NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 28, 2020

1:03 p.m.

REGULAR SESSION

SENATOR BRIAN A. BENJAMIN, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: 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 BENJAMIN: The reading of the Journal.

THE SECRETARY: In Senate, Wednesday, May 27, 2020, the Senate met pursuant to adjournment. The Journal of Tuesday, May 26, 2020, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read the substitution.

THE SECRETARY: Senator Krueger moves to discharge, from the Committee on Rules, Assembly Bill Number 10492 and substitute it for the identical Senate Bill Number 8417, Third Reading Calendar 668.

ACTING PRESIDENT BENJAMIN: The substitution is 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: Mr. President, at this time can we take up the reading of the calendar.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Calendar Number 644, Senate Print 8130D, by Senator Myrie, an act to amend the Election Law.

SENATOR GALLIVAN: Lay it aside.

ACTING PRESIDENT BENJAMIN: Lay it aside.

THE SECRETARY: Calendar Number 668, Assembly Print 10492, by the Assembly Committee on Rules, an act to amend the Local Finance Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 668, those Senators voting in the negative are Senators Felder, Gaughran, Gounardes, Martinez, Savino and Stavisky.

Ayes, 55. Nays, 6. {Sic}

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 670, Senate Print 8419, by Senator Kavanagh, an act in relation to --

SENATOR GALLIVAN: Lay it aside.

ACTING PRESIDENT BENJAMIN: Lay it

aside.

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

SENATOR GIANARIS: Thank you, Mr. President. Can we now take up the reading of the controversial calendar.

ACTING PRESIDENT BENJAMIN: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 644, Senate Print 8130D, by Senator Myrie, an act to amend the Election Law.

ACTING PRESIDENT BENJAMIN: Oh. Oh. Senator Borrello on the bill.

SENATOR BORRELLO: Thank you, Mr. President.

I'm going to take my mask off because I don't want to sound like one of the parents from the Charlie Brown cartoons. You may be old enough to recognize that joke, so.

You know, this bill was supposed to be put forth -- this short session was supposed to be put forth so we could address things on COVID exclusively, is what we were told. That's why many important bills were not taken up today,

so we were told.

However, this bill really elects -- it amends Section 8-400 of the Election Law, and it has nothing to do with COVID, essentially because the Governor has already taken steps for those allocations for absentee ballots for COVID. This changes the law permanently.

And so people understand what this bill does, number one, it allows requests to be made by a voter for an absentee ballot by electronic mail or Board of Elections portal, and it eliminates the requirement for the application to be signed by the voter. So we have applications that can be sent out without actually knowing who they came from and if they're actually at the request of the voter.

It also amends the law so that a postmark for an absentee ballot can be done the day of the election. Which may sound, on the surface, like something that should be done, except for the fact that post offices close up to three hours after the polls are closed. I think we would all love the opportunity to bet on the Super Bowl after it's over, and that's essentially what this will allow voters to do

after the polls have closed.

And, you know, I know that there's this belief that voter fraud is a myth. Well, it's really not a myth. This is a sampling, a sampling of voter fraud cases in the United States, Mr. President -- 1285 confirmed cases, over a thousand criminal convictions. That's the myth that we're talking about, busted.

First and foremost, let me also tell you that this chamber -- excuse me, this Legislature was almost a victim of voter fraud, not a hundred years ago, not fifty years ago, but actually back in 2014. One of the -- one of those who were running for this chamber, a gentleman by the name of Hector Ramirez, pleaded guilty to one count of criminal possession of a forged instrument. A 2014 Assembly candidate for the 86th Assembly District, he deceived voters into giving their ballots to his campaign on the false premise that the campaign would then submit the ballots. Instead, Ramirez's campaign inserted his name on at least 35 of the absentee ballots. Ramirez initially won the 2014 race, but then a recount determined he lost by two votes.

Also, in addition to that, one of his campaign aides pled guilty to disorderly conduct after she and other staffers went door to door tricking potential voters into signing absentee ballot applications. Then they took the applications to the Board of Elections, retrieved the absentee ballots, and voted for Ramirez without voters' knowledge. And she also was convicted of that.

That doesn't sound like a myth to me. That's actually right here in New York.

Now, I realize that many of our former colleagues have left this chamber as criminals, but this guy almost came here because of becoming a criminal. That is an important distinction, in my opinion.

So the problem here is that we even had four elections that were overturned in 2018 here in the United States, across the United States. These are the things that we know about. These are the situations that we actually were caught on. And now we're creating fertile ground with this legislation to make it even

And according to the Heritage Foundation, and according to all the 1285 cases

that they have documented, the preferred method for voter fraud, for those that are willing to commit it and want to commit it, is actually absentee ballots. That's the majority of the 1285 cases that they have documented convictions for, is with voter fraud using an absentee ballot.

So this is the preferred instrument that we are about to change and grease the wheels to make it even easier to commit voter fraud.

Now, you might say to yourself in a city like New York, what's a couple of hundred fraudulent votes, right? Well, where I come from, in Western New York in the Southern Tier, we routinely had elections that turned on a handful of votes -- sometimes as little as one vote. We cannot afford any voter fraud.

Also, this is about the integrity of our election process. This is why people have faith in it.

Now, we were told that the reason that so many people don't vote is because it's not easy to access the vote, and this chamber and this Legislature has taken great steps -- 10 days of voting, making it much easier to vote. Short

of letting them vote at Walmart at the checkout, I can't think of how this state could make it easier to vote than we already do.

So what we're going to do now is we're going to move beyond making it easy and instead we're going to move to making it easier to create voter fraud, which is what this bill is. And it has nothing to do with COVID-19. This is really about creating the opportunity for ballot harvesting.

Now, I want to make sure that I also point out that voter fraud is a bipartisan issue. This is not something that is strictly done by one party or another. And in fact, in 2018, in the 9th Congressional district of North Carolina, the bipartisan state board of elections refused to certify a 905-win vote of Republican candidate Richard Harris after finding evidence that his campaign engaged in absentee voter harvesting, something which is illegal under North Carolina law.

Not here in New York, however. New York has no specific anti-voter harvesting provision in our Election Law. And today we take an enormous step forward in allowing voter

harvesting to occur in New York State.

This is about maintaining the integrity of our elections. Making it easier doesn't mean it's going to make it better, and it certainly doesn't mean we're going to stop fraud.

And for those that say fraud doesn't exist, I can give you 1285 reasons why it does. And those are just the people that got caught. Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Gianaris.

SENATOR GIANARIS: Mr. President, I just want to take a moment to remind Senator Trump -- I mean Senator Borrello -- and my colleagues here that we do not allow use of props in debate on the floor. So as he was lifting and dropping dramatically the pack of who knows what it actually is in reality, we are not permitted to do that by Senate rules.

Thank you.

SENATOR BORRELLO: My apologies.

ACTING PRESIDENT BENJAMIN: Senator Jordan.

SENATOR JORDAN: Thank you, Mr. President.

I felt it really important to be able to speak on this bill.

ACTING PRESIDENT BENJAMIN: Senator Jordan on the bill.

SENATOR JORDAN: Much like last year's Green Light Law, this bill gives another green light to voter fraud. The bill before us would allow requests to be made by a voter for an absentee ballot by electronic mail or through the Board of Elections web portal. And it totally eliminates the requirement that an application for an absentee ballot must be signed by the voter.

Other than the voter's signature, our state doesn't have any voter I.D. requirements to verify that a voter casting the ballot is the voter who registered with the Board of Elections. This terrible bill opens the door to ballot harvesting and other forms of voter fraud that hurt our democracy and undermine a fair and functional electoral process.

Ballot harvesting is real and has drawn bipartisan concerns of fraud from election watchers. It's the practice of allowing political operatives and others to collect

voters' ballots and turn them in en masse to polling stations. Bad actors could -- and likely will -- submit a wide number of absentee ballot requests by electronic mail, a launch pad for ballot harvesting on an unprecedented scale and scope.

When you take this legislation with Senator Gianaris's bill passed earlier this year that implements a system of automatic voter registration within certain designated state agency applications, such as those at the DMV and DOH, we're talking about a devastating one-two punch of fraud advanced by irresponsible policies.

Without question, absentee voting -- true absentee voting, with an actual signature requirement -- is critical and something that I strongly support. During the COVID-19 outbreak, we routinely see long lines of people waiting at Walmart and Home Depot. If this is the case, then why can't we stand in line with proper social distancing? And now also with early voting, which further spreads the lines out over 10 days to vote, which is our civic duty.

I'll be voting, voting no on this

bill, which is yet another attempt at undermining our voting process and weakening our voting rights.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: 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 7. This act shall take effect immediately.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Myrie to explain his vote.

SENATOR MYRIE: Thank you, Mr. President.

And before I explain my vote, it's good to see you, it's good to see my colleagues, both those on this side and the other side.

Let me start with where my colleagues on the other side left. The notion that voter fraud would be increased by making

absentee ballots more easier and accessible is not based in reality.

My friend on the other side held up a packet of cases, but the facts belie this notion of voter fraud. There was a study from 2000 to 2014 that examined every single election. There was over one billion elections. Do you know how many incidents of voter fraud they found? Thirty-one. That is .00000031 percent. You have a greater chance of being struck by lightning than you do of finding an incident of voter fraud.

There is no evidence that applying for an absentee ballot application induces fraud. In fact, there's a conflation by my friends on the other side between an application and a ballot. In 2016 in the State of New York, the presidential primary saw over 2 million votes. Four percent of those were from absentee applicants. Not a single incidence of voter fraud.

This election, after we've seen upwards of 23,000 New Yorkers die, we made the decision that their constitutional right to vote should not be impeded by a pandemic. That

democracy, even in a pandemic, should survive.

That is what this bill is about. New Yorkers should not be impeded from picking their leaders because of this pandemic. Participating in your democracy is about picking the leaders who you want to lead us through this crisis. No incidence of voter fraud; simply an increase in opportunity to exercise your constitutional right.

You still have to put a signature on a ballot in order for that ballot to count. I'll say it again. You still have to put a signature on a ballot for that ballot to count. What we have done is made it easier for you to receive that ballot. Many seniors, those who are immunocompromised, those who live in communities with wide community spread, they want to participate in their democracy too, and they should be allowed to do so by modern means of communication.

What we heard today is exactly what we're hearing from the highest levels of government in this country. And it is, quite frankly, disgraceful. It sows doubt in the very glue that keeps this country together.

Being a voter, picking your leaders, that is the sliver of normalcy that we need in a dark time. And here in New York, we are going to provide that opportunity to every voter.

So I will be voting in the affirmative, Mr. President, and thank you for your time.

ACTING PRESIDENT BENJAMIN: Senator Myrie to be recorded in the affirmative.

Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you.

I'll be voting nay on this, and largely because if we can't guarantee the integrity of our ballots, then we do not have a democratically elected legislature and representative.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 644, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Boyle, Flanagan, Funke, Gallivan, Griffo,

Helming, Jacobs, Jordan, Lanza, LaValle, Little, Martinez, O'Mara, Ortt, Ranzenhofer, Robach, Serino, Seward and Tedisco.

Ayes, 39. Nays, 22.

ACTING PRESIDENT BENJAMIN: The bill is passed.

The Secretary will read.

THE SECRETARY: Calendar Number 670, Senate Print 8419, by Senator Kavanagh, an act in relation to enacting the "Emergency Rent Relief Act of 2020."

ACTING PRESIDENT BENJAMIN: Senator Gallivan, why do you rise?

SENATOR GALLIVAN: Mr. President, I believe there's an amendment at the desk. I waive the reading of that amendment and ask that Senator Serino be recognized and be heard.

ACTING PRESIDENT BENJAMIN: Thank you, Senator Gallivan.

Upon review of the amendment, in accordance with Rule 6, Section 4B, I rule it nongermane and out of order at this time.

SENATOR GALLIVAN: Accordingly, I appeal the chair's ruling, Mr. President, and ask that Senator Serino be recognized.

ACTING PRESIDENT BENJAMIN: The appeal has been made and recognized, and Senator Serino may be heard.

SENATOR SERINO: Thank you, Mr. President.

The amendment before you today is germane to the legislation before this body because both pieces of legislation direct CARES Act funding to help alleviate financial burdens caused by the coronavirus pandemic.

The amendment before you today would direct an additional $100 million in CARES Act funding to provide nursing homes, assisted living, and adult care facilities with the desperately needed funding to meet the unworkable standards established by current state policy.

This funding will enable these facilities to purchase the necessary personal protective equipment, the PPEs, as well as the mandated COVID-19 testing supplies for employees and residents, and it will allow them to train and hire additional staff that is needed so desperately.

It was my understanding that the Legislature was called back to session this week

to specifically address the most pressing issues brought on by the COVID-19 crisis. However, despite the fact that New York is leading the nation in reported nursing home deaths, this amendment brought forth by my colleagues and I is the only piece of legislation presented in the past two days that directly addresses the immediate challenges these facilities are facing right now.

It is incumbent upon us as state legislators to advocate for the most vulnerable that we represent, and this virus has preyed upon our most vulnerable. These residents are our mothers, our fathers, our siblings. They're veterans and valued members of our community. And too many of them are suffering now. They cannot afford to wait for a hearing or for government dysfunction to work itself out. Our nursing homes, assisted living and adult care residents, families, and facility staff need our support now.

I urge my fellow Senators to support this germane amendment that will provide facilities caring for our most vulnerable with the support they desperately need right now.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: Thank you, Senator Serino.

I want to remind the house that the vote is on the procedures of the house and the ruling of the chair. Those in favor of overruling the chair signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BENJAMIN: Opposed, nay.

(Response of "Nay.")

ACTING PRESIDENT BENJAMIN: The ruling of the chair stands, and the bill-in-chief is before the house.

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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Kavanagh to explain his vote.

SENATOR KAVANAGH: Thank you, Mr. President, and distinguished colleagues both here in the chamber and participating in today's proceedings remotely.

As you know, Mr. President, this bill is part of a package of bills that we are proceeding with in the last couple of days that are intended to address, to begin to address the enormous crisis that is facing our state, and that is the crisis of people unable to pay their housing costs as a result of -- through no fault of their own -- loss of jobs and loss of income during this COVID-19 pandemic.

We passed a bill yesterday that is intended to deal with mortgages to give forbearance there. We've passed a bill that is to ensure that people's utilities and services don't get cut off during the pandemic. We've passed a bill to allow local governments to address property tax payments and delay those and give forbearance to property taxpayers.

And today we're talking about renters. And we are beginning today with a bill

that is significant in its own right but very modest relative to the needs. This bill, the Emergency Rent Relief Act of 2020, will make $100 million available immediately to address some of our renters who are most -- facing the greatest hardship. It is a program that will pay rent for April, May, June and July to the extent that people who were low-income both before this crisis and during this crisis are burdened by their rent, meaning they're paying more than 30 percent of their income in rent.

Of course, if you have no income during this period, the program would pay your full rent. Otherwise, it would pay the difference between 30 percent of your income and the rent that you need to pay.

It is intended to signal to tenants that we are serious about addressing this crisis and we're serious about addressing it by figuring out a way to pay the rent.

Having said that, I want to acknowledge today that it is a first step, it is not sufficient. Many of us have joined together to call for $100 billion in rental assistance from the federal government nationwide, which

would break down to $10 billion for New York. That is a hundred times the amount of money we're talking about today. And that would allow us to pass a much broader comprehensive approach to this program.

I'm happy to report that the House of Representatives have passed just such a bill that would put that $100 billion available for renters. It also has $75 billion for homeowners, and about $12 billion for homeless services.

In order to provide that assistance, we begin today by passing this limited bill. But we do hope to come back over the next few weeks, hopefully with some good news from Washington. And I urge everybody within earshot of this broadcast to continue to advocate for that kind of need from Washington. And I stand ready with my colleagues to ensure that that money gets into the hands of all the tenants in our state.

And again, it's our hope that this package will begin to address that, but we have a lot more work to do. So without further ado, I vote aye, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Kavanagh to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

Senator Gianaris, that completes the reading of the controversial calendar.

SENATOR GIANARIS: Mr. President, I believe on a previous bill some of the votes that were announced were erroneously announced as voting no when they were yeses on Calendar 668. Can we please have the desk reread the results of that vote so we can get the record correct?

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: In relation to Calendar Number 668: Ayes, 61.

ACTING PRESIDENT BENJAMIN: Senator Gianaris.

SENATOR GIANARIS: Okay, then.

Can we have the Senate stand at ease, Mr. President, while we await further bills that are going to be coming later today.

ACTING PRESIDENT BENJAMIN: The Senate stands at ease.

(Whereupon, the Senate stood at ease

at 1:29 p.m.)

(Whereupon, the Senate reconvened at 11:07 p.m.)

ACTING PRESIDENT BENJAMIN: The Senate will return to order.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, there will be an immediate meeting of the Rules Committee in the Majority Conference Room.

ACTING PRESIDENT BENJAMIN: There will be an immediate meeting of the Rules Committee in the Majority Conference Room.

SENATOR GIANARIS: The Senate will stand at ease.

ACTING PRESIDENT BENJAMIN: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 11:07 p.m.)

(Whereupon, the Senate reconvened at 11:30 p.m.)

ACTING PRESIDENT BENJAMIN: The Senate will return to order.

Senator Gianaris.

SENATOR GIANARIS: Is there a report of the Rules Committee at the desk?

ACTING PRESIDENT BENJAMIN: There is a report of the Rules Committee at the desk.

The Secretary will read.

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

Senate Print 8427, by Senator Gounardes, an act to amend the Retirement and Social Security Law;

Senate Print 8428, by Senator Parker, an act to amend a chapter of the Laws of 2020 amending the Local Finance Law.

All bills reported direct to third reading.

SENATOR GIANARIS: Move to accept the report of the Rules Committee.

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

(Response of "Aye.")

ACTING PRESIDENT BENJAMIN: Opposed, nay.

(No response.)

ACTING PRESIDENT BENJAMIN: The report is accepted and is before the house.

SENATOR GIANARIS: Please take up the supplemental calendar.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Calendar Number 672, Senate Print 8427, by Senator Gounardes, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT BENJAMIN: Senator Gianaris.

SENATOR GIANARIS: Is there a message of necessity at the desk?

ACTING PRESIDENT BENJAMIN: There is a message of necessity at the desk.

SENATOR GIANARIS: I move to accept the message of necessity.

ACTING PRESIDENT BENJAMIN: All in favor of accepting the message of necessity signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BENJAMIN: Opposed?

(No response.)

ACTING PRESIDENT BENJAMIN: The message is accepted, and the bill is before the

house.

Read the last section.

THE SECRETARY: Section 14. This act shall take effect immediately.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Gounardes to explain his vote.

SENATOR GOUNARDES: Thank you, Mr. President.

Every night at 7 o'clock in New York City we cheer for our essential workers who have battled the coronavirus and kept our state running throughout this pandemic. For a time it was the sound of these cheers that gave people a flicker of hope and faith before the ending wailing of ambulance sirens became our gruesome and tragic nightly symphony.

New Yorkers know that our essential workers have pulled us through this crisis, that they have answered the call of duty to respond to emergencies, treat our sick, keep us safe, and teach our kids. They put their lives on the line so that the rest of us could stay home and stay

safe.

Nearly 300 public servants across our state have died from the coronavirus in just 10 weeks, many of them back home in New York City. They died at the hands of a vicious and cruel virus that has taken more than 100,000 lives of our fellow Americans. But make no mistake: They also died in the service of their city and their state.

And many of them, when asked to answer that call of service, did so without even being given basic protective equipment or, even worse, were not told that they were working alongside colleagues who were sick and in workplaces that were presumed to be infected. Bus drivers shuttling essential workers to and from hospitals without being given face masks. EMS workers answering thousands of 911 calls, forced to use the same PPE all week when it wasn't even enough to last through a single shift. Teachers being forced to report to school buildings and being misled that they were likely infected by sick colleagues that they were never told about.

We've lost nearly 300 of our public

servants. Not since 9/11 have we seen a death count this high of people who wear the uniform of our city or our state.

But tonight we are going to honor the memory of these fallen heroes, not with words or platitudes or photo ops, but with action. The COVID-19 Line of Duty Bill will ensure that the families of public servants who died in this pandemic are cared for. It will prevent family members from being thrust into financial insecurity at the height of their unspeakable grief.

Yet I know that our job is only half done. There are hundreds of other essential workers who work for private employers who have passed away and whose families we also need to make whole. And I promise to do everything in my power to fulfill that obligation to them. It is, quite simply, what we owe them, what we owe all of them.

And so in memory of Allyson Mestel-Schapira, a speech teacher at P.S. 229 in Maspeth, Queens; of Erlin Galarza, an MTA bus driver who was beloved for his boundless kindness; for Richard Seaberry, a 30-year EMS

veteran who was also a 9/11 first responder; and all those public servants who we have lost, and their families who are left behind, I vote aye.

Thank you.

ACTING PRESIDENT BENJAMIN: Senator Gounardes to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 673, Senate Print 8428, by Senator Parker, an act to amend a chapter of the Laws of 2020 amending the Local Finance Law.

ACTING PRESIDENT BENJAMIN: Senator Gianaris.

SENATOR GIANARIS: Is there a message of necessity at the desk?

ACTING PRESIDENT BENJAMIN: There is a message of necessity at the desk.

SENATOR GIANARIS: Move to accept the message of necessity.

ACTING PRESIDENT BENJAMIN: All in favor of accepting the message of necessity signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BENJAMIN: Opposed?

(No response.)

ACTING PRESIDENT BENJAMIN: The message is accepted and the bill is before the house.

Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Kavanagh to explain his vote.

SENATOR KAVANAGH: Thank you, Mr. President.

This bill includes a chapter amendment for an important bill that we passed yesterday, S8243, which extends mortgage forbearance to homeowners throughout the state for any mortgagor who has a mortgage through a state-regulated institution.

It's a very important part of our larger effort this week to ensure that people are

secure in their homes and they are not unduly burdened by the financial hardship that has resulted for many from the COVID-19 pandemic.

There's been forbearance in place from some federal actions and from some state executive orders and regulatory actions already, but this bill goes much further. It allows any person under one of those covered institutions to have six months of forbearance and an additional six months if they have an ongoing hardship.

Moreover, unlike the existing forbearance, it means that the payments at the end of the forbearance period that are due will not be due right as the forbearance ends. It will allow the mortgagor, at their option, to either put the payments at the end of the mortgage or to spread them out over the period of the mortgage or to extend the mortgage for the length of the forbearance.

So for example, Mr. President, if the mortgage is currently -- if you have six months of forbearance and the mortgage is currently scheduled to expire in January of 2040, they'd be allowed to extend it to July 2040.

We think it's a very important step.

We had a lively conversation about renters and homeowners and other people experiencing difficulties related to the cost of their housing. We're certainly not done with those conversations; we have a lot more work to do. But this is a big step forward and grants homeowners some real relief.

So I'm very proud to support it, and I want to thank -- this chapter amendment results -- is an indicator of the end of a negotiation with the Assembly and the Senate and the Governor's office, and the Governor's office has been helpful in making some adjustments to the bill. And I want to thank my co-prime sponsor, Todd Kaminsky; the Assembly sponsor, Nily Rozic; and all the staff -- and especially Elizabeth Nowicki, who worked very hard on this to get it done -- and all my colleagues for supporting it.

Thank you, Mr. President. I vote aye.

ACTING PRESIDENT BENJAMIN: Senator Kavanagh to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to

Calendar Number 673, those voting in the negative are Senators Helming, Jordan, O'Mara and Ortt.

Ayes, 57. Nays, 4.

ACTING PRESIDENT BENJAMIN: The bill is passed.

Senator Gianaris, that completes --

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

ACTING PRESIDENT BENJAMIN: No, there is no further business at the desk.

SENATOR GIANARIS: Move to adjourn, subject to the call of the Temporary President, intervening days being legislative days.

ACTING PRESIDENT BENJAMIN: On motion, the Senate stands adjourned, subject to the call of the Temporary President, intervening days being legislative days.

(Whereupon, at 11:38 p.m., the Senate adjourned.)