Number 1130A, by Assemblymember Santabarbara, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 60th 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 1009, Senate Print 8616B, by Senator Gianaris, an

act to amend the General Business Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 1034, Senate Print 172B, by Senator Ramos, an act to amend the Workers' Compensation Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Ramos to explain her vote.

SENATOR RAMOS: Yes, thank you, Mr. President.

Today we are once again doing our part to bring New York's temporary disability insurance system into the 21st century.

For far too long, workers facing illness, injury or pregnancy-related medical conditions have been forced to survive on a benefit that has barely changed since 1989.

Think about how much housing costs have gone up since then -- food, healthcare, gas. But the maximum disability benefit has remained stuck at just $170 per week. No one can live on $170 a week nowadays.

And when a worker gets sick, the last thing they should have to worry about is whether they can keep a roof over their head or food on the table.

This bill recognizes that when life happens, workers deserve stability. By gradually increasing disability benefits and bringing them into alignment with paid family leave, we are modernizing a system that working people have been waiting decades to fix.

We are also providing greater flexibility for workers managing chronic illnesses and medical appointments and extending support to experiencing the heartbreak of pregnancy loss.

At its core, this bill is about dignity and economic security. And it is about making sure that a temporary health crisis doesn't become a permanent financial crisis.

I proudly vote aye.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1034, voting in the negative are Senators Borrello, Lanza, Murray, O'Mara, Ortt, Stec, Walczyk and Weik. Also Senator Oberacker.

Ayes, 51. Nays, 9.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Serrano.

SENATOR SERRANO: Thank you, Mr. President.

At this moment I'd like to just welcome Senator Toby Stavisky back to the floor.

ACTING PRESIDENT BAILEY: Toby!

(Standing ovation.)

ACTING PRESIDENT BAILEY: Toby!

The Secretary will read.

THE SECRETARY: Calendar Number 1056, Assembly Bill Number 9113B, by Assemblymember Woerner, an act to amend the Racing, Pari-Mutuel Wagering and Breeding 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 1066, Senate Print 8454A, by Senator Stec, an act to amend the Public Officers 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 1066, voting in the negative:

Senator Ryan.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1082, Assembly Bill Number 11412, by Assemblymember Bronson, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1082, voting in the negative: Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1086, Senate Print 9990A, by Senator Skoufis, an act to amend the Alcoholic Beverage Control 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 1094, Senate Print 6230C, by Senator Webb, an act to amend the Public Health Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 1105, Assembly Bill Number 3058C, by Assemblymember Carroll, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect one year 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 1105, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 39. Nays, 21.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1107, Assembly Bill Number 10411A, by Assemblymember Magnarelli, 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 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: In relation to Calendar 1107, voting in the negative are Senators Borrello, Gallivan and Walczyk.

Ayes, 57. Nays, 3.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1118, Assembly Bill Number 4713A, by Assemblymember Sayegh, an act to amend the Public Service Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. 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: In relation to

Calendar 1118, voting in the negative are Senators Gallivan, Griffo, Stec and Walczyk.

Ayes, 56. Nays, 4.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1126, Senate Print 8426A, by Senator Brouk, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. 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 Number 1126, voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, 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 1141, Assembly Bill Number 3987A, by Assemblymember Shimsky, an act to amend the Criminal Procedure 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 1141, voting in the negative are Senators Brisport and Krueger.

Ayes, 58. Nays, 2.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1142, Assembly Bill Number 3988A, by Assemblymember Shimsky, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT BAILEY: Read the

last section.

THE SECRETARY: Section 4. 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 1142, voting in the negative are Senators Brisport and Krueger.

Ayes, 58. Nays, 2.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1145, Senate Print 9040, by Senator Hinchey, an act to amend the Penal 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 1145, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 38. Nays, 22.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1148, Senate Print 10106, by Senator Stewart-Cousins, an act to amend the Criminal Procedure 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 1148, voting in the negative are Senators Brisport and Krueger.

Ayes, 58. Nays, 2.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1151, Assembly Bill Number 10835A, by Assemblymember Griffin, an act to amend the Civil Service 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 1181, Senate Print 5998C, by Senator Skoufis, an act to amend the Domestic Relations Law.

ACTING PRESIDENT BAILEY: Read the

last section.

THE SECRETARY: Section 7. This act shall take effect on the 270th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Skoufis to explain his vote.

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

Briefly, I want to express my gratitude to colleagues on both sides of the aisle who have long supported this bill.

I was honored to carry the torch after former Senator Anna Kaplan did not return to the chamber. Jacqueline Franchetti, the mother of Kyra, reached out to me asking if I would continue sponsoring this bill in this chamber, and of course I said yes.

We worked very hard, including with Assemblyman Andy Hevesi, over the course of many years. We've passed this bill before. And we believe now OCA is in a good place, and many other stakeholders are in a good place, and we're

hopeful that this will be the first time that the bill passes both houses.

This is a really critical piece of legislation. In too many Family Courts around New York State we have instances -- we have some judges who, yes, they may prioritize the health and wellness of a child, but some do not make it the top, the number-one priority of custody cases. And of course I think everyone here in this chamber would agree that that ought to be the number one, the top priority.

That's what this bill does. It makes sure that dealing with allegations that may impact a child's safety aren't deferred, aren't dealt with sometime down the road in some subsequent hearing -- they're dealt with immediately. Because unfortunately, in Jacqueline's case, not dealing with those red flags cost her daughter her life.

There are too many other children who are dying at the hands of violent domestic partners or spouses, and this bill will help save lives and put an end to that.

So I thank my colleagues again.

I vote yes.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1183, Senate Print 8118C, by Senator Kavanagh, an act to amend the Real Property Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. 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: In relation to Calendar 1183, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber

and Weik.

Ayes, 39. Nays, 21.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1188, Senate Print 9773, by Senator Sepúlveda, an act to amend the Judiciary Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 30th 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 1188, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco, Weber. Also Senator Martins.

Ayes, 43. Nays, 17.

ACTING PRESIDENT BAILEY: The bill

is passed.

THE SECRETARY: Calendar Number 1205, Senate Print 4757, by Senator Bailey, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1205, voting in the negative:

Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1213, Assembly Bill Number 10135, by Assemblymember Barrett, an act to amend the Public Service 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 1222, Senate Print 2377, by Senator Mattera, an act to amend the Public Authorities 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 1231, Senate Print 1965, by Senator Rivera, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 5. 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: In relation to Calendar 1231, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martinez, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik. Also Senator Skoufis.

Ayes, 36. Nays, 24.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Serrano.

SENATOR SERRANO: Mr. President,

Senator Ramos wanted to explain her vote on Calendar 1151.

Upon consent, we've agreed to allow her to speak on that now.

ACTING PRESIDENT BAILEY: Senator Ramos to explain her vote.

SENATOR RAMOS: Yeah, thank you, Mr. President.

This is an important bill to state on the record that workers deserve to know who is actually communicating with them. Across the country we have seen outside organizations send deceptive mailers, emails and communications designed to look like they come from a workers' union when they did not.

The goal is often confusion, to mislead workers and interfere with the relationship between workers and the organizations they have chosen to represent them.

This legislation prohibits the false impersonation of employee organizations and their representatives and gives the Attorney General the authority to take action against those who intentionally engage in these deceptive practices.

And I want to take a moment to address concerns that have been raised by some rank-and-file union members and reform advocates. I want to be very clear about legislative intent on the record.

This bill is about fraud and deception. It is not about silencing criticism. It's not about limiting union democracy. It is not about preventing members from organizing, advocating for reform, running for office, criticizing leadership, distributing literature, participating in caucuses, or engaging in vigorous debate about the future of their unions.

A healthy labor movement depends on active, engaged members who are willing to ask questions, challenge leadership, and advocate for change. Nothing in this legislation shall be construed as restricting those rights.

The target of this bill is much narrower. If you want to criticize a union, you have that right. If you want to disagree with a union, you have that right. But you do not have the right to pretend to be the union in order to mislead workers.

Workers deserve honest information,

transparency, and they deserve the freedom to make informed decisions without being subjected to fraud.

I vote aye. Thank you.

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

The Secretary will read.

THE SECRETARY: Calendar Number 1243, Senate Print 2317A, by Senator Skoufis, an act to amend the General Municipal Law.

(Pause.)

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 1243, Senate Print 2317A, by Senator Skoufis, an act to amend the General Municipal Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. 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 1243, voting in the negative are Senators Baskin, Borrello, Bynoe, Canzoneri-Fitzpatrick, Gallivan, Griffo, Martinez, Martins, Oberacker, O'Mara, Ortt, Rhoads, Tedisco, Walczyk and Zellner.

Ayes, 45. Nays, 15.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1266, Senate Print 5713, by Senator Skoufis, an act to amend the Railroad Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 30th 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 1266, voting in the negative: Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1281, Assembly Bill Number 11233A, by Assemblymember Magnarelli, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect March 1, 2028.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Ryan to explain his vote.

SENATOR RYAN: Thank you. Thank you, Mr. President. I quickly rise on this bill.

I think -- you know, I think one of the greatest and best duties that we -- one of the greatest duties that we have is to protect and make laws that are beneficial to those in our armed forces.

Under current law as it is, generally only a driver's license can be renewed,

vehicle registrations can be renewed within 60 days. If you are a veteran and you have orders to deploy, that isn't working out for you.

So what this bill does is it gives them the ability to pre-renew, I guess, their registrations.

You know, it may seem like a small thing, but often it's the small, practical changes that have the greatest impacts on some of our New Yorkers' lives, especially those that have stepped up to serve our country.

And I truly believe that our servicemembers should not have to worry about a vehicle registration while they are fulfilling their obligations to serve our great nation either out of state or overseas.

So a small procedural change, but again, anything that we can do to help our veterans, those heroes that put our country before themselves. I proudly vote in the aye, and I urge my colleagues to do the same.

Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1307, Senate Print 7421B, by Senator Martinez, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 60th 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 1307, voting in the negative are Senators Griffo, Martins, Oberacker, O'Mara and Walczyk.

Ayes, 55. Nays, 5.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1337, Senate Print 687, by Senator Martinez, 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 first of July.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1337, voting in the negative:

Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1343, Assembly Bill Number 3397A, by Assemblymember Raga, an act to amend the Veterans' 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 1350, Assembly Bill Number 329C, by Assemblymember Jackson, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 8. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2022.

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

1353, Assembly Bill Number 6285, by Assemblymember Otis, an act to amend the Public Service Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 1354, Senate Print 4462B, by Senator Mayer, an act to amend the Social Services 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: Senator Mayer to explain her vote.

SENATOR MAYER: Thank you, Mr. President.

And I couldn't be more pleased that we are going to pass this bill today to help the parents, if it passes in the Assembly, and primarily the mothers of medically fragile children.

These are children who basically require 24-hour care as a result of medical issues that they have. And they are approved, under the state's Medicaid program, for private-duty nursing, but there's not enough private-duty nurses.

And what happens as a practical matter is the mothers basically have to give up their jobs in order to provide 24-hour care or to supplement the private-duty nurses they can have. And we have not found a way to reimburse these mothers for the equivalent of private-duty nursing for which they must be certified and trained and supervised.

I've had the honor -- and truly the honor -- of meeting not only the children but the parents of these children. They face an extraordinary challenge. And they have devoted their lives to the care and well-being of their children, as any mother or father would do, but the state simply has not kept up its part of the bargain.

And so this bill, which was really pushed by a group, the Voices of the Medically Fragile, these parents that got together and

said, We need to have a voice. And today we are giving them a voice by saying the state must find a way, through the Medicaid program, to reimburse these parents as they provide this essential care.

I'm proud to vote yes. I thank them for their advocacy. We're not finished; the bill -- we would love it to pass in the Assembly. But this is a change that is long overdue. I proudly vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1355, Senate Print 4707B, by Senator Stavisky, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 8. This act shall take effect on the first of January.

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 1356, Senate Print Number 4917B, by Senator Scarcella-Spanton, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the first of January.

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 1386, Assembly Bill Number 9581B, by Assemblymember Bronson, an act to amend the

Labor 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 Hinchey to explain -- Senator Borrello to explain his vote first.

SENATOR BORRELLO: Thank you, but I appreciate the ladies-first thing. But I'll speak first.

So this bill -- I'm opposed to this bill. This bill would require any company of 50 or more employees to have to submit a report on how AI has impacted jobs.

Now, I know we are all concerned about the impact of AI on employment in New York State, but this is a very onerous bill with a $500 per day fine, I believe, for those that don't comply.

And the real question is, how do we really know how AI is impacting it? I mean, if I

hire someone to, you know, to do an ad for me and instead of hiring that person to run ads and do marketing, I use ChatGPT or whatever, I'm not sure if that counts exactly.

And look, if the Department of Labor wants to know the impact of AI on jobs, they can find out. They can do surveys, they can contact employers, and they probably should. They probably should because we are driving enough business out of this state without trying to figure out how AI is doing it even better than New York State government is. And I guarantee you it's not.

So I'll be voting no. Thank you.

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

Senator Hinchey to explain her vote -- Senator Hinchey to close, excuse me.

SENATOR HINCHEY: Thank you, Mr. President.

I rise to proudly vote aye for this bill, and I want to thank the leader for bringing it to the floor.

AI is here. No one is disputing that. And there are a lot of really great ways

that we can use that in our lives that are already happening. However, it is having a major impact on our workforce. In fact, we have seen numerous companies laying off not five, 10, 15 people -- thousands of people at a clip. That is thousands of people who are unemployed overnight.

We don't know what the scale of this will be. We don't know what the impact to our workforce will be. We don't know what the need for our unemployment systems will be because of the rise in AI in our workforce.

What our bill is doing is collecting the data to make sure that we know what is needed to not just retrain employees and workers for the future, but to know what kinds of jobs we should be retraining for, and to also make sure that we are helping people stay in the roles that they should be in today so that we don't have a whiplash effect, as we have seen with some companies where they have laid off thousands of people, realize that they've overcorrected, and tried to then rehire a few back.

Our bill is incredibly important to understand the landscape, to actually bring in

the Department of Labor to really track what's happening. And we've modeled our bill off of the existing systems that already exist, like the WARN Act. So this is not deeply onerous for companies because they are used to these systems.

I am really proud that we will be the first state in the country, although there is a federal bill very similar to ours -- a bipartisan bill, I should say, very similar to ours that is being prioritized at the federal level. But we will be the first state in the country to actually start to track this data.

And that's incredibly important, and for that I vote aye.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1386, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 38. Nays, 22.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1387, Senate Print 8837, by Senator Hinchey, an act to amend the General Municipal 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 1388, Senate Print 8850A, by Senator Gounardes, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect July 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 1389, Assembly Bill Number 10030B, by Assemblymember Weprin, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect January 1, 2028.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1389, voting in the negative are Senators Walczyk and Rhoads.

Ayes, 58. Nays, 2.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1390, Senate Print 9021, by Senator Harckham, an act to amend the Civil Rights 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 1394, Assembly Bill Number 10184, by Assemblymember Carroll, an act to amend the Real Property Tax 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 1394, voting in the negative are Senators Fahy and Skoufis.

Ayes, 58. Nays, 2.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1395, Assembly Bill Number 10158, by Assemblymember Carroll, an act to amend the Real Property Tax 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 1395, voting in the negative:
Senator Skoufis.
Ayes, 59. Nays, 1.
ACTING PRESIDENT BAILEY: The bill is passed.
THE SECRETARY: Calendar Number 1396, Assembly Bill Number 9600A, by Assemblymember Rajkumar, an act to amend the Mental Hygiene 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 1397, Senate Print 9115A, by Senator Harckham, an act to amend the Environmental Conservation Law.
ACTING PRESIDENT BAILEY: Read the

last section.

THE SECRETARY: Section 6. 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 1397, voting in the negative are Senators Borrello, Chan, Martins, Oberacker, Rhoads, Ryan, Stec and Walczyk.

Ayes, 52. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1398, Senate Print Number 9199, by Senator Scarcella-Spanton, an act to amend the Public Service Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1398, voting in the negative:

Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1400, Senate Print 9278A, by Senator Fernandez, an act to amend the State Finance 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

1401, Assembly Bill Number 10415A, by Assemblymember Magnarelli, an act to amend the Public Service 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 1402, Senate Print 9310, Senator Brisport, an act to amend the Limited Liability Company Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 365th 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 1402, voting in the negative are Senators Martins, Helming, Walczyk and Weber.

Ayes, 56. Nays, 4.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1404, Senate Print 9349, by Senator Zellner, an act to amend the Insurance 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: Senator Zellner to explain his vote.

SENATOR ZELLNER: Thank you, Mr. President.

Across New York, volunteer firefighters and EMS personnel play a critical

role in keeping our communities safe. They're the people who show up when an emergency happens, and many of them do it while balancing jobs, families, and countless other responsibilities.

Part of that commitment is training. The Emergency Vehicle Operator Course helps first responders safely operate emergency vehicles in difficult situations and prepares them for the realities of the job.

This bill is simple. It recognizes that training and creates an opportunity for insurance companies to provide a premium reduction for volunteers who complete it.

At a time when many volunteer departments are facing recruitment and retention challenges, we are looking for practical ways to support the people who continue to answer the call.

This won't solve every challenge facing volunteer fire and EMS services, but it's a commonsense step that recognizes the value of their training and helps support the volunteers our communities depend on every day.

For those reasons, I vote in the affirmative.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1405, Senate Print 9370, by Senator Comrie, an act to amend the State Finance 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 1406, Senate Print 9419, by Senator Addabbo, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BAILEY: Read the

last section.

THE SECRETARY: Section 4. This act shall take effect on the 30th 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 1407, Assembly Bill Number 65B, by Assemblymember Hevesi, an act to amend the Social Services 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: Senator

Mayer to explain her vote.

SENATOR MAYER: Thank you, Mr. President.

And I could not be more pleased today to vote on a bill that establishes a statewide supervised visitation initiative to support safe and structured parenting time for children and families across New York.

I have to give tremendous credit to the Women's Bar Association of the State of New York and multiple judges of the Office of Court Administration who recognized that more than half of New York's counties lack any supervised visitation program -- and, where it is offered, the need far exceeds capacity.

In fact, judges are unable to make thoughtful decisions about custodial and visitation arrangements because they do not have access to supervised visitation, which allows them to have evaluators determine what's in the best interests of the children.

This bill, which was carried by our colleague before he left, Senator Hoylman-Sigal, is extremely important to the future of reuniting families and, given the best interests of the

children, decision-making based on real evidence of supervised visitation.

I'm so grateful for the advocacy of judges who, on their own, reached out about their frustration with the lack of programs. As I said, the Women's Bar and also the parents and children, particularly those without additional resources who are stuck on the bottom of the waiting list waiting to have supervised visitation and evaluation, so they can visit with their kids in safety and comfort, knowing it is in the best interests of their children.

I could not be more pleased that this bill has finally made it to the floor. Thank you to the Majority Leader for understanding the priority of this issue.

I proudly vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1409, Assembly Bill Number 10312A, by

Assemblymember Paulin, 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 MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1409, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 39. Nays, 21.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1410, Assembly Bill Number 9140, by Assemblymember Rosenthal, an act to amend the Public Health Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

THE SECRETARY: Calendar Number 1414, Senate Print 9679, by Senator Baskin, an act to amend the Private Housing Finance Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Baskin to explain her vote.

SENATOR BASKIN: Thank you, Madam President.

This bill seeks to codify our universal and successful Block-by-Block Home Ownership Program, which provides funding to create new affordable homes on vacant lots.

I want to recognize the creator of this program, our former colleague and current City of Buffalo mayor, Sean Ryan, for his forward-thinking approach on how to address urban

vacant residential land.

There's a housing advocate in my district who creatively calls this bill the fill-in-your-smile program. We are proud of our neighborhoods, but we know that when those neighborhoods smile, there are gaps in the smile because of vacant lots that surround our beautiful homes. So we've got to take our neighborhoods to the dentist and fill in our smiles.

I'm grateful to our Majority Leader, Andrea Stewart-Cousins, for putting over a hundred million dollars into this budget program over the last three years. This investment has the potential to create over 250 new homes across Buffalo, Rochester, Syracuse, Binghamton and Albany -- new homes that will be affordable. New homes that will be accessible. New homes that will help families seeking the American dream of home ownership.

But we know that these 250 homes are just a drop in the bucket when we consider the needs of our constituents. The Block-by-Block program is how we rebuild neighborhoods and strengthen financial security and independence of

families.

These are the two goals that are core to our efforts to serve our constituents, regardless of whether you are in the Majority or the Minority. So let's codify this program so we can bring this program across the entire state to every neighborhood struggling with vacant lots, and fill in those gaps of our community. Let's help our communities' smiles become beautiful, shiny homes.

I vote in the affirmative, and I ask my colleagues to do the same.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Senator Baskin to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1414, voting in the negative are Senators Canzoneri-Fitzpatrick, Martins, Mattera, Walczyk, Weber and Weik.

Ayes, 54. Nays, 6.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1415, Senate Print 9728, by Senator Brouk, an act

to amend the Social Services Law.

ACTING PRESIDENT MAYER: 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 MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1416, Senate Print 9815, by Senator Krueger, an act to amend the Insurance Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 6. This act shall take effect January 1, 2027.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

THE SECRETARY: In relation to Calendar 1416, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 38. Nays, 22.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1418, Senate Print 9858A, by Senator Hinchey, an act to amend the Penal Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill

is passed.

THE SECRETARY: Calendar Number 1419, Senate Print 9880, by Senator Cleare, an act to amend the Social Services Law.

ACTING PRESIDENT MAYER: 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 MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1420, Senate Print 9887, by Senator Webb, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: 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 MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1421, Senate Print 9889, by Senator Zellner, an act to amend the Private Housing Finance Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1421, voting in the negative:

Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT MAYER: Can you hold on.

Senator Zellner, you wanted to explain your vote on Calendar 1421?

SENATOR ZELLNER: Yes.

ACTING PRESIDENT MAYER: Senator Zellner to explain his vote.

SENATOR ZELLNER: Thank you, Madam President.

I rise today in support of the Vacant Rental Improvement Program.

And before I begin, I want to join my colleague April Baskin in thanking and recognizing your former colleague, Mayor Sean Ryan, who introduced this bill during his time in the Senate. Sean's been a long-time champion for housing, and I'm proud to carry this bill forward.

The reality is that New York doesn't just have a housing shortage, we have housing sitting vacant while families struggle to find a place they can afford. In Buffalo, in Tonawanda, in Amherst, and in communities across upstate, people are searching for affordable housing.

At the same time, apartments that

could be housing working families remain empty because the costs and barriers to bring them back online are simply too high.

If we're serious about addressing affordability, we have to be serious about increasing supply. And one of the fastest ways to do that is by making it easier to put existing housing back into use. An empty apartment doesn't help anyone. It doesn't help a family looking for a home, a neighborhood trying to grow, or a community working to address affordability.

This isn't a silver bullet; no bill is. But it's a practical step and cuts through red tape, creates opportunities, and gets more housing into our communities.

I vote aye.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Senator Zellner to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

1422, Senate Print 9897, by Senator Zellner, an act to amend the Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1422, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads, Stec, Tedisco, Walczyk, Weber and Weik. Also Senator Palumbo.

Ayes, 41. Nays, 19.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1423, Assembly Bill Number 10419, by Assemblymember Solages, an act to amend Chapter 581 of the Laws of 2005.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1421, Assembly Bill Number 11004, by Assemblymember Solages, an act to amend Chapter 492 of the Laws of 1993.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1425, Assembly Bill Number 11006, by Assemblymember O'Pharrow, an act to amend Chapter 629 of the Laws of 2005.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1426, Assembly Bill Number 11376, by Assemblymember Septimo, an act to amend Chapter 307 of the Laws of 2005.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1428, Senate Print 9989, by Senator Weber, an act authorizing the Tovas Dovid Community Kollel, Inc., to receive retroactive real property tax-exempt status.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to

Calendar 1428, voting in the negative are Senators O'Mara and Skoufis.

Ayes, 58. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1429, Assembly Bill Number 11368, by Assemblymember Cook, an act to amend the Chapter 534 of the Laws of 1993.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1432, Assembly Bill Number 563A, by Assemblymember Paulin, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 3. This act shall take effect one year after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1433, Assembly Bill Number 11234, by Assemblymember Weprin, an act to amend the Real Property Tax Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1434, Assembly Bill Number 11392, by Assemblymember Bichotte Hermelyn, an act to amend Chapter 550 of the Laws of 2013.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1435, Assembly Bill Number 10922, by Assemblymember Burke, an act to amend the Local Finance Law.

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1435, voting in the negative are Senators Walczyk and Weik.

Ayes, 58. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Also Senator Palumbo, pardon me.

Ayes, 57. Nays, 3.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1436, Assembly Bill Number 11358, by Assemblymember Ramos, an act to amend Chapter 130 of the Laws of 1998.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1437, Assembly Bill Number 3191A, by Assemblymember Lunsford, an act to amend the Penal Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1437, voting in the negative:

Senator Salazar.

Ayes, 59. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1438, Senate Print 10445, by Senator Gianaris, an act to amend the Education Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1439, Senate Print 10467, by Senator Bottcher, an act to amend the Education Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 4. This

act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1440, Assembly Bill Number 9693, by Assemblymember Cashman, an act to amend Chapter 138 of the Laws of 1998.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill

is passed.

THE SECRETARY: Calendar Number 1441, Assembly Bill Number 11372, by Assemblymember Schiavoni, an act to amend Chapter 435 of the Laws of 2014.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1441, voting in the negative: Senator Martinez.

Ayes, 59. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1442, Assembly Bill Number 11464, by Assemblymember Romero, an act to amend Chapter 141 of the Laws of 2014.

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1442, voting in the negative are Senators Brisport and Martinez.

Ayes, 58. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1443, Assembly Bill Number 11377, by Assemblymember Griffin, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1443, voting in the negative: Senator Skoufis.

Ayes, 59. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1510, Senate Print 10200A, by Senator Kavanagh, an act to amend the Multiple Dwelling Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1510, voting in the negative: Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT MAYER: The bill

is passed.

THE SECRETARY: Calendar Number 1581, Senate Print 10321, by Senator Bynoe, an act authorizing the assessor of the County of Nassau to accept from the Town of Hempstead an application for exemption from real property taxes.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1581, voting in the negative are Senators Skoufis and O'Mara.

Ayes, 58. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1613, Senate Print 4602B, by Senator Gounardes, an act to amend the Election Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

THE SECRETARY: Calendar Number 1635, Senate Print 8451B, by Senator Fahy, an act to amend the General Business Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

Senator Gianaris.

SENATOR GIANARIS: Are we through the calendar, Madam President?

ACTING PRESIDENT MAYER: That completes the reading of today's calendar.

SENATOR GIANARIS: Thank you.

I believe Senator Gonzalez was out of the room when Calendar 854 came up, and she would like the opportunity to explain her vote on that, if we can recognize her, please.

ACTING PRESIDENT MAYER: Senator Gonzalez to explain her vote on Calendar 854.

SENATOR GONZALEZ: Thank you, Madam President.

I rise today to explain my vote on my bill, S9051B.

A few weeks ago we were joined in this chamber by Maria Raine, the mother of Adam Raine, who committed suicide with the help of ChatGPT. She came to shine light on an issue that is pervasive across the country.

According to the Center for Countering Digital Hate research, their Killer Apps report found that eight in 10 AI chatbots were regularly willing to assist young users in planning violent attacks, including school shootings, religious bombings, and high-profile assassinations.

Perplexity and Meta AI were willing to assist would-be attackers in 100 percent and 97 percent of responses, respectively. Character.AI actively encouraged violence in multiple scenarios. DeepSeek went as far as wishing the would-be attacker a happy and safe shooting.

Over the last year we have seen an increase in the number of minors who have self-harmed or committed suicide with the help of these chatbots. We have seen school shootings. We have seen the result of nonregulation.

And I am so proud to pass this bill

through this chamber. I want to thank our colleagues for voting in support of this bill. I want to thank the Attorney General's office for being a close sponsor and partner in this process.

I want to thank Commonsense Media, which has represented thousands of parents across this country.

I want to thank of course my staff, Elon Silver, for the dedication on this bill.

And I truly am looking forward to building on this progress to say that Big Tech and chatbots should be regulated and certainly that our children should be protected.

So thank you again, Madam -- now Mr. President, for the time to explain my vote.

I proudly voted aye. Thank you.

ACTING PRESIDENT BAILEY: Senator Gonzalez was recorded in the affirmative on the aforementioned bill.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, we're now going to pull a bill off of the controversial calendar to take up our first debate of the day: Calendar 1009, please.

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

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

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

SENATOR WALCZYK: Through you, Mr. President, I wonder if the sponsor would yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes, I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Through you, Mr. President.

In your legislative findings you identified dynamic pricing and surveillance pricing -- you identified dynamic and surveillance pricing as a problem for consumers, as well as identifying this pricing scheme as a threat to jobs in the State of New York.

This bill would prohibit

grocery stores and pharmacies from using electronic shelving labels. Does it also ban those for gas stations?

SENATOR GIANARIS: No.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Through you, Mr. President. Would it also prohibit them in department stores?

SENATOR GIANARIS: In -- I couldn't hear you.

SENATOR WALCZYK: Department stores?

SENATOR GIANARIS: No.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Would the electronic shelving labels also -- through you, Mr. President -- also be banned in home improvement stores?

SENATOR GIANARIS: Well, it covers a store over 10,000 square feet in size that sells primarily household foodstuff for outside consumption and/or prepared foods or 10 percent of the floor area dedicated to the sale of nontaxable merchandise including the sale of fresh produce, fish, poultry, deli products, dairy products, canned foods, dried foods, beverages, baked foods and/or prepared foods.

Also drug retail establishments, which means a retail store that sells a variety of prescription and nonprescription medicines and miscellaneous items such as drugs, pharmaceuticals, sundries, fresh produce, meats, poultry, fish, et cetera.

So I guess it depends, because a lot of these stores do many different things these days.

SENATOR WALCZYK: Through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Through you, Mr. President.

So that would be the food retail establishment as well as the drug retail establishment definitions that you just read. Why just grocery stores and pharmacies in the State of New York?

SENATOR GIANARIS: Well, I think one thing we've heard from the public is that in their great concerns about affordability that we're dealing with, that grocery stores tend to be at the top of the list.

In addition, when we're talking about the kind of very large stores, right -- because you're talking about 10,000 square feet or more, not your corner grocery store -- those are the large entities that are most

experimenting with the technology we're dealing with in the bill.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Through you, Mr. President.

Did you know that the average grocery store is about 40,000 square feet? So it would, actually, be the average grocery store --

SENATOR GIANARIS: Would you repeat that?

SENATOR WALCZYK: Did you know the average grocery store is about 40,000 square feet?

SENATOR GIANARIS: I do not know that. And I don't take your word for it, Senator Walczyk.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to

yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: If enacted, all the grocery stores and pharmacies would have to go back to paper tags if they did currently have the digital tags for pricing. Within six months, if this is enacted, is that correct?

SENATOR GIANARIS: Yeah, and let me just go back to the previous question. I also suppose it depends where you are. Because in New York City, 40,000 square feet for a grocery store is a very large grocery store.

But yes, you are correct in your question.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR WALCZYK: Through you, Mr. President.

I also share concerns, as I know much of this body does, about the pricing and affordability in grocery stores. If we're expecting them to change out all of their tags and do pricing in a new way, what do you anticipate that will cost grocery stores and pharmacies across the State of New York if this is implemented?

SENATOR GIANARIS: Walk to a shelf, remove a device, and put a piece of paper in its place? I can't imagine that it would be terribly expensive for these very large stores we're talking about.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Through you,

Mr. President.

I know much of your concern in consumer protection was about dynamic pricing, surge pricing, and individual sort of privacy in pricing.

What if the displays are electronic but just static and there's no application of that actual surge pricing or any of those concerns? Would a grocery store or a pharmacy be able to continue to have an electric tag that just displays that price statically?

SENATOR GIANARIS: You mean like the one you're wearing on your lapel?

SENATOR WALCZYK: Like that.

SENATOR GIANARIS: Like that? No, they would not. And I'll tell you why.

Because the concern is once technology like that is in place, it's very difficult to know whether it is in fact static or not. And the best way to ensure that we're not getting to the point that the technology is being used for surveillance pricing -- which we certainly want to not allow -- is to not allow that technology in place at all.

Like I don't know right now if that

thing's capable of scanning the back of Senator Borrello's head and telling you all sorts of his private information that could be downloaded publicly.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Through you, Mr. President. I certainly hope not.

But as you mention, you know, and this has come up in the online sphere, we've taken up legislation in this chamber addressing some of that dynamic or surveillance pricing in the online sphere.

Are there any examples in the State of New York in grocery stores or pharmacies where brick-and-mortar stores have been found to be using dynamic surge or surveillance pricing?

SENATOR GIANARIS: Well, I mean, what we do know is that Walmart is rolling out

the digital shelf labels in over 2,000 locations.

And they have also applied for two patents related to machine learning that certainly would raise a flag for me that they may be interested in going down this road and using these devices for the kind of things we're not trying to allow. In fact, the promotional materials for the entities and the companies that make the electronic shelf labels specifically promote the fact that they can be used for the types of things we're trying to prohibit.

And so I think getting at the device, the makers of which are explicitly saying can be used for surveillance pricing, is the easiest way to ensure proper enforcement.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: And through you, Mr. President. In Nevada and Colorado where they

both have seated Attorney Generals that happen to be Democrats, they've used electronic pricing in stores to actually use that data to go after price gouging and price surging.

Are we taking that tool away from the Attorney General's office when we take electronic price tags out of the stores and making it more onerous for them to investigate if this bill goes through?

SENATOR GIANARIS: Not according to our Attorney General, who has made this bill and one other her top legislative priorities as we conclude the session.

SENATOR WALCZYK: Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Walczyk.

Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed.

Senator Gianaris.

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

ACTING PRESIDENT BAILEY: On consent, 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Mr. President.

I wanted to just take a moment to say that, you know, I understand the, you know, kind of the Big Brother aspect of this. But the reality is it is becoming more and more difficult to run a brick-and-mortar business in New York State. And that's who this is going to impact most.

The whole idea of being able to, on the fly, be able to change the price electronically, versus having to -- doing it manually, has actually turned out to be better

for consumers. Studies have shown, extensive studies, that this has actually provided more discounts to consumers, and the nimbleness of being able to change that.

So I understand the fear, but the reality just doesn't match the fear. And ultimately we are watching our communities, our downtowns, lose more and more brick-and-mortar businesses. They employ people. They pay property taxes. They are members of our community that contribute.

And things like this that can make it a little bit easier to do business in New York State are usually, and in my opinion always, a good thing. And they should have the freedom to do that and not continue to make it more and more difficult to not only do business here, but to be able to provide affordable items to people.

So I'll be voting no on this, and I would encourage my colleagues to do the same.

Thank you, Mr. President.

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

Senator Walczyk to explain his vote.

SENATOR WALCZYK: Thank you,

Mr. President.

Yeah, I share some of the concerns of the sponsor when it comes to price gouging, price surging. Obviously we want to manage New York State in a fair way and protect our consumers because we are concerned about high prices in groceries.

And I'm concerned that this bill, the way that it's written right now, will really just raise prices and create one more hurdle for New York State's businesses when it comes to your average grocery store, your average pharmacy, your community pharmacy, who have instituted these tools to save costs for their business and now we're going to tear them away and in six months time frame expect them to do their business the old way and an entirely new way after they've invested in some of the technology.

So I think there's some changes that should be considered if we bring this bill back forward. But I'll be a no.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1009, voting in the negative are --

ACTING PRESIDENT BAILEY: Wait, I'm sorry. I'm sorry, I apologize.

Senator Gianaris to explain his vote.

SENATOR GIANARIS: Thank you. I just wanted to -- I heard my colleagues' arguments, and I wanted to respond for a moment.

The notion that getting rid of the device who's designed to allow increasing in prices would somehow result in an increase in prices is an oxymoron. I mean, the -- if you look at Toshiba, IBM, Vusion and SOLUM, who market these products to retail stores, what they specifically tell them is that the popularity of these ESLs, or electronic shelf labels, is from retailers who are looking for ways to improve their profitability and have prices that dynamically change any time you want. That's a quote from Toshiba, which makes these things.

IBM, electronic shelf labels. If need be, you can drive prices up in order to maximize margins. That's in their marketing materials to retail establishments.

So we can talk about the technology and whether it does the facial scans, which is a completely creepy and scary thing. But let's be clear, even the simple -- the digital price tags themselves are specifically designed to allow a retailer to increase prices and maximize their profit on the back of consumers.

That's why this is so important.

I vote yes, Mr. President.

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

Announce the results.

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

Ayes, 50. Nays, 10.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, we have another member who missed the chance to explain their vote. So please call on Senator Fernandez to explain her vote on

Calendar 1400.

ACTING PRESIDENT BAILEY: Senator Fernandez to explain her vote on Calendar 1400.

SENATOR FERNANDEZ: Thank you so much. And apologies for my absence before. But I wanted to speak to explain my vote on S9278A, which makes a simple but critical, important clarification.

Any interest earned on opioid -- on money deposited into the Opioid Settlement Fund must remain in that fund and be used for the same lifesaving purposes for which the settlement dollars were intended.

New York and local governments secured opioid settlement agreements from the manufacturers, distributors and retailers that helped fuel this epidemic because communities suffered profound harm. Families lost loved ones, children lost parents, entire neighborhoods were devastated by addiction, overdose and the lasting consequences of this public health crisis.

The purpose of these funds is to help right that wrong through prevention, treatment, recovery, harm reduction and support

for those impacted by the opioid epidemic.

The bill recognizes a basic idea: If the principal belongs to the Opioid Settlement Fund, the interest generated by that principal should belong there as well.

Some may ask why we need this clarification. Unfortunately, recent events in Nassau County, where more than 13 million in interest on opioid settlement funds were transferred to the General Fund, have shown us exactly why this bill is so important. Regardless of one's views on whoever is involved, the situation exposed a loophole. While many people assumed that interest earnings would automatically remain dedicated to the opioid abatement, there was no clear statutory requirement ensuring that outcome.

As a result, millions of dollars that originated from the settlement funds intended to address addiction became subject to competing budget priorities. This is exactly the kind of ambiguity that this legislation resolves.

At a time when communities across New York continue to confront addiction, fentanyl-related deaths, and the ongoing need for

treatment and recovery, services should be maximizing every available resource, not creating opportunities for those resources to be diminished.

I urge my colleagues -- thank you for voting yes, because I assume it passed. But let's ensure that every dollar intended to combat the opioid epidemic, including every dollar in interest earned, remains dedicated to that mission.

Thank you so much for this opportunity, and I vote aye.

ACTING PRESIDENT BAILEY: Senator Fernandez to be recorded in the affirmative on the aforementioned bill.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, let's take up the supplemental calendar at this time.

ACTING PRESIDENT BAILEY: There are substitutions at the desk.

The Secretary will read.

THE SECRETARY: Senator Cleare moves to discharge, from the Committee on Finance, Assembly Bill Number 4195A and

substitute it for the identical Senate Bill 118A, Third Reading Calendar 1697.

Senator Parker moves to discharge, from the Committee on Rules, Assembly Bill Number 5404C and substitute it for the identical Senate Bill 1335C, Third Reading Calendar 1701.

Senator Kavanagh moves to discharge, from the Committee on Finance, Assembly Bill Number 1191B and substitute it for the identical Senate Bill 1455B, Third Reading Calendar 1702.

Senator Comrie moves to discharge, from the Committee on Transportation, Assembly Bill Number 1673 and substitute it for the identical Senate Bill 4230, Third Reading Calendar 1705.

Senator Fahy moves to discharge, from the Committee on Finance, Assembly Bill Number 38 and substitute it for the identical Senate Bill 4593, Third Reading Calendar 1707.

Senator Jackson moves to discharge, from the Committee on Finance, Assembly Bill Number 9665 and substitute it for the identical Senate Bill 4894, Third Reading Calendar 1708.

Senator Cleare moves to discharge, from the Committee on Aging, Assembly Bill

Number 3602 and substitute it for the identical Senate Bill 6043, Third Reading Calendar 1712.

Senator Scarcella-Spanton moves to discharge, from the Committee on Finance, Assembly Bill Number 8482A and substitute it for the identical Senate Bill 6376A, Third Reading Calendar 1713.

Senator Cleare moves to discharge, from the Committee on Consumer Protection, Assembly Bill Number 10137 and substitute it for the identical Senate Bill 7585A, Third Reading Calendar 1716.

Senator Ryan moves to discharge, from the Committee on Finance, Assembly Bill Number 9162A and substitute it for the identical Senate Bill 7633B, Third Reading Calendar 1717.

Senator Cleare moves to discharge, from the Committee on Rules, Assembly Bill Number 3598 and substitute it for the identical Senate Bill 7819, Third Reading Calendar 1719.

Senator Walczyk moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 8143A and substitute it for the identical Senate Bill 7867A, Third Reading Calendar 1720.

Senator Comrie moves to discharge, from the Committee on Rules, Assembly Bill Number 8638B and substitute it for the identical Senate Bill 8015B, Third Reading Calendar 1721.

Senator Brisport moves to discharge, from the Committee on Children and Families, Assembly Bill Number 8248A and substitute it for the identical Senate Bill 8205A, Third Reading Calendar 1722.

Senator Hinchey moves to discharge, from the Committee on Codes, Assembly Bill Number 8022A and substitute it for the identical Senate Bill 8217B, Third Reading Calendar 1723.

Senator Comrie moves to discharge, from the Committee on Codes, Assembly Bill Number 8675C and substitute it for the identical Senate Bill 8302D, Third Reading Calendar 1729.

Senator Cleare moves to discharge, from the Committee on Finance, Assembly Bill Number 9058A and substitute it for the identical Senate Bill 8472A, Third Reading Calendar 1734.

Senator Rivera moves to discharge, from the Committee on Rules, Assembly Bill Number 10576 and substitute it for the identical Senate Bill 8838A, Third Reading Calendar 1735.

Senator Harckham moves to discharge, from the Committee on Rules, Assembly Bill Number 11030A and substitute it for the identical Senate Bill 8865A, Third Reading Calendar 1737.

Senator Griffo moves to discharge, from the Committee on Finance, Assembly Bill Number 10263A and substitute it for the identical Senate Bill 9068A, Third Reading Calendar 1740.

Senator Ryan moves to discharge, from the Committee on Finance, Assembly Bill Number 9001 and substitute it for the identical Senate Bill 9221, Third Reading Calendar 1742.

Senator Palumbo moves to discharge, from the Committee on Rules, Assembly Bill Number 10478 and substitute it for the identical Senate Bill 9363, Third Reading Calendar 1744.

Senator Rolison moves to discharge, from the Committee on Rules, Assembly Bill Number 10391 and substitute it for the identical Senate Bill 9453, Third Reading Calendar 1746.

Senator Gounardes moves to discharge, from the Committee on Internet and Technology, Assembly Bill Number 5175A and substitute it for the identical Senate Bill 9508, Third Reading Calendar 1747.

Senator Cleare moves to discharge, from the Committee on Rules, Assembly Bill Number 8313B and substitute it for the identical Senate Bill 9723A, Third Reading Calendar 1752.

Senator Scarcella-Spanton moves to discharge, from the Committee on Finance, Assembly Bill Number 8061 and substitute it for the identical Senate Bill 9940, Third Reading Calendar 1758.

Senator Gianaris moves to discharge, from the Committee on Rules, Assembly Bill Number 11199A and substitute it for the identical Senate Bill 10079, Third Reading Calendar 1761.

Senator Fernandez moves to discharge, from the Committee on Rules, Assembly Bill Number 11180B and substitute it for the identical Senate Bill 10156B, Third Reading Calendar 1763.

Senator Skoufis moves to discharge, from the Committee on Rules, Assembly Bill Number 11437 and substitute it for the identical Senate Bill 10172, Third Reading Calendar 1764.

Senator Palumbo moves to discharge, from the Committee on Rules, Assembly Bill Number 11532 and substitute it for the identical

Senate Bill Number 10614, Third Reading Calendar 1774.

Senator Gonzalez moves to discharge, from the Committee on Rules, Assembly Bill Number 11540 and substitute it for the identical Senate Bill 10616, Third Reading Calendar 1775.

Senator Baskin moves to discharge, from the Committee on Rules, Assembly Bill Number 11547 and substitute it for the identical Senate Bill 10628, Third Reading Calendar 1779.

Senator Jackson moves to discharge, from the Committee on Rules, Assembly Bill Number 11534 and substitute it for the identical Senate Bill 10629, Third Reading Calendar 1780.

Senator Gounardes moves to discharge, from the Committee on Rules, Assembly Bill Number 11555 and substitute it for the identical Senate Bill Number 10636, Third Reading Calendar 1783.

Senator Gianaris moves to discharge, from the Committee on Rules, Assembly Bill Number 11558 and substitute it for the identical Senate Bill 10640, Third Reading Calendar 1785.

Senator Comrie moves to discharge, from the Committee on Rules, Assembly Bill

Number 11559 and substitute it for the identical Senate Bill 10641, Third Reading Calendar 1786.

Senator Gonzalez moves to discharge, from the Committee on Rules, Assembly Bill Number 11560 and substitute it for the identical Senate Bill 10642, Third Reading Calendar 1787.

Senator Stewart-Cousins moves to discharge, from the Committee on Rules, Assembly Bill Number 11561 and substitute it for the identical Senate Bill 10644, Third Reading Calendar Bill Number 1788.

ACTING PRESIDENT BAILEY: Substitutions so ordered.

The Secretary will read Senate Supplemental Calendar 63A.

THE SECRETARY: Calendar Number 1696, Senate Print 82B, by Senator Liu, 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 first of July.

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 1697, Assembly Bill Number 4195A, by Assemblymember Hyndman, an act to amend the Elder Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect one 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 1698, Senate Print 845A, by Senator Salazar, an act to amend the Public Health 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 1698, voting in the negative are Senators Ashby, Baskin, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Lanza, Martins, Mattera -- pardon me, Senator Bynoe.

In relation to Calendar 1698, voting in the negative are Senators Ashby, Baskin, Bynoe, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Lanza, Martins, Mattera, Borrello, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Tedisco, Walczyk, Weber and Weik.

Ayes, 40. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1699, Senate Print 1004B, by Senator Brouk, an

act to amend the Criminal Procedure Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 14. 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: In relation to Calendar 1699, voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Tedisco and Weik.

Ayes, 46. Nays, 14.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1700, Senate Print 1086D, by Senator Rivera, an act to amend the Civil Rights Law.

SENATOR GIANARIS: Lay it aside for the day.

ACTING PRESIDENT BAILEY: The bill

will be laid aside for the day.

THE SECRETARY: Calendar Number 1701, Assembly Bill Number 5404C, by Assemblymember Stern, 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: In relation to Calendar 1701, voting in the negative are Senators Borrello, Chan, Griffo, Helming, Lanza, Mattera, Oberacker, O'Mara, Ortt, Stec, Tedisco, Walczyk and Weik.

Ayes, 57. Nays, 13.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1702, Assembly Bill Number 1191B, by Assemblymember Bores, an act to amend the

Executive 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 1702, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 40. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1703, Senate Print 1511A, by Senator Liu, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation Calendar 1703, voting in the negative: Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1704, Senate Print 3622, by Senator Ortt, 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 1705, Assembly Bill Number 1673, by Assemblymember Weprin, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1705, voting in the negative are Senators Gallivan, Helming and Walczyk.

Ayes, 57. Nays, 3.

ACTING PRESIDENT BAILEY: The bill is passed.

There's a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Comrie moves to discharge, from the Committee on Rules, Assembly Bill Number 4619B and substitute it for the identical Senate Bill 4527B, Third Reading Calendar 1706.

ACTING PRESIDENT BAILEY: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1706, Assembly Bill Number 4619B, by Assemblymember Solages, an act to amend the Tax 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 1706, voting in the negative are Senators Griffo, Krueger and May.

Ayes, 57. Nays, 3.

Oh, excuse me, also Senator Hinchey.

Ayes, 56 -- also Senator Fahy.

Ayes, 55. Nays, 5.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Also Senator Mattera.

Ayes, 54. Nays, 6.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Also Senator Murray.

Ayes, 53. Nays, 7.

(Laughter.)

ACTING PRESIDENT BAILEY: The bill remains passed.

THE SECRETARY: Calendar Number 1707, Assembly Bill Number 38, by Assemblymember Burdick, an act in relation to directing the New York State Department of Labor to establish a voluntary training and certification program.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. 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 1708, Assembly Bill Number 9665, by Assemblymember Cashman, an act to repeal paragraph (g) of Subdivision 4 of Section 209 of the Civil Service 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 1709, Senate Print 5711C, by Senator Skoufis, Concurrent Resolution of the Senate and Assembly proposing amendments to Section 21 of Article 6, Article 13, and Section 6 of Article 4 of the Constitution.

ACTING PRESIDENT BAILEY: Call the roll on the resolution.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Skoufis to explain his vote on the resolution.

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

I want to thank my colleagues for their support, if they're supporting this. And I appreciate the vigorous debate that we've had on generally this issue over the last several years.

This constitutional amendment is important because it finishes the job, or seeks to finish the job that we started several years ago. We were constitutionally constrained from moving a number of offices statutorily, and those include, for example, county clerk, sheriff, DAs,

judicial offices, cities, among a couple of others. We moved everything that we could statutorily, but those were some that we could not.

And so this constitutional amendment seeks to transition the balance of those offices and ensure that outside of New York City we do have a full transition from odd- to even-year election cycles when far, far more voters are engaged and cast a ballot and will have a say in who their local town supervisors are, county executives are, county legislators are, town councilmembers are, and a host of other very important local officeholders.

And importantly, I want to thank the Majority Leader as well as a number of others who helped put together and advance this bill, including the Board of Elections, the Attorney General, the Assembly Speaker and Assemblyman Jonathan Jacobson, who have been very engaged on this issue. And I hope that they move forward with this bill over the next however many, 24 hours or so.

But this is good for democracy. And importantly, we don't materialize the savings

that we talked about three years ago without doing this. And this was raised three years ago in our debate, that we would have these outstanding offices still on the ballot without or absent a constitutional amendment. Odd-year elections would still have to be administered without this constitutional amendment.

This amendment will save hundreds of millions of dollars every couple of years on odd-year cycles throughout the state.

For that and many other reasons, I vote yes. Thank you.

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

Senator Martins to explain his vote.

SENATOR MARTINS: Thank you, Mr. President.

You know, it should not come as a surprise to anyone in the chamber once again that the legislation excludes almost half the State of New York, by population, by excluding the largest city in the State of New York, the nearly 9 million people who live in the great City of New York.

Now, if you look at the statistics,

Mr. President, you'll see -- and I'm sure everyone here recognizes it. If we have an area of this state where the population has consistently not come out to vote, where there is a need for engagement and to encourage people to vote, it's precisely in the City of New York, and they've been excluded.

What it does is it does provide all of our local communities, villages and towns and counties, with influences far beyond the local issues that have historically been those that drive local elections. And I think, Mr. President, obviously that was done with a purpose in order to undermine those local communities. And that should also be clear.

Regardless of what the rhetoric is here, it's a bad bill. It continues to be a bad bill. And I'll continue to be voting no.

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

Senator Rhoads to explain his vote.

SENATOR RHOADS: Thank you, Mr. President.

And to follow Senator Martins' eloquent points, I do recall, as being one of the

Senators who debated that original bill three years ago, that one point that was raised was the fact that the City of New York was excluded. And the explanation that we were given from the other side of the chamber was that we needed a constitutional amendment in order to be able to include the City of New York.

Well, here today we have that constitutional amendment. We're going through the process. We're inconveniencing the rest of the entire state. Yet somehow the City of New York is still not included in the constitutional amendment.

Mr. President, this is a sham. It's been a sham since the beginning. I am voting no.

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

Senator Murray to explain his vote.

SENATOR MURRAY: Thank you, Mr. President.

As my colleagues have pointed out the obvious, this is nothing but political. I mean, when we hear that it's going to save money, well, that's wonderful. Because all of a sudden money is important.

It wasn't important when we wanted to have pop-up election sites which would increase costs, printing of all the ballots and things like this. There's even a bill that would now make all election commissioners full-time, even in counties where they're really not necessary. Which would, again, increase costs.

But all of a sudden, this will save money.

As has been pointed out, it was interesting that New York City was excluded. And the excuse was, well, it's constitutional. Well, we're certainly changing the Constitution now. So it actually did go before the voters in New York City, who said no, overwhelmingly. No, we don't want it. But yet we're still going to ram it down the throat of the rest of the state. And it's completely political.

Here's the thing. Voters have the choice. There's nothing different in the process of voting in an odd year as opposed to an even year. It is the exact same process. The voters can go to the polls if they want. Nothing is keeping them from going to the polls in an odd year or an even year.

So the thought that we're doing it to increase participation -- look, it's up to the voters. If they want to participate, nothing's holding them back now.

This is nothing but politics at its worst, just like the redistricting we've talked about and everything else. More and more of just bad politics.

So I'll be voting no, Mr. President.

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

Senator Canzoneri-Fitzpatrick to explain her vote.

SENATOR CANZONERI-FITZPATRICK: Thank you, Mr. President.

You've heard from my other colleagues about the fact that this bill is not a good thing for voters. Certainly in my area, where the ballot will now be even longer, there will be so many open positions on one ballot that our voters will never make it to the end of the ballot because there's just too many.

And those are things that I think will discourage people from coming out and voting -- the exact opposite intent of what we

want to do. We want people to come out and vote.

So I'll be also voting in the negative. Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Senator Canzoneri-Fitzpatrick to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar --

ACTING PRESIDENT BAILEY: Excuse me, I'm sorry. Senator Ryan to explain his vote.

SENATOR RYAN: Yes, I just want to say -- I just want to comment on it.

One thing that was said is that it will save hundreds of millions of dollars. We hear a lot about unfunded mandates and unfunded mandates and unfunded mandates. So as somebody who came from town government and county government, this is what I would like to refer to, sometimes we do, as a reverse unfunded mandate.

So I'll be in the affirmative.

Thank you.

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

Senator Weik to explain her vote.

SENATOR WEIK: Thank you, Mr. President.

I'm kind of confused by this bill because we spent so much time passing bills and spending money to make voting easier at every expense, and yet this bill will create a ballot that is pages long that is bound to deter people from going out to vote.

It's just a terrible idea, and it's counterproductive to everything that this Majority has done, and so I'm a no.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1709, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 38. Nays, 22.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1710, Senate Print 5754B, by Senator Martinez, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1711, Senate Print 6008B, by Senator Baskin, 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 1712, Assembly Bill Number 3602, by Assemblymember Seawright, an act to amend the Elder 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 1713, Assembly Bill Number 8482A, by Assemblymember Cruz, an act to amend the Workers' Compensation 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.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, I just want to clarify on 1710 that we did have a home-rule message on that bill, from what I understand.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk in relation to Calendar 1710.

Do we need me to reread that last section?

SENATOR GIANARIS: No.

ACTING PRESIDENT BAILEY: Okay, just to clarify. Excellent.

The Secretary will read.

THE SECRETARY: Calendar Number 1714, Senate Print 6736A, by Senator Fahy, an act to amend the Social Services Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Fahy to explain her vote.

SENATOR FAHY: Thank you, Mr. President. I rise to vote aye on this bill.

Glioblastoma, many of us are familiar with it, is a highly aggressive brain cancer with very limited treatment options and very low survival rates.

This technology or this treatment, TTFields, is a wearable device, and it is the first therapy in over 10 years proven to increase survivability of newly diagnosed glioblastoma patients.

This bill will ensure that Medicaid patients have access to this FDA-approved,

National Comprehensive Cancer Network-preferred treatment, which closes a gap -- closes a healthcare gap for some of the sickest, most vulnerable New Yorkers.

TTFields, again, this treatment again is -- represents the most significant advancement in over a decade. It corrects a critical inequity in healthcare by ensuring Medicaid fee-for-service beneficiaries have equal access to this life-extending treatment.

It's endorsed by major cancer centers, medical societies, patient advocacy groups, and more.

I have to say, as somebody who has been all too familiar with cancer as -- in patients, we sought every treatment for my son to try to extend his life. And I'm just deeply honored to be able to sponsor a treatment like this, a bill like this that may help extend other lives and address this glaring inequity in cancer care and Medicaid treatment for this, again, safe, effective and life-extending treatment.

And with that, Mr. President, I'm very honored to vote aye.

Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1715, Senate Print 6983A, by Senator Brisport, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1715, voting in the negative are Senators Ashby, Borrello, Gallivan, Griffo, Rhoads, Stec, Walczyk and Weik.

Ayes, 52. Nays, 8.

ACTING PRESIDENT BAILEY: The bill

is passed.

THE SECRETARY: Calendar Number 1716, Assembly Bill Number 10137, by Assemblymember Wright, an act to amend the General Business 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 1717, Assembly Bill Number 9162A, by Assemblymember Pheffer Amato, an act to amend the Retirement and Social Security 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 Ryan to explain his vote.

SENATOR RYAN: Thank you, Mr. President.

So I'm going to rise in support of this bill establishing a 25-year retirement for our 911 emergency communication personnel.

You know, when somebody calls 911, it's usually at the worst moments of their life. These professionals are the first point of contact. Before a police officer arrives on the scene, before a firefighter reaches the scene, before an ambulance pulls up, a dispatcher is already hard at work. They assess the emergencies, they gather critical information, direct resources, provide instructions.

That can't go unnoticed, and it's a terribly, terribly difficult job. And all too often they are the true unsung heroes of all the emergencies. So we rely on these operators to handle life-or-death situations 24 hours a day, seven days a week.

So by creating an optional 25-year retirement plan, we acknowledge that their career and their hard work responding to emergencies behind the headset -- it's an excruciatingly difficult and demanding job, and we actually just need to help them help recruit and retain employees.

So I'm proudly going to vote in favor of this, and I'll definitely want to give some acknowledgement to my partners who helped get this over the finish line -- obviously, the hardworking men and women of CSEA, DC 37, and AFSCME Council 66 and 82.

On behalf of these heroes that do this behind the scenes every day, I vote in the affirmative.

Thank you, Mr. President.

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

Senator Rolison to explain his vote.

SENATOR ROLISON: Thank you, Mr. President.

I want to thank Senator Ryan for moving this bill forward.

And as I've said many times here on

the floor, as a former cop, and starting in the 1980s, before there were 911 centers, we had to rotate through what we called the front desk as police officers when the police assistant was off. No one wanted to do that job because the pressure was tremendous, with the amount of phone calls, answering the radio, working on the computer and doing all those other things.

It has evolved tremendously over the years. So last year, in the City of Poughkeepsie, they had 130,000 phone calls into their 911 center, 33,000 were for the police, 6,000 were for fire, 9100 for EMS, and everything else was just people calling 911 who wanted to talk to the water department.

You know, the pressure that goes inside that job and that headset, as Senator Ryan said, is tremendous. We owe this to them.

And, also too, Mr. President, everything in the public safety world generally starts with a phone call, and it starts with them.

I proudly vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1718, Senate Print 7802A, by Senator Harckham, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

Read the last section.

THE SECRETARY: Section 5. 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: Senator Harckham to explain his vote.

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

I rise in support of Jake's Law. I want to thank our Majority Leader for bringing this to the floor today.

You know, Jake Arcara was just an everyday guy. Brought a smile to everybody's

face, everybody loved him. Grew up in the Town of Yorktown, was engaged to be married to his fiancee, Katie. They were going to get married in 2023.

He was a four-year employee of the Yorktown Highway Department, where his colleagues described him as loyal, warmhearted, funny, hardworking, and a genuine guy.

Tragically, Jake was killed on the job on September 14th, in 2022. He was working a construction site when an out-of-control resident drove their vehicle through the warning flags and into Jake, killing him at the scene.

This crash highlights the dangers faced by our local highway construction workers. And we've taken action in New York State, where we now have cameras along worksites, DOT, and the New York State Thruway.

This legislation will create a first-of-its-kind program in New York State to allow the Town of Yorktown to work with DOT to establish a work-zone camera program at the local level in the Town of Yorktown, hopefully keeping other highway workers safe and holding drivers accountable who drive recklessly in work zones.

I want to thank Jake's mother, Kelly Arcara, who's turned pain to purpose, who's worked for a couple of years with us on this bill. She's come up to Albany to speak on this bill.

I want to thank Jake's colleagues at the highway department, the Town of Yorktown, and of course my friend over in the Assembly, Assemblymember Matt Slater.

I think this is a bill that has potential to really impact not just the safety in the Town of Yorktown, but depending on how this project goes, in many more municipalities throughout the state.

For those reasons, I vote aye, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1718, voting in the negative: Senator Lanza.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1719, Assembly Bill Number 3598, by Assemblymember Schiavoni, an act to amend the Mental Hygiene 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: Senator Palumbo to explain his vote.

SENATOR PALUMBO: Thank you, Mr. President.

I wanted to first thank Senator Cleare for bringing this to the floor. This is a bill that I had a couple of years ago, and Senator Cleare expressed an interest in fixing issues with the guardianship process, which she does in so many different bills.

So thank you for getting this to the finish line. As you can hear from the substitution, it did pass the Assembly as well.

What this bill does is it enacts

Karilyn's Law, which fixes a very meaningful gap in the guardianship law. As people know, as you all know, when someone's appointed by the court, a guardian is appointed because of someone's age or illness or disability, they take control of all their financial and personal needs. And there are times -- most of the time, or oftentimes, it's a complete stranger, or sometimes it's a family member.

And with the family dynamics being what they are, individuals have no opportunity or they need to go through a very lengthy court process just to visit with their loved one. And we know many, many stories. When I drafted this bill initially, our office was inundated by people around the country who suffered from this.

We know there are issues with access to Wendy Williams. We remember -- everyone remembers the radio host Casey Kasem, who didn't see his family for the last year and a half of his life. There was no allegations of abuse of any kind, there was just a difference of personality.

What this does is allows a motion to be filed by order to show cause and a hearing

within 10 days. And it is presumed that you can simply visit with your loved one. Believe it or not, that is a huge problem and issue in the guardianship process. And it can be supervised or otherwise, just as if you would visit a child. You want to visit your sick or ailing mother or grandparent, you can see them. That's what this does.

And it's named after Karilyn Montanti, where this issue arose and was brought to my attention by her daughter Christine.

So thank you so much for bringing this to the floor, Senator Cleare. I greatly appreciate you moving this to the finish line and playing quarterback.

I proudly vote aye, and I urge my colleagues to do the same.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

1720, Assembly Bill Number 8143A, by Assemblymember Barclay, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1720, voting in the negative: Senator Skoufis. Also Senator Martinez. Also Senator Canzoneri-Fitzpatrick.

(Pause.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1720, voting in the negative are Senators Canzoneri-Fitzpatrick, Lanza, Martinez, Scarcella-Spanton and Skoufis.

Ayes, 55. Nays, 5.

ACTING PRESIDENT BAILEY: The bill

is passed.

THE SECRETARY: Calendar Number 1721, Assembly Bill Number 8638B, by Assemblymember Kim, an act to amend the General Business 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 1721, voting in the negative: Senator Skoufis.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1722, Assembly Bill Number 8248A, by Assemblymember Hevesi, an act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Read the

last section.

THE SECRETARY: Section 6. This act shall take effect on the 30th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Oh, excuse me. In relation to Calendar 1722, voting in the negative: Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1723, Assembly Bill Number 8022A, by Assemblymember Steck, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1724, Senate Print 8237, by Senator Parker, an act to amend the Public Authorities Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1724, voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Chan, Helming, Lanza, Martins, Mattera, Murray, O'Mara,

Ortt, Tedisco, Walczyk and Weik.

Ayes, 47. Nays, 13.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1725, Senate Print 8239, by Senator Ramos, an act to amend the Labor Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

ACTING PRESIDENT MAYER: Calendar Number 1726, Senate Print 8240, by Senator Ramos, an act to amend the Workers' Compensation Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 16. This

act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1726, voting in the negative are Senators Canzoneri-Fitzpatrick, Palumbo, Rhoads and Walczyk.

Ayes, 56. Nays, 4.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1727, Senate Print 8246, by Senator Myrie, an act to amend the State Finance Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1727, voting in the negative: Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1728, Senate Print 8253, by Senator Brisport, an act to amend the Abandoned Property Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1729, Assembly Bill Number 8675C, by Assemblymember Braunstein, an act to amend the Penal Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1729, voting in the negative are Senators Brisport and Gonzalez.

Ayes, 58. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1730, Senate Print 8364, by Senator Webb, an act to amend the Education Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1730, voting in the negative are Senators Martinez and Skoufis.

Ayes, 58. Nays -- pardon me.

In relation to Calendar 1730, voting in the negative are Senators Martinez and Walczyk.

Ayes, 58. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1731, Senate Print 8385, by Senator Comrie, an act to amend the State Finance Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1732, Senate Print 8407, by Senator Fahy, an act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1733, Senate Print 8410, by Senator Comrie, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1734, Assembly Bill Number 9058A, by Assemblymember Wright, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to

Calendar 1734, voting in the negative are Senators O'Mara, Ortt, Rhoads and Weik.

Ayes, 56. Nays, 4.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1735, Assembly Bill Number 10576, by Assemblymember Lucas, an act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1736, Senate Print 8852C, by Senator Harckham, an act in relation to authorizing the County of

Putnam to lease certain lands used as parklands.

ACTING PRESIDENT MAYER: There's a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1737, Assembly Bill Number 11030A, by Assemblymember Levenberg, an act to amend the Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1737, voting in the negative:

Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1738, Senate Print 8926, by Senator Ryan, an act to amend the Public Authorities Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 120th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1738, voting in the negative are Senators Helming, Krueger, Rhoads, Walczyk and

Weik.

Ayes, 55. Nays, 5.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1739, Senate Print 8965, by Senator Hinchey, an act to amend the Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 9. This act shall take effect 18 months after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1739, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 38. Nays, 22.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1740, Assembly Bill Number 10263A, by Assemblymember Buttenschon, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1741, Senate Print 9138, by Senator Palumbo, an act relating to a death benefit option for the beneficiary of Justice Jerry Garguilo.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 5. This

act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Palumbo to explain his vote.

SENATOR PALUMBO: Thank you, Madam President.

I just rise briefly to explain the life of Judge Garguilo, who was beloved by everyone.

He was a lawyer's lawyer when he practiced. And Judge Garguilo became a Supreme Court judge and, because of his skill as a lawyer, presided over the most complex cases -- brain-damaged baby cases, asbestos cases.

And then he presided over the opioid litigation. He was the coordinating judge. For those of you who don't know, you have a coordinated practice or coordinated judge so that all venues don't have inconsistent decisions and they all go to one judge.

So as a reminder, the opioid litigation in the State of New York, which resulted in billions of dollars recovered in the

settlements, it involved 62 counties; 10 cities, including New York City; 67 smaller municipal corporations, townships, villages, judges, eventually the State of New York.

The named defendants were manufacturers, distributors, large retail pharmacies. Forty defendants were named. At times there were participating lawyers exceeding 100.

They converted Touro Law School to a courtroom. There were over 350 written decisions and directives, and it involved 357 motion sequences.

So Judge Garguilo was this coordinating judge, and as the litigation was winding down, he did not want to dump this on his colleagues. So as a result of his dedication to the State of New York, to the practice of law, and his colleagues on the judiciary, he hung around and was certificated twice, and was retiring this past December.

Very sadly, Judge Garguilo unexpectedly, in September of 2025, passed away.

So we've had many of these, as we call, death gamble bills that have come through

this house. But the only reason why Judge Garguilo was not with his feet up by the pool was as a result of that opioid litigation, and he wanted to see it through to the end, which thankfully he did.

So I proudly vote aye, Madam President, and I urge my colleagues to do the same.

ACTING PRESIDENT MAYER: Senator Palumbo to be recorded in the affirmative.

Senator Mattera to explain his vote.

SENATOR MATTERA: Thank you, Madam President.

I just want to thank my colleague Senator Palumbo for this very, very special bill for a very, very special person, a special judge. He was the People's Judge, and he passed away sitting on the bench. He passed away.

His family, everybody misses him. He's the type of salt-of-the-earth type of man. He was somebody that, in other words, you were in your town in St. James and you'd see him at your regular local stores, the restaurants, 7-11, and he would sit there and he was just a word of wisdom.

And he was definitely a mentor to me, someone that swore me in in my office, and it just meant so, so much to me. And when he -- the passing of him -- and we were all shocked and we're still grieving over this, Madam President, because he's the type of person that would have been on TV, like a Judge Judy, that type of person, that he's a caring type of person that gives people breaks. That's what Judge Garguilo is all about.

And what a family man, with him being with his wife and his daughters. And Nicole Garguilo is very, very special to me and the Town of Smithtown in what she does.

But he's just a fixture, and his name will always be there. It will be etched in stone in the great Town of Smithtown.

Thank you so much, and I proudly vote yes.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Senator Mattera to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill

is passed.

THE SECRETARY: Calendar Number 1742, Assembly Bill Number 9001, by Assemblymember Steck, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT MAYER: 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 MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1743, Senate Print 9287A, by Senator Hinchey, an act to amend the Real Property Tax Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1743, voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Lanza, Martins, Oberacker, O'Mara, Tedisco and Weik.

Ayes, 49. Nays, 11.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1744, Assembly Bill Number 10478, by Assemblymember Schiavoni, an act in relation to increasing the term of office from two years to four years for the Trustees of the Freeholders and Commonalty of the Town of Southampton.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1744, voting in the negative are Senators Ryan and Skoufis.

Ayes, 58. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1745, Senate Print 9441, by Senator Chan, an act to amend the Multiple Dwelling Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Chan to explain his vote.

SENATOR CHAN: Thank you, Madam President.

So this bill was actually born from the great fire of the Chan household on

Thanksgiving of 2025, as my colleagues have heard this story many times and saw video clips of.

So there I was, me and my daughter were toasting some marshmallows by the oven, and the torch that I was using caught fire and my hand was engulfed in this fire.

And I could have dropped the can of gas on the floor, but my police experience tells me that that can could have burst into flames. And my daughter was standing right there. So I made a choice of holding onto that can with all my might and running it 6 seconds out my front door and dropped it on my front stoop.

Now, every -- I do have fire extinguishers on every floor in my house. I didn't have time to grab it. So eventually I did go in there and grab the fire extinguisher and put out that fire.

Now, my hand still bears the scars from seven months ago. And I thought, you know, in case that can of gas would have dropped on my floor, that would have been the first time I needed that fire extinguisher.

Why doesn't every small apartment, small dwelling, one-, two-, three-family units

have this fire extinguisher in there? And I realized that in the news every day I read about small fires that -- where tenants ran out and call 911 and it turned into a big fire. I've seen it as a cop as well.

So I thought it might be a great idea if we recruit and mobilize every tenant in these apartments, small dwellings, as a first-line firefighter. One little fire extinguisher that costs $20 can save many, many lives down the road as well as property damage.

So that gave me a great idea. I want to thank my colleagues for supporting this bill, and I urge everyone to vote up on it.

That's why I vote yes. Thank you.

ACTING PRESIDENT MAYER: Senator Chan to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1746, Assembly Bill Number 10391, by Assemblymember Jacobson, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 30th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1747, Assembly Bill Number 5175A, by Assemblymember Solages, an act to amend the General Business Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1748, Senate Print 9509, by Senator Ortt, an act to amend the Highway Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1749, Senate Print 9606, by Senator Ortt, an act to amend subpart H of Part C of Chapter 20 of the Laws of 2015.

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1750, Senate Print 9654, by Senator Murray, an act to amend the Highway Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1751, Senate Print 9682, by Senator Liu, an act

to amend the Education Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1752, Assembly Bill Number 8313B, by Assemblymember Anderson, an act to amend the Public Housing Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 120th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1752, voting in the negative: Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

We're skipping; Bill Number S9725B was not reported from Rules and therefore should not appear on the calendar.

THE SECRETARY: Calendar Number 1754, Senate Print 9736, by Senator Kavanagh, an act to amend the Penal Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Murray to explain his vote.

SENATOR MURRAY: Thank you, Madam President.

This one baffles me. Look, I know, I get it, you don't like guns, you don't like the NRA. But what we're saying with this bill is that training by the United States Army, training by the United States Navy, training by the U.S. Marine Corps or the Adjutant General of this state or by the NRA is not good enough. No, we didn't train them, they're not good enough to train people with the use of guns.

You've got to be kidding me. Can we at least live in the real world? This is ridiculous.

I vote no.

ACTING PRESIDENT MAYER: Senator Murray to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 1754, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads, Rolison, Palumbo, Tedisco, Stec, Walczyk, Weber and Weik.

Ayes, 38. Nays, 22.

ACTING PRESIDENT MAYER: The bill

is passed.

THE SECRETARY: Calendar Number 1755, Senate Print 9904, by Senator Ramos, an act to amend the Labor Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1756, Senate Print 9905, by Senator Jackson, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1757, Senate Print 9906, by Senator Myrie, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1758, Assembly Bill Number 8061, by Assemblymember Bronson, an act to amend the

Veterans' Services Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1759, Senate Print 9982A, by Senator Tedisco, an act in relation to authorizing Kurt Nolan to receive certain credit under Sections 384-d and 384-e of the Retirement and Social Security Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1760, Senate Print 10058C, by Senator Harckham, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 30th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1761, Assembly Bill Number 11199A, by Assemblymember Reyes, an act to amend the

Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Chan to explain his vote.

SENATOR CHAN: Thank you, Madam President.

So I rise once again, and once again I call upon my own experience as an NYPD police officer and police supervisor of 27 years.

Let's go back about 30 years. And when I first became a police officer, I carried what is known as a Motorola Saber radio. It was this big, heavy prehistoric radio, and it wasn't encrypted.

So now, once again, we're talking about having no encryption on our police radios. I'll tell you what happened when we didn't have these encrypted radios. There was reporters and

members of the media and press just following the cops around in the Lower East Side where I worked.

And some of the problems that we came across were they would get in the way when our investigation wasn't over. They would get in the way and identify victims when they were not supposed to identify. They would broadcast a news article before the investigation was complete, in essence tipping off the criminals of an ongoing investigation.

The reasons why we shouldn't have the media monitor the radios, it was just endless -- there's a lot of sensitive information over the radio, a lot of things that are not ready to be made public.

Recently my office -- a constituent came into my office. He was a victim of a TikTok scam, $400,000. So using my connections in the police department, we didn't just file a police report for him, I contacted the Financial Crimes Task Force. They set up a sting. They collared three Thai nationals, part of an international organized crime ring that's scamming my constituents out of tens, hundreds of thousands

of dollars.

And -- but the problem is people are monitoring the police radio, and it was made public, but the Department of Homeland Security took over that investigation. So now that investigation itself is jeopardized.

So for many reasons like that, you know, I'm going to have to vote down on this bill. It's not a good idea.

ACTING PRESIDENT MAYER: Senator Chan to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 1761, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Ryan, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 37. Nays, 23.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1762, Senate Print 10095B, by Senator Rhoads, an act authorizing the Hicksville Water District to

receive retroactive real property tax-exempt status.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1762, voting in the negative are Senators O'Mara and Skoufis.

Ayes, 58. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1763, Assembly Bill Number 11180B, by Assemblymember Paulin, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 30th day after it

shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Excuse me.

In relation to Calendar 1763, voting in the negative: Senator Lanza.

Ayes, 59. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1764, Assembly Bill Number 11437, by Assemblymember Stirpe, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1764, voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Lanza, O'Mara, Ortt, Stec, Tedisco and Weber. Also Senators Palumbo and Helming.

Ayes, 47. Nays, 13.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1765, Senate Print 10196A, by Senator Fahy, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 30th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1765, voting in the negative are Senators Lanza and Chan.

Ayes, 58. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1766, Senate Print 10223A, by Senator Fahy, an act to authorize the South End Children's Cafe to file an application for a retroactive real property tax exemption.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1766, voting in the negative: Senator Skoufis.

Ayes, 59. Nays, 1.

ACTING PRESIDENT MAYER: The bill

is passed.

THE SECRETARY: Calendar Number 1767, Senate Print 10443, by Senator Myrie, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 1767, voting in the negative: Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1768, Senate Print 10446, by Senator Kavanagh, an act to amend Chapter 514 of the Laws of 1983.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1768, voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 40. Nays, 20.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1769, Senate Print 10489, by Senator Bynoe, an act to amend the Local Finance Law.

ACTING PRESIDENT MAYER: There's a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1769, voting in the negative: Senator Skoufis.

Ayes, 59. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1770, Senate Print 10528, by Senator Oberacker, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to

Calendar 1770, voting in the negative:
Senator Martinez.
Ayes, 59. Nays, 1.
ACTING PRESIDENT MAYER: The bill is passed.
THE SECRETARY: Calendar Number 1771, Senate Print 10563, by Senator Skoufis, an act to amend the Election Law.
ACTING PRESIDENT MAYER: Read the last section.
THE SECRETARY: Section 2. This act shall take effect immediately.
ACTING PRESIDENT MAYER: Call the roll.
(The Secretary called the roll.)
ACTING PRESIDENT MAYER: Announce the results.
THE SECRETARY: In relation to Calendar 1771, voting in the negative:
Senator Walczyk.
Ayes, 59. Nays, 1.
ACTING PRESIDENT MAYER: The bill is passed.
THE SECRETARY: Calendar Number 1772, Senate Print 10603, by Senator Weber, an

act authorizing the Cong Kehal Square of Roman to receive retroactive real property tax-exempt status.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1772, voting in the negative are Senators O'Mara and Skoufis.

Ayes, 58. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1773, Senate Print Number 10611, by Senator Stewart-Cousins, an act authorizing the Town of Greenburgh, County of Westchester, to alienate and discontinue the use of certain parkland.

ACTING PRESIDENT MAYER: There's a

home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1774, Assembly Bill Number 11532, by Assemblymember Schiavoni, an act to amend Chapter 704 of the Laws of 2023.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1774, voting in the negative: Senator Martinez.

Ayes, 59. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1775, Assembly Bill Number 11540, by Assemblymember Powers, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1775, voting in the negative are Senators Chan, Lanza and Martinez.

Ayes, 57. Nays, 3.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1776, Senate Print 10624, by Senator Bynoe, an act to authorize the Freeport Bible Center to file an application for a retroactive real property tax exemption.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1776, voting in the negative are Senators O'Mara and Skoufis.

Ayes, 58. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1777, Senate Print 10626, by Senator Gianaris, an act to amend the Judiciary Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill

is laid aside.

THE SECRETARY: Calendar Number 1778, Senate Print 10627, by Senator Mayer, an act to amend the General Business Law.

(Off the record.)

SENATOR GIANARIS: Lay it aside temporarily, please.

ACTING PRESIDENT MAYER: The bill is laid aside temporarily.

THE SECRETARY: Calendar Number 1779, Assembly Bill Number 11547, by Assemblymember Peoples-Stokes, an act to amend the State Finance Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 5. This act shall take effect upon the completion of all grants having been transferred from Health Research, Inc.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1780, Assembly Bill Number 11534, by Assemblymember Pheffer Amato, an act to amend the Civil Service Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1780, voting in the negative: Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1781, Senate Print 10632, by Senator Fernandez, an act to amend the Penal Law.

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1782, Senate Print 10635, by Senator Kavanagh, an act to amend the Multiple Dwelling Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1782, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick,

Chan, Gallivan, Griffo, Helming, Lanza, Martinez, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Skoufis, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 36. Nays, 24.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1783, Assembly Bill Number 11555, by Assemblymember Pheffer Amato, an act to amend the General Municipal Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 3. This act shall take effect July 1, 2026.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1784, Senate Print 10639, by Senator Gianaris, an

act to amend the Election Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

THE SECRETARY: Calendar Number 1785, Assembly Bill Number 11558, by Assemblymember Kim, an act to amend Chapter 704 of the Laws of 1991.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1785, voting in the negative:

Senator Skoufis.

Ayes, 59. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1786, Assembly Bill Number 11559, by

Assemblymember Pretlow, an act to amend the New York State Medical Care Facilities Finance Agency Act.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1787, Assembly Bill Number 11560, by Assemblymember Barrett, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT MAYER: Read the last section.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

THE SECRETARY: Calendar Number

1788, Assembly Bill Number 11561, by Assemblymember Heastie, an act to amend Chapter 747 of the Laws of 2023.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1788, voting in the negative are Senators Ortt and Walczyk.

Ayes, 58. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1779, Senate Print 10648, by Senator Stavisky, an act implementing an agreement between the state and an employee organization.

SENATOR GIANARIS: Is there a message of necessity at the desk?

ACTING PRESIDENT MAYER: There is a

message of necessity at the desk.

SENATOR GIANARIS: Move to accept the message.

ACTING PRESIDENT MAYER: All those in favor of accepting the message please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed, nay.

(Response of "Nay.")

ACTING PRESIDENT MAYER: The message is accepted.

The bill is before the house.

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gianaris, that completes the

reading of the supplemental calendar.

SENATOR GIANARIS: Madam President, it's my understanding that the sponsor of Calendar 1778 -- which happens to be you -- would like to lay that bill aside for the day.

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

SENATOR GIANARIS: Let's now move to the controversial calendar.

ACTING PRESIDENT MAYER: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 644, Senate Print 1463B, by Senator Kavanagh, an act to amend the Environmental Conservation Law.

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

SENATOR BORRELLO: Madam President, would the sponsor yield for a question?

SENATOR KAVANAGH: Yes. Through you, Madam President, yes.

ACTING PRESIDENT MAYER: Senator Kavanagh, do you yield?

SENATOR KAVANAGH: Yes.

ACTING PRESIDENT MAYER: The

Senator yields.

SENATOR BORRELLO: Through you, Madam President.

So obviously, you know, we have gone back and forth on this before. But it sounds like there has been some changes made to this, I guess most importantly the idea of actually assessing a fee.

Can you just explain the parameters of that, the fee?

SENATOR KAVANAGH: Yeah, we actually -- we're actually -- this is the fifth time that this chamber has considered this bill, and we're actually running this as an experiment because previously many of my colleagues stood up and said that, you know, there are many wonderful programs that are wonderful partly because they have their fee. So we've added the fee to see if, you know, the wonderfulness is still perceived by everyone in the chamber.

But yes, we have amended this program so that there will be a fee at the point of purchase when someone purchases a mattress, and that fee will be collected, it will be -- there will be an audit to ensure that that covers

the cost of the collection program and the extended producer responsibility program, and no more than that cost, and that will go to either the representative organization that represents the manufacturers or the individual manufacturers if they're complying with EPR separately.

SENATOR BORRELLO: Thank you.

Madam President, will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR BORRELLO: So you mentioned that this is going to be a very -- very tight assessment. In other words, you're going to try to figure out a way how it's going to be a fee assessed for only the cost of the program.

I agree that that should be the case. This should not be a profit -- you know, a profit center for anyone. But that seems like a pretty complex thing to be able to calculate. How is that -- who is going to do that, and how's

it going to happen?

SENATOR KAVANAGH: Through you, Madam President, it will be done in a manner that's similar to the four other states that have this program that have such a fee. The bill specifies that it needs to cover the cost over multiple years.

So again, you're collecting -- you're getting the fee from the consumer at the point that they purchase the mattress. It's going to this organization. And then the organization will, over time, have to, you know, spend that fee to cover the costs. The costs of the program change over time because they have increasing responsibility to collect mattresses.

But it will be the producer responsibility organization. When they submit their plan to the DEC, they will submit a plan to collect the fee and the amount of the fee and some evidence that that fee has been audited presumably by somebody independent, selected by the manufacturers to ensure that it is the right amount and no more.

But it's not going to be -- the fee is not going to be set directly by -- you know,

DEC will have to approve the plan -- the fee as part of the larger provision of the bill that has them approving the overall plan. But the fee will be set by the collective wisdom of the manufacturers who are participating in the producer responsibility organization.

And I would note that the International Sleep Products Association is now in support of this bill, as are NYCOM and the many environmental groups that have been supporting it from the beginning.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR BORRELLO: Yes, I know that your changes have -- you know, have garnered the support of the International Sleep Association. So congratulations on that, and sincerely, that that was able to happen.

But, you know, you mentioned other

places where we use -- we've always referenced the tires and paint as examples of how this could happen. But, you know, how is this -- from a logistical standpoint, like when you go -- when you get rid of an old tire, you're taken someplace to have the new tires put on, and they take the old tire and charge you a fee. You take your paint to a store, they charge you the fee.

How -- what's going to happen with a mattress? Now when someone decides they don't need their mattress anymore, what's the process going to be to dispose of that mattress?

SENATOR KAVANAGH: The -- or the industry, the producers -- producers theoretically can comply with this program by themselves, if they were like a particular brand or a particular company and they wanted to just collect their own mattresses and proceed.

But the way this has happened in every other state, and the way we expect it would happen here, is that the industry as a whole would create a producer responsibility organization that would collectively set up sites that meet a convenience standard.

So there have to be sites in every

part of the state, there have to be additional sites for every 30,000 people. So there are criteria in the bill that make the -- that are intended to make the collection and the drop-off of mattresses convenient for consumers.

We know, of course, a lot of mattresses are delivered directly to consumers. In some cases they're still delivered in a truck and a producer might be wise to arrange for the truck to take the old mattress and bring it back.

But they're -- the program is not -- it's not that prescriptive as to how they do it, other than they have to meet -- they have to present a plan that meets a convenience standard, DEC has to approve that plan, and then presumably from that point forward it will be convenient to the consumer.

The plan also is supposed to indicate the manner in which they will, you know, publicize the plan, any incentives they'll give to retailers to participate in the plan. So there's a variety of things that are intended.

And has been noted on this floor before, these programs have worked very well in other places and collected a great many

mattresses that otherwise go to landfill, and that's of course a tremendous loss of resources, about 23 cubic feet of valuable materials in every mattress that gets disposed of.

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

ACTING PRESIDENT MAYER: Do you yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR BORRELLO: I think we've all seen, you know, commercials on TV, you can buy a mattress online, you can buy it on Amazon, and it's becoming more and more popular to do it that way.

So if someone sells a mattress into New York State, they ship it in New York State, but not a brick-and-mortar mattress store, will they be required to collect and redeem this fee?

SENATOR KAVANAGH: Through you, Madam President, yes. The fee will be collected at the point of sale.

So if you're selling a mattress to a

New Yorker and not collecting that fee, they will be violating that law. But more importantly, the -- so the DEC or perhaps the Attorney General, others, could go after that participant in the marketplace for violating the law.

But the more likely way that that is discovered is the industry itself, recognizing that the industry as a whole has an obligation to meet increasingly ambitious standards for collecting and recycling mattresses, and knowing that that program is going to be funded by fees collected from retail sales, will certainly be -- you know, people are usually aware in the market if somebody's competing with them. And if somebody is selling mattresses without collecting a fee, and more specifically without remitting that fee to the PRO, the PRO itself presumably would have a great interest in ensuring that that fee is properly collected.

And again, there's nothing -- we've talked about this a little bit on this floor before, but there's nothing in this bill that distinguishes out-of-state or out-of-country producers from in-state.

If you are selling mattresses in

New York, if you're selling a mattress to New Yorkers to be used in New York, you must participate both in the -- you know, in a PRO and collecting the fee, and also in ensuring that your mattress is properly recycled.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KAVANAGH: Yes, Madam President.

SENATOR BORRELLO: So I know the goal of this is ultimately to have these mattresses recycled. Mattresses are made up of several different materials. You know, you can -- there's a wide variety of ways to now -- to make a mattress. And the recycling of it I think is going to be a challenging part.

But one promising thing that I've been recently made aware of is something called pyrolysis. I don't know if you're familiar with that. It's essentially a high heat.

Is that going to be incorporated into the definition of recycling for the purposes of this bill and this program that we're going to

create in New York State?

SENATOR KAVANAGH: Through you, Madam President. The pyrolysis and some other chemical processes that are sometimes referred to as advanced recycling by the industry are not included in this bill as a form of recycling.

So we are not -- sometimes people say we're banning advanced recycling, we're banning pyrolysis. We are not doing any such thing. To the extent those processes are economically sensible, they will continue. They'll probably become more economically sensible if everybody has to collect mattresses and there are materials in those mattresses that would be useful inputs for that kind of process.

But for now, the perception that motivates this bill is that those processes are not advanced enough in terms of their environmental sustainability to warrant allowing mattress producers -- again, who have the obligations here -- to use those processes and count them toward the recycling goal.

And there are a lot of recyclable materials in mattresses that are far easier to recycle and, in the view that motivates this

bill, more beneficial to recycle in more conventional ways. But again, that technology could evolve over time.

And again, if I were in that business and somebody had -- and I thought there was some useful material in mattresses that I could put through that process, it would probably be beneficial for me to have a program like this where all the mattresses are getting collected and I can certainly buy the materials I want to process.

But again, the industry itself that would be responsible for recycling has not objected. I know the Chemistry Council, which I think has a larger fight over the role of pyrolysis in the world, has -- you know, is critical of that aspect of this bill.

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So I think we're all trying to head towards advanced recycling technology. It's really going to be the only way we're going to able to address all the concerns that we hear here about things like single-use plastics and, you know, big-ticket items like this that are made up of a lot of material.

So are we restricting the use of pyrolysis as part of this recycling? Or are we simply saying, you know, it could be an option but just not the -- not -- technology is not quite ready yet? I just want to make sure we're -- what the guardrails are.

SENATOR KAVANAGH: Through you, Madam President. There's nothing in this bill that would prevent somebody from using pyrolysis or any other chemical treatment of materials that are extracted from used mattresses.

But mattresses are made up of, you know, metal, wood, cloth, a whole bunch of materials, most of which would not be subject to pyrolysis one way or the other.

The bill mere -- the purpose of having a recycling definition in this is to give specificity to the recycling targets that have to

be met. So there's no point, now or in the future, where 100 percent of mattresses would have to be recycled. But there's a target for the number that have to be recycled. And we want to make sure that that target is being met by processes that we are confident are environmentally sustainable and responsible.

But again, there's nothing in this bill that suggests people shouldn't try to -- you know, Eastman or other companies that are involved in setting up facilities to reprocess chemicals and other things would still be entirely free to do. There's no restriction on that activity in this bill.

SENATOR BORRELLO: Great.

Madam President, on the bill.

ACTING PRESIDENT PERSAUD: Senator Borrello on the bill.

SENATOR BORRELLO: Again, this may be our last debate, Senator Kavanagh. And this one has been a real doozy -- I think our fifth time now that we've debated this.

But thank you again. Once again, you know, you are very knowledgeable on the bills that you support, so -- and I also want to

compliment you on listening to the industry and making those adjustments that they have asked for.

Nothing is perfect. And I think that the responses, the reactions that I've gotten are that this is better. In the end, it's still a producer responsibility bill which still has some concerns for me. However, it's much better than it was before.

And I really think we need to look down the road that if we are going to truly address this issue of the disposable society that we now live in, that we really need to embrace advanced manufacturing technology. And my understanding is pyrolysis has been around for centuries, if not thousands of years, in one form or another.

So it certainly should be something that we look toward the future as an option so we can do things like this. And again, you know, taking plastic and making sure that we can actually reuse it as many times as possible.

So a lot of consternation originally on this bill, but it seems to be much better, Madam President. So we'll see how that goes.

Thanks.

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

Seeing and hearing none, debate is closed.

The Secretary will ring the bell.

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: Senator Walczyk to explain his vote.

SENATOR WALCZYK: Thank you, Madam President.

And I know that the sponsor of this bill will be moving on to greener pastures. But I will say, about the sponsor, he's been a thoughtful legislator, intelligent and hardworking. We don't always agree on policies, and certainly we've had spirited debates on this bill in particular in the past, some of them memorable.

But he's always been open to

conversation and listening, whether it be to the industry or the constituency or even legislators on the other side of the aisle with ideas. I think there's a lot of lessons to be learned from your leadership from that perspective.

Unfortunately, I vote no, Madam President.

(Laughter.)

ACTING PRESIDENT PERSAUD: Senator Walczyk to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 644, voting in the negative are Senators Bynoe, Chan, Gallivan, Griffo, Martinez, Martins, Mattera, Murray, Oberacker, Ortt, Rhoads, Ryan, Stec, Tedisco, Walczyk, Weber and Weik. Also Senator Lanza.

Ayes, 42. Nays, 18.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1094, Senate Print 6230C, by Senator Webb, an act to amend the Public Health Law.

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

SENATOR WEIK: Madam President, I'm wondering if the sponsor would yield. I have but one question.

SENATOR WEBB: Yes. Through you, Madam President, I will yield.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WEIK: Thank you.

This bill authorizes camp operators and employees who are 18 years of age or older to administer medications and treatment to children in certain circumstances. Those medications include pain relief, motion sickness, drugs to treat asthma, epilepsy, anaphylaxis.

I'm curious, with employees who are 18, 19, 20, they may not be familiar with how to dispense nasal spray, an inhaler, or an EpiPen. Does this bill provide training to administer those medications properly?

SENATOR WEBB: Through you, Madam President. They do, and it's under the direction of the nurse and the individual's primary care physician.

SENATOR WEIK: Thank you, Madam President. I actually -- if I may, I have

one more question.

(Laughter.)

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR WEIK: Could you just tell me where in the bill --

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR WEIK: Do you yield? I'm sorry.

SENATOR WEBB: I'm a little 50/50 on it, honestly --

(Laughter.)

SENATOR WEBB: No, I will yield, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WEIK: Thank you, Senator Webb.

Can you just tell me where in the bill it says that they're going to receive that training?

SENATOR WEBB: Through you, Madam President, although training isn't specifically spelled out in the bill, but most

certainly the oversight with respect to doctor's orders, also the nurse, is most certainly spelled out.

I will also say, Madam President, that for any administering of services that camp counselors provide -- I know some folks in the chamber have maybe served as camp counselors, or most certainly attended camp -- that there's always training, even for things like CPR and other things of that nature.

SENATOR WEIK: Thank you, Madam President. Thank you, Senator.

SENATOR WEBB: No problem.

ACTING PRESIDENT PERSAUD: 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 will be restored to the noncontroversial calendar.

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT PERSAUD: Excuse me. Senator Webb to explain her vote.

SENATOR WEBB: Thank you, Madam President.

And thank you, Senator Weik, for your questions. Always good to clarify things. And I know this is your last session, so thank you for most certainly being our ranker an Women's Issues.

But to the bill, Madam President, as I mentioned, we know that going to camp is a great experience for a number of children across our state, especially, you know, when you think about summer break. And for those who actually get the opportunity to go to summer camp, it's an opportunity to connect with new friends, also to

step outside of your comfort zone, learn new skills. And your parents aren't with you at that time.

But this means that many of our children who are going to camp who may have health issues are often not given the same opportunities. And so what this bill intends to do is that currently our law prohibits camp staff who are not licensed nurses from administering any medication, even simple ones such as Tylenol or Benadryl or even topical creams for poison ivy. This is medication that any parent would provide without a second thought at home.

In 2003 we saw this gap when we passed similar legislation that allowed licensed daycare employees to administer medications, emphasis on when it's approved by a parent or a guardian. And camp counselors deserve that same trust, and this bill would most certainly give them that.

Camp counselors are trained professionals. They're required to complete first aid training that includes lessons on how to administer epinephrine and CPR. And if we trust them most certainly to respond to

life-threatening emergencies, we can most certainly trust them to give a child ointment for poison ivy -- again, given guidance by medical practitioners.

So again, this is commonsense legislation. I want to thank the Assembly sponsor on this bill, Assemblymember Paulin, and also the Camp Counselor Association of New York, who also pushed for this bill, along with Epilepsy Coalition of New York State and other advocates.

I vote aye, and I encourage my colleagues to do the same.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Senator Webb to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1353, Assembly Bill Number 6285, by Assemblymember Otis, an act to amend the Public Service Law.

ACTING PRESIDENT MAYER: Senator

Rhoads, why do you rise?

SENATOR RHOADS: Hello, Madam President. I was hoping that Senator Comrie might be willing to yield to a few questions.

ACTING PRESIDENT MAYER: Senator Comrie, do you yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RHOADS: Thank you, Senator, I appreciate it.

(Off-mic exchange; laughter.)

SENATOR RHOADS: Senator, my understanding is that this bill actually amends the Public Service Law to add a requirement that the electric corporations and utilities submit an emergency response plan that includes time-based restoration schedules.

Can you explain why this bill is necessary?

SENATOR COMRIE: Through you, Madam President. After the last storms, outage periods have grown as utility companies have become more dependent on mutual aid from other

parts of the country.

This bill would only work to address those issues upfront, try to pre-predict the issues so that they could reduce the cost of reaching out to these emergency services, as opposed to waiting until after a disaster to reach out to other states for help.

Unfortunately, storms are getting worse and the possibility for major outages are continuing to get worse year after year. We're entering into a hurricane season this year that expects to be -- fortunately -- I'm told not as bad, but we want to make sure that when a utility company does make a plan, that they incorporate emergency services from other states in their plan, hopefully to save money overall.

SENATOR RHOADS: Will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: Through you, Madam President.

It's my understanding that based on the law as it exists without this amendment, utilities are already required to submit an emergency response plan. Is that not correct?

SENATOR COMRIE: Yes. They're already -- I'm sorry, through you, Madam President, they're already required to submit a plan. This would just require them to include more detail to make sure that if there's a major emergency, that they have a built-in plan to get help from other entities.

SENATOR RHOADS: And will the sponsor continue to yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: Looking at the bill specifically with respect to page 1 of the legislation, line 16, it talks about emergency response plans should include details of staffing, equipment, and a performance schedule with the goal of achieving restoration of service based on a time-based restoration schedule.

What do you mean by a time-based restoration schedule?

SENATOR COMRIE: Through you, Madam President -- one moment.

(Pause.)

SENATOR COMRIE: Right now the Public Service Commission has been working to try to create a timeline for outages to make sure that service is restored as soon as possible to customers, that customers are not going 72 hours or more without service.

And this is an attempt to try to pre-predict these things according to a schedule or algorithm that they're coming up with.

SENATOR RHOADS: And will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: And so is the time-based restoration goal or schedule, am I correct in my understanding that it would sort of be a concept of first person out of power is the first person restored? Is that essentially what that means?

SENATOR COMRIE: Essentially, yes. Through you, Madam President.

SENATOR RHOADS: And will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: There are other factors, though, that are considered in the existing law that utilities are supposed to include when submitting to the commission their emergency response plan, such as individuals with critical medical equipment, hospitals, facilities that have essential electricity needs like telecommunication companies, critical transportation needs, distribution companies.

They're supposed to also consider employee safety. They're supposed to prioritize, for example, when there are areas with downed wires, because that obviously is a safety concern.

How do -- how do those -- what if those instances, if they're supposed to consider

that in their response plan as well, don't necessarily mesh with the time-based restoration plan?

SENATOR COMRIE: Through you, Madam President, I would defer to actually -- I would take -- I don't agree, Senator.

I think that as they are putting together their plan they have to put those items in place and have to make an assessment of those items. They have to continually check with the hospitals and with folks with specialized medical equipment at their home every year.

This is trying to just put -- categorize all of that and document all of that so that they can be better prepared ahead of time when there's an emergency.

This does not negate any of those issues, it only enhances the ability, which is what they're trying to do, for the Public Service Commission to understand how effective the utility could be at making total repairs, understanding that every storm has different variables, as you said, but to do their best to make a complete restoration as soon as possible.

SENATOR RHOADS: Will the sponsor

continue to yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: Based upon those variables, though -- for example, if roads are blocked by downed trees, if it does become a safety hazard for workers because of flooding, for example, do you think it's feasible to create a time-based restoration schedule for utilities to follow when there are so many variables that they would have to consider?

(Pause.)

SENATOR COMRIE: Sorry, I was just checking on a reference. Can you say the last part of that question again?

SENATOR RHOADS: Sure. Sure.

Obviously we're in agreement that there are -- every storm is different, there are different variables, there are different circumstances that are beyond the control of a utility. For example, if there is flooding in a particular area, or if there are downed trees, if there's a public safety reason why it's unsafe for utility workers to be able to go into an

area, those factors would be inconsistent with a time-based restoration system.

Is it really feasible to create a time-based restoration system when you have a wide variety of factors that may come into play that have to account in any emergency response plan?

SENATOR COMRIE: Through you, Madam President. This is aspirational. This is an opportunity for the utilities to do a detailed study, and also to inform the Public Service Commission of worst-case scenarios so that they can pre-plan to go to other states to be able to get the supplemental help, so that the supplemental help can be built into the plan.

But as you -- storms are unpredictable. Utilities and light poles are unpredictable. So you can never have a 100 percent plan. This is aspirational and is asking the utilities to do more in their assessment while they're planning for a disaster from a breakdown of services.

SENATOR RHOADS: Thank you, Senator Comrie.

On the bill, Madam President.

ACTING PRESIDENT MAYER: Senator Rhoads on the bill.

SENATOR RHOADS: Yeah, I certainly understand the motivation behind the bill. We've all had the experience where the power has gone out at our homes. If you don't have a backup generator, it's always frustrating when your lights go out at 9 o'clock at night and you wake up the following morning and see that your lights are still out. We all want to get our service restored as quickly as possible. We all feel the same way.

From the perspective of a utility company, however, the way they generally operate is not based on first person out, first person restored. It's about trying to do the most good for the largest number of people that you can.

Which is why the law as it exists today calls on them to consider individuals that have -- and individual homes that have life-threatening conditions that need restoration of power in an expedient fashion.

It's why they have to consider major hospitals. It's why they have to consider telecommunications. It's why they have to

consider things that provide vital services in an emergency and address those situations first before they can move on.

It's also why, if they have the ability to -- if you have 50,000 customers that are out and 40,000 of those customers are out because of a large-scale situation that they're dealing with in a particular part of their district, they want to focus their resources first not necessarily on the first person that lost power, they want to focus their resources on how quickly can they restore power to the 40,000 and then worry about the 10,000 individual cases where it may be one pole down or a wire down on someone's house.

They try and account for the scale and how quickly they can restore power by addressing the most critical needs first that will restore power to the largest number of people.

By requiring these emergency plans to actually focus on a first-in, first-fixed basis, a time -- a time basis, we're kind of doing the exact opposite and asking them to do two completely contrary things.

In a perfect world, yes, it would be wonderful if your power goes out first, you're the first one that gets restored. But that's just not the way the system was designed to work and really is counter to the way the system is designed to work. Because, again, you want to maintain critical services, you want to provide to the people that are in the greatest needs. That's where the attention should be focused first.

It also doesn't account for the fact that you are putting the worker's safety, in certain circumstances, in jeopardy.

I think by switching to -- by switching to and requiring utilities to switch to a time-based accounting, service-time-based accounting in their emergency plan, you're doing a -- you're in many instances doing a disservice to not only the utilities, but to worker safety and to the consumer who ultimately wants to have their power restored as quickly as possible.

So thank you, Madam President. I'll be voting no. I would encourage my colleagues to do the same.

ACTING PRESIDENT MAYER: Thank you,

Senator Rhoads.

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 MAYER: The bill has been restored to the noncontroversial calendar.

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Comrie to explain his vote.

SENATOR COMRIE: Yes, thank you, Madam President.

I do believe that as technology has become more sophisticated in the ability to do prediction services, it's more sophisticated,

it's important that the utilities try to use every means necessary to preplan.

I don't disagree with Senator Rhoads that we need to make sure that the utilities have the latitude. I just want to remind folks that this is not -- there's no penalties associated with this. This is aspirational. We're asking the utilities to be predictive so that when they do need to reach out to other entities, that they can preplan that during that the year, as opposed to doing it on an emergency basis, which would cost more money.

I do agree with Senator Rhoads that we need to make sure that these utilities are taking care of the most egregious areas first, and hopefully the Public Service Commission and the utilities can make sure that those plans are in the works.

But I just want to assure folks that we're not asking for penalties for this. We're not looking to put any undue burden on the utilities. We would just ask them to come up with better predictive models.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Senator

Comrie to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1353, voting in the negative are Senators Borrello, Helming, Murray, O'Mara, Ortt, Rhoads and Walczyk.

Ayes, 53. Nays, 7.

ACTING PRESIDENT MAYER: The bill is passed.

SENATOR GIANARIS: Madam President.

ACTING PRESIDENT MAYER: Senator Gianaris.

SENATOR GIANARIS: The Minority has agreed to remove the lay-aside on Calendar 1410. Let's restore that to the noncontroversial calendar and take that up, please.

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

The Secretary will read.

THE SECRETARY: Calendar Number 1410, Assembly Bill Number 9140, by Assemblymember Rosenthal, an act to amend the Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1410, voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Helming, Lanza, Martins, Oberacker, Ortt, Rhoads, Rolison and Weber.

Ayes, 50. Nays, 10.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris.

THE SECRETARY: Oh, sorry. Also Senator Mattera.

Ayes, 49. Nays, 11.

ACTING PRESIDENT BAILEY: The bill remains passed.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, let's move on to Calendar 1613, please.

ACTING PRESIDENT BAILEY: Calendar

Number 1613.

The Secretary will read.

THE SECRETARY: Calendar Number 1613, Senate Print 4602B, by Senator Gounardes, an act to amend the Election Law.

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

SENATOR STEC: I just walked in the chamber, Mr. President. I don't have anything for you. Have a good evening.

(Laughter.)

ACTING PRESIDENT BAILEY: Thank you, sir.

(Pause; laughter.)

ACTING PRESIDENT BAILEY: I knew somebody had it. I'm not doing this for my health either.

(Laughter.)

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 GOUNARDES: Certainly.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: I appreciate my neighbor being a stand-in for a moment.

Through you, Mr. President. This bill is pretty technical in its nature. We've dealt with a lot of different elections bills here. But this would change Election Law to address some rare scenarios. And thank goodness that they're rare.

Currently if there's a delay or a disruption at the polling site for voting, bipartisan elections commissioners can appeal to a local judge who is on call on Election Day, get an extension or a remedy for whatever disruption there was. It could be additional voting time that day or, in the case of early voting, on another day.

Or if this is a massive thing -- and New York State has experienced some of these on the primary in 2001 -- a massive thing, the Governor could declare a state of emergency and then that would allow us to have a different scenario for voting.

What will this bill change when it

comes to handling disruptions to our elections?

(Pause.)

SENATOR GOUNARDES: Through you, Mr. President, I appreciate my colleague's indulgence.

What this bill does is it errs on the side of presumption, allowing for -- in the case that any voter is not able, because of a disruption at a poll site that is greater than one hour, the presumption would automatically be that the time for voting on that day or if -- to the extent practicable, would be extended by that same period of time that the disruption prevented someone from voting.

And that would be an automatic presumption that would then not require anyone to have to document the disruption, go get a lawyer, go to court, try to get before a judge to get an emergency order.

And it would provide a uniform standard across the state erring on the presumption that if there is a disruption that's greater than one hour, the presumption would be that that time would automatically be extended.

SENATOR WALCZYK: And through you,

Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GOUNARDES: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Was this at the request of the elections commissioners? I know they put out a policy agenda -- the Democrat commissioners and Republican commissioners get together and they put together a priority list of things that they agree on. Was this a part of that list?

SENATOR GOUNARDES: Through you, Mr. President. Not to my knowledge.

Though I will say we have the public support of a number of election commissioners throughout the state, as well as a number of good government and election reform organizations as well.

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

ACTING PRESIDENT BAILEY: Will the

sponsor yield?

SENATOR GOUNARDES: Gladly.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Through you, Mr. President.

In your sponsor's memo you enumerated a handful of times where elections have been disrupted in New York. One of them you named -- in my district, actually, in 2022, there was a fire at a fire hall -- don't worry, everybody is okay -- an electrical fire that forced the Board of Elections to move that polling site temporarily. They said there was one voter at the fire hall at the time.

Would this have triggered that? Because what they had to do is they let that voter actually -- they moved the machines outside, let that voter vote, and then announced that they would be moving to the DPW, to the highway department's location not far away. Alerted the public, put up good signage.

Both the Republican and Democrat elections commissioners came up with this secondary plan. Voting wasn't really disturbed.

Nobody was inconvenienced. They saw it as a way to handle it flexibly on Election Day without having a provision like this.

Would this force them to have an hour of additional voting that day?

SENATOR GOUNARDES: Through you, Mr. President.

While I'm glad to hear that there was a minimal disruption in the circumstance, the election disruption that occurred in the Senator's district, if the fire caused a disruption where a vote could not be cast for a period of greater than one hour, it would automatically extend the time by one additional hour or whatever time the delay caused by the disruption was.

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

SENATOR GOUNARDES: Sure.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GOUNARDES: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Through you,

Mr. President.

So it's just the -- because currently two commissioners, the Republican and Democrat commissioner, can go to a judge, and there are judges on standby. It's really that friction that you're looking to alleviate.

Is that the goal of this bill?

SENATOR GOUNARDES: Through you, Mr. President, just to clarify, the friction my colleague is talking about between the commissioners and the judge or the -- I just want to clarify what point in the process you're alluding to.

SENATOR WALCZYK: Yeah, just that -- through you, Mr. President, I'll clarify.

ACTING PRESIDENT BAILEY: By all means.

SENATOR WALCZYK: Just the current situation where there has to be a bipartisan agreement, they go to a judge and they say, Okay, this is our plan to ensure that there's no disruption, or here's how we would like to remedy any disruption.

Is it the fact that they have to agree or the fact that they have to go to a

judge? Why are we making it automatic in -- yeah, I guess that's the question. Why are we making this automatic and eliminating that?

SENATOR GOUNARDES: Through you, Mr. President.

We believe that people should be able to vote and that there should be no circumstances that prevent them or limit their ability to vote. And that when there are circumstances, whether it be a fire, whether it be a -- there's an example of a car crashing through a polling location, whether it be machines that are not working for several hours, as occurred in Senator Skoufis's district, or a bomb threat that happened in East Harlem during the gubernatorial race several years ago. Last year in New Jersey several poll sites were swatted, fake bomb threats called in.

That impacts the ability of people to cast a meaningful vote in that given election. And so what we are trying to do here -- and I'm glad that the circumstance worked out in the example that you cited. It seemed to be, by your telling, relatively frictionless.

There are other examples where the

disruption caused or prevented anyone from casting a vote for several hours, there was no extension of time in that circumstance. And, you know, in that case if a voter had wanted to cast a vote or if an aggrieved party had wanted to cast a vote but was unable to, they would then be forced to have to go to court themselves to say that they were prevented from the ability of voting.

And so we're trying to remove all of that process by creating the presumption of an extension, as long as it's greater than one hour. And that's really what we're trying to do here.

You know, like I said, because there have been a number of cases where voting time was not extended, we think that and we believe that the voting times that we have set out in statute between the early voting that we've created, Election Day voting, that that time is really important. And so we want to make sure that no one is denied the opportunity to be able to cast their vote within the prescribed time periods.

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

ACTING PRESIDENT BAILEY: Senator

Walczyk on the bill.

SENATOR WALCZYK: And appreciate my colleague looking to attempt {sic} a problem on our elections. I don't really see it the same way. In talking to elections commissioners, I haven't really -- this hasn't come up as an issue that they've seen.

We currently have a system where there needs to be bipartisan agreement rather than automatic changes in these very rare scenarios. It doesn't really make sense to me to impose this automatically.

And it also doesn't make sense to involve the Attorney General in the process. It doesn't make sense to impose a number of new requirements on Board of Elections to meet when we already have a system where Republican and Democrat commissioners have to agree in such rare scenarios.

And I think if I'm going to voice a chief concern before you cast your votes, it's that the impact here, as well as these scenarios, are very rare. If you make this automatic, you could run into more incidents where nefarious characters try to game the system for some kind

of political advantage, actually creating some kind of disruption at a polling site in order to change the time lines.

And without having the Republican and Democrat commissioners have any control over that scenario to make the decision for that voting district and continue voting the way that they agree to see fit, the way that it currently sits in our law, I have those concerns.

So I'll be a no today and encourage my colleagues to consider that.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Walczyk.

Any other Senators wishing to be heard?

Seeing and hearing none, debate is closed.

Senator Liu.

SENATOR LIU: Mr. President, upon consent, we have agreed to restore this bill to the noncontroversial calendar.

ACTING PRESIDENT BAILEY: Upon consent, the bill is restored to the noncontroversial calendar.

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: Senator Gounardes to explain his vote.

SENATOR GOUNARDES: Thank you, Mr. President.

I appreciate my colleague's questions and his viewpoint. And I just want to respond to the concern that he laid out.

I would argue that the current system right now in fact incentivizes the kind of behavior he's concerned that our change will bring about. Because right now someone could, with nefarious intent, try to cause a disruption at a polling location, relying on the necessity of having a majority of the bipartisan board then proactively take the position that says, yes this delay needs to now go to a court in order to extend the time period, thereby creating more of an opportunity to cause mischief and mayhem in a polling location that might favor a candidate's

opponent, with the hope of creating delay.

What we are trying to do here is by standardizing it and by creating the presumption of an automatic extension, you eliminate the incentive to have to rely on the Board of Elections, then go into the court process that is currently baked in law.

I hope to God that we never have to use this procedure and that this never comes to be, but we're trying to take a proactive stance here in the interest of making sure that no one, whether it's a thousand people or just one individual, loses their opportunity to cast a vote should a disruption like that we are contemplating occur.

And it's for those reasons, Mr. President, that I'm voting aye and that I would hope my colleagues would do the same.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 1613, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick,

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

Ayes, 38. Nays, 22.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1635, Senate Print 8451B, by Senator Fahy, an act to amend the General Business Law.

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

SENATOR BORRELLO: Mr. President, would the sponsor yield for some questions.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR FAHY: Certainly.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Thank you. Through you, Mr. President.

So obviously trying to ensure people understand that something is generated through AI when they see it. But my first question is, this is -- it is related strictly to news content,

even sports and entertainment news would be subject to this?

SENATOR FAHY: Where it's news and media content, yes.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR FAHY: Sure.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So, you know, look, news isn't what it was, you know, 30 years ago. News comes, you know, from TikTok and other social media outlets. It comes, you know, from a variety of sources from an old-fashioned printed newspaper to, you know, a short video on YouTube.

Would all of that be subject to this?

SENATOR FAHY: It's quite narrow, actually. And this is just about disclosure. But where the content is generated or generative AI use, then it would be applicable. Unless of course the content was eligible for copyright registration, and then the disclosure is not

needed.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR FAHY: Certainly.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So, you know, as someone who has in my lifetime had patents, copyrights, something can be considered copyright-eligible, copyright pending, rights reserved -- there's different legal terms.

So what legal standard are you using to determine that is actually copyright-eligible?

SENATOR FAHY: It's -- there's substantial case law on this where, if the content is eligible, such as news articles that are not AI-generated, other -- they're -- it's not applicable. I'm not -- I'm not sure if you're -- I'm following your question.

ACTING PRESIDENT BAILEY: Senator Borrello, if you don't mind clarifying, yes.

SENATOR BORRELLO: Yeah, let me clarify that.

So you've said if it's eligible for copyright, it will be exempt. That doesn't mean it's actually copyrighted, right? You're saying that it could be eligible for copyrighting, and therefore it would be exempt. I mean -- honestly, I mean, people could claim that what they're doing is copyright-eligible.

You know, things have, you know, typical rights reserved, which is kind of like pre-copyright. You've got things that are called patent pending, which actually means that there's a patent application applied for. It doesn't mean they're actually going to get a patent.

So that's a rather broad description for an exemption, don't you think?

SENATOR FAHY: Through you, Mr. President. The standard is set by the U.S. Copyright Office.

But just to be clear, again, this is about generative AI. And the bill is targeting content that is substantially composed or authored by generative AI, not ordinary technology assistance such as when we're using our phones and it automatically spell-checks and corrects -- you know, does the autocorrects.

SENATOR BORRELLO: Madam President {sic}, does the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR FAHY: Certainly.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So you're saying that the terms in the bill are "substantially composed, authored, or otherwise created." But that is not defined in the legislation.

Who's going to determine what "substantially" means?

SENATOR FAHY: "Substantially" is -- there's lots of case law on "substantially," including in the copyright law. And it's generally, again, where -- usually where it's most. There's lots of case law on this, but again, substantially composed, authored, otherwise created. This has -- you know, the legislation here is narrowly tailored to just require disclosure that it is.

So again, it's going -- the idea is the goal is to disclose this and make sure we have accountability.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR FAHY: Certainly.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Okay. So this is obviously going to have to be something that's going to have to be enforced. And I'm assuming it's the Attorney General's office, I think that's what the bill calls for.

So is the Attorney General going to have the authority to essentially examine all news content on any news media entity in New York State to see if the news was substantially made with AI?

SENATOR FAHY: No, I'm sure it's -- through you, Mr. President, it's only where it would be challenged.

And let me just quickly add we are seeing daily examples of AI-generated misinformation, fabricated reporting, we're seeing many accusations of plagiarism. I mean, we are rather inundated in the -- AI just in the

last few years has really shaken up our economy, let alone our workforce, probably the biggest shakeup since -- in many ways, since the Industrial Revolution.

But we have also seen that AI-generated content is now estimated to be about a 50-50 split between that that is generated by humans -- in other words, human reporters -- versus AI. It's grown that exponentially. And we have hundreds if not over a thousand sites that have already been cited as unreliable -- news sites, I should say.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR FAHY: Sure.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So you used the term "unreliable news sites." I mean, obviously anybody can say that they're a news organization, I get that.

But is this about informing people, or is this about, you know, maybe, in my opinion,

going after free speech because you don't like a particular news outlet?

SENATOR FAHY: Through you, Mr. President, this is absolutely not about going after free speech.

This is definitely about trying to protect it as well as try to restore or maintain some type of public confidence in what they are reading.

And as I mentioned, we have had a complete upheaval just in the last few years, given the shakeup in the economy over the explosive growth of the use of AI and AI-generated material. For example, when I introduced this bill much earlier this year, or maybe last year -- when I introduced this bill I was immediately sent an alert that night saying the bill had passed and it was on a website -- instead of USA Today, it was National USA, a website coming across as a news site with no board of directors, no source, very clearly AI-generated and very clearly misrepresenting the fact that -- misrepresenting the matter by saying the bill had passed as opposed to just being introduced.

So every day I think we are inundated with content that does not have a human element or human oversight or is not human-generated. And it's rather disturbing and undermining trust in our media, which undermines trust in our governing institutions as well.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR FAHY: Certainly, yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: I mean, if someone wanted to print or put out a news story that you consider to be fake news, why would they need AI? I mean, I don't understand how this is AI-related.

If someone's going to say something libelous, if they're going to plagiarize someone else, they don't need to use AI. In fact, you know, that seems irrelevant to it.

What you're saying is is that there are news organizations or people that you don't feel are legitimate news organizations that are

somehow going to be targeted, and the excuse will be they used AI. Isn't that kind of what you're saying?

SENATOR FAHY: Through you, Mr. President. Yes, there is fake news. We hear a lot about that in the media these last couple of years. And it's anybody's -- you know, there's many definitions of what that means.

What this bill is trying to get at is the explosive growth of AI-generated news that has -- does not have human oversight, human input, human creativity generating that. And it is undermining a trust because so much of that is misinformation or often has lacked credibility with sources.

And Casey Seiler, the editor of the Times Union, has repeatedly written about how the Albany Times Union has paid reporters writing stories that end up being picked up in local outlets through AI generation that they are not credited for, nor are they compensated for.

So that is what we are trying to get at here, is this need for disclosure. This is really about disclosure and transparency. It's pretty fundamental. And that's the first step to

really trying to get at what has been an explosive growth. And the responsibilities of journalism cannot be replaced by algorithms that cannot be fully trusted, and it's undermining journalism.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR FAHY: Certainly.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So I guess I'm trying to understand here. You're saying that -- there's already laws in place to cover if someone violates a copyright. I mean, every time you read a news article, you know, it says right at the bottom, "This cannot be used without permission."

So you're going to -- it's got nothing to do with AI, by the way. Plagiarism has occurred for thousands of years, long before AI existed. So I'm not sure how AI plays into this. I understand it makes it easier, perhaps, to assist.

But what you're saying is that you don't believe that a news organization that might just be a single-person shop or a small group of people should have the ability put out a news story using AI, but you want to kind of go after them by saying you've got to tell people it's AI.

To me, I think we're just setting up the possibility for the Attorney General to target certain news sources that she doesn't like, and we're giving her the power to do that, really with kind of a technicality, wouldn't you say?

SENATOR FAHY: Through you, Mr. President. Yes, there's lots of case law with regard to copyright, and often what we have seen, for instance, is decades of litigation on who is the song author, whether it was Writer B or Writer A.

This is not about Writer B or Writer A. This is about whether it was an individual or not and whether the individual who wrote the original content, the author, is machine-generated through AI or whether it is the journalists themselves and where that original author, whether their material is being

manipulated or used without their -- without their approval or without -- used and abused, I guess is where it becomes misinformation and lacks credibility.

And again, undermining journalism.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR FAHY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Okay, so with that being said -- thank you, Mr. President.

With that being said, how much human involvement is needed to avoid, you know, placing a label on the news content and qualify for the exemption?

So you're saying that -- you're basically saying plagiarism, which is a problem, which is certainly, you know, illegal if you're violating someone's copyright. That's already a law. So at what point does this become an exemption because it was a human that plagiarized, versus a, you know, chatbot or

ChatGPT?

SENATOR FAHY: Through you, Mr. President. This is, again, fundamentally about disclosure. This is -- it doesn't say who can author or what can author. It's just saying if you choose to manipulate or use AI in your newsroom or on your broadcasts, and it is substantially generated via AI, you simply need to disclose that.

Because of all the problems we are seeing in the last few years and this lack of -- or this eroding trust in news sources, we are seeking disclosure here so that the public knows -- we are not saying you can't use AI. No one is saying that here, or that you can't use generative AI. We are saying you simply must inform the public.

And we are trying to bring transparency to this process and therefore giving some -- trying to restore or provide some trust in the media sources we use each day.

SENATOR BORRELLO: Mr. President, one last question, if the sponsor will yield.

ACTING PRESIDENT BAILEY: Senator Borrello, don't lock yourself in.

(Laughter.)

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR FAHY: Certainly.

SENATOR BORRELLO: Thank you.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: What happens if it's a news source -- and this is probably going to be the case in a lot of cases -- that's not in New York? How are we going to enforce this?

Are we -- I mean, there are news sources all over the world, and quite frankly the ones that you would consider to be maybe a little bit shady probably aren't even, let alone based in New York, based in the United States to begin with.

How are we going to manage that?

SENATOR FAHY: Through you, Mr. President. There is copyright law, actually, which has some international implications.

And again, I would -- in terms of enforcement, we have left that to the Attorney General. And certainly the Attorney General we have seen -- the Attorney

General time after time, especially in the last couple of years, has certainly gone beyond New York State's borders to enforce New York State law. And -- or to enforce the law whether she's working with counterparts in other states or what have you.

But the idea is, again, this is about disclosure and this is about bringing transparency to journalism such that we can restore at least some level of public confidence in our news sources.

SENATOR BORRELLO: Mr. President, I'm going to keep my word. On the bill.

ACTING PRESIDENT BAILEY: Senator Borrello, a man of his word, on the bill.

SENATOR BORRELLO: Thank you, Mr. President.

Thank you, Senator Fahy.

You know, I think everybody has concerns about AI content. And right now I would say it's hard to tell the difference but you can tell the difference. That's not going to be the case fairly soon. Fairly soon it's going to be impossible to tell what is AI and what is not.

When we start talking about news

organizations and entertainment news and sports news and you start talking about, as Senator Fahy said, you know, essentially fake news, you know, things that people don't like, then we're really starting to creep into the First Amendment.

That we're going to use this as an excuse, essentially. We're going to open the door to go after someone and have to defend themselves against the Attorney General of New York State, which has all our money to work with -- we see how devastating that can be -- because they don't like that particular news source.

There's also the issue of content that wasn't originated by the person that's broadcasting it. So you might have something that was produced using AI, from another state, another country, wherever it might be, that was rebroadcast. We see this all the time on news programs. They pick up content from around the world, there's news services that may have been from a -- what they would call another source, a stringer source.

And ultimately who's going to end up being liable here in New York State? You know,

the local news source, potentially. I get that there are people out there that say things that aren't true and that plagiarize and all that. And nobody likes that. I don't like that. We see it all the time on social media.

But to empower the Attorney General of New York State to go after someone for something that, in the end, could just be like the content she doesn't particularly like or someone else -- a rival, a competitor, a political rival -- she doesn't like, and to empower the government to go after someone is really I think a free speech and a First Amendment right.

So I think this is well-intentioned in some ways but has the ability to quickly go off the rails and be in violation of the First Amendment. So I'll be voting no.

Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator Borrello.

Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed.

The Secretary will ring the bell.

Senator Gianaris.

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

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

Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Fahy to explain her vote.

SENATOR FAHY: Thank you, Mr. President. I rise to explain my yes vote here.

Between local news, radio and more, journalists do play a critical role and hold all of our institutions accountable. They strengthen our democracy. We are facing what may be the largest shakeup to our economy and our workforce

since the Industrial Revolution.

We are witnessing a rapid and exponential growth in the use of artificial intelligence types of technologies. While they provide -- AI provides tremendous opportunities and we want to lead on much of that innovation and technological advancement, but that innovation must be accompanied by transparency and accountability.

This legislation, the Fair News Act, which is the fundamental AI requirements, fundamental artificial intelligence requirements, is all common sense. When news content is substantially generated by AI, the public deserves to know. There is nothing partisan about that.

This is about a consumer's right to know. We need to be able to distinguish between news produced by journalists or news produced by machines -- or, in other words, generative AI. This does not prohibit the use of AI. It does not prohibit innovation. It is simply a requirement of disclosure so that readers, viewers, listeners can make informed decisions about what they are consuming in the media.

The line between human-created content and generated content is getting harder to identify. We have seen example after example of misinformation, fabricated reporting, credibility questions, plagiarism accusations and more. And at a time when trust in media is already under strain, this form of transparency in this bill is more important than ever.

We recognize the value and needed trust in professional journalism and in a skilled workforce. These responsibilities cannot be replaced by algorithms.

In the interest of transparency and protecting the future of quality journalism, which is on the line here, I vote in the affirmative.

And thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Fahy.

Senator Fahy to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar Number 1635, voting in the negative are Senators Borrello, Mattera, Murray, Stec,

Walczyk, Weber and Weik.

Ayes, 53. Nays, 7.

ACTING PRESIDENT BAILEY: The bill is passed.

The Secretary will read.

THE SECRETARY: Calendar Number 1777, Senate Print 10626, by Senator Gianaris, an act to amend the Judiciary Law.

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

SENATOR PALUMBO: Thank you, Mr. President. I wonder if the sponsor would yield for a few questions, please.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: It will be my pleasure.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Thank you, Senator Gianaris.

And through you, just a few fairly brief questions, I hope.

My understanding is this bill is a little bit modified from last year's bill

redistricting judicial districts. But it creates three new judicial districts in Western New York, is that accurate?

SENATOR GIANARIS: It's substantially modified from that version. But yes, that's correct.

SENATOR PALUMBO: Yes. Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Yes. And is it also accurate that it also just moves around some judges and isolates in the three new judicial districts, respectively -- the 14th Judicial District will be Onondaga; 15th, Monroe; and the 16th Judicial District will encompass Erie only. So each of those three counties get their own judicial districts.

And three others -- Five, Seven and Eight -- will be moved around a little bit so that they encompass I guess the surrounding area. And please correct me if that's not accurate.

SENATOR GIANARIS: No need for me to correct you, Senator Palumbo. You are correct.

SENATOR PALUMBO: Thank you. Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Were there any public hearings with respect to this new redistricting of the courts over there in Western New York -- the ultimate resolution being this bill?

SENATOR GIANARIS: No.

However, as you pointed out, we passed a bill last year and received substantial input as a result of that piece of legislation, which was incorporated into the modified bill.

SENATOR PALUMBO: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Thank you, Senator.

And also -- I think I might have asked this question last year as well -- this would now include, because our Regents are based upon judicial districts, this gives us three more Regents, increasing the number I guess it would be -- what do we have, 17? So it would go to 20 Regents statewide. Is that accurate?

SENATOR GIANARIS: Increased representation for upstate in the Regents, correct.

SENATOR PALUMBO: Thank you.

And will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Just one last subject area, regarding the costs. I know that OCA has chimed in on this that they like the

newer version of the bill. And they did say that it would be several million dollars, is my understanding.

Do you have an estimate of costs? Because some of these outlying districts, it's my understanding, do not actually have full-time courtrooms, they don't have staff. In fact, their caseload is somewhat of a much smaller fraction than some of these larger counties in Western New York.

SENATOR GIANARIS: That is correct, there would be some costs associated with the new districts.

SENATOR PALUMBO: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Do you know what those amounts are, Senator?

SENATOR GIANARIS: I think an estimate I just heard was $14 million.

SENATOR PALUMBO: Fourteen million.

Very good. Thank you, Senator Gianaris.

On the bill, please, Mr. President.

ACTING PRESIDENT BAILEY: Senator Palumbo on the bill.

SENATOR PALUMBO: Thank you.

And Senator Gianaris, I appreciate us continuing this discussion this year.

But when I look at this bill and I look at -- I've had some conversations with judges who actually sit out in Western New York. And we've had some fun times this session creating certain monikers for some of our colleagues. My good buddy whose name begins with a W, it's good alliteration of what we're doing on Wednesdays.

But this is gerrymandering week. That's what this is. This is purely political. When you look at the caseloads and you look at the actual intended result here, where -- let's keep in mind that we have anywhere in that Fourth Department, anywhere in Western New York, if you have a challenge in an election case, you need to go only to one county: Erie County. Erie County is about 75 percent of the new filings in the Eighth Judicial District, and

25 percent are all the rest.

And what this restructuring does is it now takes from those three districts -- Five, Seven and Eight -- moved into the newer district, it takes the judge count from 67 to 26. So notwithstanding that huge reduction in judges, a handful of them are -- I believe seven of them are Appellate Division judges who can't handle caseloads.

So Erie would get 18 Supreme Court judges, seven of which are in the Appellate Division. So there will be a bunch of new appointments. And we know where those appointments will come from, and we know the politics of Erie County.

And I know we've had discussions before when we did this several years ago that was done really out of necessity, when one of my colleagues created -- sponsored a bill to create the 13th Judicial District. Staten Island was a part of Brooklyn Judicial District. Staten Island politics are very different than Brooklyn politics. And back then, Staten Island had essentially zero judges, because you had to go to Brooklyn and pay the toll to try and get on the

bench, which is what actually happened at certain points to the party bosses.

So they split out Staten Island, and now Staten Island actually has Staten Islanders sitting on the bench and presiding over their cases.

So that was a need. That was a real significant and important need as far as those communities are concerned.

So now we're splitting out three large counties, giving them their own judicial districts and plenty of judges, and we've got the more rural areas now are still three judicial districts -- with only 26 judges instead of it looks like about 42 in the three bigger counties -- who don't have anywhere near the caseload.

And those outlying courts don't have staff, they don't even have full-time courts. So this is going to come at a significant cost. And as much as I love my friends in the Office of Court Administration, I have great respect for them, I have to disagree with them on this bill, Mr. President.

And for those reasons I will be

voting no, and I urge my colleagues to do the same.

ACTING PRESIDENT BAILEY: Thank you, Senator Palumbo.

Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed.

The Secretary will ring the bell.

Senator Gianaris.

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

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

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: Are there any Senators wishing to explain their vote?

Seeing and hearing none,

Senator Gianaris will close.

SENATOR GIANARIS: Thank you, Mr. President.

This bill actually will help a lot of the residents of upstate New York who are currently in the Fourth Department.

I heard Senator Palumbo's comments about Staten Island and Brooklyn, and there are a lot of parallels actually to that situation. I don't know if he's aware, but currently the Fourth Department residents are -- 57 percent of them live in Erie, Onondaga or Monroe counties, and yet 80 percent of the justices in the Fourth Department are from those three counties.

And so by creating these three new districts that are predominantly rural, I think you can expect to see, much like Staten Island did, the representation on the bench for those rural counties increase. And so I do think there are some parallels there.

So for example, just so everyone gets a sense of it, the counties that would be in the new districts -- well, in the rural districts, let's call them, are Allegany, Cattaraugus, Chautauqua, Genesee, Niagara,

Orleans and Wyoming. And one of them, they would have nine justices. Cayuga, Livingston, Ontario, Seneca, Steuben, Wayne and Yates would have seven. And then in the new Fifth District, Herkimer -- which, by the way, was the county that Senator Walczyk was successful in raising taxes for earlier in the week -- Herkimer, Jefferson, Lewis, Oneida and Oswego would also get nine justices. And so I do think -- I do think there are some parallels there with what Senator Palumbo was talking about.

And I urge all my colleagues to join me in supporting this legislation.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1777, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Ryan, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 37. Nays, 23.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1784, Senate Print 10639, by Senator Gianaris, an act to amend the Election Law.

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

SENATOR MARTINS: Thank you, Mr. President. If the sponsor would yield for a few questions.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: Thank you.

So this is Part 2 to our discussion yesterday, and here we are today. And I think it may have been Senator Borrello that foreshadowed this discussion by referencing this bill yesterday.

But I believe that this is an amendment -- or I know this is an amendment to Section 4-108 of the Election Law by adding a new Section 8, isn't that right?

SENATOR GIANARIS: Are you asking if it adds a new section? I'm sorry, I didn't hear the question.

SENATOR MARTINS: No, no, Senator. All I'm asking is whether or not this just adds a new Section 8 to Section 4-108 of the Election Law.

SENATOR GIANARIS: That is correct.

SENATOR MARTINS: And so through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: Section 4-108 of the Election Law details the process whereby if we have an amendment to the Constitution or proposed amendment to the Constitution, the process that is to be followed.

Do you see it the same way, Senator?

SENATOR GIANARIS: Yes, I do.

SENATOR MARTINS: So through you, Mr. President, if the sponsor would continue to

yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes, I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: Currently the process has the Board of Elections preparing language -- that is, the Republicans and Democrats on the Board of Elections working collaboratively in a bipartisan or nonpartisan fashion depending on your perspective, to come up with language. Right?

SENATOR GIANARIS: Yes.

SENATOR MARTINS: Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: And in addition, it also requires, under Section 3 of 4-108, that the Attorney General is to advise in the

preparation of that language, ensuring that there is, you know, the state's highest I guess law enforcement officer, attorney, providing language or helping with the language between the commissioners on the Board of Elections. Right?

SENATOR GIANARIS: Yes.

SENATOR MARTINS: Thank you.

Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: And it requires that the Board of Elections provide notice to each county board 90 days before the general election in which the matter or measure is to appear on the ballot. Right?

SENATOR GIANARIS: That sounds right.

SENATOR MARTINS: Then it goes on to say that --

ACTING PRESIDENT BAILEY: Senator Martins --

SENATOR MARTINS: Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: Then it goes on to say 120 days prior to the election date, that the Board of Elections shall post the language on its website -- it actually says "shall prominently publish on its website at least four months prior to the general election at which a ballot proposal shall appear," the language that will appear on the ballot.

So four months beforehand, they put it on their website. Is that right?

SENATOR GIANARIS: Yes.

SENATOR MARTINS: Great.

And it allows -- Mr. President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: And it allows for a 15-day public comment period as well.

So not only do they put it on the website four months beforehand, but they allow for a 15-day right for public comment with regard to the language that's being proposed. Right?

SENATOR GIANARIS: Yes.

SENATOR MARTINS: And it goes on -- Mr. President, through you, if the sponsor will continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: And does it say anything about the type of language that's to be used -- you know, simplicity of the language? To your knowledge, Senator, is there anything there that references, for example, at what grade level this language should be so it's understandable?

SENATOR GIANARIS: Yes, there are

some guidelines as to how to do that, yes.

SENATOR MARTINS: Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: What are those guidelines, if you know, Senator?

ACTING PRESIDENT BAILEY: Senator Martins, if you don't mind clarifying.

SENATOR GIANARIS: I'm sorry, I didn't hear the question.

ACTING PRESIDENT BAILEY: He didn't hear the question.

SENATOR MARTINS: What are those guidelines in terms of --

SENATOR GIANARIS: What are the guidelines?

SENATOR MARTINS: -- of the type of language?

SENATOR GIANARIS: Well, interestingly, the guidelines that the Board of

Elections follows are replicated in this bill so the Legislature would do its best to follow them as well.

But it's Section 2 -- or subdivision 2 of Section 4-108. You want me to read it for you?

SENATOR MARTINS: No, I -- through you, no, I don't need you to read it. I just figured if you -- for the benefit of everyone else who may be interested. If not, we can move on.

SENATOR GIANARIS: I'll do some reading aloud.

It says: "The form in which the proposed amendment, proposition or question is to be submitted shall consist only of the following: (a) A descriptive title of up to 15 words, which describes the topic, goal, or outcome of the ballot question in plain language; (b) A summary of the text ballot proposal of up to 30 words, written in plain language, that describes the change in policy to be adopted and not the legal mechanism; and (c) A statement of what a YES or NO vote means in up to 30 words written in plain language that identifies the

practical outcome of each election result and not the legal mechanism. If more than one such amendment, proposition or question is to be voted upon at such election, each such amendment, proposition or question respectively shall be separately and consecutively numbered."

Then further down at subdivision 5 it goes into describing what they mean by plain language, and it says (reading): Plain language shall mean the form of the ballot proposal and abstract: Shall be written in easily comprehended, concise language; shall not contain more than one pass -- oh, I think there's a typo. It says "shall not contain more the one passive sentence"; shall not use semicolons, using multiple sentences as necessary; and shall not contain double negatives.

Then it goes on to tell you how you evaluate whether the plain language is really plain. And it says (reading): To evaluate compliance with the plain language requirements, the state board calculates an Automated Readability Index score, separately, for each statewide form of ballot proposal and abstract.

That index score shall be calculated

according to the following formula: Divide the number of characters, excluding spaces, by the number of words and multiply that number by 4.71. Divide the number of words by the number of sentences and multiply that number by 0.5. Add the results of paragraphs a and b of this subdivision, subtract 21.43 from the result of paragraph (c) of this paragraph and round to the nearest whole number.

It's rather involved just to write a simple sentence. But there you have it, since you asked. It's like doing your taxes.

(Laughter.)

SENATOR MARTINS: Thank you, Mr. President. And I do appreciate the Senator indulging me on that.

I was asking if you could provide it in a -- I guess a briefer form, but reading is probably the best way to actually do it, so I want to thank Senator Gianaris for that.

SENATOR GIANARIS: It seems that the law itself is not in plain language, unfortunately.

SENATOR MARTINS: No, unfortunately. I agree with you.

Through you, Mr. President, if the Senator would continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: So notwithstanding the fact that we have clear language in law, albeit some of it confusing, Senator, as to who prepares the ballot initiative and the language for it when there's a constitutional amendment, we now have before us this bill that would substitute the majorities in the Legislature in drafting that language.

That's what this amendment does, isn't it?

SENATOR GIANARIS: Correct.

SENATOR MARTINS: And also through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR MARTINS: And also this proposal -- or this bill also removes the opportunity for any public comment period that was incorporated in the statute, thereby eliminating the opportunity for the public to have comment on the quality of the language or the sufficiency of the language.

That's been removed in this bill as well, right?

SENATOR GIANARIS: Ah. There you're mistaken, Senator Martins. Because the proposal would have to go through the legislative process. And what we do here is public, and the public can comment on it, it appears on the Senate and Assembly websites. And so there would be the opportunity for the public to see what is being proposed.

SENATOR MARTINS: Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR MARTINS: But the process, Senator, that allowed for the Board of Elections to post it and for the Board of Elections to receive comments, irrespective of whatever comments may be received here, has been eliminated with respect to the amendment that's being proposed today, right?

SENATOR GIANARIS: Well, yes, because the board would not be writing the language in that circumstance, so why would they be receiving public comment?

We would receive public comment through the legislative process.

SENATOR MARTINS: Mr. President, on the bill.

Thank you, Senator Gianaris.

ACTING PRESIDENT BAILEY: Senator Martins on the bill.

SENATOR MARTINS: And so as I mentioned earlier, here we are with Chapter 2. You know, yesterday we talked about gutting, we discussed how it was a decision of this body and I'm sure the one -- I'm positive the one on the other side of the building to gut the Independent

Redistricting Commission and again to insert partisan politics into redrawing districts.

But this one -- this one's actually -- Mr. President, this one's special. This one's special because not only did we go so far as to remove any independent redistricting commission oversight with regard to redistricting, removed the court oversight, bringing everything back to this body when it came to redistricting so that, again, as was done in the past, majorities in this chamber would get to draw their own lines and choose their own voters, as opposed to the voters choosing their elected officials.

This is -- this is special. Because now what we've decided is when we do want to change the Constitution of this state, the process that we had that actually sent the issue to the Board of Elections and allowed the Board of Elections to make that decision -- a Board of Elections that is composed equally of Republicans and Democrats, where they would have to agree on language removing partisanship, and with the help of the Attorney General -- again, a level of oversight, and I think important impartiality, I

would suggest, offering support to the Board of Elections in terms of something as important as a constitutional amendment. An amendment to the Constitution of our state.

What the Majority is suggesting, or what the sponsor is suggesting, is that, well, let's just throw all of that out. We'll make that decision ourselves here, and we're going to come up with language and we're going to describe that language and that effort in the way that we choose to. Which is inherently a partisan effort. And I think, Mr. President, unfortunately it cheapens the process.

Through you, Mr. President, if the sponsor would yield for a few more questions.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: So is there a requirement in this bill that the language that is proposed truthfully and accurately reflects what is being placed on the ballot?

SENATOR GIANARIS: Yes. The

language mimics what is in the current rules for the Board of Elections.

SENATOR MARTINS: Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: Not with regard to the simplicity of the language, Senator, with regard to the truthfulness and accurateness of the language in depicting what it is that's going to be changed in the State Constitution.

SENATOR GIANARIS: Yeah, listen, we -- we mimic the language that's currently required for the board to follow.

So I suppose what you're asking about is not in the current law except to the extent it says the -- yes. I mean, there's nowhere in the current law that gets that specific as to what's required, Senator Martins.

SENATOR MARTINS: Through you, Mr. President, if the sponsor would continue to

yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: The current law has to be concurred to between the two parties, their representatives on the Board of Elections, with the assistance of the Attorney General. What's being proposed here is a partisan effort to change that so there isn't that level of oversight.

In addition, what exists allows for public comment through the Board of Elections with regard to the language that they independently choose, which has been eliminated in this.

And so I'm asking you -- and I think we both understand what I'm asking, Senator -- is there anything here that requires that the State Legislature, when it does come up with language, has to accurately reflect the nature of the amendment to the Constitution that's being proposed?

SENATOR GIANARIS: I'll say a couple of things about that.

Number one, you continue to profess somehow the fact that there are political appointees of both -- literally of the chairs of both parties. So party officials appoint commissioners, and those people are currently responsible for putting the words together. They don't have any such requirement as what you're talking about.

You're suggesting that the balance between the two will somehow create some regulation de facto as to the veracity of what ends up on the ballot.

We talked about this yesterday. There is a very -- you talk about it as if there's never an instance of the leadership of the two parties collaborating -- the incumbency-ship, I called it yesterday -- as if it's never been the case that Republican leadership and Democratic leadership would collaborate to keep outsiders out.

And so that is a real threat, under your analysis, in the current system. I mean, we lived in this chamber for many years with

Democratic leadership and Republican leadership collaborating to keep all of us out of power. We overcame that, of course. But that happens.

And so whatever safeguards are there currently to keep the Board of Elections commissioners from doing exactly what you're worried about are the same. We literally referenced the same sections that require -- that present the requirements to the board in this proposal.

SENATOR MARTINS: Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: Can we agree, then, that there's a requirement in this document that the -- whatever is sent to the Board of Elections by the Legislature has to accurately reflect what's on the ballot for a change to the constitutional amendment?

SENATOR GIANARIS: Well, it says it

shall use best efforts to comply with the plain language requirements of subdivisions 2 and 5, which are the subdivisions we referenced earlier.

SENATOR MARTINS: Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: Senator, I'm not talking about the reading level for the language that's being proposed. All I'm asking is, Can we agree that it has to accurately reflect what the constitutional amendment actually is?

SENATOR GIANARIS: Yes, I would think so.

SENATOR MARTINS: Thank you.

Through you, Mr. President, just a few more questions, if the Senator would indulge me.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: Have we heard from any of the good government groups here in Albany? You know, and I can list them, but I think, you know, we're all too familiar with them: Reinvent Albany, NYPIRG, Common Cause, Brennan Center, League of Women Voters -- great groups, all deeply concerned about protecting our democracy.

Have they opined on this, or did you talk to them about this particular bill and have they shared with you, any of them, an opinion as to whether or not this is a good idea?

SENATOR GIANARIS: I'm not aware of them rendering an opinion on this.

SENATOR MARTINS: Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: Did you happen to

reach out to any of them? You know, they are often very willing to offer their opinion on things such as this. Did you seek out their opinion with regard to, you know, this, changing how items appear on a ballot when it comes to changing the Constitution? By any chance did you happen to reach out to them?

SENATOR GIANARIS: Informally, yes.

SENATOR MARTINS: Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: I'll bite. Which one of them told you this was a good idea?

SENATOR GIANARIS: Well, I'm not going to divulge my private conversations with them, Senator Martins. If they wished to opine publicly, they would have. But that has not happened.

SENATOR MARTINS: I appreciate that, Senator. Thank you.

Through you, Mr. President, if the sponsor would yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: So if someone believes that the version that is advanced by the legislative majorities does not accurately reflect what's actually being proposed, that change to the State Constitution -- a member of the public, would they have the ability to go to court to have the court oversee the language and ask for the court to intervene?

SENATOR GIANARIS: As with any law, if a member of the public believes it's being broken, they can go to court and seek relief.

SENATOR MARTINS: Thank you. Thank you, Senator Gianaris, very much. Appreciate it.

Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Martins on the bill.

SENATOR MARTINS: So again, it just begs the question -- and I'll end it with this.

We have a system that's in place. It has been in place, it has worked, it adds a level of bipartisanship in coming up with language. In doing so, it doesn't allow an advantage to one side or the other.

And to make things right, it also requires that the Board of Elections work with the Attorney General in coming up with that language. It's a good way to do it. It's not perfect, but it's a good way to do it. And it allows for -- especially when we're dealing with an amendment to our State Constitution, that there is a level of respect with respect to that, and we're eliminating partisanship.

And so I share the same concerns I shared yesterday. I think any time we include partisanship in anything that involves amending our State Constitution, we're doing ourselves a disservice. It really is not where we should be going with this.

Look, we all understand what's happening here. We all understand. This is not a secret. The real shame of it is these good government groups that I listed, that they're not sitting here screaming at the top of their lungs

and instead chose to have private conversations with regard to something as serious as this. That goes to the heart of the integrity of our State Constitution.

So again, why? How does this advance our state? How does this work for our individual residents? How does this make things better? And the short answer is it doesn't. It does advance politics, partisanship and division in this state.

Mr. President, that's why I'll be voting no. Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator Martins.

Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is now closed. The Secretary will ring the bell.

Senator Gianaris.

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

ACTING PRESIDENT BAILEY: Upon consent, the bill is restored to the noncontroversial calendar.

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: Are there any Senators wishing to explain their vote?

Seeing and hearing none, Senator Gianaris will explain and close.

SENATOR GIANARIS: Thank you, Mr. President.

Of course my colleagues want to maintain the current system. Let's talk about math for a moment. Currently you have political appointees -- and again, I want to stress this, literally appointees of the chair of the political parties of the state, both Democrat and Republican, making this decision for the state board.

And for some reason, and I think I can speculate about it, which I will as part of my explanation, the breakdown of that decision-making process is 50-50. Equal number of Democrats, equal number of Republicans. So

the Republican Party has 50 percent of the influence over how a ballot question will appear.

Now, if we look at the elected governmental bodies of this state, both the Assembly and the Senate, it's about two-thirds Democrat to one-third Republican. So lo and behold, Senator Martins and my colleagues across the aisle say, Wait a minute. We like the current system. We have half the say. If we come in here, which is an actual governmental body elected by the people, we only have a third of a say.

And my question is, why should you have half the say over what goes on the ballot? That's not what the people wanted. That's not the way the voters have acted to elect their representatives in the Legislature. It's arbitrary. It came about in the 1970s when the Senate was Republican and the Assembly was Democrat and they effectively had 50-50 influence over what happened in the Legislature. It made sense then on some level. It doesn't anymore.

I mean, I would say let's let the Conservative Party then have a say. Why not? Why don't they get to say something? They're a

party. Let's let the Working Families Party have a say. Why are they cut out of the decision process if we're letting political parties make this decision, which is how it's currently constructed.

I made this point yesterday. I'm going to make it again. We are here because the people of our districts elect us to serve. We are their mouthpiece. We are their representatives. And so when we take action, we are speaking for them. If you don't like it that two-thirds of the state wants to lean Democratic, that's your problem. It's not their problem.

But I don't see why you should have half the say over how a ballot question looks, because that corrupts the ballot question. Don't pretend like these political appointees somehow come out with some pure product. There's been plenty of criticism of the ballot language that has emerged from the Board of Elections.

And so this brings the question back to the people through their representatives in this house and in the Assembly.

I vote yes, Mr. President.

Thank you.

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1784, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 38. Nays, 22.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1787, Assembly Bill Number 11560, by Assemblymember Barrett, an act to amend the Environmental Conservation Law.

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

SENATOR WEBER: Thank you, Mr. President. Through you, will the sponsor yield for some questions?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR WEBER: Thank you. And through you, Mr. President.

So Senator Gonzalez, can you kind of go through the exact purpose of the moratorium? I guess it's a little unclear in the bill where it talks about the environmental impact report and it's not required to be completed until the expiration of the moratorium.

So I just want to get a whole timeline in terms of, you know, what the -- why you came to this decision and where we are at the end of that one-year moratorium.

SENATOR GONZALEZ: Through you, Mr. President.

Right now hyperscale data centers are being built at a rate we haven't seen before, and of course on a scale we haven't seen before. A lot of these large energy facilities are 20 megawatts and above, and they pose an existential threat to our energy grid which, we have discussed a lot in this chamber, is an energy crisis.

And so the point of this bill is to better understand the impacts of these biggest of

the big data centers, not only in our energy grid but also on our environmental resources. We know they take a significant amount of water, in addition to our local communities, pollution, et cetera.

SENATOR WEBER: Through you, Mr. President, will sponsor yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WEBER: So I guess after the 12-month moratorium, what can we as a body expect to see in terms of data related to the moratorium?

SENATOR GONZALEZ: Through you, Mr. President. After the one-year moratorium, which again is on the permits through DEC for hyperscale data centers, we would expect to see an environmental impact report.

Under this bill, the report would include an analysis of current data centers in the state and their land, water and electricity use and generation source, projected growth of

data centers in the state and their land, water and electricity use, current and expected pollution, impacts on DACs and recognized Indigenous Nations, review of public money received by data centers -- so any tax breaks -- and five public comment periods, so the results and feedback from those comment periods in different regions across New York State.

SENATOR WEBER: Okay, thank you. And through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WEBER: You know, I think we all -- we've talked about it in this body where, you know, everything's going to AI, right? And we've seen so much cloud-based uses throughout the country, and we see it around the world, essentially.

And we know that in order for the U.S. to keep up and be a leading edge in terms of AI and the related fields, we're going to need to

have data centers being built in this country.

So I guess the question I have is -- and I understand the concern from many residents, including residents throughout the state, in terms of the power needed to run these data centers.

But, you know, do you think or do you have an idea of, you know, this push towards electrification in the state, has that contributed a lot to the power needs in this area as well?

SENATOR GONZALEZ: Through you, Mr. President.

I appreciate my colleague calling out that there has been a lot of support for this bill across the state. We've actually seen, in the absence of state regulation and federal legislation, local governments, like in the Town of Dryden, ban data centers.

Data centers and specifically hyperscale data centers, as pointed out, are for generative AI. And the big -- these large, large energy facilities right now are running primarily in other states on fossil fuel.

So what we are trying to do in this

bill is say that if we are going to make any approvals of additional hyperscale data centers -- which in the moment there's a queue of 28, with over 9,000 megawatts -- that we shouldn't just rely on fossil fuels, but we should have energy efficiency standards, we should also have renewable energy standards that work in tandem with the CLCPA as we've amended it this year.

SENATOR WEBER: And through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WEBER: You know, it says the bill requires any data center with a peak load of 5 megawatts or larger to procure one-third of its electricity consumption from renewable energy systems by 2030, with the mandate rising to 90 percent by 2040. And then it also requires that the data centers derive as much energy -- or, quote as much of its energy

needs as is technologically, environmentally and practically feasible, from on-site generation from renewable energy systems.

So I guess we see some potential inconsistencies with the CLCPA's mandate that by 2040 the state electrical grid be zero emissions, not all renewables. So I guess the question is: Why preclude data center use of other sources of clean energy including nuclear, biogenic fuels, or other yet to be identified dispatchable, emissions-free resources?

SENATOR GONZALEZ: Through you, Mr. President. To be clear, in this bill we set targets. And the initial target between 2030 and 2034 is one-third electricity consumption derived from renewables. There is nothing in this bill barring the other two-thirds coming from any other source, including fossil fuels.

And now we do want to make sure that, understanding we have a climate crisis, these large-scale energy facilities are running on majority-renewables. And so, again, we set targets but at no point -- and this was intentional -- did we put 100 percent renewables, because we understand that some of these centers

after 2040 may need to get their energy elsewhere.

SENATOR WEBER: Thank you.

And through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WEBER: So I'd like to talk to you about data centers that are -- whether in the construction process or in the permitting process or maybe even at the infantile stage process right now. What happens in all of those scenarios right now under this legislation?

SENATOR GONZALEZ: Through you, Mr. President, that is a good question.

If a data center -- again, specifically a hyperscaler that's over 20 megawatts has received their permit from DEC, this bill has no impact on them.

If they have not yet received a permit from DEC, then this one-year moratorium would apply.

But to be clear, that does not preclude the other processes that they're already a part of. So if after this bill is signed into law a hyperscale center hasn't received their permit from DEC, they would likely still be in the NYISO queue. And the NYISO queue takes two to five years.

So this would not be a significant setback, under our eyes, which is why we felt one year was a reasonable compromise.

SENATOR WEBER: Okay. All right. Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Weber.

Senator Mattera, why do you rise?

SENATOR MATTERA: Thank you, Mr. President. Would the sponsor yield for some questions, please?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MATTERA: And I thank you, Senator.

What is one year going to do with a moratorium? You just had some -- you know, explained some questions from my colleague. Again, you pretty much said -- what is a year going to do?

SENATOR GONZALEZ: Through you, Mr. President. One year is going to allow us to do our jobs as legislators. And that means having a real, substantive and holistic plan for what our energy future can look like, and how we're going to protect ratepayers from the potential costs that hyperscalers pose.

So it will give us the environmental impact report to give us the information to do exactly that.

SENATOR MATTERA: Through you, Mr. President, would sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

SENATOR MATTERA: So in other words --

ACTING PRESIDENT BAILEY: The sponsor --

SENATOR MATTERA: So if you didn't

get any --

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MATTERA: Oh, I'm sorry.

ACTING PRESIDENT BAILEY: That's all right. I'm sorry. The sponsor yields. I'm just letting you know, Senator Mattera.

SENATOR MATTERA: So after a year goes by -- and pretty much that goes by very, very fast -- are you going to go and propose and put another bill forward, the same thing, to do another moratorium for two years, three years, four years, five years?

SENATOR GONZALEZ: Through you, Mr. President. I certainly do not have the results of the environmental impact report, and therefore I don't know what will be needed at the other end of this one-year moratorium.

But what we do know is that by passing this bill we're not just instating the one year to allow us to create new processes, we're also doing some other important things. Notably, creating a separate rate class for hyperscalers and large energy facilities, and a separate not only energy rate class, but water

usage class.

So what we're doing in the next year and certainly what we'll see by the end of that is companies actually shouldering the costs of buildout and everyday New Yorkers not seeing their energy bills continue to skyrocket because of it.

SENATOR MATTERA: Will the sponsor continue to yield, please?

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MATTERA: Do you feel, Senator, that -- oh, I'm sorry {inaudible}. Do you feel that you should have maybe looked into doing a study on something like this before to go put a moratorium? A study bill?

SENATOR GONZALEZ: Through you, Mr. President. I put forward this bill because I believe this is the best solution and that hyperscale data centers pose an energy threat we haven't seen before.

If there are additional studies that

are needed, certainly my colleague is welcome to introduce those bills.

SENATOR MATTERA: Through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MATTERA: Do you feel that your bill is going to be turning away business? Because, you know, we have not just with the -- which we're going to get into, the trades, but we're going to get into the Business Council.

Do you feel that, in other words, this is something that we care about New York State so much to bring business in? So guess what, so we could have, you know, great jobs for our future. We talk about it all the time to bring business in. And this is just going to hurt people that want to come to this state, to say what's next.

Do you feel, in other words, that this is going to hurt business coming into our

state?

SENATOR GONZALEZ: Through you, Mr. President. Economic development and business is important to us. That's why this bill is narrow in scope. That is why we are only including DEC permits for large energy facilities 20 megawatts and above, as I've stated several times.

Now, this means that every other data center is not going to be a part of this moratorium. It also means that we will have the ability to implement things like a project labor agreement to have labor standards so that when these larger energy facilities are built, we're not only benefiting from the business here in New York State, we're actually creating union jobs and good-paying jobs at that.

So this bill was intentionally written to balance our energy needs and our need to plan as a state, but also to have a shorter pause in order to not completely disincentivize these centers moving forward.

SENATOR MATTERA: Through you, Mr. President, will the sponsor still continue to yield?

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MATTERA: You know, Senator, I've been having discussions with all the trades and they are very, very upset about this bill, very much so.

Did you ever have any conversations with the union trades like myself, being a union brother and sister of the trades, and the Business Council at all to talk about your bill?

SENATOR GONZALEZ: Through you, Mr. President, yes, the building trades were engaged. That is why we see labor language in this bill.

And the alternative, I would remind the chamber, is do to nothing in this space. That would mean approvals would go forward without any of these labor standards.

So the labor standards are representative of what they've asked for, it's representative certainly of our constituents, and it's representative of the need to make sure that

the trades have more jobs in the future.

SENATOR MATTERA: Through you, Mr. President, would the Senator continue to yield.

SENATOR GONZALEZ: Yes, I do.

ACTING PRESIDENT BAILEY: Does the sponsor yield? The sponsor yields.

SENATOR MATTERA: Senator, if you don't mind, can you tell me what trades that you had conversations with, please?

SENATOR GONZALEZ: Through you, Mr. President, I've spoken to the pipe trades, I've spoken to the building trades, and think they understand that New York, as much as we want to continue building, we also are in an energy crisis.

While they oppose this bill, as they would any construction moratorium, I think it's also important to note that the idea that these jobs will not exist in a year or that businesses will go somewhere is a misunderstanding of the technology itself. It is true that developers can go wherever they want to go. Right now these hyperscalers are used for generative AI, they're used for large language models. And when you use

ChatGPT, for the most part your response is coming from a data center in Virginia.

But in order to have the fastest products, in order to be the most competitive in the market, companies -- and again, these big tech companies are really who we're talking about -- want to have their data centers as close as possible because that improves latency.

And so in a year, that desire and economic incentive for them won't change, but it will actually probably increase given how many more consumers are adopting generative AI in their worklife and in their personal lives.

SENATOR MATTERA: Through you, will the Senator continue to yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT BAILEY: Does the sponsor yield? The sponsor yields.

SENATOR MATTERA: I'm going to ask you again because, Senator, I've had conversation with the trades. You still didn't mention, was it Gary LaBarbera, the building trades president? Was it anybody in the building -- you know, with the building -- the councils? I really would like to know. Matty Arasich?

Was it the, you know, trades -- because they're the ones that called me up to say to, Please have this discussion where you just say, Please, this is going to be hurting tens of thousands of good union jobs, the hardworking men and women of labor. That's what this is going to do.

They're frightened because, you know what, you're going to continue -- you sit there and say a year. A year is going to go by like this, and then they're frightened that you're going to be doing this again with another moratorium. So please, I'm asking you, who did you speak to?

SENATOR GONZALEZ: Through you, Mr. President. I know that leadership was in contact with Gary LaBarbera.

But it is not custom in this chamber to give a list of names of contacts. I know we have our own individual relationships. Although I'm happy to talk more to my colleague offline.

I would also note that as state legislators, we have to balance interests. That's why we went down from a three-year moratorium to a one-year moratorium. That was

responsive to the pushback that we were hearing and the opposition that I mentioned.

But the other piece that we have to balance is that in addition to the short-term jobs that could potentially be made in the next year just by starting right away, we need to balance our constituents' needs to have affordable energy bills. And that's what we're doing here.

If we do nothing, we may get some short-term jobs in the next year, but that will still be there at the end of this year, to be clear, but we would also be risking all of us as everyday ratepayers having those costs socialized and reflected, in the next rate case, in our energy bills.

And so this bill really is a balance of interests.

SENATOR MATTERA: Through you, Mr. President, would the Senator continue to yield?

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR MATTERA: Senator, I disagree with you with a one-year moratorium. It's going to then turn into next year more and more.

You and I are colleagues on the Energy Committee. I want to ask you a quick question. Wind, solar and battery storage. You are somebody that talks about that. You want to get rid of the peaker plants; it causes asthma, all this.

First of all, I am very, very proud that the NESE pipeline came in, right, into our area on Long Island, 2.3 million homes and businesses, because it is a necessity with the PSC. What is your answer to making sure that we have energy sources for any data centers? And a year is going to do this?

SENATOR GONZALEZ: Through you, Mr. President. That's exactly why we're passing this bill. It is not for me to have that plan.

This plan -- a plan like that needs to be informed by the environmental impact review. There's a lot of information we do not have, including a list of where all the data

centers are, or what their expected demand will be and how much we'll need to build out renewable energy or fossil fuel infrastructure in order to support them -- and hopefully not the latter, the former.

But I would add that the PSC is currently having its own process. So this is working in tandem with the questions the PSC are asking. This would give information to the DEC, and this would certainly give information to our Legislature in the next legislative session to see if there are any bills that need to be passed to properly plan and support buildout of energy to meet current and future demand.

SENATOR MATTERA: Through you, Mr. President, would the sponsor continue to yield, please.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MATTERA: You know, you mentioned about the water supply and everything like that. Do you realize that these data

centers, we have a closed-loop system? You know, we have cooling towers. Do you realize that?

In other words, I know you were concerned about the water supply. Do you realize, in other words, they're talking about thermal energy being also to create energy at these facilities?

SENATOR GONZALEZ: Through you, Mr. President. Closed-loop systems aren't the only way that data centers support cooling.

And I would say that when we talk about water usage, it's often in terms of individual queries. But training these models, which happens on an ongoing basis, actually is incredibly water and energy intensive.

And so we don't have an accurate idea outside of even these cooling systems how much more demand there will be on our water supply and where those water supplies will be, whether they are lakes, potable water, or fresh drinking water moving forward.

SENATOR MATTERA: Through you, Mr. President, just a couple more questions. Would the Senator continue to yield?

ACTING PRESIDENT BAILEY: Does the

sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MATTERA: Senator, what does this do about local control? What does this do to hurt local control?

We talk about that a lot, that, you know, we do not -- we have people that do a great job with the counties and the towns and the villages, with them with local control. Have you talked to -- because I'm telling you, I haven't heard that. Have you talked to 62 counties in our State of New York at all to ask how they feel about a moratorium?

SENATOR GONZALEZ: Through you, Mr. President. I think it is notable that there are over 69 memos of support that represent organizations and a significant number of New Yorkers.

While we haven't received feedback from every town board, I would say that it's important to note that the Town of Dryden did I believe a moratorium in Monroe County {sic}. I believe Brookdale is coming forward.

In the absence of state legislation, as I've mentioned, local governments have been implementing bans. And nationwide, that's happened more than the opposite.

I would also add that it is unfair to expect local governments to have to engage with the wealthiest companies in the world -- Google, Amazon, Meta, Microsoft. Because when you put those tech goliaths in a room with a local government, I would bet a lot of the times they have the resources to win whatever they want.

What this bill does is allow us as state legislators to take on the responsibility of saying that there should be clear standards of community benefits that wouldn't otherwise be negotiated, community engagement, which isn't otherwise mandated, to actually happen and empower those local governments, empower those local boards and local constituents to get the most out of each of these potential deals.

And the last thing I'd mention on permitting, this does nothing -- because it is just a DEC permit, it does nothing to change the power of local governments to issue local permits

in the process, as well as IDAs to continue to negotiate.

SENATOR MATTERA: Through you, Madam President, just one more question. Would the sponsor yield, please?

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR MATTERA: So you just said that, in other words, that New York State with this bill will supersede local control, because you want to take the burden off of them because they do not know how to handle big business.

Which on Long Island, we have over 3 million people, we know how to handle our business, our county executives, our town supervisors, our village supervisors do a great, great job. And I'm very proud that I personally vote for them.

So again, to go sit there and say -- you just said it -- to take away pretty much local control is, I'm telling you, very insulting.

SENATOR GONZALEZ: Through you, Madam President. I would like to be clear.

What this bill is doing is evening the playing field by requiring public engagement before a permit is released, requiring community benefits and making sure that these tech goliaths are brought to the table and held accountable and are shouldering the costs.

I would say that, again, adds to empowering local governments that will continue to be the ones in the room having those engagement sessions, having the negotiations, and approving or choosing not to approve local permits.

And the other piece I mentioned for New Yorkers is we're legislators. That is what we do, we legislate for the whole state. So it is not uncommon to pass statewide regulations in this chamber, and I think it's actually part of our responsibility in this chamber to pass statewide standards.

SENATOR MATTERA: On the bill.

ACTING PRESIDENT PERSAUD: Senator Mattera on the bill.

SENATOR MATTERA: You know, all

New Yorkers need to understand something, that a bill like this supersedes all local laws.

You know, as somebody that was in the trades, this is hurting all the hardworking men in the union trades -- that in other words, there's a PLA on this project, all these projects, and we're very proud of that. The leaders called me up from the unions to say, Please, we're nervous, we feel that, in other words, down the line this is going to continue, and it's going to hurt progress.

Right now we have other states and other countries that are going to surpass us because of bills just like this that are hurting businesses that are coming here in this state. We say we want to attract businesses. We say that this state is affordable, which it's not. There's a reason why we have everybody exiting out of this state -- 2.5 million exited out of this state since 2020. We'll have another 6 million in five more years with the study, from the Marist study saying that we're going to have more people leaving.

Businesses don't want to come here. They don't. They say: Why, with all this?

They're nervous. And you know who's nervous? The hardworking men and women of labor, because they're the backbone of the economy. Without construction and construction workers that brings in revenue -- and, you know what, apprenticeship programs. We know what AI is going to be doing. The trades are going to be healthier because of projects like this because AI is scary. It's going to be taking away a lot of jobs from a lot of people.

I have the job fairs and go to the schools with the job fairs. I talk to the kids. And they say to them, Watch what you're going to college for. Make sure there's going to be a job for you.

Am I nervous about AI? Yes, I am. But you know what? The construction workers need to go to work. And you know what, the apprenticeship programs are getting larger and larger and larger for a lot of reasons. But to go and to put a moratorium on, and everybody looks -- and it's going to happen again and again and again. Because one year is going to do absolutely nothing. It's going to be doing nothing.

Our energy source, we put all our eggs in one basket. Wind, solar, and battery storage. That's the reason why again I'm going to say, guess what, natural gas. We had to bring it in. Guess what? It was a necessity again.

I know my colleagues were not happy on the Energy Committee this year. They definitely weren't. Do we know the Constitution Pipeline needs to come in also too? It's a necessity. It has to happen.

And you know what, to retool our existing power plants. Yes, carbon capture. That's what needs to be done. And you know, again, this bill does absolutely nothing but stall progress.

For that, Madam President, I vote no.

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

SENATOR HELMING: Thank you, Madam President. If the sponsor will yield for a couple of questions.

ACTING PRESIDENT PERSAUD: Sure.

Will the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR HELMING: Thank you, Senator. I'm just looking for some clarification on a couple of the responses that I heard during the previous debate. I thought I heard you say that this legislation will have no impact on existing data centers. Is that accurate?

SENATOR GONZALEZ: Through you, Madam President. The question was on permitting and the ability to build. So the -- as I explained earlier, if an existing data center has received all of their permits, then this moratorium piece would not impact them.

If the clarification -- and I don't want to speak for my colleague, so feel free to ask follow-up questions -- is on other data centers that may be impacted by parts of this bill, some parts that I'm really excited about include, for data centers 1 megawatt and above, renewable energy or efficiency standards.

SENATOR HELMING: Through you, Madam President, if the sponsor will continue to yield.

ACTING PRESIDENT PERSAUD: Will the

sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR HELMING: So, Senator, I was looking at the section that talks about someone who is currently operating a data center is going to have to come into compliance with all of the various energy consumption efficiency goals that are developed after they've already been in business for a number of years.

SENATOR GONZALEZ: Through you, Madam President. An operational data center at over 1 megawatt, which is enough to power a thousand homes, I want to be clear, a data center that's -- and many that exist that fall under the 1 megawatt threshold continue to operate, they would not have the same energy efficiency goals.

SENATOR HELMING: Through you, Madam President, if the sponsor would continue to yield.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT PERSAUD: The

sponsor yields.

SENATOR HELMING: So also during the previous exchange, questions and answers, it sounds like there's a lot of work to be done over the 12 months of the moratorium. Senator, I think you referred to it's an exciting time because at the end of the 12 months, this body, this legislative body, will have clear standards we could use to base legislation on.

SENATOR GONZALEZ: That's not what I said. I said at the end of the 12 months -- but actually, to be clear, I was specific to the end of the environmental impact review, we will have more information as a body in addition to the entire state. Because the results of the review will be publicly available to all local governments, New Yorkers, anyone who is interested in understanding the full impacts of hyperscale data centers in New York State.

SENATOR HELMING: Through you, Madam President, if the sponsor will continue to yield.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR HELMING: Senator, who will be involved with creating the energy consumption efficiency goals? Which stakeholders will be engaged?

SENATOR GONZALEZ: Through you, Madam President. I know the NYSERDA, in conjunction with the NYISO, in conjunction with the Public Service Commission, as I mentioned, and the New York State Climate Action Council.

SENATOR HELMING: Through you, Madam President, if the sponsor will continue to yield.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR HELMING: What about the federally designated bulk system operators?

SENATOR GONZALEZ: That's NYISO.

SENATOR HELMING: Okay. Through you, Madam President, if the sponsor will continue to yield.

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR HELMING: So we have one, two, three, four -- at least four agencies. And how -- I'm just trying to understand how realistic it is that these agencies are going to be able to collect and analyze data, assess the impacts on the grid, develop efficiency metrics, determine compliance standards, coordinate with utilities and stakeholders, produce findings and recommendations, and I think the sponsor said hold five public hearings around the state and publish the results in 12 months time.

How realistic is that?

SENATOR GONZALEZ: Through you, Madam President, in 18 months is when the environmental impact report is due.

And I think that's realistic because a lot of the organizations on that list do variations of that every day.

I also think for a state as big as New York, five is a reasonable number because we know that the needs of downstate aren't just all New York City, we know we have to think about

Long Island, we know we have to think about Western New York, we know we have to think about the North Country. I've already mentioned four different areas. And the Hudson Valley, that makes five.

Now, I'm not saying those are where they're going to be, but what I imagine is five actually allowing us to get a better sense of what our own constituents and the state broadly thinks about hyperscale data centers.

SENATOR HELMING: Through you, Madam President, if the sponsor will continue to yield.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR HELMING: Whether it's 12 months or 18 months, it still seems like a very aggressive schedule. And my question is, what happens if this work isn't completed in that time frame?

SENATOR GONZALEZ: Through you, Madam President. I agree, that is an aggressive

time frame.

We actually wanted initially a three-year moratorium to give us as much time as possible. But for the reasons we've mentioned in this debate already, to balance our need for economic development and a desire to continue moving forward in innovation and generative AI, we've shortened both the timeline for the moratorium and the environmental impact report.

Now, I hope as my colleague understands with any reporting in this state, we -- it is incumbent on us as a chamber and as members to follow up to make sure that they are on schedule and that we receive that report within the timeline.

SENATOR HELMING: Thank you, Madam President. I thank my colleague for the responses.

ACTING PRESIDENT PERSAUD: Senator Borrello.

SENATOR BORRELLO: Thank you, Madam President. On the bill.

ACTING PRESIDENT PERSAUD: Senator Borrello on the bill.

SENATOR BORRELLO: So this is a

controversial topic. And we have data centers being proposed in different parts of our state, one of them in my district.

But you know what? I have never seen Albany study something and make it better, quite honestly. I've never seen Albany send a directive and make it better. And what this bill will do is it's taking away local decision-making and local control.

You know, I've been asked by my constituents where I stand. I stand with local governments making this decision. Why? Because I spent 10 years in county government. And every time the state government came down on us, it was never good. It was just a one-size-fits-all, politically driven agenda. Most of the time to burden us with the expense and cover for their mistakes.

And that's what this is about. This moratorium is not about responsible -- which isn't a word, responsible development. It's about covering up for New York State's failed energy policies. It wasn't that long ago the Governor was talking about making New York State the world center for AI. And we're going to

develop all this stuff and we're going to be the hub for AI.

Well, how the hell are you going to do that with no energy? She had the opportunity to do what she's doing now -- desperately trying to bring more energy online, desperately trying to get you folks on the other side of the aisle to agree to repower traditional baseload power. And we're not doing it.

So really what this is about is admitting that you have failed in having responsible energy policy here in New York State. That you shut down power plants, that you've wasted time and billions of dollar with these boondoggle green energy projects.

You know what I'd like to see? I would love to see a responsible re-energy act that pauses all of these ridiculous solar sprawl and wind that's going off across New York State, that's gobbling up tens of thousands of acres of good farmland across New York State.

I'd like to see a responsible act to pause that, and let's come up with some better ideas, some more responsible ways of handling it. Because right now you've created very little

energy and you've blanketed the beautiful parts of our state with these ridiculous wind and solar projects. They pop up overnight. Where is the responsibility there?

I was told, I heard in the debate that these big companies -- that local governments just can't deal with these big tech companies. And yet we have all of these foreign companies coming in and negotiating with all of these local governments. And what do we do? We actually tell them, Don't worry about the legal stuff, the solar company, the wind company, their attorney that they're paying is going to negotiate for both sides.

That's worked out really, really well, hasn't it? You've allowed them to come in and scam our local governments. You think that's okay, because it fits your political agenda.

So don't tell me this is about trying to protect local governments. It's not. It's about trying to override them. There are projects in the works that are going to provide good-paying jobs and transformational funding for needed infrastructure. And those are going to come to an end after local governments and local

economic development corporations have done everything they can to negotiate the best deal that they can.

And by the way, wind and solar provides almost nothing except pain and destroying our quality of life. That's what it's provided to local governments. Not a single job. All these wind projects, all these solar projects, zero jobs. Zero.

I've heard this is going to raise our energy prices. Well, here in New York State we have approximately 120 to 140 data centers. Not a lot. Now, compare that to the State of Virginia. Just Northern Virginia has 550 data centers -- 550 versus us at about 120, 130, call it what you want. Their cost per kilowatt hour for electricity is half of New York State's, half.

So it's not data centers that's going to raise our electricity prices. It's irresponsible policies out of this body that have raised our electricity prices. It's the boondoggle green energy projects that are -- the cost of infrastructure is built into -- hidden, excuse me, inside of those delivery charges.

It's the fact that we told energy companies, don't invest in here, don't invest in infrastructure, don't build new power plants. Because we're going to put you out of business. And you think you're going to -- in a year you're going to pause this for a year and you're going to figure out a way to power data centers with windmills and solar panels? No, you're not. Absolutely not.

So you're doing this and you're actually saying we're going to pause it for a year but we're not going to get the data in, we're not going to get the answers for 18 months. How's that going to work? How are you going to pause something for a year and not get your answers to your questions for a year and a half? That's not going to work either.

I'm not saying that I want data centers. What I am saying is that if we are going to be the leader in AI, whether it's New York State or the United States, data centers are part of that.

If we're going to actually try to be the leader, the world leader in artificial intelligence so we can do it better and more

responsibly than anywhere else in the world, we're going to need power to do that. And enemies of the United States know that this is a problem here. The enemies of the United States are investing in propaganda against these data centers so as to beat the United States at this game. That's why they are spreading the propaganda. They're organized. Look at some of the money that's flowing into these anti-data centers organizations. It's not organic, it's calculated. And it's calculated by the enemies of the United States.

When we take away that local control, what we are saying is we are better than you, smarter than you, know more than you. I know people on our local economic development organizations, our IDAs, local economic development corporations. These are business owners, smart people that have built corporations and built businesses that employed people from nothing. I can't say that for most of the people in this room or the room next door. Most of you have never employed a single person in your life except for the government employees that you have.

So you're going to tell me that you're smarter than someone that has built a successful business from nothing? Or has been a farmer, a local farmer with generations, that you guys know better than they do? I don't think you do. It's this arrogance that we know better.

So whatever we decide to do here today is going to determine whether or not AI is going to be a New York thing or a somewhere else thing, whether it's Pennsylvania or China. That's what you're going to determine today. And I want the communities that want this in their community to have the opportunity to do it. And the ones that don't do not have to.

But to sit here and say that we are going to do this ban while ignoring the fact that we don't have the power and we don't have the infrastructure to deliver that power is foolish. To sit here and say that we are going to wait for enough wind and solar projects -- which if they blanketed all of New York State, if you took up every square inch of this state, it still won't be enough to power the needs that we have here right now -- is also irresponsible.

So I'm going to vote no on this

because I want to keep local control. I'm going to vote no because I know that this is just a ruse, a red herring to cover for the disastrous energy policies that you have visited upon the people of New York State. I'm going to vote no because I don't think, at the end of the day, anybody in this room is quite frankly responsible enough to determine the outcome for any local organization, any local government, anyone's local quality of life.

That's why I'm voting no. Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Are there any other Senators wishing to be heard?

Senator Walczyk, why do you rise?

SENATOR WALCZYK: Madam President, would the sponsor yield?

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: Through you,

Madam President.

So the Governor created the Empire AI Consortium. The Governor, with your support, budgeted $90 million in tax money to create data centers in New York. The Governor created the AI and Future of the Workforce Advisory Panel. You've obviously -- and I sit on Internet and Tech, and you've legislated a number of different regulatory things with the sort of perspective that New York is going lead on the AI and data center industry, and that's why we need to put all of these rules and regs in place, because we're going to be leaders.

And the Governor has recently said if AI is destined to reconfigure the global economy, New York must be on the front line. She also said whoever is at the forefront of artificial intelligence will dominate the next chapter of human history.

Was this negotiated with the Governor?

SENATOR GONZALEZ: Through you, Mr. President, that is a misunderstanding of how our legislative process tends to work here. We introduce bills in the Assembly and the Senate,

and we negotiate them usually through -- between the two chambers. And when hopefully they're passed through both chambers and hopefully sent to the Governor's desk, there is a chapter amendment process where the Governor is able to negotiate.

So therefore, Madam -- Mr. President, hi -- I would say that is not where we are in the current process.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Without talking down to me about the legislative process, the question was pretty simple. Was this bill negotiated with the Governor's office or not?

SENATOR GONZALEZ: Through you, Mr. President, I think I was pretty clear that I negotiated this bill with my colleagues, with leadership and our friends in the Assembly.

SENATOR WALCZYK: And through you,

Mr. President, would the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Is the Governor going to veto this bill?

SENATOR GONZALEZ: Through you, Mr. President, that is a question for the Governor.

SENATOR WALCZYK: Thank you, Mr. President.

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

SENATOR STEC: If the sponsor would yield for a quick question.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR STEC: Thank you, Mr. President, through you.

I'm not sure I heard an answer to this question. I just want to make sure we are crystal-clear. If this moratorium goes into effect, what happens to a data center that's already been approved, it's under construction, but it's not yet operational? Is that affected or caught up in this moratorium, or will it be allowed to proceed and go online?

SENATOR GONZALEZ: Through you, Mr. President. If they've already received their permits from the DEC, they will proceed and continue to build and not be impacted by this moratorium.

SENATOR STEC: Thank you, Mr. President.

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

Seeing and hearing none, debate is closed.

The Secretary will ring the bell.

Senator Gianaris.

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

ACTING PRESIDENT BAILEY: Upon

consent, the bill will be restored to the noncontroversial calendar.

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 Zellner to explain his vote.

SENATOR ZELLNER: Thank you, Mr. President.

And thank you, Senator Gonzalez, for your courageous, great work on this bill.

I disagree with Senator Borrello. This isn't about local control, this about the people. And the people are crying out for leadership from this body to do something about this issue.

Yesterday hundreds of residents packed a meeting in the Town of Tonawanda regarding the proposed data center at the former Tonawanda Coke site. They came from different backgrounds, different neighborhoods, and different perspectives, but they were all there

for the same reason. They have questions, and they do not believe those questions have been answered.

For weeks my staff and I have been hearing from residents who are trying to understand what these projects could mean for their communities. They're asking about energy demand, water usages, infrastructure and utility bills. And they deserve answers.

The proposed Tonawanda data center may be on hold today, but this conversation is far from over. Just outside my district a major project continues moving forward in Niagara. Another is being discussed in Genesee County. And we know across the state more proposals are being considered.

And before we hand over permits, infrastructure, tax incentives and access to our power grid, we have an obligation to make sure New Yorkers are getting a fair deal. Because if these companies are going to profit from our communities, then our communities should benefit from their investment.

We cannot allow working families to subsidize billion-dollar companies through higher

utility bills, strained infrastructure, or decisions that are leaving communities with all the consequences and none of the say.

As a father, I take that seriously. I do not want my children growing up in a community that looks back years from now and says, Why didn't anyone slow this thing down enough to ask some questions?

Western New York has learned these tough lessons before --

ACTING PRESIDENT BAILEY: Senator Zellner, how do you vote?

SENATOR ZELLNER: The people I represent have every right to be skeptical.

I vote yes.

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

Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

I represent the Town of Lysander, which is west of Syracuse. It has 23,000 people in it. And a developer has proposed a 300-megawatt data center in the Town of Lysander.

The people of the town organized,

they got their town board to vote for a six-month moratorium so they could just review their zoning laws. But if you look at the Facebook page for this group that organized, they are desperately calling for the state to step in and help them. They're saying, where is DEC? They're saying, can we have a statewide moratorium so that we can really figure this out? Because 300 megawatts is enough power to power 15 towns the size of Lysander. The water usage is estimated to be twice the total water usage of the town currently.

So these are decisions that they're having to make on a scale way beyond what a town board normally would be making. And truly it's not reasonable to expect them to be able to figure out where 300 megawatts of energy is going to come from, where that double the amount of water is going to come from.

All of these kinds of decisions require a regional approach. And this is why it makes perfect sense for us to take, as a state, action to help these local governments buy a little bit of time so they can figure out what the parameters are and what they need for their

districts.

So I am happy to vote aye on this bill. Thank you.

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

Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Mr. President.

You know, I think that if you asked the people of New York State if they thought New York State was helping when they created ORES -- which has allowed these foreign companies, these wind and solar companies to come in and roll over local regulations, to wipe out endangered species, to essentially override every environmental and local zoning law -- I'd say no, they would not think that's a good idea.

And yet we're going to sit here and tell people that New York's coming to the rescue right now with data centers. No, we're not. This is just not fitting your political narrative. It's not fitting your agenda.

Because everything you say you were worried about you're actually doing right now

with these wind and solar projects that are destroying our beautiful landscape, that have raised our energy prices, that have impacted our quality of life, that are endangering our water supplies, our wetlands. So you really don't care about that stuff. It's just a good excuse to cover for the bad work that you've done up until now.

I'm voting no.

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

Senator Webb to explain her vote.

SENATOR WEBB: Thank you, Mr. President.

Georgia, Virginia, Tennessee -- these are states that have very large data centers, and in fact they have taken efforts to try to repeal those decisions because of the very toxic drinking water and health challenges that pursue. We don't have to look any further than that.

I represent the Southern Tier, and we have very large manufacturing entities over the years that created significant health and environmental hazards.

So all we are simply doing as a body is saying pause. That is what our responsibility is as legislators. We have to take facts, not opinion, and figure out what are the best solutions for our communities.

I want to thank Senator Gonzalez and everyone that's been working on this. We know that one of the many things we are often trying to address is striking a balance between the need for job creation -- but at the end of the day, if we have no place where we can live, the jobs go out the window.

And so I think it's important, as we look into this very important issue, that we take the time that is needed to figure out what are going to be the long-term effects, not just simply the costs financially, but the health, environmental and other costs that we know to be true.

I vote aye, Mr. President.

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

Senator Fahy to explain her vote.

SENATOR FAHY: Thank you, Mr. President.

I too stand to vote aye on this bill. AI, as mentioned earlier, represents the largest shift in our economy since the Industrial revolution. It includes the shift we have seen, an explosive growth in data centers. While we all rely on AI, what we are looking for here is a moratorium. We must ensure that ratepayers, who we talk a lot about, are not left footing the bill for this unchecked growth.

Large-scale data centers consume enormous amounts of energy and water, placing an additional strain on the grid which can drive up costs for residential customers. Before we move with these, we need to understand the impacts of energy demand, the utility rates, land use, water resources, and more.

A moratorium is not a ban, not a ban. It's a pause. It's a pause that allows New York to proceed with thoughtful standards. One year so that communities can have more of a voice as these projects move forward.

Right here in the Capital Region, the community has felt a bit caught off-guard, to put it as mildly as possible, with one right here in our backyard being proposed, a 180-megawatt

one. The residents are rightfully asking difficult questions: Who benefits, who bears the costs, how do we protect the ratepayers, how do we protect our natural resources and our water?

We need these questions answered before, not after. I commend the sponsor. I commend the leader. And I vote aye.

Thank you, Mr. President.

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

Senator Rivera to explain his vote.

SENATOR RIVERA: Thank you, Mr. President.

First of all, I'd just like to take a second to say, great job, Kristen. We have an amazing colleague who obviously did her homework here.

And then I want to speak to our colleagues who are voting nay on this. And I'd like for you to reconsider. Because I think that some of you all are confused. When these data centers come, they're not going to come to the Bronx. They're not going to come to Queens. They're going to come to your districts. You're the folks that have these large, enormous spaces

that have no population in them, and that's where these things are going to go.

And these are going to be right next to small towns that are going to get less water, that are going to have all sorts of power issues. Everything that we've laid out here has already happened in other states.

All that we're saying with this is we're going to stop for a second, and we're going to make sure that we set it up so that there can be local decision-making so that this can actually be done in a way that benefits the State of New York.

Y'all, by voting no, remember, it's going to go to y'all. So I would really appreciate if you'd just think about it for a second. It is a wise thing to press the pause button and to get it right.

So Mr. President, I vote in the affirmative.

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

Are there any other Senators wishing to be explain their vote?

Seeing and hearing none,

Senator Gonzalez to close.

SENATOR GONZALEZ: Thank you, Mr. President.

This is a significant moment for New York State. We will be one of the first states to pass a moratorium on the building of large data centers. And the reason that's important is because we're acknowledging we're not only in a climate crisis, not only in an energy crisis, but we're in an affordability crisis.

And while my colleague across the aisle and Big Tech would like us to do nothing, doing nothing means that we would let these costs be passed down to our constituents.

This bill is more than a moratorium. This bill creates a separate energy class for the largest data centers. It creates a separate rate class for water usage for them. It creates community benefits, community engagement, and it gives the state an actual environmental impact report to be informed in our policies moving forward.

And that's important because for the first time, we're putting New Yorkers in the

driver's seat over Big Tech. Because for too long they have enjoyed either having no regulations or writing their own rules. Doing this not only means that our energy bills are protected and that affordability is at the forefront, but it also means that real New Yorkers have a voice in this process.

And this isn't a normal threat. I want to be clear because there's been a lot of misinformation about this bill and who it applies to and what it does. Hyperscale centers are on a scale we have literally never seen before. And it is not existential to say that the energy demand that is increasing is because of these data centers. The New York State Independent Systems Operator says that with the approximately 28 large data centers in their queue, they would add an additional 9,682 megawatts of energy to our currently constrained and aging grid.

This is an 11-times increase in energy demand from data centers and, by 2030, increases the gap by which our current demand and our energy generation will see. And that's without those centers coming online.

So we know this isn't fear-based,

this is fact-based. We know it's our responsibility to have a plan and do something. And I am so proud to be in a chamber that has stood up and done exactly that.

I want to say thank you to Senator Krueger because without her leadership, we certainly would not have made it to this point.

And I really want to thank all of the staff that have put in their time and heart and soul -- because this isn't a new bill, this is a bill that is an omnibus encompassing of many bills they've worked on.

And so I not only want to thank my own team, Katie, Elan and Hannah, but I want to thank our Senate central staff: Mike, of course; Dan, Grant, Sean, Carissa, Nicole, Malik, Lakeya, Karen, Amanda, and Alex. Thank you for standing up for what is moral and what is right.

With that, I enthusiastically vote aye. Thank you.

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

Announce the results.

THE SECRETARY: In relation to

Calendar 1787, voting in the negative are Senators Borrello, Chan, Gallivan, Griffo, Helming, Lanza -- excuse me, Senator Helming in the affirmative -- Lanza, Martins, Mattera, Oberacker, Ortt, Rhoads, Ryan, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 44. Nays, 16.

ACTING PRESIDENT BAILEY: The bill is passed.

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

SENATOR GIANARIS: Thank you, Mr. President.

Just to give my colleagues a sense of the remainder of the evening, we are at the point where we are going to hear some comments from our departing colleagues -- other than myself. And we are waiting for the two leaders to come out for that process.

After that, there will be respective party conferences. And after that, we will return to take up the final calendar of the session.

So if we can just stand at ease for a couple of minutes while the leaders get out

here, and we'll pick it up in a moment.

ACTING PRESIDENT BAILEY: We will stand at ease temporarily.

(Whereupon, the Senate stood at ease at 8:20 p.m.)

(Whereupon, the Senate reconvened at 8:21 p.m.)

ACTING PRESIDENT BAILEY: The Senate will return to order.

Senator Gianaris.

SENATOR GIANARIS: We are ready. We're going to hear from the following members --

ACTING PRESIDENT BAILEY: Some order, please. Excuse me, some order, please. Thank you.

Senator Gianaris.

SENATOR GIANARIS: And just to be clear, for this part of the evening we are only going to hear from the members who are leaving the Senate. This is not the time for tributes to them from the other members; we can do that in conference or in private.

But we're going to hear first from Senator Oberacker, then Senator Weik and Senator Martins, and concluding with

Senator Kavanagh.

So please call on Senator Oberacker.

ACTING PRESIDENT BAILEY: Senator Oberacker for departing remarks.

SENATOR OBERACKER: Thank you, Mr. President.

At the Gettysburg ceremony, the Gettysburg ceremony, the featured speaker of that event was a gentleman by the name of Edward Everett. Edward Everett spoke for over two hours. Now, if I asked any of you here in this chamber if you knew who Edward Everett was, I'm sure I'd get the look that I'm seeing now. No.

After which our president, Abraham Lincoln, got up and made his iconic speech, which is about three minutes, depending on the cadence.

Every one of you in here knows about his speech. Not one of you knows about Edward Everett. So if I'm to be a student of history, I too will keep my remarks short.

First and foremost, it's thank you. I've got to say thank you to my wife, Shannon. I may have, you know, brought the ends together, but she tied everything together to make it work.

I've got to say thank you to the greatest staff here in Albany, my staff. Lynn, my chief of staff; Mira, my legislative director. I have Julie, Camille, Victoria and Sean. And I'm telling you, once I leave here, folks, you ought to be grabbing these folks, because they are just absolutely amazing, amazing staff.

Leader Ortt, I want to say thank you. I want to say thank you for leadership, thank you for taking me into your office and feeling sometimes I was coming into the principal's office at times. But your leadership, your guidance, I truly appreciate it. Thank you. I will carry that with me always.

My Republican Conference and my staff. You guys are amazing, absolutely amazing. I'm taking a piece of each and every one of you with me when I leave here. And to that end, I also want to congratulate those that are leaving with me as well, Senator Martins and of course Senator Weik, who I came in with in my initial entry here into Albany.

Leader Stewart-Cousins, thank you. Thank you for the cordialities you've shown me, and your guidance. I appreciate that as well. I

will take that with me.

My Majority members, thank you. You know, you had an effect. You actually softened me, which I didn't think was possible. So for that I'm thankful. For that I'm thankful.

I had a much longer speech set, and I was going to have Gerald actually read it --

(Laughter.)

SENATOR OBERACKER: Because if there's anybody that can take a two-hour speech and do it in two minutes, it would be Gerald.

(Laughter.)

SENATOR OBERACKER: But I'm going to let him off the hook, I'm going to let him off the hook tonight.

Every one of you will have a place at my table. Every one of you will have a dish that I -- hopefully I could prepare with love. Maybe we'll have an adult beverage. Maybe we'll talk -- hopefully not about politics, but maybe, you know, mix a little bit in there to keep me in on things. But you will all be invited, every single one of you.

If I was to find one word and really mean this to kind of encompass what I'm trying to

say, it's a Hawaiian word. And it's "mahalo." And it means thanks, gratitude, admiration, praise, esteem, regards and respect. Mahalo. Mahalo. Mahalo, Mr. President.

Thank you all. God bless you. Cheers. Thank you.

(Standing ovation.)

ACTING PRESIDENT BAILEY: Thank you, Senator Oberacker.

Senator Weik for departing remarks.

SENATOR WEIK: Thank you, Mr. President. Unlike me, I'll try to keep my comments short and sweet. (Pause.)

(Laughter.)

SENATOR WEIK: Delayed reaction.

(Laughter.)

SENATOR WEIK: To know me is to know that.

So first I'd just like to say thank you. This has been the honor of a lifetime to be able to serve here in this chamber.

I thank my constituents for believing in me and sending me here. This has been the best six years of my life. And to experience this is like nothing else in this

world.

And I know all of you know what I'm talking about, because it's almost like traveling around the world. We're traveling around the state every day that we come here. We hear the common things, we hear the differences. We see and understand the different perspectives and points of view. And to me, that's invaluable.

And so I thank you all for sharing your hometowns and your districts with me. It has truly been interesting and eye-opening to see how this state really functions together.

So to my colleagues across the aisle, I want to say thank you very much. I've gotten to know some of you, Senator Persaud especially, very well. And I thank you so much for your friendship. Senator Webb, I've gotten to know you too. So I thank you so much for that relationship.

I want to thank the Secretary of the Senate, who I've had a nice relationship with as well. She has been there through a lot of my different times.

I want to thank our central staff who work so hard to make sure that we're prepared

and we know what we need every single day. So thanks, guys, I really appreciate it. I know you sit behind me, so I couldn't tell you a face to a name, because for six years I've only heard your voice -- and I could pick you out anywhere just by your voice.

To the Sergeants-at-Arms, all of you, including Ben -- Ben has always been that pillar. When we see him, it brings us comfort, it brings us love, it brings us joy.

And to all of the Sergeant-at-Arms, I so enjoy seeing you here and hearing your stories and meeting you and getting to know you. So I thank you so much for watching over us and protecting us.

I want to thank my staff. Although they have changed often, I would like to say thank you so very much. Presently I have Matt here -- he's laughing. Sue is my chief of staff. I've got Will, I've got Anastasia and I've got Bella. And they are my favorite team, and they put up with me every day. So I thank them so much for that.

I really want to thank my husband and my family. When I ran for Senate, my husband

was not exactly supportive. Leaving him and my high school son at home -- the other two had gone. And I told him this is something that I felt in my heart and in my soul. And I actually said to him, "Get on board or get out of the way."

(Laughter.)

SENATOR WEIK: And so he got on board.

(Laughter.)

SENATOR WEIK: And I love him dearly. Our 31st anniversary is coming up just next week. And so I love you, I thank you, Jim. So thanks always for being there and putting up with me.

I want to thank my children, too, who you've seen on my palm cards and in my brochures. They are my whole life: My son Jimmy and my daughter Callie and my youngest son Tom. And of course my grandchildren, Adley and Chase. Chase is the new guy. And I just -- I love them all so very much.

I want to thank my family here. And they really are; you know that as well. When we come here, we're here for a good solid week. We

spend all of our time together.

And to my colleagues here, we came in six years ago during the pandemic, and it was a weird, wild time. And we formed this very tight bond and friendship. And I just -- I'm going to miss you all. I don't like to cry. But I am going to miss all of you very, very much.

To the Majority Leader, I'd like to thank you very much for all of your support and your kind words over the years. It's been great to get to know you as well.

And I'd really like to congratulate -- I feel better knowing I'm not the only one leaving. So to Senator Oberacker, Senator Martins, and to my colleagues who are also leaving on the -- I'm not sure how many. It's just the two of you, right? I just want to say congratulations to you as well, and I wish you all the very best in your future endeavors.

And last, but not least whatsoever, is the leader. And he and I have a very special bond because when I started to run for office and everyone kind of fled and left, he called up and he said, "Please don't fear. Some of us are staying and working." And that meant the world

to me.

And I'm so glad that you have always been there for us. You have been a phenomenal leader. We couldn't have asked for more.

And so I thank you so much for your dedication to us, your loyalty, your kindness, your friendship, your support, your guidance. I thank you so very, very much.

Thank you.

(Standing ovation.)

ACTING PRESIDENT BAILEY: Thank you, Senator Weik.

Senator Martins for departing remarks.

SENATOR MARTINS: Thank you, Mr. President.

My trajectory's been a little different than most, so I'll start where I should start, Mr. President, by thanking my wife and my family for the opportunities and the support that they've given me over the years.

I come from an immigrant family. I think most people know that. And so the idea that a kid born to immigrant parents -- poverty, very small farming village in northern

Portugal -- can be raised here in New York, grow up to be the mayor of his village, serve several terms and then get elected to the State Senate, and leave, pursue his -- and then decide to come back, it's truly a blessing.

This is a very special place. You know, many people consider other places to be the center of democracy. The center of democracy, my friends, is right here in this chamber, in this state. The diversity that this state provides, the opportunities it provides and has provided over the years, is something that we should all be very much aware of the legacy that we have and the responsibility we have as members of the New York State Senate.

There are only 63 of us. Once upon a time there were only 62 of us. And so that idea and the camaraderie that that brings is something pretty special.

And I had the opportunity to join the chamber and sat on that side of the chamber for years. And those were different times. And then I chose to come back, something I wanted to do, for different reasons.

But as I said before, very important

that we respect this place. When we're in the Majority, to respect the place. When we're in the Minority, to respect the chamber as well.

It is the Majority's responsibility to advance policy, clearly. That's what we did, that's what you do. But it is the Minority's responsibility to advocate aggressively. That's what we're supposed to do. That's our job. And sometimes that puts us in conflict because we are passionate about what we do.

But I will tell you this. It's always from a good place. And I know it's always from a good place from you as well. That's how policy is set.

We each represent 330,000, 340,000 people, whether we sit on that side of the room or sit on this side of the room. And so the ability for us to talk to each other and to respect each other's opinions -- and to understand that we're not just setting policy for people who sit in the Majority, but for the entire state.

And if there's one thing that I hope I learned when I was in the Majority, and something I know I know very well being in the

Minority, it's that's important, that process.

Take care of each other. Take care of each other. Look out for each other. Regardless of where you sit in the room, where you come from. It's our responsibility to make sure that those who come after us understand what it is to be a Senator in the State of New York. It's not an easy thing. It's not something you're born with. And when you walk in the door, I can tell you, you don't know what that means, and it takes you a little bit of time to understand what does it mean to be a New York State Senator.

I had the good fortune of having people teach me that when I got here in 2010. Perhaps I had to relearn it when I got here in 2022.

I want to thank the Majority Leader. We've known each other a long time. The Majority Leader was here when I got here in 2010. She was here when I left in 2016. And you're still here.

I want to thank Leader Ortt for your friendship, for your leadership. Again, we've known each other a long time, both before and after.

But for everyone in the room, everyone in the chamber, thank you. Thank you for the opportunity to serve with you. Thank you for the opportunity to work with you on such important issues that truly make a difference in the lives of people across New York State.

I too have a wonderful staff. Obviously I want to thank them. Great people who have stayed with me, many of them since 2010. And when I left, they found other work, but when I came back, they came back as well. Which was great to be able to reassemble the team and to work again. I will miss them. And I'm sure we will stay in touch, but it's different.

The one thing I will leave you with, as a person who has served, who has left and who has come back, cherish your time here. Appreciate it. When you leave, you're the same person, obviously, but it's different. Appreciate what opportunities are here and what a privilege it is to serve as a New York Senator and how important that is.

Mr. President, it has been a privilege to serve with all of my colleagues. To share a phrase from my dear friend Senator

Oberacker, mahalo to everyone. Thank you for that.

I love the idea that everyone has a plate at the table and everyone is free to come and go. And I hope we will have the opportunity over time, and that our lives will intersect in the future, and I am pretty sure they will.

But if there's anything at all in our lives where I can be of any help to any of you -- to you, to your families -- please do not hesitate.

God bless you all. And thank you for the opportunity to have served with you.

Thank you.

(Standing ovation.)

ACTING PRESIDENT BAILEY: Thank you, Senator Martins.

Last but certainly not least, Senator Kavanagh for departing remarks.

SENATOR KAVANAGH: Thank you, Mr. President.

Most of you, my colleagues in this chamber, know that I've never been much of a speech maker in here. To the extent I speak on the floor it's usually fielding, you know,

interesting and sometimes obscure questions about obscure legislation or talking about investments we're making on housing in the budget.

And I'm sure when St. Patrick's Day rolls around, when I come and speak as the head Irishman, the head of the American-Irish Legislators Society, you all miss Tim Kennedy and his long, eloquent, silver-tongued speeches he makes here.

But I am really grateful for this opportunity to speak briefly tonight in what's likely to be my last evening in this chamber as a Senator.

Mostly I do want to express gratitude. I want to begin, as others have, by expressing gratitude to those closest to me. I have a representative sample of the very large and supportive Kavanagh family, my brothers Timothy Kavanagh and Sean Kavanagh are here with us in the chamber. And my family has been -- my extended family has been so supportive of me of politically, professionally, personally over so many years and really has shaped my perspectives on the world, my commitment to serve.

So thank you for being here and

thank you to all the Kavanaghs everywhere, and there's quite a lot of them.

Everyone in this chamber -- this has also been gone into, but everyone in this chamber knows how challenging it can be to be in a relationship with an elected official. And so I want to thank Eden Forsythe, who's also here, for putting up with the ridiculous schedule and the demands on our time and obscure calls about, you know, the budget or legislation at odd hours. And of course for your love and support over a lot of years now, so -- and thank you for being here also.

To all of my colleagues, this really has in so many ways been a tremendously productive collaboration. And I've been here for 20 years, nine years in this chamber and 11 years in the Assembly.

Of course as others have outlined, I begin with Senate Majority Leader Andrea Stewart-Cousins, for your strength as a leader, for your grace, and for really always making the difficult judgments we have to make about what's important and what's right and how to get the things done that we've gotten done over so many

years.

And for entrusting me with the role of chairing the Housing Committee and leading on those issues in particular. Thank you.

I also -- I did spend a lot of years in the Assembly, and several of my colleagues from the Assembly have migrated over here to the Senate with me.

I do want to thank, you know, Carl Heastie and all of the Assembly colleagues who are here and on the other side of the building. Those were also really wonderful, challenging and productive years.

I -- let me also -- I'm going to just end, but also just to thank my present and my former staffers. Much of my current office staff are here today. We all will have a lot more opportunities to say goodbye. We're all in our work for the next seven months or so, and I'll be in office.

But I do want to -- like knows that our staffers really are the people that make us what we are as public officials, as public servants, you know, as -- when we're successful for our communities, our constituents, it's

because of all of you. So thank you all for sticking with me over so many years and such wonderful work.

And to the central staff. We know, we do all of this work late into the night, early in the morning. Often they are working later than us, working harder than us. And, you know, so many smart, wonderful people, some of them -- I'm not going to name names of the Housing staff and the others I've worked with over so many years. But it has been just a tremendous honor and a privilege and a pleasure to work with all of you now over -- over many, many years.

And I'm proud of the work we've accomplished. You know, on housing we really have, over the last eight years, I think transformed the way the State of New York thinks about housing. It used to, I think, be a secondary issue. We thought the federal government would spend money, localities would implement it.

But, you know, from my time leading with all of you the negotiations on the Housing Stability and Tenant Protection Act during COVID, those dark, dark years when this chamber was

mostly empty and there would be like three or four of us here at a time, you know, figuring out how to prevent evictions with a 22-month moratorium and a $4 billion program to make sure that people's rent was paid.

For working with Senator Salazar on good-cause eviction and the Housing Access Voucher Program and our new, excitingly named Shelter Arrears Eviction Forestallment Program -- because the word "forestallment" has been neglected far too long in our parlance.

And, you know, for the programs that I've been working with you've heard Cordell Cleare and I speak obsessively about recently freezing people's rents, reducing people's property taxes through the SCRIE, DRIE, SCHE, and DHE programs which we had a marvelous success with this year.

We've also just massively increased the amount of support that the state provides for housing. We've -- the capital budgets go up and down, but we've essentially doubled our commitment to building and maintaining the housing we've got in the last few years. And we should be very proud of that.

And I'm also just -- I'm very proud of the environmental work. You know, Senator Harckham and others really have led on that. The All Electric Building Act, which is still being litigated but I think will come out unscathed and will be implemented soon in New York, and so much other work.

We know we differ, especially across the aisle we differ on how to address those challenges. But I think it is really the challenge of our time that we make things more sustainable, that we make it cleaner, that we make it more affordable, and that we diminish exposure of people to toxins.

I've been very -- I've been proud of the work we've done on extended producer responsibility, debating not once, twice, but five times the mattress EPR bill with Senators Borrello and Walczyk. I think maybe this is five times is the charm.

(Laughter.)

SENATOR KAVANAGH: But really getting in and trying to figure out what -- like what it is that we can do to really make the economy more circular and sustainable and

affordable for folks.

I -- when I got to the Legislature, the gun laws of New York were depressingly weak. You could still walk into a parking lot with a very dangerous weapon and sell it to somebody for cash with no questions asked and walk away and not be committing a crime.

So the SAFE Act, which we did, you know, before I was in the Senate, and the continued work of this body on making our gun laws keep people safe, keep guns out of the wrong hands, has been an ongoing and very important thing. And we're passing more bills today to make sure that we live up to that commitment.

One of the things that a lot of you have said here in this room today, and at other points, people have commented on my well-deserved reputation for wonkery. For, you know, delving into the most obscure details, knowing the facts, sometimes maybe, you know, blinding you with the facts during debate.

But I do want to say that, you know, a lot of what -- why this has been so productive is that each of us brings so many gifts and skills and perspectives to this work. And yes,

I'm very proud that I can recite obscure details of various legislation and pieces of the budget that are critical to me, and we all do that and we all know how to do that.

But it really is the wide range of skills and talents that makes us so productive. People's -- the rhetoric on this floor that is sometimes so moving and so inspiring, not just for us here in this room, but we know for people across the state. The ability to figure out how to make -- how to take the many different perspectives -- and this is something we talk about across the aisle, but within our own conference, to get together and make the compromises and do the work that is necessary for people.

One of the things I'm most proud of about this body is that we are never self-satisfied. I mentioned a few accomplishments that I'm proud of. We all do that. But we also understand that we continue to face enormous challenges across this state -- that people struggle to afford to live where they live, that we are not building enough housing. In some cases, we've got government preventing us

from building enough housing in some places.

With that, we have far too many of our families still facing homelessness and eviction. Personally my sense is that we haven't done enough on preventing especially children from being exposed to toxins.

We know that we have these challenges, and it is one of the great hallmarks of this body that we never give up. I know sometimes some people across the aisle would like us to give up on certain directions that we want to go. But I know everyone in this room really takes this work as an opportunity to serve, to meet people's needs large and small.

And for all of that, it's been just such a privilege -- people have said it, but the privilege of a lifetime to spend 20 years doing this work representing hundreds of thousands of New Yorkers. And this is not retirement for me. I look for other ways to serve and hope to serve with many of you in various capacities over the long run. But in the meantime, I know all of you and this institution will continue to do the wonderful work we've done for so long.

So thank you.

(Standing ovation.)

ACTING PRESIDENT BAILEY: Thank you, Senator Kavanagh.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, there will be an immediate meeting of the Democratic Conference in Room 332.

And please call on Senator Lanza for an announcement.

ACTING PRESIDENT BAILEY: There will be an immediate meeting of the Democratic Conference in Room 332.

Senator Lanza.

SENATOR LANZA: Mr. President, the Republican Conference will meet in Room 315 immediately.

ACTING PRESIDENT BAILEY: The Republican Conference will also meet immediately, in Room 315.

Senator Gianaris.

SENATOR GIANARIS: One moment, Mr. President.

ACTING PRESIDENT BAILEY: Okay, let's call a return to session at -- we'll aim for 9:30 and hope for the best.

ACTING PRESIDENT BAILEY: The Senate will return to order at 9:30.

The Senate will stand at ease temporarily.

(Whereupon, the Senate stood at ease at 8:52 p.m.)

(Whereupon, the Senate reconvened at 10:46 p.m.)

ACTING PRESIDENT BAILEY: The Senate will return to order.

Senator Gianaris.

SENATOR GIANARIS: Good evening, Mr. President.

ACTING PRESIDENT BAILEY: Good evening.

SENATOR GIANARIS: We are going to at this time call an immediate meeting of the Rules Committee simultaneous with taking up some of the remaining resolutions, beginning with previously adopted Resolution 2317, by Senator Webb.

Can we have that resolution's title read, recognize Senator Webb, and call an immediate meeting of the Rules Committee, please.

ACTING PRESIDENT BAILEY: Okay.

There will be an immediate meeting of the Rules Committee in Room 332, simultaneously with the resolution.

The Secretary will read.

THE SECRETARY: Resolution 2317, by Senator Webb, commemorating the 80th Anniversary of Binghamton University in 2026.

ACTING PRESIDENT BAILEY: Senator Webb on the resolution.

SENATOR WEBB: Thank you, Mr. President.

I rise today on the 80th anniversary of my alma mater --

ACTING PRESIDENT BAILEY: Senator Webb -- Senator Webb, excuse me.

Can we have some order in the house, please. There is an immediate meeting of the Rules Committee, but we're calling a resolution simultaneously.

Senator Webb, please continue with your resolution. Thank you.

SENATOR WEBB: Thank you, Mr. President.

I rise to lift up the 80th anniversary of not only my alma mater, but

also of several Senators in the chamber: Senator Monica Martinez, also Senator John Liu. And that esteemed university is Binghamton University.

I want to thank our Senate Majority Leader for her supporting of this resolution. Our SUNY system, as we all know, is a world-renowned institution that brings in students from across the globe. And Binghamton University stands as a pillar of the SUNY system. It is consistently ranked as a top public school and has been identified as a dignified Public Ivy by Forbes Magazine.

Binghamton University has countless notable alums from entertainment, politics, sports, media, business and research.

Some alums to note -- and again, these aren't all: Ruben Santiago Hudson, Sunny Hostin, Paul Reiser, Billy T. Jones. We also have Nobel Prize winners as well.

Binghamton University, or BU, was founded in 1946 as Triple Cities College and intended to serve the needs of local veterans returning from service in World War II. It was originally located in Endicott, five miles west

of its current campus, and was a branch of Syracuse University.

In 1950, BU left Syracuse and was incorporated into our SUNY system, also then renamed as Harper College, in honor of Robert Harper, who helped settle the area west of Binghamton. Over the course of the 1960s, the campus moved across the Susquehanna River to its current location in Vestal, and was formally designated the State University of New York at Binghamton.

BU is a leading research institution dedicated to higher education and committed to collaborative interdisciplinary research, inspirational artistic endeavors, and high-impact educational experiences. Throughout its 80-year history, Binghamton University has graduated more than 160,000 students from over 100 countries.

BU has remained steadfast in its mission to work in partnership with the community to ensure that all students develop and demonstrate the knowledge, skills, abilities and character to live a productive and rewarding life.

I am very proud to be an alum of

this great institution, as many folks in my office are also proud alumni as well. We consistently receive interns from this great institution who are talented, they are eager to get to work, and they go on to do amazing things.

I personally want to thank Binghamton University on reaching such an important milestone of its 80th anniversary. I also want to thank Assemblymember Donna Lupardo, who is also a proud alum of Binghamton University, who also presented this resolution in the Assembly.

I very proudly vote aye on this resolution. And go, Bearcats!

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Webb.

Senator Martins on the resolution.

SENATOR MARTINS: Thank you, Mr. President.

I rise to thank the sponsor for the resolution. She forgot to mention Kaitlin Martins Solomon as a graduate of Binghamton University.

As you can imagine, Mr. President,

Kaitlin is our oldest daughter, just graduated from Downstate Medical College a month ago, and a proud alumnae of Binghamton University. As the Senator said, as the sponsor said, the finest university, public university we have in our SUNY system, bar none. I don't want to hear the rest of you.

(Laughter.)

SENATOR MARTINS: It's a wonderful school, and it's doing a wonderful job. Really, you just have to look at the sponsor and the others who have graduated from there, including our other colleagues here, Senator Martinez.

But what a wonderful experience I can tell you, Mr. President, that my family has had and my daughter has had in Binghamton, graduating from the university that really has set her up for success in life, and that is all that we can ask.

We should be very proud in New York of our entire SUNY system, but in particular SUNY Binghamton. Go, Bearcats!

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Martins.

SUNY schools are a bonanza of educational wealth, and we thank the sponsor for all that they do. But UA, you know.

(Laughter.)

ACTING PRESIDENT BAILEY: The resolution was previously adopted on June 2nd.

Senator Liu, another SUNY Binghamton alumni.

SENATOR LIU: That's right, Mr. President. You let Jack Martins know that as well.

(Laughter.)

SENATOR LIU: And I'm so old, they were the Colonials when I went there, before they became Bearcats.

Mr. President, please take up previously adopted Resolution 1708, by Senator Fernandez, read the resolution title only, and recognize Senator Fernandez.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Resolution 1708, by Senator Fernandez, memorializing Governor Kathy Hochul to proclaim July 20, 2026, as Colombian Independence Day in the State of New York, on the

216th Anniversary of Colombian Independence.

ACTING PRESIDENT BAILEY: Senator Fernandez on the resolution.

SENATOR FERNANDEZ: Thank you so much, Mr. President.

I proudly rise as a Colombian and in fact the first Colombian American to serve in the State Legislature -- just for a short time, because soon after, we were -- I was joined by many Colombian women leaders here in the Legislature.

But it is really something I'm proud of, to be able to introduce this resolution. I am half-Colombian. My mother, born in Plato, Colombia, from my grandparents, Fernando and Valdina. And this resolution is so impactful and important because we have seen, through music, through food, through culture, through flowers, through everything how much the Colombian community and culture has impacted things that we love every day.

We have artists that have shaped the world when it comes to pop culture, from Shakira to Carlos Vives, actresses like Sofía Vergara, and now more modern artists like Karol G, who was

the first Latina to headline Coachella.

But it is such a pride that I can say I am Colombian, one of the most beautiful countries in South America, namely the most beautiful country I think on the Forbes list this year and last year.

I highly recommend people to visit, because the history is rich, over 200 years ago relieving themselves from the Spanish regime to show true independence, leadership, and to this day leading in this world when it comes to dignity for its people and equal rights and really bringing a conversation forward about how to speak for your people and to protect your country.

So I am very honored and proud to be Colombian. I thank you for this opportunity to make it official in New York that we are going to celebrate Colombian Independence Day on July 20th. And I welcome and invite everybody to not just the Bronx, where we do have some great restaurants, like La Masa, but to my colleagues' districts in Queens, where we do have Little Colombia there.

But thank you for this opportunity.

I proudly vote aye on this resolution. And please make sure you celebrate in July all of your Colombian pride.

ACTING PRESIDENT BAILEY: Thank you, Senator Fernandez.

Senator Ramos on the resolution.

SENATOR RAMOS: {In Spanish.} I feel so grateful for the privilege of celebrating Colombia's independence here in the New York State Senate.

My parents came to this country with little more than hope, determination, and the belief that their children would have the opportunities they never had. And because of them, I have the extraordinary privilege of representing one of the largest Colombian communities anywhere in the United States.

I was born in Little Colombia, and I'm so proud to have grown up to be the first Colombian American to represent it here in the Senate. I represent the bakeries, the restaurants, the small businesses and the thousands of families who helped build Queens.

Every summer those streets come alive during the Calle Columbia Festival -- this

year on Saturday, June 20th, at 12 noon, on 37th Avenue and 82nd Street in Jackson Heights.

And then on Sunday, July 26th, everyone's invited to the Colombian Independence Pride Festival in Flushing Meadows, Corona Park, at 2 p.m.

And what we celebrate is more than a nationality. We celebrate resilience. Because Colombians unfortunately know a lot about that. Many of us grew up experiencing tremendous violence, conflict and hardship between the guerillas, cartels, the paramilitary, and even the military. Millions of Colombians have been displaced, kidnapped, murdered and disappeared.

And yet despite all of that, Colombians remain known around the world for our optimism, our warmth, and our joy. I think that's because we understand something important, and that's that happiness is not ignoring pain, happiness is deciding that pain will not have the final word.

That's who we Colombians are. A people who have endured so much become experts in hope. And perhaps that spirit comes from the country itself, a nation of the Andes, where my

family is from, and the Amazon, of the Caribbean and the Pacific, home to extraordinary biodiversity, extraordinary beauty and, yes, the best coffee in the world.

But Colombia's greatest treasure is its people. We're Indigenous, we're African, we're European, we're Arab. We are a beautiful mixture of cultures and histories that taught us long ago that diversity is strength.

And as we celebrate independence, we also remember the responsibility that comes with it: The responsibility to protect the democracy, sovereignty and extraordinary land that Simón Bolivar and generations of Colombians fought to preserve.

So I urge every Colombian who is watching who can vote in the upcoming presidential runoff on Sunday, June 21st, to do so, because we are ready to write a new chapter.

{In Spanish.} Gracias.

ACTING PRESIDENT BAILEY: Thank you, Senator Ramos.

Senator Chan on the resolution.

SENATOR CHAN: I rise to support Senator Fernandez's resolution.

And here's a little-known fact about the Chan family. We came through Columbia. My uncle lived in Colombia from 1953 to 1968 until he was hired by Singer Sewing Machine, then at Binghamton, New York, and that's how we emigrated here. From there he petitioned for my family to arrive from Hong Kong.

So with that said, I want to give a shout out to my cousin Isabella Cheng, who was born in Colombia, my cousin Jaime Cheng, who was born in Colombia, and my cousin Blanca Cheng, who was born in Columbia.

And I proudly support this resolution. My favorite part of Columbia? The big Colombian breakfasts.

Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator Chan.

The resolution was adopted on March 10th.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, next up is previously adopted Resolution 1700, by Senator Webb. Read its title and call on Senator Webb, please.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 1700, by Senator Webb, commemorating the 10th Annual Sock Out Cancer Day on June 7, 2026, in conjunction with the observance of National Cancer Survivors Day.

ACTING PRESIDENT BAILEY: Senator Webb on the resolution.

SENATOR WEBB: Thank you, Mr. President.

You know, we do a lot of work in this chamber to not only ensure that we have more resources to fight back against very deadly diseases, but we also do things in this chamber to lift up opportunities for the community to build awareness and to most certainly connect those who are impacted by these issues to those respective resources.

And that, at its core, is the essence of the Annual Sock Out Cancer Day.

I want to thank the Majority Leader for supporting this resolution. This is a day that's recognized with the observance of the National Cancer Survivors Day, which was

established in 2017 by Security Mutual Life Insurance Company, in my district, in order to help provide support for cancer patients in need of financial assistance with non-medical expenses such as food, transportation and housing.

For the last 10 years, Sock Out Cancer has raised public awareness with its signature multicolored socks that are made right here in New York by individuals of all abilities at Finger Lakes Textiles. From concerts and hockey games to 5K runs, this initiative has raised millions of dollars for patients and families in need.

A cancer diagnosis is one of the worst possible things that we know that can happen to someone. It is confusing. It's anxiety-inducing on so many levels. Worrying about your health, your family's health, your financial situation with time off work, and paying for treatments, and most certainly the impacts to your life overall.

Cancer patients already have too much stress in their daily lives, which is why Sock Out Cancer works with hospitals and other organizations to provide financial assistance so

patients can focus on their battle with cancer.

This is a day for all of us across New York State to pause and stand in solidarity with residents who are fighting cancer along with their families. We all have a role to play, whether we choose to wear the signature socks, as I described a moment ago, donate to the cause, or simply stand beside our loved ones in this fight.

We honor the strength of cancer survivors and reaffirm our steadfast support for those in this fight. We lift up their strength by honoring their resilience and reminding them that they are not alone. Every step we take and every event that we support helps to bring hope to those facing this disease.

So to Security Mutual Life Insurance and all the partners that make this day possible, your leadership is a beacon of hope for many families across our state. Let's continue to Sock Out Cancer together.

Thank you, Mr. President. I proudly vote aye.

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

The resolution was adopted on

March 10th.

Senator Gianaris.

SENATOR GIANARIS: Okay, at this time let's take up previously adopted Resolution 2262, by Senator Martins, read its title and call on Senator Martins, please.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Resolution 2262, by Senator Martins, mourning the death of Carl L. Marcellino, former New York State Senator and distinguished citizen of his community.

ACTING PRESIDENT BAILEY: Senator Martins on the resolution.

SENATOR MARTINS: Thank you, Mr. President. I rise to celebrate the life of Carl Louis Marcellino, Senator Carl Marcellino.

Many of us remember Carl from having served with him. Carl served for 22 years, through 2018. Some of us have been here a long time. Yet some of us who have been here a long time at this point probably didn't have the opportunity or the privilege to serve with Carl Marcellino, which is I guess a message to all of us here just how quick things move as you

go through this process and service in this chamber.

Carl Marcellino served for 22 years as a New York City schoolteacher. After his service as a schoolteacher, he served as the clerk for the Town of Oyster Bay on Long Island, before going on to serve for 23 years as a member of this chamber.

He was very integral to a lot of us in terms of how he carried himself in this chamber. Those of us who remember Carl remember him to be a person of integrity, sometimes a little gruff, but always ready to help in any way that he could.

A lot of the things that he concentrated on while he was a State Senator are things that survive today and part of the fabric of what we do here, especially when it comes to the environment, as he served for decades as the chair of the Environmental Committee.

Carl is survived by his wife, Pat; by his son, Carl; and by his daughter, Jean. He made a difference. It's not something you can really say about everyone. But Carl Marcellino, through his service as a schoolteacher, as a

government official, and all those years here in the State Senate, he made a difference. New York State is better today because of the service that Carl provided, because of the leadership he provided not only here in New York but in so many organizations focused on the environment.

Carl was a friend. And so I appreciate and I'm thankful for the opportunity to recognize his service, his legacy, and to thank all of us here for just taking a brief moment in honor of one of our own who passed earlier this year.

So, Mr. President, thank you for this opportunity. Today, as we go about our lives and we finish off the session -- it is the last day -- take a moment along the way to just say a silent prayer, keep Carl in your thoughts. He was one of us.

God bless you. Thank you all very much. Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Martins.

God bless one of the members of our Senate family.

The resolution was previously

adopted on June 2nd.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, at this time I move to adopt the Resolution Calendar.

ACTING PRESIDENT BAILEY: All those in favor of adopting the Resolution Calendar please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay.

(No response.)

ACTING PRESIDENT BAILEY: The Resolution Calendar -- excuse me. The Resolution Calendar? The Rules agenda is accepted.

SENATOR GIANARIS: No, you were right, it's the Resolution Calendar.

ACTING PRESIDENT BAILEY: The Resolution Calendar, excuse me. It's late.

SENATOR GIANARIS: Now I believe there's a Rules report at the desk. Let's take that up, please.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senator

Stewart-Cousins, from the Committee on Rules, reports the following bills:

Senate Print 1232A, by Senator May, an act in relation to authorizing Christopher Walser and Matthew Patire to each take the competitive civil service examination;

Senate Print 1763A, by Senator Fernandez, an act to amend the Insurance Law;

Senate Print 1819A, by Senator Fernandez, an act to amend the Criminal Procedure Law;

Senate Print 2001A, by Senator Brisport, an act to amend the Social Services Law;

Senate Print 4490A, by Senator Helming, an act in relation to authorizing Christine Hasseler to apply for a recalculation of her retirement benefits;

Senate Print 6987A, by Senator Harckham, an act to amend the Social Services Law;

Senate Print 7712, by Senator Ortt, an act to amend the Criminal Procedure Law;

Senate Print 7978A, by

Senator Brouk, an act to amend the Social Services Law;

Senate Print 9113A, by Senator Bailey, an act to amend the Insurance Law;

Senate Print 9255, by Senator Jackson, an act to amend the Retirement and Social Security Law;

Senate Print 9407, by Senator Gonzalez, an act to amend the Tax Law;

Senate Print 9432A, by Senator Lanza, an act to amend the Civil Practice Law and Rules;

Senate Print 9454, by Senator Rolison, an act to amend the Vehicle and Traffic Law;

Senate Print 9458, by Senator Hinchey, an act to allow Steven Kobie Jackson to be eligible to take the civil service examination;

Senate Print 9528A, by Senator Webb, an act to amend the Vehicle and Traffic Law;

Senate Print 9566, by Senator Jackson, an act to amend the Retirement and Social Security Law;

Senate Print 9586A, by Senator Parker, an act to amend the Public Authorities Law;

Senate Print 10084, by Senator Gallivan, an act to authorize the Town of Hamburg to extend the Big Tree Fire Protection District;

Senate Print 10189, by Senator Gounardes, an act to amend the Retirement and Social Security Law;

Senate Print 10256, by Senator Bynoe, an act to amend the Education Law;

Senate Print 10398A, by Senator Martinez, an act to amend the General Municipal Law;

Senate Print 10593, by Senator Skoufis, an act to amend the Public Officers Law;

Senate Print 10608, by Senator Bynoe, an act in relation to authorizing the County of Nassau to accept an application for a real property tax exemption;

Senate Print 10615, by Senator Liu, an act to amend the Education Law;

Senate Print 10619, by

Senator Sutton, an act to amend the Public Authorities Law;

Senate Print 10623, by Senator Bynoe, an act to amend the Vehicle and Traffic Law;

Senate Print 10633, by Senator Martinez, an act to amend the Tax Law;

Senate Print 10643, by Senator Ramos, an act to amend the Cannabis Law;

Senate Print 10650, by Senator Kavanagh, an act to amend the Military Law;

Senate Print 9444A, by Senator Bynoe, an act to amend the Highway Law;

Senate Print 10187, by Senator Rhoads, an act to amend the Nassau County Civil Divisions Act;

Senate Print 10655, by Senator Jackson, an act to amend the Civil Service Law.

All bills report direct to third reading.

SENATOR GIANARIS: Move to accept the report of the Rules Committee.

ACTING PRESIDENT BAILEY: All those

in favor of accepting the report of the Rules Committee, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay.

(No response.)

ACTING PRESIDENT BAILEY: The report of the Rules Committee is accepted.

Senator Gianaris.

SENATOR GIANARIS: Let's take up the supplemental active list at this time, please.

ACTING PRESIDENT BAILEY: The Secretary will read.

There are substitutions at the desk.

The Secretary will read.

THE SECRETARY: Senator Gounardes moves to discharge, from the Committee on Corporations, Authorities and Commissions, Assembly Bill Number 9590A and substitute it for the identical Senate Bill 8839A, Third Reading Calendar 324.

Senator Bailey moves to discharge, from the Committee on Insurance, Assembly Bill Number 6652B and substitute it for the identical

Senate Bill 6122A, Third Reading Calendar 582.

Senator Bailey moves to discharge, from the Committee on Insurance, Assembly Bill Number 3687B and substitute it for the identical Senate Bill 5313A, Third Reading Calendar 885.

Senator Jackson moves to discharge, from the Committee on Rules, Assembly Bill Number 9528 and substitute it for the identical Senate Bill 8847, Third Reading Calendar 1238.

ACTING PRESIDENT BAILEY: The substitutions are so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 324, Assembly Bill Number 9590A, by Assemblymember Fall, an act to amend the Public Authorities 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 582, Assembly Bill Number 6652B, by Assemblymember Weprin, an act to amend the Insurance 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 Fernandez to explain her vote.

SENATOR FERNANDEZ: Thank you, Mr. President.

I thank the body for bringing this bill to the floor. This was a bill that we tried to get -- actually, we did get it in the one-house, because this bill addresses affordability. This has been the theme for us this year, trying to make life easier, more accessible, more affordable for all New Yorkers.

And when New Yorkers are going through substance use treatments, mental health counseling treatments, sometimes there are copays. And sometimes those copays are very expensive. And when they are that expensive, it does lead people to make the hard decision of going to continue their care or possibly paying a bill they need to pay.

So this bill caps copays at 250 to give that opportunity, that ability to go get your care and continue your work in taking care of yourself.

So thank you for bringing this bill to the floor. I proudly vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 595, Senate Print 1913, by Senator Rivera, an act to amend the Public Health Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it

aside.

THE SECRETARY: Calendar Number 835, Senate Print 8623B, by Senator May, an act to amend the General Business Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 885, Assembly Bill Number 3687B, by Assemblymember Weprin, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. 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 1031, Senate Print 8279, by Senator Sepúlveda, an

act directing the Superintendent of Financial Services to conduct an analysis of the financial stability of the check-cashing industry.

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 1238, Assembly Number 9528, by Assemblymember Pheffer Amato, an act to amend the Public Health 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 1238, voting in the negative are Senators Ortt and Walczyk.

Ayes, 58. Nays, 2.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1301, Senate Print 5317A, by Senator Bailey, 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: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

1374, Senate Print 8201A, by Senator Martins, an act to amend Chapter 280 of the Laws of 2016.

ACTING PRESIDENT BAILEY: There's a home-rule message at the desk.

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.

Senator Gianaris, that completes the reading of today's supplemental active list.

SENATOR GIANARIS: Let's move on to the supplemental calendar, please.

ACTING PRESIDENT BAILEY: There are substitutions at the desk.

The Secretary will read.

THE SECRETARY: Senator May moves to discharge, from the Committee on Civil Service and Pensions, Assembly Bill Number 6148A and

substitute it for the identical Senate Bill 1232A, Third Reading Calendar 1790.

Senator Harckham moves to discharge, from the Committee on Rules, Assembly Bill Number 7833A and substitute it for the identical Senate Bill 6987A, Third Reading Calendar 1795.

Senator Ortt moves to discharge, from the Committee on Codes, Assembly Bill Number 8235 and substitute it for the identical Senate Bill 7712, Third Reading Calendar 1796.

Senator Brouk moves to discharge, from the Committee on Children and Families, Assembly Bill Number 7603B and substitute it for the identical Senate Bill 7978A, Third Reading Calendar 1797.

Senator Jackson moves to discharge, from the Committee on Finance, Assembly Bill Number 10250 and substitute it for the identical Senate Bill 9255, Third Reading Calendar 1799.

Senator Gonzalez moves to discharge, from the Committee on Budget and Revenue, Assembly Bill Number 10429 and substitute it for the identical Senate Bill 9407, Third Reading Calendar 1800.

Senator Rolison moves to discharge,

from the Committee on Transportation, Assembly Bill Number 10390A and substitute it for the identical Senate Bill 9454, Third Reading Calendar 1802.

Senator Jackson moves to discharge, from the Committee on Finance, Assembly Bill Number 10833 and substitute it for the identical Senate Bill Number 9566, Third Reading Calendar 1805.

Senator Gounardes moves to discharge, from the Committee on Civil Service and Pensions, Assembly Bill Number 11154 and substitute it for the identical Senate Bill 10189, Third Reading Calendar 1808.

Senator Bynoe moves to discharge, from the Committee on Education, Assembly Bill Number 11057 and substitute it for the identical Senate Bill 10256, Third Reading Calendar 1809.

Senator Martinez moves to discharge, from the Committee on Local Government, Assembly Bill Number 10921A and substitute it for the identical Senate Bill 10398A, Third Reading Calendar 1810.

Senator Liu moves to discharge, from the Committee on Rules, Assembly Bill

Number 11539 and substitute it for the identical Senate Bill 10615, Third Reading Calendar 1813.

Senator Martinez moves to discharge, from the Committee on Rules, Assembly Bill Number 11552 and substitute it for the identical Senate Bill 10633, Third Reading Calendar 1816.

Senator Kavanagh moves to discharge, from the Committee on Rules, Assembly Bill Number 11538 and substitute it for the identical Senate Bill 10650, Third Reading Calendar 1818.

Senator Bynoe moves to discharge, from the Committee on Rules, Assembly Bill Number 11077A and substitute it for the identical Senate Bill 9444A, Third Reading Calendar 1819.

ACTING PRESIDENT BAILEY: Substitutions so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1790, Assembly Bill Number 6148A, by Assemblymember Lemondes, an act in relation to authorizing Christopher Walser and Matthew Patire to each take the competitive civil service examination.

ACTING PRESIDENT BAILEY: There's a home-rule message at the desk.

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 1790, voting in the negative: Senator Brisport.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1791, Senate Print 1763A, by Senator Fernandez, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the first of January.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce

the results.

THE SECRETARY: In relation to Calendar 1791, voting in the negative: Senator Ortt.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

The Secretary will read.

THE SECRETARY: Calendar Number 1792, Senate Print 1819A, by Senator Fernandez, an act to amend the Criminal Procedure 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 1792, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Martinez, Mattera, Murray, Oberacker, O'Mara,

Ortt, Palumbo, Rhoads, Rolison, Skoufis, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 36. Nays, 24.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1793, Senate Print 2001A, by Senator Brisport, an act to amend the Social Services Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 30th 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 1793, voting in the negative are Senators Gallivan, Griffo, Martins, Oberacker and Walczyk.

Ayes, 55. Nays, 5.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1794, Senate Print 4490A, by Senator Helming, an act in relation to authorizing Christine Hasseler to apply for a recalculation of her retirement benefits.

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 1795, Assembly Bill Number 7833A, by Assemblymember Levenberg, an act to amend the Social Services Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect one year after it shall

have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Harckham to explain his vote.

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

On May 14th in 2024, Maria Coto, who was a senior child protective services worker for Westchester County Department of Social Services, was making a call in a apartment building two blocks from my district office. She accidentally rang the wrong doorbell. A man under the influence of PCP and alcohol came out and savagely beat her, and she never recovered from her injuries.

Her colleagues in Westchester County CSEA vowed to see that her death would not be in vain, and so they set about creating a mechanism whereby no one would ever be in danger like that again.

And so that's what this bill is. It requires that social service districts equip all of the forward-facing caseworkers with panic

buttons that they can wear on their clothing so that they don't have to grapple for a telephone or a laptop in a time of emergency. This has been a priority of CSEA statewide, but especially those of us who work with them in Westchester.

So I want to thank my colleague Dana Levenberg over in the Assembly and thank all my colleagues from Westchester. I know Senator Mayer, Senator -- our Majority Leader, I thank her for putting this on the agenda this evening. I know she's been very supportive of this initiative.

Proud to vote aye. Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1795, voting in the negative: Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1796, Assembly Bill Number 8235, by Assemblymember Hawley, an act to amend the

Criminal Procedure 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 1796, voting in the negative are Senators Bailey, Brisport, Gonzalez, Hinchey, Krueger, Liu, Mayer, Myrie, Rivera and Salazar. Also Senator Skoufis. Also Senator Ramos.

Ayes, 48. Nays, 12.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1797, Assembly Bill Number 7603B, by Assemblymember Hevesi, an act to amend the Social Services Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT 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 1798, Senate Print 9113A, by Senator Bailey, an act to amend the Insurance 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 1798, voting in the negative: Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1799, Assembly Bill Number 10250, by Assemblymember Pheffer Amato, an act to amend the Retirement and Social Security 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 1800, Assembly Bill Number 10429, by Assemblymember Powers, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first day of a sales tax quarterly period.

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 1801, Senate Print 9432A, by Senator Lanza, 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 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 1802, Assembly Bill Number 10390A, by Assemblymember Jacobson, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 30th 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 1802, voting in the negative:

Senator Lanza.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1803, Senate Print 9458, by Senator Hinchey, an act to allow Steven Kobie Jackson to be eligible

to take the civil service examination.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

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: Excuse me. In relation to Calendar 1803, voting in the negative: Senator Brisport.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1804, Senate Print 9528A, by Senator Webb, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 30th 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 1804, voting in the negative:

Senator Lanza.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1805, Assembly Bill Number 10833, by Assemblymember Pheffer Amato, an act to amend the Retirement and Social Security 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 1806, Senate Print 9586A, by Senator Parker, an act to amend the Public Authorities 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 1806, voting in the negative: Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

1807, Senate Print 10084, by Senator Gallivan, an act to authorize the Town of Hamburg to extend the Big Tree Fire Protection District.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

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: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1808, Assembly Bill Number 11154, by Assemblymember Pheffer Amato, an act to amend the Retirement and Social Security 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 1809, Assembly Bill Number 11057, by Assemblymember Benedetto, 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 1810, Assembly Bill Number 10921A, by

Assemblymember Stern, an act to amend the General Municipal Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first of December.

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 1811, Senate Print 10593, by Senator Skoufis, an act to amend the Public Officers Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 10. 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 1811, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Mayer, Murray, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 38. Nays, 22.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1812, Senate Print 10608, by Senator Bynoe, an act in relation to authorizing the County of Nassau to accept an application for a real property tax exemption.

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 1812, voting in the negative are Senators O'Mara and Skoufis.

Ayes, 58. Nays, 2.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1813, Assembly Bill Number 11539, by Assemblymember Alvarez, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect July 1, 2026.

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 1814, Senate Print 10619, by Senator Sutton, an act to amend the Public Authorities 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 1815, Senate Print 10623, by Senator Bynoe, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. 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: Senator Canzoneri-Fitzpatrick to explain her vote.

SENATOR CANZONERI-FITZPATRICK: Thank you, Mr. President.

I want to thank the sponsor.

Southern State Parkway is right by my home. And just within the last few weeks, we had a horrific accident where a drunk driver crossed over the divider, hit another car head-on, killing the two occupants, who were in their eighties. And then also careened with four or five other cars. It was a disaster.

Just recently I wrote to the Governor asking her to reopen the State Trooper facility in this area in Valley Stream, which covers my district, on the Southern State Parkway because of the issues that we're seeing.

So I thank the sponsor for bringing this up. I proudly vote aye.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Senator Canzoneri-Fitzpatrick to be recorded in the affirmative.

Senator Martins to explain his vote.

SENATOR MARTINS: Thank you, Mr. President.

The stretch between Exit 17 and

Exit 32 on the Southern State Parkway on Long Island is known as Blood Alley. It's known as Blood Alley because of the number of accidents that have happened there over the years.

The highway, Mr. President, was constructed at a time when they didn't expect vehicles to travel quite as fast as they do right now, the lanes are a little narrower.

And unfortunately, with the number of cars that travel on the Southern State Parkway, invariably there have been accidents and, as has been described, some really bad accidents over the years.

I want to thank the sponsor for this initiative. Anything we can do to get cars to slow down, to pay attention. And yes, as Senator Canzoneri-Fitzpatrick just said, add enforcement. And increased enforcement in the area will save lives, will protect residents.

And therefore, again, thank you to the sponsor.

Mr. President, I vote aye.

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

Senator Rhoads to explain his vote.

SENATOR RHOADS: Thank you, Mr. President.

Exits 23 through 29 actually run through my district as well. And I'm greatly appreciative to Senator Bynoe for carrying this piece of legislation.

I certainly associate myself with the comments of my colleagues Senator Martins and Senator Canzoneri-Fitzpatrick. This is a dangerous stretch of roadway, and anything we can do to make it a little bit safer is certainly well worth doing. So again, thank you to the sponsor.

I proudly vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1816, Assembly Bill Number 11552, by Assemblymember Stern, an act to amend the Tax 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 1816, voting in the negative: Senator Skoufis.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1817, Senate Print 10643, by Senator Ramos, an act to amend the Cannabis Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 9. 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 1817, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Hinchey, Krueger, Lanza, Martins, May, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Tedisco, Walczyk, Weber and Weik. Also Senator Rivera.

(Pause.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1817, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Hinchey, Krueger, Lanza, Martins, May, O'Mara, Ortt, Palumbo, Rhoads, Rivera, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 37. Nays, 23.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1818, Assembly Bill Number 11538, by Assemblymember Lee, an act to amend the Military 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 1819, Assembly Bill Number 11077A, by Assemblymember Burroughs, an act to amend the Highway 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 1820, Senate Print 10187, by Senator Rhoads, an act to amend the Nassau County Civil Divisions 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: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1821, Senate Print 10655, by Senator Jackson, an act to amend the Civil Service Law.

ACTING PRESIDENT BAILEY: Senator Gianaris.

SENATOR GIANARIS: Mr. President,

is there a message of necessity at the desk?

ACTING PRESIDENT BAILEY: There is a message of necessity at the desk.

SENATOR GIANARIS: Move to accept the message of necessity.

ACTING PRESIDENT BAILEY: All those in favor of accepting the message, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay.

(No response.)

ACTING PRESIDENT BAILEY: The message is accepted, and the bill is before the house.

Read the last section.

THE SECRETARY: Section 24. 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.

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

SENATOR GIANARIS: Let's move on to the controversial calendar, please.

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 595, Senate Print 1913, by Senator Rivera, an act to amend the Public Health Law.

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

SENATOR GALLIVAN: Would the sponsor answer some questions, or yield for some questions?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RIVERA: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: So this bill has to do with the 340B program. How does this bill, Senator Rivera, ensure that the intent of the program is properly realized?

SENATOR RIVERA: Through you, Mr. President. For those folks who might not be familiar, the 340B program is a federal program that provides benefits to institutions, health institutions across the country.

What it does is -- it's a critical financial lifeline for so many institutions because what it does is it provides discounted drugs to facilities all across the nation.

But this is the thing that we have to focus on, Mr. President. The fact is that the program was designed specifically to aid organizations like FQHCs, safety net hospitals, et cetera, that then use the savings that they accrue from getting discounted drugs to be able to do all sorts of things for folks in different communities all across the state and all across our country.

Whether it is providing uncompensated care, which includes folks who are either uninsured or underinsured, whether it's dealing with behavioral health crises, whether it's vaccination programs, public health fairs, et cetera, et cetera, the savings that organizations, FQHCs across the state accrue, and

hospitals as well, accrue from these savings allow them to provide all these services to the most vulnerable in our state.

SENATOR GALLIVAN: Will the sponsor yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RIVERA: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: I understand the program, and it's a very good program if properly -- properly implemented. But how does this bill ensure that it is properly implemented and properly administered?

SENATOR RIVERA: Well, through you, Mr. President, what this bill does is it actually makes certain that -- there are some actions that pharmaceutical companies are taking right now which are actually making it harder for the program to be administered correctly, and I thank my colleague for bringing that up.

The fact is what this bill would do is it prohibits a pharmaceutical manufacturer, a PBM or pharmacy benefit manager, an outsourcing

facility or a third-party logistic provider from directly or indirectly denying, prohibiting, conditioning, or otherwise limiting dispensing of drugs from a covered entity or contract pharmacy, denying access to drugs manufactured by a pharmaceutical manufacturer to a covered entity or contracted pharmacy, but most importantly, imposing requirements, exclusions, reimbursement terms, fees and audits, et cetera, that are not required by the federal program.

So it's actually making the -- putting this bill -- making this a bill a reality and making sure that it is signed into law would make sure that the program actually continues to do the thing that it's supposed to be doing; in other words, helping institutions that serve the most vulnerable in every corner of our state, in every Senate district in the state.

SENATOR GALLIVAN: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RIVERA: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: Are there any transparency measures in the bill to ensure that the money is spent consistent with the intent of the program?

SENATOR RIVERA: Through you, Mr. President. It's funny that my colleague mentions this. There is -- in this particular bill there is no language necessarily for transparency.

I should mention that every single entity -- for example, every hospital in the State of New York is a nonprofit entity. Every FQHC, or Federally Qualified Health Center, all of these institutions have a requirement to say the type of care or the type of charity care, et cetera, that they provide to their constituents -- to our constituents, I should say, and to the patients that they serve.

So although there's nothing in this bill specifically that deals with transparency as it is -- as it keeps being brought up, the notion that there are large institutions that are taking advantage of the program, the fact is that the institutions that I'm looking to protect here are institutions that we should all seek to protect:

Federally Qualified Health Centers, safety-net institutions across the state, et cetera, that serve the most vulnerable.

SENATOR GALLIVAN: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RIVERA: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: If I could ask the sponsor just to clarify your last answer when you talked about large institutions taking advantage of the program.

Did that mean that they're utilizing the program the way it's intended, or they're doing something wrong?

(Pause.)

SENATOR RIVERA: Through you, Mr. President.

What I am saying is that there is a claim, there's a consistent claim that folks who are availing themselves of this program are taking, quote, unquote, advantage of it. And this is a talking point that is used over and

over again.

It is a complicated program at the -- and it is a federal program, and certainly larger institutions probably have more ease in -- they have the capacity to be able to avail themselves of it by having more resources to be able to use it correctly.

But the reality is that ultimately whether it is HRSA, whether it's the IRS, whether it's the New York State Attorney General, all of these entities have authority to look into whether there is -- whether there is any impropriety.

So certainly while I use the word, it is really a talking point that really obscures the fact that ultimately these impositions from pharmaceutical companies are about them maintaining their profit margin. And it certainly -- I don't blame them. This is what they do. They have to maximize profit for their stockholders.

But for us, the job of us in this chamber and certainly in this building should be to protect the most vulnerable. And again this program, which was created specifically for the

purpose of having institutions like FQHCs and safety-net institutions avail themselves of savings to use to provide all sorts of services to the most vulnerable, that is what this bill is intending to do: Make sure that the program continues to exist in that capacity.

SENATOR GALLIVAN: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RIVERA: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: So we know that the beneficiaries should be the underserved, or underserved populations.

But does this bill do anything to ensure that we -- the collective we, or those administering the program in the state -- will know that the benefits are getting to the right place?

SENATOR RIVERA: Through you, Mr. President. What I would suggest is that -- well, the bill specifically does not do -- does not do any of that.

What I would say is, number one, as I mentioned already, there are more than a few -- there's responsibilities that these entities have because they are nonprofit institutions, because they have -- they are using public dollars and they're availing themselves of a public program, in this case a federal one, they have certain responsibilities to be able to maintain all these records and to provide them to these entities. That's number one.

And number two, what I would suggest to anyone, not just my colleague who's asking the questions -- through you, Mr. President -- but to any single person in this State Senate or in the State Assembly, to reach out to the FQHC or Federally Qualified Health Center that serves them or their community. And they will be told by those folks, it will just take them a few minutes, probably, to be able to say what they use this money for.

So there are, again, responsibilities that each one of these entities has to report the charity care that they provide. So it's not like they're hiding anything. They have to provide this information to the IRS, to

HRSA, to the New York Attorney General if requested.

And ultimately, if you just ask any of these safety-net institutions or Federally Qualified Health Centers, I'm sure they will be able to tell you all the things that they do with these savings.

SENATOR GALLIVAN: Thank you, Senator.

Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RIVERA: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: So the sponsor, in describing what the bill -- what the program was and then what the bill did, essentially restricts the pharmaceutical manufacturer, third-party logistics provider, whomever is selling the pharmaceuticals, it restricts them from doing certain things.

Would that be accurate?

SENATOR RIVERA: Through you, Mr. President, yes.

SENATOR GALLIVAN: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR RIVERA: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: And if I understand it correctly, then these manufacturers enter into some sort of contract with the hospitals, the FQHCs or whoever is on the receiving end. Is that accurate?

SENATOR RIVERA: Through you, Mr. President, it is not a direct contract, so to speak, exactly.

But there is a requirement that these -- that the pharmaceuticals would be under the obligations of the federal program to provide drugs at a discounted price to these health institutions.

SENATOR GALLIVAN: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RIVERA: Yes.

SENATOR GALLIVAN: And thank you for that. I'll move on.

They're of course like many bills, but this one is so significant, and the 340B program is so significant. Like many bills, we have tremendous support for the bill and I would suggest tremendous opposition.

Among those opposing it are the State Laborers, NAACP for the state, the State Building and Construction Trades Council, Partnership for New York City, the Teamsters Local 237, the Hispanic Health Network, and the Latino Commission on AIDS, among others.

Why would they be opposing this bill?

SENATOR RIVERA: Through you, Mr. President. Certainly each one of these folks, some of them have provided memos, some of them have not. So the reasoning you can find in their memos.

But the reality is that we've actually had -- I've actually had conversations with some folks who after they say, for example, this will raise our costs, then my next question, my follow-up, is how will it do that? They can't

actually tell us. Which is what's -- which is a little weird here.

I certainly understand the opposition from pharmaceutical companies. And I respect it. They are doing what they need to do to make sure that they can keep making money and making profit.

In the case of many of these institutions, you would have to ask them why they're opposed. But I certainly think that the -- when we're talking about who is supportive of it and you're talking about every Federally Qualified Health Center -- and I do have a list if my colleague -- if my colleague wants, I can provide him a list -- he probably knows it. Every single person in here probably knows every safety-net institution and every Federally Qualified Health Center in their district.

As a matter of fact, more than a few times, Mr. President, in the last few years there have been some of my colleagues on this side of the aisle and on that side of the aisle that have reached out to me and my staff saying, This is an issue that we have with an institution in our backyard that is about to go bust, that is just a

couple of months away from completely losing money, or not being able to operate, because they don't -- they can't cover payroll.

And this is something that happens all over the place. These are the same institutions, Mr. President, that use this program to be able to get some savings and to be able to provide some of the services that they have, some of the services that they provide, to our most vulnerable across the state.

So certainly the opposition, while I respect it, I don't understand it. And I'm not saying as in I read the memos and outside of saying we want to make sure that we keep most of our money -- which is what pharma says, and God bless them for it -- a lot of other folks I don't necessarily understand their opposition.

SENATOR GALLIVAN: Would the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RIVERA: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: The sponsor

earlier -- properly, of course -- described this as a federal program.

My question is, wouldn't it be better for this to be addressed at the federal level, as opposed to the state trying to regulate a federal program?

SENATOR RIVERA: Through you, Mr. President. The reason this bill is necessary is as a response to actions that the pharmaceutical companies have taken.

And I should tell you, by the way, that this is not the only time that they've tried it. This is not the only place that they've tried it, Mr. President. And there's been lawsuits that have been brought by the pharmaceutical companies against states that have actually acted against them, and they have not been successful.

So as opposed to fidgeting with the federal program, which certainly is something that could happen, we are not the federal government here, and we do not -- thank the good Lord -- and we do not have -- and with this bill, we don't change anything in the federal program.

What we do is we actually say to the

pharmaceutical companies is like, Hey, you're messing with it, you are using -- you are doing things that actually make it harder for institutions to avail themselves of this program. And by doing that, you're making it harder for these institutions to have the only lifeline that many of them have to be able to continue to operate.

And so you shouldn't do that anymore. And what this bill would do is it would ban you from doing those things.

Which again, Mr. President, is to do something that the federal government does not require and that when they have challenged other states' actions in curtailing theirs, when pharma in other states, when pharmaceutical companies, period, have challenged the actions of other states in their curtailment of the actions that they have taken, they have been found to not -- they haven't been successful in getting the courts to back them up.

SENATOR GALLIVAN: Would the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RIVERA: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: I'm not sure if you're aware, Senator Rivera, that within the past week that the Health Resources and Services Administration submitted a proposed rulemaking on the federal 340B program to OMB for review and approval.

And the first question: Are you aware of it? And whether you are or whether you're not, my question is, wouldn't it be better to wait to see what happens with these proposed changes before the state tries to make -- tries to further regulate it?

SENATOR RIVERA: Through you, Mr. President. We're -- there might be some changes -- I was not aware that in the last week -- we've been kind of busy the last week, as you probably -- as you probably know.

So I was not aware of that particular potential rulemaking, or at least this process of public comment. And so there might be some changes to the program, but again, this does not change what the federal program does.

What we're seeing here is that the actions of the pharmaceuticals companies are the inappropriate ones, that they're the ones -- (to staffers with documents) You can go ahead and pick it up. That's fine, you can pick it up. Go ahead. It happens. It's a lot of information there.

Anyway, what we're saying is that the actions of the pharmaceutical companies are the inappropriate ones. They are going beyond the scope of what the program allows because what they're doing is they're making it harder for institutions to avail themselves of it.

And the program was designed specifically -- it's funny, some of the staffers, the same ones that dropped some papers, the reason they dropped the papers, Mr. President, is because there's a lot of research that has been on this, and there's some of that research that tells us that when this was actually put into effect, there's actually, on the Congressional Record, there is a description of what the program is meant to do.

And what the pharmaceutical companies are doing are actually making it harder

for that to actually function.

So as opposed to not following the federal guidelines, what we're saying is like please just leave it alone, let's make sure -- if there's federal guidelines that changed, Mr. President, then we'll have to avail -- we'll have to abide by those changes.

But for the moment we're just saying: Pharmaceutical companies, do not do what you're doing because you're making it harder for these institutions to continue to survive.

SENATOR GALLIVAN: Would the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RIVERA: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: Through you, Mr. President, is Senator Rivera satisfied with the level of oversight of this current program? And does this bill do anything to make the oversight better? If you're dissatisfied with it.

(Pause.)

SENATOR RIVERA: Through you, Mr. President. The bill does have language that just insists that every hospital and every financial -- every health institution in the state has to follow federal law.

And certainly if there's some more oversight that needs to be done there, as I mentioned earlier, we have -- whether it is HRSA, which you mentioned earlier, whether -- and that, by the way, is the Health Resources and Services Administration, which is a state -- which is a federal entity that is responsible for oversight of all sorts of health programs. This is one of them.

So whether they change the rules -- whether it's the IRS, which they have to file their taxes with as nonprofit organizations, or whether it is through the New York Attorney General, which can investigate them. So I think that that's plenty of places where oversight can occur.

Ultimately my concern, Mr. President, is for the fact that there institutions that serve vulnerable people in every corner of our state -- not just in the

Bronx, not just in Queens, not just in Buffalo, not just in upstate New York, but in every part of our state. And that the actions that the pharmaceutical companies have taken have actually made it harder for them to avail themselves of that program.

So that is what I'm ultimately focused on and what the bill seeks to do.

SENATOR GALLIVAN: On the bill, Mr. President.

ACTING PRESIDENT BAILEY: Senator Gallivan on the bill.

SENATOR GALLIVAN: I would like to thank Senator Rivera for taking the time to answer the questions.

And I very much appreciate his concern to ensure that the benefits of this very worthwhile program reach all the vulnerable people across the state. We all should be concerned about that. And so I very much appreciate that.

I also, though, appreciate our responsibility to ensure tax dollars are spent properly, that we ensure proper oversight, to the extent that we can. While this is a federal

program, of course, you've got some administration responsibility by the state.

And I think the oversight of the program is woefully inadequate. It is not transparent at all. And I think working on a bill to provide that better oversight, to provide more transparency to ensure the proper use of the program, proper implementation of the program, will go much further in helping those that actually need it.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Gallivan.

Senator Borrello, why do you rise?

SENATOR BORRELLO: Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Borrello on the bill.

SENATOR BORRELLO: You know, I understand that this is a program that has provided needed funding to our hospitals.

But I also understand the reason that these hospitals need that funding is because of how our Medicaid program is so broken here in New York State. Billions upon billions in

unchecked fraud, waste and abuse that no one apparently wants to address. Medicaid reimbursement rates that are well below the cost of care. A Medicaid program that allows recipients to use the emergency room like it's their primary care physician.

And nothing in New York State has been made better -- in fact, it's made worse. With the exception of a handful of hospitals in New York City, every other hospital in New York State is not bleeding money, it's hemorrhaging money. And that's because of a broken system that has been abused, unfortunately, and not fixed.

So we've got an easy -- we've got an easy mark here, right? Pharmaceutical companies. They can pay.

But there's no accountability. There's no transparency. We really don't know where the money is going. And truth be told, as much as even the poor rural hospitals that I represent utilize this program, it is being abused by big hospitals in big areas that are making a ton of money.

And meanwhile, we actually have

people that could be using discounted pharmaceuticals. I know everyone wants to say, No, no, no, don't worry about those folks that are on Medicaid -- that's just not true. I've heard from so many facilities, people that provide lifesaving transfusions, that these drugs are needed at that discount to save people's lives. And there are people out there that don't have insurance, that aren't on Medicaid, that are given lifesaving treatments thanks to these discounts.

So don't tell me this isn't for people who need the discounted drugs. It is. It's been perverted and abused over the course of a couple of decades now. And I understand, again, the need. But let's fix the broken system. Let's root out the billions of dollars in fraud, waste and abuse. And let's clean up our Medicaid program here and provide proper funding to our hospitals so that these programs can move forward and benefit the people they're supposed to benefit.

And that's why I'm voting no.

Thank you.

ACTING PRESIDENT BAILEY: Thank

you, Senator Borrello.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, pursuant to Rule 5, without objection, I move that we stay in session past the hour of midnight.

ACTING PRESIDENT BAILEY: Without objection, so ordered.

Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed.

The Secretary will ring the bell.

Senator Gianaris.

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

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

Read the last section.

THE SECRETARY: Section 4. This act shall take immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Rivera to explain his vote.

SENATOR RIVERA: Thank you, Mr. President. And I thank my colleague for the conversation.

I am still very confused about you all voting no. I am very confused, for example, by my colleague that just explained his vote at the end, because I agree with him. We seem to agree with each other, Mr. President. It is true.

And I have been, for my entire tenure here -- certainly in my tenure as the chair of the Health Committee, I've consistently talked about the fact that we do not have a long-term plan as far as Medicaid, as far as strengthening the system that serves our most vulnerable. That in every corner of our state, in Senator Borrello's district, whether it's Finger Lakes Community Center, whether it's Chautauqua Health Center, Universal Primary Care, Oak Orchard Community Health Center -- each one of these is a Federally Qualified Health Center that serves poor working-class folks in his

district.

And there's a list like this in every single one of our districts, Mr. President.

And yet we're saying that the actions that are being taken by multinational billionaire, you know, make a profit-making machines of the pharmaceutical companies are doing things with this program that actually restricts the ability of these institutions to be able to take -- to be able to get the savings as the program was designed, to provide uncompensated care to those underinsured or uninsured people in our state, to provide support for behavioral health crises, to provide for vaccination programs. Yes, to provide discounted drugs for people. This is what the program is for.

So the idea that you're voting no when this is to protect that program is very perplexing to me. But, you know, it is what it is. Folks can vote what they wish.

The bottom line for me, this is -- it's an important bill. I am very glad -- I should say quickly, Mr. President, that I'm thankful to Leader Andrea Stewart-Cousins for

allowing this conversation to come to the floor. Because the reality is that, again, in the time that I've been in the Senate, certainly the time that I've been the chair of the Health Committee, every -- basically I can talk about all sorts of times when colleagues of mine have come with concerns about institutions in their backyard. And I have tried to do what I can to be helpful to them.

The reality is that we have to definitely do a redesign on the entire system, and I'm certainly committed to that. But the notion that we would not try to protect what we have available to us so that institutions that protect the most vulnerable can continue to operate, it's -- I am glad that this is coming to the floor. I am hopeful that we can make it a reality and turn it into a law.

And I will be proudly voting in the affirmative. Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 595, voting in the negative are

Senators Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Lanza, O'Mara, Ortt, Rolison, Tedisco, Weber and Weik.

Ayes, 48. Nays, 12.

ACTING PRESIDENT BAILEY: The bill is passed.

There's a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator May moves to discharge, from the Committee on Rules, Assembly Bill Number 9349B and substitute it for the identical Senate Bill 8623B, Third Reading Calendar 835.

ACTING PRESIDENT BAILEY: Substitution so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 835, Assembly Bill Number 9349B, by Assemblymember Torres, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: Senator Canzoneri-Fitzpatrick, why do you rise?

SENATOR CANZONERI-FITZPATRICK: Mr. President, I'm wondering if the sponsor would yield for a few questions.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MAY: I'd be glad to.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR CANZONERI-FITZPATRICK: Through you, Mr. President. Thank you, Senator May, for yielding.

Reading Section 2 of the bill, on page 4, it's sort of to me the guts of what this is trying to do. And it says that no entity, service provider shall set or adjust the reference price or consumer price of a good or service using surveillance pricing directly or indirectly to a consumer.

Now, reading that, to me, it means that you can't increase prices, you can't decrease prices. Is that correct?

SENATOR MAY: Through you, Mr. President. The bill prevents the use of personal data for setting prices, individualized prices for a consumer. So that would be going up or going down, yes.

SENATOR CANZONERI-FITZPATRICK: Through you, Mr. President, will the sponsor

continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR MAY: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR CANZONERI-FITZPATRICK: So looking also at this section that I just quoted to you, if a company wants to use surveillance pricing to decrease a price to someone that, say, purchases an item over and over again, is that permitted under this bill?

SENATOR MAY: Through you, Mr. President. Yes, in certain cases, if -- they can use purchase history as a reason for offering a discount. Yeah, I'll stop there. Yes.

SENATOR CANZONERI-FITZPATRICK: Through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MAY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR CANZONERI-FITZPATRICK: So

I believe your first answer said that we're not allowed to increase or decrease prices using surveillance prices. So how is it that we could possibly offer a discount using surveillance pricing or my purchase history? How do you reconcile those two statements that you just made?

SENATOR MAY: Through you, Mr. President. The exceptions to the rule of using personal information are loyalty programs, if somebody has signed up for a -- some kind of a loyalty program, that those discounts can be employed.

Group discounts, if you identify yourself as a veteran or a senior or an expectant parent or something like that.

And then purchase-history-based discounts are the third exception to this. So someone who has already purchased an item, a retailer can offer a discount on the same item or a similar item or an item that's paired with it, like chips and salsa or something like that.

SENATOR CANZONERI-FITZPATRICK: Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MAY: I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR CANZONERI-FITZPATRICK: So through you, Mr. President, I would ask if you could point to where in the statute it provides those exceptions that you just described to me.

SENATOR MAY: On page 2, Sections (g) and (h) define the bona fide discount and bona fide custom discount.

SENATOR CANZONERI-FITZPATRICK: Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MAY: I will.

SENATOR CANZONERI-FITZPATRICK: So my understanding is bona fide discounts can only be offered if you and I as consumers get the same exact discount. Is that correct?

SENATOR MAY: Through you, Mr. President. The same exact discount for the same reasons, yes.

SENATOR CANZONERI-FITZPATRICK: Through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MAY: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR CANZONERI-FITZPATRICK: So currently when I go into CVS and I buy certain brands of shampoo, my receipt will print out discounts to try to entice me to use that shampoo again, and it will say if you spend over $15, you get $5 off. That's geared toward me because I bought that particular item. Is that discount allowed under this statute?

SENATOR MAY: Through you, Mr. President, yes. That is because of prior purchase history.

SENATOR CANZONERI-FITZPATRICK: Through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MAY: I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR CANZONERI-FITZPATRICK: So how is purchase history different than surveillance pricing?

SENATOR MAY: Through you, Mr. President. Surveillance pricing is a range of things. They can mine all kinds of data from your age and your zip code to the kind of computer you might be using or even whether your phone battery is dying -- a whole range of items of data that then allow them to try to figure out the maximum price they can get out of you.

So it's not just your -- the actions that you have offered to the company by buying something from them, but it's all kinds of other information that they can get access to.

SENATOR CANZONERI-FITZPATRICK: Through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR MAY: I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR CANZONERI-FITZPATRICK: So looking at Section 2(d), where it says that no entity or service provider shall offer a bona fide customer discount unless such discount is offered uniformly to any consumer who meets the disclosed eligibility conditions or criteria.

When I read that, to me that indicates that you are not permitted to get that CVS discount based on the purchase history, as I just described to you, because it states that a discount has to be uniformly tailored -- I'm sorry, a discount uniformly tailored to an individual price history can't simultaneously exist with what you just -- what I just read.

So I'm trying to understand, how do you reconcile those two statements?

SENATOR MAY: Through you, Mr. President. Could I ask you please to tell me where you're looking? Because there is, on page 3, a part about based solely on a consumer's prior purchase history. That is in the language.

SENATOR CANZONERI-FITZPATRICK: Through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the

sponsor yield?

SENATOR MAY: I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR CANZONERI-FITZPATRICK: So I was reading on page 2, Section 2(d).

If you could refer me to the carveout that you just mentioned, that would be helpful.

(Pause.)

SENATOR MAY: I'm sorry for the delay. Would -- could I -- through you, Mr. President, could I ask you to repeat the question just one more time.

SENATOR CANZONERI-FITZPATRICK: Sure. When I read Section 2(d) it talks about the fact that we can't offer a bona fide custom discount unless such discount is offered uniformly to any consumer who meets the disclosed eligibility conditions or criteria.

So when I read that, to me that means that you must offer a discount that is uniform. Anything uniquely tailored to my purchase history I believe is prohibited by that section.

So what I'm trying to understand is since you told me that the CVS discount that says that I bought my shampoo and conditioner and gives me a coupon, how is that permitted if under this section it seems to be prohibited?

SENATOR MAY: Through you, Mr. President. The fundamental idea here is that anyone with the same profile deserves the same discount. So if two people have the same shopping behavior and discounts are being offered, they should be offered to them equivalently.

If they have different behavior, they might qualify for a large -- one might qualify for a larger discount.

SENATOR CANZONERI-FITZPATRICK: Through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR MAY: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR CANZONERI-FITZPATRICK: So for subscription services, if I, say, have a

SiriusXM radio in my car and I don't want to pay the full price and I call up and say I'm going to cancel my service, and they turn around and say, well, we'll give you a discount, we'll give it to you for $5 or $6 a month.

Is that type of discount permitted under this statute?

SENATOR MAY: Through you, Mr. President. Yes, that is acceptable, because it isn't using personal data.

SENATOR CANZONERI-FITZPATRICK: Through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR MAY: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR CANZONERI-FITZPATRICK: Are you aware of the fact that there was a very similar bill to this offered in Colorado that was then vetoed by their governor? Are you aware of that?

SENATOR MAY: I am aware.

But I also should say it's not that

similar, that we took carefully into account the issues that came up with the Colorado bill in drafting this bill.

SENATOR CANZONERI-FITZPATRICK: Through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MAY: I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR CANZONERI-FITZPATRICK: So the Colorado veto message from the governor specifically cites the fact that instead of specifically defining and targeting unethical conduct and practices, that their bill took a very broad approach to capture any technology that incidentally influences a price amount. And it was the discount lost that was specifically objectionable.

And I'm not sure if you're also aware that Connecticut prohibits the algorithm pricing, specifically exempting discounts. And also in Maryland, that their law limits it to price increases and price decreases are not

covered by their statute.

So I know that we've discussed this extensively in committee, and I've always appreciated our dialogue. But I'm wondering if we could have done a better job on this by targeting the increases and the bad actors and leaving out the discounts and the price reductions that we do get as benefits when a consumer repeatedly buys a product.

SENATOR MAY: Through you, Mr. President. I'm not sure if there was a question there, but I do want to say, first of all, I'm glad that other states are doing this.

Every state has a little bit of a different context. And the fact is in Colorado they have a comprehensive data privacy law that their bill had to fit into, and it's one of the reasons why they've had to struggle with the implementation.

We have a different situation here in New York State, and so this bill was specifically targeted to the New York situation.

I'm not sure if there was another question there.

SENATOR CANZONERI-FITZPATRICK:

Through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MAY: I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR CANZONERI-FITZPATRICK: So I wonder if a person who buys sunscreen but doesn't live near the beach, would their discount that they're potentially offered, if it's different than the person who does live near the beach, is that permitted under this legislation?

SENATOR MAY: Through you, Mr. President, no. That kind of geolocation data is part of the problem. We find situations even where -- there was a situation at Target where they found that if you used the Target app from the parking lot as opposed to inside the store, you were being offered different prices because they are -- they have an algorithm that figures out where -- at which point in your journey you might pay the most for the item.

And I do want to come back to the question of discounts that you asked before,

because the big issue here is that -- is that if you have, you know, a hundred-dollar list price for something but everybody's getting a discount, so that the average price is $80, some people are going to be getting more than the average and some people are going to be getting less.

And the discount doesn't necessarily mean that you're saving money, it just means you might be saving more or less money than other people around you. But it is -- but these targeted discounts where they're doing individual discounts for each person ends up driving the price higher for everyone.

And that is the issue that we're dealing with and the reason why we're doing this, is because those very specifically targeted uses of your personal data are being done. And the reason there is so much lobbying against this bill is that it makes a lot of money for the companies if they can set the highest possible price. They may call it a discount, but really what they're trying to do is get the highest possible price out of each person based on the data that they have.

SENATOR CANZONERI-FITZPATRICK: On

the bill, Mr. President.

ACTING PRESIDENT BAILEY: Senator Canzoneri-Fitzpatrick on the bill.

SENATOR CANZONERI-FITZPATRICK: Thank you, Senator May. As I stated before, we've been on the Consumer Protection Committee and we've discussed this bill before. I always appreciate our interaction.

I do have a different interpretation of this bill. And I have concerns. First of all, Section 2(c) buried in this bill is a data privacy section -- I'm sorry, 2(d). I think we're trying to protect personal data, which I don't disagree with, but it's buried in a consumer protection bill in a way that, you know, to come out at -- literally the last bill to be debated, it's a little concerning that we didn't have more time to discuss this.

The bill, in my opinion, does three basic things. It does a lot of good things, because it does try to make sure that our personal data isn't retained and shared and used for surveillance pricing. And it's trying to make sure that we don't have bad actors.

But I do think that this bill does

prevent personalized discounts based on our purchase history. I know there's a difference of interpretation. But based on what I'm reading, I think we're going to have a lot of problems.

I think that businesses that are offering discounts to the person that comes into the store often is a good thing. And it is the business's decision to offer those discounts. It's not like we're twisting their arm to make sure that I keep going back to buy the same product.

I think that in the time of affordability that we have all talked about, that putting our discount programs at risk is not a good thing. It's not moving forward the ball of us all talking about making sure that life is more affordable for everybody.

I do think it's very powerful to look and see what other states are doing. And, you know, when I read the governor's statement from Colorado, you know, that they said that, you know, these discounts are really important and that why can't we limit what we're doing to the bad actors who are trying to, you know, price gouge us. That's not what I want. Certainly

that's not what I think anybody would want for our New Yorkers.

But I do think that, you know, Maryland is on to something where they're saying that, you know, we're going to only target those who are trying to increase prices based on surveillance information -- surveillance pricing, and not necessarily wipe out all the discounts that we can have.

So, Mr. President, I have a lot of concerns about it. Maybe we'll see a chapter amendment. Maybe Senator May and I will both be back here next session and we can continue to work on this bill, because I don't think it's right the way it is.

And I will be voting in the negative. Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator Canzoneri-Fitzpatrick.

(Sternly.) Senator Borrello, why do you rise?

(Laughter.)

SENATOR BORRELLO: Mr. President --

(Laughter continues.)

SENATOR BORRELLO: I think I'm a

glutton for punishment, Mr. President. Will the sponsor yield for a question?

ACTING PRESIDENT BAILEY: Senator May, will you yield?

SENATOR MAY: Gladly.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: When I think of surveillance pricing, which I thought about way too much in the last half hour, I don't think of banks. I think of retail operations, you know, drugstores, you know, grocery stores.

Why are banks included in surveillance pricing legislation like this?

(Pause.)

SENATOR MAY: Through you, Mr. President. We're in a strange moment when a lot of different types of companies are also financial institutions. So Target has a Target card, Amazon or Apple, they have their own cards. And so they count as financial institutions. But they are the ones that -- really, you know, it's the behavior of companies like those that it's really what this bill is trying to get at.

So we didn't exempt financial

institutions, but we did say anything to do with -- that involves creditworthiness is part -- is not subject to the -- is not considered surveillance pricing. If you are -- if the bank is giving you a loan or even a credit card based on your credit history or other personal information, that isn't proscribed here.

But we didn't want to just give a blanket exemption to every financial institution, because some of the biggest retailers are also financial institutions.

SENATOR BORRELLO: Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Borrello on the bill.

SENATOR BORRELLO: I had a lot more questions, but I could see nobody else wants to hear them, so --

(Laughter.)

SENATOR BORRELLO: I think what we have here is a bill that was just a big, you know, kind of scattershot, if you will.

And I understand what you're trying to accomplish. But when you start restricting a financial institution's -- particularly a bank's

ability to be able to ensure that they are making a good decision, they're going to choose not to make the decision in favor of the consumer. So what we're going to do here by not carving out banks is restrict access to credit.

And with that, Mr. President, I'm done. God bless you.

(Laughter.)

ACTING PRESIDENT BAILEY: God bless you, Senator Borrello.

(Laughter.)

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

Seeing and hearing none, debate is closed.

The Secretary will ring the bell.

Senator Gianaris.

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

ACTING PRESIDENT BAILEY: The bill will be restored to the noncontroversial calendar upon consent.

Read the last section.

THE SECRETARY: Section 3. This

act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator May to explain her vote and close.

SENATOR MAY: Thank you, Mr. President.

If you go back about 160 years, shopping was a barter operation. You would go into a store and you would haggle with the shopkeeper over a price. And that was a situation that some people loved, but for a lot of people it was really difficult. If you were new in town or you didn't speak the language very well or you had multiple children in tow or something like that, the chances that you would come out feeling that you'd gotten a fair price were pretty slim.

And then all of a sudden there was this amazing invention of the price tag, where people would go in a store and they would know what the price of the items was and they would know that everyone was getting the same price,

and they felt like things were much more fair. And it put some downward pressure on prices because businesses had to compete with each other. And that was the state of affairs for a very long time.

But now that we have this age of Big Data and so much of our activity is online and so much of that activity can be harvested for decision-making by companies, all of a sudden we see this wild, wild West where everything has different prices all the time. It's almost impossible to do comparison shopping because the prices are changing constantly.

And what we are finding is often it is done in a way that is really discriminatory and, once again, hardest on the people who are in a hurry, who are harried, who are struggling, whose phone is dying, who have some kind of thing that signals that this company can charge them a higher price.

And that is what we are trying to get at to make sure that people can have some sense that the prices that they are being charged are fair prices and are similar to the prices other people in their situation would be offered.

And so I am proud of all the work that we've done, really grateful to the people who worked so hard on this bill, and I proudly vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 835, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 39. Nays, 21.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris, that completes the reading of the controversial calendar.

SENATOR GIANARIS: Mr. President, please recognize Senator Lanza for a motion.

ACTING PRESIDENT BAILEY: Senator Lanza.

SENATOR GIANARIS: For what reason, I don't know.

SENATOR LANZA: Thank you,

Senator Gianaris.

Mr. President, I call up Senator Helming's bill, Print No. 10182A, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 1256, Senate Print 10182A, by Senator Helming, an act to amend Chapter 117 of the Laws of 1983.

SENATOR LANZA: I now move to reconsider the vote by which the bill was passed.

ACTING PRESIDENT BAILEY: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

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

SENATOR LANZA: I now offer the following amendments.

ACTING PRESIDENT BAILEY: The amendments are received.

Senator Gianaris.

SENATOR GIANARIS: Mr. President,

there are several privileged resolutions at the desk. Let's take those up, please.

ACTING PRESIDENT BAILEY: There are privileged resolutions at the desk.

The Secretary will read.

THE SECRETARY: Resolution 2343, by Senator Stewart-Cousins, amends a plan setting forth an itemized list of grantees for a certain appropriation for additional grants in aid for certain educational and not-for-profit institutions.

ACTING PRESIDENT BAILEY: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Resolution 2343, voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Lanza, O'Mara, Ortt, Rhoads, Stec, Walczyk and Weik.

Ayes, 49. Nays, 11.

ACTING PRESIDENT BAILEY: The resolution is adopted.

THE SECRETARY: Resolution 2344, by Senator Stewart-Cousins, amends a plan setting forth an itemized list of grantees for a certain appropriation for the 2023-2024 fiscal year for services and expenses of human services and veterans community services organizations.

ACTING PRESIDENT BAILEY: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Resolution 2344, voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, O'Mara, Ortt, Lanza, Stec and Walczyk.

Ayes, 51. Nays, 9.

ACTING PRESIDENT BAILEY: The resolution is adopted.

THE SECRETARY: Resolution 2345, by Senator Stewart-Cousins, amends a plan setting forth an itemized list of grantees for a certain appropriation for additional grants in aid for certain educational and not-for-profit institutions.

ACTING PRESIDENT BAILEY: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Resolution 2345, voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Lanza, O'Mara, Ortt, Stec, Tedisco, Walczyk and Weik.

Ayes, 49. Nays, 11.

ACTING PRESIDENT BAILEY: The resolution is adopted.

THE SECRETARY: Resolution 2346, by Senator Stewart-Cousins, amends a plan setting forth an itemized list of grantees for certain appropriations for services and expenses of economic development and community services organizations.

ACTING PRESIDENT BAILEY: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce

the results.

THE SECRETARY: In relation to Resolution 2346, voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Lanza, O'Mara, Ortt, Stec, Tedisco and Walczyk.

Ayes, 50. Nays, 10.

ACTING PRESIDENT BAILEY: The resolution is adopted.

THE SECRETARY: Resolution 2347, by Senator Stewart-Cousins, amends a plan setting forth an itemized list of grantees for a certain appropriation for aid for services and expenses of human services and veterans community services organizations.

ACTING PRESIDENT BAILEY: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Resolution 2347, voting in the negative are Senators Gallivan, Griffo, Helming, O'Mara, Ortt, Stec, Tedisco and Walczyk.

Ayes, 52. Nays, 8.

ACTING PRESIDENT BAILEY: The resolution is adopted.

THE SECRETARY: Resolution 2348, by Senator Stewart-Cousins, amending a plan setting forth an itemized list of grantees for a certain appropriation for the 2025-2026 state fiscal year.

ACTING PRESIDENT BAILEY: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Resolution 2348, voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Lanza, O'Mara, Ortt, Stec, Tedisco and Walczyk.

Ayes, 50. Nays, 10.

ACTING PRESIDENT BAILEY: The resolution is adopted.

THE SECRETARY: Resolution 2349, by Senator Stewart-Cousins, amends a plan establishing an itemized list of grantees for 2025-2026 providing community safety and restorative justice programs.

ACTING PRESIDENT BAILEY: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Resolution 2349, voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, O'Mara, Ortt, Stec, Tedisco and Walczyk. Also Senator Lanza.

Ayes, 50. Nays, 10.

ACTING PRESIDENT BAILEY: The resolution is adopted.

THE SECRETARY: Resolution 2350, by Senator Stewart-Cousins, amends a plan setting forth an itemized list of grantees for a certain appropriation for additional grants in aid for services and expenses of Senate priorities for housing initiatives.

ACTING PRESIDENT BAILEY: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce

the results.

THE SECRETARY: In relation to Resolution 2350, voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Lanza, O'Mara, Ortt, Stec, Tedisco and Walczyk.

Ayes, 50. Nays, 10.

ACTING PRESIDENT BAILEY: The resolution is adopted.

THE SECRETARY: Resolution 2351, by Senator Stewart-Cousins, amends a plan setting forth an itemized list of grantees for certain appropriations for services and expenses of economic development and community services organizations.

ACTING PRESIDENT BAILEY: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Resolution 2351, voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Lanza, O'Mara, Ortt, Stec, Tedisco and Walczyk.

Ayes, 50. Nays, 10.

ACTING PRESIDENT BAILEY: The resolution is adopted.

THE SECRETARY: Resolution 2352, by Senator Stewart-Cousins, amends a plan setting forth an itemized list of grantees for a certain appropriation for additional grants in aid for certain educational and not-for-profit institutions.

ACTING PRESIDENT BAILEY: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Resolution 2352, voting in the negative are Senators Gallivan, Griffo, Helming, O'Mara, Stec, Tedisco and Walczyk.

Ayes, 53. Nays, 7.

ACTING PRESIDENT BAILEY: The resolution is adopted.

THE SECRETARY: Resolution 2353, by Senator Stewart-Cousins, establishes a plan setting forth an itemized list of grantees for a certain appropriation for the 2025-2026 state

fiscal year for services and expenses of human services and veterans community services organizations.

ACTING PRESIDENT BAILEY: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Resolution 2353, voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, O'Mara, Ortt, Stec and Walczyk.

Ayes, 52. Nays, 8.

ACTING PRESIDENT BAILEY: The resolution is adopted.

THE SECRETARY: Resolution 2354, by Senator Stewart-Cousins, amends a plan establishing an itemized list of grantees for 2025-2026 providing community public health programs and services.

ACTING PRESIDENT BAILEY: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Resolution 2354, voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, O'Mara, Ortt, Stec, Tedisco and Walczyk.

Ayes, 51. Nays, 9.

ACTING PRESIDENT BAILEY: The resolution is adopted.

THE SECRETARY: Resolution 2355, by Senator Stewart-Cousins, establishes a plan setting forth an itemized list of grantees for a certain appropriation for the 2026-2027 state fiscal year.

ACTING PRESIDENT BAILEY: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Resolution 2355, voting in the negative are Senators Borrello, Gallivan, Helming, O'Mara, Stec, Tedisco and Walczyk.

Ayes, 53. Nays, 7.

ACTING PRESIDENT BAILEY: The resolution is adopted.

THE SECRETARY: Resolution 2356, by Senator Stewart-Cousins, establishes a plan setting forth an itemized list of grantees for a certain appropriation for the 2026-2027 state fiscal year.

ACTING PRESIDENT BAILEY: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Resolution 2356, voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, O'Mara, Ortt, Stec, Tedisco and Walczyk.

Ayes, 51. Nays, 9.

ACTING PRESIDENT BAILEY: The resolution is adopted.

THE SECRETARY: Resolution 2357, by Senator Stewart-Cousins, establishes a plan setting forth an itemized list of grantees for a certain appropriation for the 2026-2027 state fiscal year.

ACTING PRESIDENT BAILEY: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Resolution 2357, voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Lanza, O'Mara, Ortt, Stec, Tedisco and Walczyk.

Ayes, 50. Nays, 10.

ACTING PRESIDENT BAILEY: The resolution is adopted.

THE SECRETARY: Resolution 2358, by Senator Stewart-Cousins, establishes a plan setting forth an itemized list of grantees for 2026-2027 providing public protection and economic development programs.

ACTING PRESIDENT BAILEY: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to

Resolution 2358, voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Lanza, O'Mara, Ortt, Stec, Tedisco and Walczyk.

Ayes, 50. Nays, 10.

ACTING PRESIDENT BAILEY: The resolution is adopted.

THE SECRETARY: Resolution 2359, by Senator Stewart-Cousins, establishes a plan setting forth an itemized list of grantees for 2026-2027 providing public health and mental health programs.

ACTING PRESIDENT BAILEY: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Resolution 2359, voting in the negative are Senators Borrello, Gallivan, Griffo, Lanza, O'Mara, Ortt, Stec, Tedisco and Walczyk. Also Senator Helming.

Ayes, 50. Nays, 10.

ACTING PRESIDENT BAILEY: The resolution is adopted.

Senator Gianaris.

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

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

Senator Gianaris.

SENATOR GIANARIS: I move to recommit the calendar to the Rules Committee.

ACTING PRESIDENT BAILEY: So ordered.

SENATOR GIANARIS: At this point let's stand at ease while we await the leader.

ACTING PRESIDENT BAILEY: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 12:45 a.m.)

(Whereupon, the Senate reconvened at 12:48 a.m.)

ACTING PRESIDENT BAILEY: The Senate will return to order.

Senator Gianaris.

SENATOR GIANARIS: Mr. President,

please recognize Minority Leader Ortt.

ACTING PRESIDENT BAILEY: Minority Leader Ortt.

SENATOR ORTT: Good morning.

(Laughter.)

(Responses: "Good morning.")

SENATOR ORTT: It almost seems like I was just here talking. I'm sure it seems that way to all of you. And this speech will be a little bit shorter.

(Cheers; applause.)

SENATOR ORTT: I said a little bit.

(Laughter.)

SENATOR ORTT: Don't get too excited now.

But yeah, it is strange to have been budget remarks last week, and now deja vu, here we are at the end of session.

But it is the end of session. Every year -- you know, this is not a normal place. And I think we can all agree on that. When I talk to my wife or my family, even constituents who, you know, they don't come here but they might have a bill that they might be interested in or they might be asking about, when you try to

explain how things happen here, or why they happen, it's like describing -- what it must have been like for Neil Armstrong to describe to somebody what the moon was like. It just -- it's just -- unless you were there, it's really hard to explain to people how this place goes.

But we all certainly know. And so we are bonded by that shared experience. This year, obviously, with the budget being so late and the end of session being crunched into what effectively was a week.

But to borrow sort of a phrase from the Majority Leader, it's nice to actually be at the end of the end. Right?

So I want to thank Majority Leader Stewart-Cousins. Obviously we lead two conferences that don't always agree on policy or the direction of the state on the big-ticket items. But we do agree on the value of what each and every one of us do in this chamber, and on the value and the importance of public service and the role of the State Senate in leading the state.

And so I want to thank her for leading her conference, for working and

conversing with me on sometimes thorny issues. We're not always on the floor here as leaders, but I appreciate her -- again, her partnership and her responsiveness.

I do want to thank my deputy, Senator Andrew Lanza.

(Applause.)

SENATOR ORTT: So he came out this morning in his seersucker suit. Now, usually that means we're close. But as I told him, that is the last-day suit. So if tomorrow's the last day, he's got to wear that suit again tomorrow.

(Laughter.)

SENATOR ORTT: And there's been years where that suit has gone about 48 hours, maybe longer. But luckily we're going to get out of here in about 24.

But I want to thank Senator Lanza. It is a tough role, no doubt. The leader knows this for her deputy. It is a tough spot, a tough spot, especially this time of year, with the amount of active lists, being out here, managing the floor. There was a time, I said this week, I said, You know -- to my members -- you've got to understand, Senator Lanza sometimes is on the

floor, he's got Senator Gianaris over here asking him what's going on, they're going back-and-forth, and he's got me on the phone over here. It's almost like the angel and the devil, right, on each shoulder. You can decide who's who.

(Laughter.)

SENATOR ORTT: You can decide who's who.

But it is a tough spot to be in, because you're managing what -- a relationship with one side, and you're managing your members. And I very much appreciate his friendship. I appreciate his leadership, his partnership. And we would not be able to get here as smoothly without him.

So thank you very much, my friend. I appreciate it.

(Applause.)

SENATOR ORTT: A lot has been said, certainly, about Senator Gianaris. I know this is his last night here. So it is my goal to of course add to it a little bit if I can.

But I want to thank him for his service, and I want to tell a quick little story.

So when Rob Ortt was a freshman Senator and I sat right where Senator Martinez {sic} sits right now -- which of course is the last seat over there. You're just almost out in the hallway there, right? But you're in. You're in the chamber.

And when you're a new Senator, just like now, very often your first bill is sort of a -- you know, it's not earth-shattering legislation, but it's your first bill. A big deal. And it usually sails through, fairly non controversially, maybe unanimously.

And after it's passed, usually the floor leader of whatever conference will stand up say, That's Senator So-and-so's first bill. And everyone applauds, right? And it's a neat feeling. Which is exactly what I expected to happen for my first bill. But it did not. My first bill was laid aside.

(Laughter.)

SENATOR ORTT: My first bill. Maybe it was a premonition. But it was laid aside by none other than the -- at the time, the floor leader of the Minority, Senator Gianaris. It was on Flag Day. That's what the topic was. We were

cleaning up -- for some reason the New York State law said Flag Day was June 12th, and of course federal law is June 14th. I don't know, I was new, I inherited the bill from somebody else. We were passing it. But Senator Gianaris wanted to ask me a few questions.

And so we danced. And like so many things, I was right, and it had to be changed. And we passed it the next day unanimously, but after that debate. But after debate, that was my first sort of interaction and real face-to-face with Senator Mike Gianaris. And I can tell you, from that first impression, not much has changed, so ...

(Laughter.)

SENATOR ORTT: But I appreciated the debate.

And Senator Gianaris, while I can't say that I will miss you, I do wish you well, and your family, and whatever your future holds.

(Applause.)

SENATOR ORTT: So to our members who are leaving, I know you all had a chance to speak -- and I really appreciated that, by the way, Leader. I don't remember that always

happening, like over the years, but that was great. That was a great thing.

To the three members who are leaving, you know, every conference is, aside from the number of Republicans or Democrats, you're colored by the personalities of the people who are here. And the different skill sets and the different talents and the different background and experiences. And the communities you represent.

And to the three members, Senator Oberacker, Senator Weik, Senator Martins, our conference will miss you. I think your districts and the state will miss you. But the great thing about this chamber, while you have contributed to it, as we all know, it will go on stronger because of your service. And you get to write a piece of history which we're all fortunate to be a part of.

So thank you for your service to your communities, to our state, and to our conference.

(Applause.)

SENATOR ORTT: To my staff, my great staff, I want to thank -- in particular I

do want to start off, Peter Drao -- where's Peter? Is he out here? Maybe he's sleeping, poor guy.

Peter Drao got thrown into the fire as the Republican finance secretary, finance person, because our previous finance person left, you know, sort of during -- well, I guess at the time I thought it was terrible timing, but he actually left on April 10th, which as it turned out was months before the budget was passed.

(Laughter.)

SENATOR ORTT: So it gave us plenty of time. I was very concerned at the time he left, but Peter got thrown in there and did a great job and has worked with Chris on the Majority side.

And again, that relationship is very important certainly for the Minority Conference, the Republican Conference, and Peter did a fantastic job. And really I don't think we missed a beat. So I want to thank Peter for his efforts.

(Applause.)

SENATOR ORTT: I want to thank Chandler Frontero and Ryan Mulson for being on

the floor for many, many hours, seated very close to Senator Lanza, and dealing with all that comes with that.

I do want to thank my chief counsel, Ben Kosinski. This is his first full session as chief counsel, so I do want to recognize that.

And I'll just close -- see, I told you it would be shorter. Between the budget and this last week, it is certainly the -- my belief, and I know the belief of our members, that a lot of these stated goals at the beginning of session, from the Governor on down, about affordability and energy rates and creating jobs and lowering costs, there's not a ton, if anything, that we -- that I saw that addresses any of that.

I know there will be things that are going to be stated that they're going to address those things, but there's certainly very little evidence to back that up. As a matter of fact, in the last couple of days, you know, we focused on our problems -- i.e., political problems.

People in New York State were not crying out for more gerrymandering. The people of New York State were not crying out for new

judicial districts. Those are political solutions to maybe political problems, at least for one party. But that's not going to make people's lives better in this state. It might make some people in this room's lives better, but not their constituents, not the people of New York State.

It's not going to lower anyone's energy costs. It's not going to lower their taxes. In fact, I would argue if they get the result they want, it will increase people's taxes. It will increase people's energy rates. It will increase the cost to live here.

There are -- and there was a lot of discussion about that on the floor here, and I watched some of it. And, lookit, it's politics. And I can appreciate on some level my colleagues who didn't shy away from it's just brass-knuckle politics. But that is not what is going to improve the lives of people in the state.

We removed checks and balances. We removed -- what I always look at is -- we talk so much about institutions, the institution of the Senate. There's a lot of institutions that have been built up over a long time in our country and

in our state. And those institutions figuratively, just like institutions or buildings literally, they have lodestones, they have load-bearing walls that hold those things up. And if you remove them, you weaken the structural integrity of that building.

When we remove checks and balances, we are weakening the structural integrity of our institutions. And that's what we did this week here in New York State. Somewhere -- I don't know if he's still alive or not, but somewhere Harry Reid, they got rid of the 60 votes to appoint a Supreme Court justice. I'm sure my colleagues across the aisle would tell you it didn't work out the way Harry Reid thought it would.

Sometimes these things do not work out the way we think, and sometimes, whether it redounds to the benefit of one party or another, I do not think it redounds to the benefit of the people, whether it's of New York State or of the United States. And that's what I think we did tonight, we did today and yesterday. We did not strengthen our democratic institutions here in New York, we weakened them. And we did so for

politics. And that was said many, many times.

We decided that changing terms like "mother" and "father" in the law, that was going to make people's lives better here in New York. It just seems like a misplaced sense of priorities.

And when we leave here, everyone in this chamber is going to talk about what happened here and what didn't happen here. And we're all going to spend the next six months or, for some of my colleagues, the next few weeks campaigning and being in our districts and talking to our constituents about what happened here, whether you think it's great or not so great. Whether you think it's going to make people's lives better or not.

And we're going to talk about what didn't occur. The missed opportunities, the things we didn't tackle and didn't address, for whatever reason. And there are always things that don't get done. There are always things that don't get done.

But the people of this state are counting on us to get these things done. And there are many of my constituents -- over the

years I have seen the decline in population. Many of my colleagues, and even some of my colleagues across the aisle, and certainly as a state we've seen the loss of people. People ultimately vote with their feet, as the old saying goes.

And I don't think we did anything, I don't think we did anything, Mr. President, to try and keep folks on the edge, people who are deciding whether their future is in New York, whether they can afford for their future to be in New York.

Businesses, a lot of anti-business bills here. Now, some people at home might think, what do I care? I don't own a business. No, you don't. But that business provides jobs that provide income for people to provide a roof over their family's head, to put food on the table, to put gas in the car, to save a little for college.

And every time we do things -- and I don't know how it affects -- you know, I know the City of New York is a very different place. And I know certain laws of economics do not apply as equally to the City of New York as they do to the

rest of state, certainly upstate New York. I'll say Western New York.

And I don't see anything we did that's in the benefit of certainly Western New York this week, I can tell you that for damn sure.

And so it's disappointing, but now the real work begins. We're going to be back home with our constituents, the people who send us here, and we have to answer to them for what went on here and what didn't go on here. And we have to articulate why we voted the way we did.

And I will conclude by saying that actually makes me thrilled because, you know, as some of my colleagues who are leaving -- everyone talked, Senator Kavanagh -- everyone talked about their family -- Senator Gianaris -- talked about their family. And that's interesting to me, and it's not accidental and it's not just like cliche.

We all say we're fighting for New York. And for a lot of us -- I'm sure the leader, myself -- I travel around the state. I've been in many of -- if not all of your districts (indicating Republicans), and I've been

in some of your districts (indicating Democrats). And it's a beautiful state. I really love every part of it. But I don't know every part of it. I don't wake up in the morning -- you know, I don't live in Manhattan, so I don't wake up every morning thinking I'm going to fight for Manhattan because I don't live there, I don't known anyone there. Those aren't my neighbors.

You get up and fight for your constituents, and if you drill it down, you're fighting for your family and your friends and your neighbors and the people that you do know, and that you extrapolate out are probably not dissimilar from the people that you represent. And they probably have the same dreams and hopes and frustrations as the people that you know. And you hope to come here and bottle that and channel that into positive changes -- and in our case, in trying to stop things that we believe are going to harm those people.

And after the next few months, maybe the few weeks, some people will not come back next year by choice. Some people will not come back by the choice of the voters of New York. But this body will return, slightly different,

but with the same task, with the same obligation to make the people of this state's lives better, more affordable, more free, safer, and to put this state on the right track.

And I hope the next legislature will do a better job than this one.

Mr. President, I thank you.

To my colleagues in our conference, thank you for allowing me to lead you through another session.

To my colleagues across the aisle, thank you for giving me the chance to be the loyal opposition to you for another session.

And I wish all of you have a great summer, a great fall, and I hope to see many of you, most of you, back here come January.

Thank you very much, Mr. President. God bless.

(Standing ovation from Republicans.)

ACTING PRESIDENT BAILEY: Senator Gianaris.

SENATOR GIANARIS: At this time please recognize Majority Leader Andrea Stewart-Cousins.

(Cheers; sustained applause.)

ACTING PRESIDENT BAILEY: Majority Leader Andrea Stewart-Cousins.

(Standing ovation.)

SENATOR STEWART-COUSINS: So I'm done now, right?

(Laughter.)

SENATOR STEWART-COUSINS: I think that's what -- I think that's what that's all about. Because you know, when I tell you to trust the shaded boxes, you trust the shaded boxes.

And I really, you know, just want to do what Leader Ortt just did and begin by thanking all the amazing people who make sure that we do serve the people of New York State with our very best.

I certainly want to congratulate my colleagues in the Majority. Relentless, tireless. It was a tough, tough call, and nobody missed a beat. And nobody took their eye off the ball. You focused, and focused under extraordinary circumstances. Liz, who certainly brought us through year after year of budget, was not here. And everybody stood up and did what we had to do.

She is fine. She has been participating virtually. And we expect to see Liz right back in her chair when we come back next year.

(Sustained applause.)

SENATOR STEWART-COUSINS: So I want to start by thanking people who I don't usually thank, my presiding officers. Yup.

(Applause.)

SENATOR STEWART-COUSINS: So we have Senator Bailey, Senator Mayer, Senator Persaud, and Senator Cooney, who is celebrating the birth of his newborn son, Aidan.

(Applause.)

SENATOR STEWART-COUSINS: And again, thank you to the Minority Leader.

You know, we manage to always communicate back and forth because I think we all know that communication is the key. And when we communicate and when you can, you know, take each other's word and know what you're dealing with, it's just a lot easier. So thank you for your leadership.

And of course to Senator Lanza, thank you for being the intrepid floor leader.

And I know you're going to miss your buddy.

SENATOR LANZA: I will.

SENATOR STEWART-COUSINS: But again, I'm sure whoever's sitting in this seat will benefit from your knowledge and experience.

I want to thank my senior staff, my team. Where's J. Lang, Jonathan Lang?

(Applause.)

SENATOR STEWART-COUSINS: And where's Dorothy Powell? There's Dorothy.

(Applause.)

SENATOR STEWART-COUSINS: And, you know, you talked about your brand-new finance secretary. I had a brand-new -- they both left at the same time, right?

But so my brand-new finance secretary, Chris Friend, did amazing work. Oh, there you are.

(Applause.)

SENATOR STEWART-COUSINS: And a man whose birthday was yesterday, my comms director, Mike Murphy.

(Applause.)

SENATOR STEWART-COUSINS: And I want to shout out to Leah Goldman, our director

of intergovernmental affairs.

(Applause.)

SENATOR STEWART-COUSINS: And she just came back after giving birth to a beautiful baby girl, Sharlyn {ph}.

I say that I am the Majority Leader that has seen more births than anyone before me, I'm telling you. It's wonderful because, you know, it's always a source of delight to know that there's a new generation coming and, you know, if we do it right, they will continue in a way of some kind of service, and certainly public service is very, very noble.

I also want to be able to thank my own staff, led by Jonathan Alvarenga.

(Applause.)

SENATOR STEWART-COUSINS: Thank you. Jonathan and my team, thank you.

They manage my life in ways that really, you know, all I have to do when I come here is worry about all of you. So I do -- which I do. So I appreciate, appreciate my staff incredibly.

And I do want to give a special thank you to the Secretary of the Senate,

Alejandra Paulino --

(Applause.)

SENATOR STEWART-COUSINS: -- and her team.

Thank you, Alejandra, for making sure the chamber and all the other things that we have to do really run so very smoothly.

And let's give it up for Big Ben.

(Applause; cheers.)

SENATOR STEWART-COUSINS: And really all the Sergeants. I think, you know, again, we feel safe, we feel looked after. Our guests do too. So thank you, Ben, all the Sergeants, for all that you do.

(To Senator Gianaris) And of course, you know, we said goodbye to you already, but of course I will say it again.

It has been, you know, an honor of my lifetime to serve with you, to be a partner for so many years -- 13, to be exact.

And again, as I said, not only have you been a trusted advisor, and a steady hand, and just, you know, somebody who you could depend on wherever you were to do whatever needed to be done. I really, really thank you.

I know you are going to have a great next chapter. But I thank you for all that you've contributed to us every single day. Thank you so much.

(Applause.)

SENATOR STEWART-COUSINS: I always tell him that he really is the best Senate Deputy Majority Leader ever. So, you know, I again thank you for all your partnership.

And then you, Brian.

(Laughter.)

SENATOR STEWART-COUSINS: You know, I'm saying how do I get to sit between two departing members?

But again, Brian, thank you.

I think we had a chance, as you all probably did, to spend time telling Brian the impacts that he's made in our lives through his example, through the way he has been able to explain the minutest details with the utmost amount of patience and intellect. And he'll break it down for you, he'll meet you wherever you are.

And the passion that he has around the things that he cares about -- which is just

about everything. So it is. You know, he's one of those incredible human beings.

And so again, we wish you well. We will miss you. But each of us are better because of the service that you've given us -- exactly, both of you. So thank you so very much, Brian.

(Enthusiastic applause.)

SENATOR STEWART-COUSINS: And I also want to wish my friends departing on that side of the aisle -- Jack, you and I were here -- I called you a repeater because you came back, right?

But I remember those early days in Local Government, and it's a good -- I wish you well. I'm sure if -- and you could come back again if you want, but --

(Laughter.)

SENATOR GIANARIS: No.

SENATOR STEWART-COUSINS: A three-peater.

(Laughter.)

SENATOR GIANARIS: No.

SENATOR STEWART-COUSINS: Don't say no. You're not going to be here.

SENATOR GIANARIS: I want a

Democrat.

(Laughter.)

SENATOR STEWART-COUSINS: That's so funny. Well, not right now, you know.

(Laughter.)

SENATOR STEWART-COUSINS: But to you and to Senator Weik, thank you so much. It feels like you've been here longer than six years. When you said only six years, I was quite surprised.

But again, I know that your family will welcome you back because back we heard the options. And the fact that you had the support so that you could come and be -- and really, you know, work for your constituents and the state, is to our benefit. So I wish you very, very good luck.

And same thing -- did I leave out Senator Oberacker?

(Inaudible interjection; laughter.)

SENATOR STEWART-COUSINS: Okay. I was going to thank him for the steak sauce, but okay.

(Laughter.)

SENATOR STEWART-COUSINS: Jeez, he

didn't even wait.

(Laughter.)

SENATOR STEWART-COUSINS: Started his new life already.

(Laughter.)

SENATOR STEWART-COUSINS: But anyway, I wish him well also.

So on to the remarks.

Public service is not always easy. The issues before us are rarely simple, and the responsibility of finding solutions that improve the lives of New Yorkers is one we don't take lightly.

But throughout the session our conference remained focused on addressing the concerns we hear from our constituents and delivering for the people of New York.

So when we began the session in January, we knew the challenges ahead would be significant. New Yorkers are struggling with rising costs. Families are facing higher utility bills, higher healthcare costs, growing economic uncertainty. At the same time, we're confronted with an increasingly unpredictable federal government that has repeatedly threatened

programs and protections that millions of New Yorkers depend on.

Faced with those realities, we chose, and we choose to move New York forward. So this session we confronted the growing burden of utility costs, we advanced packages aimed at holding utility companies accountable, strengthening oversight, ensuring that ratepayers are protected from unnecessary costs. We made clear that utility providers should serve New Yorkers, not profit at their expense.

On the first day of session I said we would stand up for immigrant communities and advance the goals of New York for All, and that's exactly what we did. We fought to protect immigrant families, strengthen due process, and safeguard access to schools, healthcare and other essential services.

We made clear that New York will continue to be a place where families can live with dignity and pursue opportunity and contribute to the communities they call home.

At a time when reproductive rights remain under attack nationwide, we enacted protections for patients' privacy, expanded

access to fertility and IVF treatments, and safeguarded the right of New Yorkers to make their own healthcare decisions.

We also stood up for affordable healthcare. As federal leaders continue to threaten healthcare access and undermine critical programs, we advanced legislation to lower prescription drug costs, improve access to care, and protect patients across the state.

For the first time we took major steps toward truly universal childcare by expanding UPK and investing in childcare programs statewide.

We fully funded our schools again, and made it clear that every student deserves a quality education.

We fought to lower costs, protect consumers. We took on junk fees, deceptive pricing practices, subscription traps, corporate abuses that make it harder for working families to make ends meet.

We defended science and public health, advancing legislation that supports vaccine access, empowers healthcare providers, and reinforces evidence-based public health

practices that keep our communities safe.

We continue to lead on environmental protection and climate action, advancing legislation to protect our natural resources, reduce pollution, invest in clean energy infrastructure, expand electrification and solar opportunities.

We advanced legislation to strengthen our democracy and protect the right to vote. We worked to safeguard election workers, modernize our election systems, ensure New Yorkers can participate in our democracy free from intimidation and interference.

We strengthened protections for survivors of domestic violence and sexual violence, continuing our work to ensure survivors have access to the resources, support and legal protections they need while strengthening accountability for those who seek to harm or intimidate them.

Finally, we continued to support New York's agricultural industry and delivered critical investments to both New York City and local municipalities across our state, helping communities strengthen infrastructure, improve

critical services and support long-term economic growth.

We continued to invest in creating more affordable housing across the state, and at the same time stand up for homeowners and renters, because we all know that affordable housing is crucial for strong communities.

At a time when so many New Yorkers are looking for stability and leadership, we remain focused on delivering results, protecting fundamental rights, and strengthening the communities we represent.

Those accomplishments did not happen overnight. They're the result of months of hard work, difficult conversations, and shared commitment to serving the people of New York.

And while we can be proud of what we've achieved, we all recognize that there is more to be done and that challenges remain, that our work is not finished.

So as we close this session, I'm reminded that progress is measured not only by what we accomplish in this chamber, but by the difference it makes in the lives of New Yorkers. There's always going to be more work to do, but

this session demonstrated what is possible when we remain focused on the people who elected us to serve.

So to every member of this chamber, I do thank you for your service. To the staff and to all those who work so hard, we thank you. And you've earned a few days off. Not many. Well, you all, maybe.

But those of us here we know are going to return to our districts, to hopefully our families again, to those people who love and care about us. Many of us are going to be in races. We wish you luck.

I certainly -- again, as Leader Ortt said, we know we will see most of you back here.

But remember that what you do is important. What you do matters. The fact that you do it creates opportunities that many of us would never have believed we would ever have. We don't take it lightly. But we do know that New York needs us to be focused on New Yorkers. There's no better people to do it.

So God bless. Enjoy the summer. Win your races. You all, please.

(Laughter.)

SENATOR STEWART-COUSINS: You too. You too.

(Laughter.)

SENATOR STEWART-COUSINS: But, you know, enjoy, and we'll see you back here next year. Thank you.

(Extended standing ovation.)

ACTING PRESIDENT BAILEY: Thank you, Madam Leader.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, it has been an honor.

One final time: Is there any further business at the desk?

ACTING PRESIDENT BAILEY: Sadly for the great State of New York and the New York State Senate, this is the last time I get to say, Senator Gianaris, that there is no further business for you at the desk.

It has been an honor and a pleasure for all of us.

(Noisy, extended applause.)

SENATOR GIANARIS: Okay, I move to adjourn until the call of the temporary president, with the intervening days being

legislative days.

And, Mr. President, let's go, Mets!

ACTING PRESIDENT BAILEY: Let's go, Mets!

On motion, the Senate stands adjourned until the call of the Temporary President, with the intervening days being legislative.

And hopefully we will come back with the 2026 NBA champions, the New York Knicks!

(Explosive cheers.)

(Whereupon, at 1:29 a.m., the Senate adjourned.)