NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 10, 2020

11:56 a.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, Tuesday, June 9, 2020, the Senate met pursuant to adjournment. The Journal of Monday, June 8, 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 SECRETARY: Senator Helming

moves to discharge, from the Committee on Rules, Assembly Bill Number 8666A and substitute it for the identical Senate Bill 8522, Third Reading Calendar 752.

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, on behalf of Senator Rivera, on page 28 I offer the following amendments to Calendar 555, Senate Print 6492A, and ask that said bill retain its place on Third Reading Calendar.

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

SENATOR GIANARIS: On behalf of Senator Hoylman, on page 31 I offer the following amendments to Calendar 589, Senate Print 3923, and ask that said bill retain its place on

Third Reading Calendar.

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

SENATOR GIANARIS: At this time, Mr. President, I would ask if there is a report of the Finance Committee at the desk.

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

The Secretary will read.

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

To the Metropolitan Transportation Authority: Jamey Barbas, Frank Borelli Jr., Victor Calise, Michael Fleischer, and Lorraine Cortes-Vazquez.

To the Dormitory Authority of New York State: Reuben McDaniel.

To the Adirondack Park Agency: Mark Hall, Andrea Hogan, Arthur Lussi, Kenneth Lynch, Zoe Smith, Daniel Wilt, and John Ernest.

ACTING PRESIDENT BENJAMIN: Senator Gianaris.

SENATOR GIANARIS: Please recognize

Senator Krueger.

ACTING PRESIDENT BENJAMIN: Senator Krueger.

SENATOR KRUEGER: Thank you very much.

We completed a joint meeting of the Transportation Committee, the Committee on Corporations, and the Senate Finance Committee, and all of the nominees you just heard the names of were recommended to the floor of the Senate for confirmation.

I want to just not necessarily talk on any of them, I just want to highlight that in these very difficult times for the State of New York, we are very appreciative of people with special skills and also demands on them being willing to, in almost all cases today, volunteer for very challenging positions. One of these positions is a paid employee position; everyone else is a volunteer position.

I want to just highlight also the five new members of the MTA Board. People who are living in the MTA region understand the true, true challenges facing the MTA. We have to get past COVID, we have to get people willing to

trust that they can get back on our subways and buses. We were already dealing literally at crisis level with infrastructure problems through the MTA before we were hit with COVID and an economic downturn.

So I think we're particularly appreciative of the people willing to join the challenge facing the MTA as an organization, that we need -- the whole State of New York needs to make sure we come through successfully and perhaps come up with new models of mass transit that are going to be more appropriate for us in the 21st century.

So we are recommending yes votes on all of these confirmations and appreciate the Governor moving them through.

Thank you.

ACTING PRESIDENT BENJAMIN: The question is on the nominations. All in favor say aye.

(Response of "Aye.")

ACTING PRESIDENT BENJAMIN: Opposed?

(No response.)

ACTING PRESIDENT BENJAMIN: The

nominees are confirmed.

Senator Gianaris.

SENATOR GIANARIS: Okay. Mr. President, at this time there will be an immediate meeting of the Rules Committee in Room 332.

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

SENATOR GIANARIS: The Senate will stand at ease.

ACTING PRESIDENT BENJAMIN: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 12:01 p.m.)

(Whereupon, the Senate reconvened at 12:24 p.m.)

ACTING PRESIDENT BENJAMIN: The Senate will return to order.

Senator Gianaris.

SENATOR GIANARIS: At this time, Mr. President, can we take up the reading of the calendar.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Calendar Number 676, Senate Print 2574C, by Senator Bailey, an act to amend the Executive Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 3. This act shall take effect April 1, 2021.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Mr. President.

I rise today in appreciation of the historic package that we've been able to put forth.

And again, I have to make sure I lend my voice and gratitude for our Leader, Andrea Stewart-Cousins, who has always stood up for what's right. Martin Luther King famously said the time is always right to do what's right. And Leader, you have always done what's right -- not just by us in this body, regardless of what side of the aisle you sit on, but by the state.

Today is one of the final pieces of legislation that we're passing in terms of police reforms. And this is codifying the executive order that the Governor put forth a few years back when members of the community who had been so stricken by violence requested that they have an impartial special prosecutor to be able to adjudicate these cases.

And I'm glad today that we're able to take these steps towards codifying this. It's a long way coming. And I thank everybody. I thank the Governor for speaking about this. I thank our leader. I thank the Speaker of the Assembly and the caucus and our colleagues for making this happen.

But I want to thank the family members again for having the courage to go forward. I speak about my experiences as a parent, and they often help to shape and drive the way that I legislate. And I think about my two daughters, Giada and Carina -- and I mentioned it yesterday in passing, I become apoplectic if they scrape their knee or something minor happens to them.

Families that have been affected by

significant police violence, significant brutality and murders and killings, have not only raised up triumphantly, they have continued to advocate even stronger in the face of such adversity.

So I just wanted to lift up the names of a few other families and ensure that I let them know that we appreciate their voices. Because it was mentioned yesterday in the floor debate about who is the driving force behind the legislation. And I will simply say, as I said yesterday, the people.

Iris Baez, the mother of Anthony Baez. Margarita Rosario, the mother of Anthony Rosario and the aunt of Hilton Vega. Kadiatou Diallo, the mother of Amadou Diallo. Cynthia Howell, the niece of Alberta Spruill. Valerie Bell and William Bell, the mother and father of Sean Bell, and Kisha Walker, his godsister. Nancy Pacheco, the sister-in-law of Jayson Tirado. Jennifer Gonzales, the mother of Kenny Lazo's son. Joshua Lopez, nephew of John Collado. Constance Malcolm, the mother of Ramarley Graham. Natasha Duncan, the sister of Shantel Davis, and Angie Hicks, the aunt of

Shantel Davis. Hawa Bah, the mother of Mohamed Bah. Carol Gray, the mother of Kimani Gray. Gwen Carr, the mother of Eric Garner. Hertencia Peterson, the aunt of Akai Gurley. Victoria Davis, the sister of Delrawn Small. Olga Negron, the mother of Iman Morales. Joyce Huang, the sister of Yong Xin Huang. Tsukasa Oyamada, the father of Ryo Oyamada, and Tomo Oyamada, the sister of Ryo Oyamada.

These names are people who have decided to take significant pain that they faced, and significant adversity, and channel it not into just something good, but something long-lasting.

I am incredibly proud to be part of this body today and all days. This package of legislation has been something that I will never forget, especially in the time of crisis and COVID that we're in. People often forgot about their own health infirmities and their own concerns about contracting COVID because it was that important to make sure that they were in the streets to make sure their voices were heard, that enough is enough.

Your voices have been heard. And no

one piece of legislation can change the world, but if we continue to chip away, if we continue to act accordingly, we're going to continue to make the impact that we need to make as legislators and, most importantly, as people.

Mr. President, I vote aye. And I appreciate the opportunity to speak on this important package of legislation.

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

Senator Kavanagh to explain his vote.

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

I rise to explain my vote on Senate Bill S2574C, which would establish an Office of Special Investigation in the Office of the New York State Attorney General, empowered to conduct an investigation when someone dies as a result of an act or omission of a police officer, and to prosecute such cases when the evidence warrants it.

Let me begin by thanking Senator

Bailey for sponsoring this bill and for his leadership as chair of the Codes Committee, on which I proudly sit, on the entire package of policing reform legislation that we're passing this week.

I also want to thank the sponsors of the other bills in the package, Senators Parker, Benjamin -- Mr. President, yourself -- and Hoylman. And I'd also like to acknowledge Senator Myrie, as I did in our Codes Committee meeting the other day, who's been called upon not only for principled leadership but for physical courage in the past two weeks.

And I'd like to thank the staff of the Senate, led by Shontell Smith, who's here with us today, and my own staff, who's had some very important conversations about how to respond to the calls for change that we've been hearing.

Finally, of course, I'd like to thank the hundreds and thousands of New Yorkers who have protested peacefully and resolutely and those who have contacted our offices to express their strong support for all the bills we're passing this week, and to express their broader commitment to promoting justice and bringing

about the profoundly important changes that we need to make if our state and our country are going to live up to our highest ideals.

Mr. President, I'm proud of what we're doing here today. As you know, local prosecutors often rely on local police departments to gather evidence and testimony when they need to successfully prosecute those accused of crimes. This makes it hard for them to investigate cases where the police -- the same police -- are accused of those crimes and to carry out prosecutions when warranted.

This bill before us seeks to eliminate this potential conflict of interest from those cases and ensure a fair and impartial investigation.

Recent incidents illustrate why this legislation is so important. It took prosecutors four days before filing charges against the first officer involved in the George Floyd case, and more than a week since the incident occurred before charging the remaining three officers. That delay in justice was likely a contributing factor to the unrest that has followed.

Here in New York, the world watched

in horror as Eric Garner gasped "I can't breathe" in July 2014. But despite the New York City Medical Examiner ruling the death a homicide, it wasn't until late August that the local prosecutor convened a grand jury. On December 3rd, that grand jury decided not to bring forth any indictments. Under our law, the grand jury proceedings were kept secret, including the exact charges sought by the prosecutor, the autopsy report, and the transcripts of testimony.

Is it any wonder, Mr. President, that many in the black community and many other New Yorkers have little faith that our justice system will handle these cases appropriately? For too long communities of color have watched in frustration as police officers have committed atrocities against them with impunity.

As I said before, the protests across the nation have been a call to action. Of course this is not the first time we've heard such a call, but this time is different. The anger, pain and frustration that have been expressed in the past two weeks, and the calls for real change, are finally being heeded.

In order to regain the public trust, we must eliminate the perception that our police operate under a cloak of secrecy that protects officers who engage in wrongdoing and sometimes violence. This bill, along with the repeal of 50-a we passed yesterday, will help achieve that.

I firmly believe that we'll only achieve the goals of effective policing when we succeed in resolving the disconnect between our police and our communities. So in that sense, Mr. President, this bill is not, as some of the union officials have said, a bill that is passed out of disrespect for our police officers or to make their jobs more difficult. On the contrary, it will bring about the necessary level of communication and respect between our communities that is going to be necessary if police departments are going to perform their important function.

I just want to end by saying, you know, it's -- it's -- we've heard again and again over the many years now, and over the past few weeks, that black lives matter. But I want to say that this package that we're doing today in this chamber and in the Assembly is testament to

another truth. And that is, Mr. President, that black leadership matters as well.

I already mentioned the leadership of Senators Bailey, Myrie and Parker. And we've heard the eloquent calls for justice from Senators Benjamin -- yourself -- Comrie, Jackson, Montgomery and Sanders, and from other members of this house.

And, Mr. President, the leadership of our Majority Leader, Andrea Stewart-Cousins, and Carl Heastie have in many ways been called historic, and indeed they are. But the significance of their leadership and of the diversity of the majority conference in both houses has never been more apparent than it is in the decisive action we're taking this week.

With that, 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 676, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Flanagan, Funke, Gallivan, Griffo, Helming,

Jacobs, Jordan, Lanza, LaValle, O'Mara, Ortt, Ritchie, Seward and Tedisco.

Ayes, 45. Nays, 17.

ACTING PRESIDENT BENJAMIN: The bill is passed.

Calendar Number 679, Senate Print 3595C, by Senator Parker, an act to amend the Executive Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 6. This act shall take effect on the first of April.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Sanders to explain his vote.

SENATOR SANDERS: Thank you, Mr. President.

As I get used to speaking in a mask, let's see what I can do here.

I want to dedicate my vote to two victims that I grew up with when I was a younger man: Lance, of my community youth, and Philip Satler, two victims of police brutality that

ended fatally for them.

I want to thank the leader of the Majority Conference, Senator Andrea Stewart-Cousins, for her leadership, and Senator Parker for putting forth the bill, this worthy bill.

We need to do these things, but we need to do more. We need to figure out how are we going to level the playing fields of America, how are we going to take this moment and go further.

We all saw what we saw in Minneapolis. When we saw the now-disgraced police officer put his knee on the helpless George Floyd, we saw the banality of evil. You kind of want a person to have a tail and -- something to say that this is an evil person. But when you looked at the face of such a person, you did not see that. You saw your neighbor. You saw someone who, in another time and place, you could go to church with, or maybe the social club. He didn't appear troubled, and he wasn't rushed to move his knee. And this is what we're talking about when we say the banality of evil, where too many people have stood by watching this

type of stuff.

America has now been exposed to this in such a fashion that it is almost impossible to not see the veil has been rended. America cannot claim, like the good Germans of the Nazi era, that they didn't smell the smoke, that they did not see the graves. You saw it. We saw it. We saw what it looks like where oppression was in its rawest form.

Now, we need to seize this historic moment. We need to meet the urgent urgency -- the fierce urgency of now, if you wish to use President Obama's phrase. We need to see that there are hundreds of thousands, perhaps millions of America's best people -- youth, old, everyone is out there trying to find justice. They instinctively know that this is a historic moment. They know that this is not simply a historic moment -- that this is a moment once in several generations, not just once in a generation.

And we need to meet and finally call this -- and not just deal with the symptoms of the thing, but to deal with the thing itself. The symptoms, of course -- if we were to use

COVID-19, the symptoms are a fever and other things. The police brutality is but a fever of the thing itself. The thing is a structural thing that can only be -- its roots go back to slavery, and can only be solved by reparations.

We need to use the balm of reparations, or else we're going to be here again and again and again -- coming up with very worthy bills, but as long as it deals with just the symptoms, the fever rather than the thing that provokes it.

New York State must lead the nation, and we have to examine how we in the Empire State can help resolve this issue. We need to look at the issue of reparations. There is a worthy reparations bill that we have to study the issue, to study, my friends, the issue and see how we can resolve it.

You've heard some of the greatest speeches that could ever be delivered on this floor in the last several days, mine excluded. You have heard those -- they have given you a clear way forward. I urge us to live up to this once-in-several-generations moment and grapple with the real thing itself and not simply with

the symptoms.

This is a great bill. The others are great bills. I'm absolutely for all of them. But I urge us to go further.

Thank you, Mr. President. I thank the leadership of this great conference for bringing us to this point, and I urge us forward.

Thank you very much.

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

Majority Leader Andrea Stewart-Cousins to explain her vote.

SENATOR STEWART-COUSINS: Thank you, Mr. President.

Kenneth Chamberlain Sr. Amadou Diallo. Sean Bell. Anthony Baez. DJ Henry. Eric Garner. Tony McDade. Sean Reed. Breonna Taylor. George Floyd. Sadly, Mr. President, I could go on for hours.

But I stand here today heartbroken, frustrated, angry, sad -- but not without hope. You know, it would have been enough for our nation to battle one pandemic. But as we recover from COVID-19, we do so while continuing our

centuries-long fight against the virus of racism.

Over the past three days, we've passed a package of bills. My incredible colleagues who have spent so long laboring over how to do this, how to get this right, and when to do it -- and as Senator Sanders says, there have been so many eloquent speeches here, so much to be said.

And as I was listening yesterday, Senator Bailey -- you know, again, young, talented Senator Bailey -- was talking about his bill, and while doing so he quoted Tupac Shakur. And I was listening to that, and I said, you know, I'm going to speak in my closing remarks to another demographic.

Because over the last few weeks, over the last few days, Bruce Springsteen's song -- he did it in 1999: "American Skin (41 Shots)." It was a haunting song that spoke to the tragic moments as Amadou Diallo's life ebbed from his body. And it was a song that talked about the talk that black parents have to give to their black children.

And it's a song that has a haunting refrain. It said: "It ain't no secret, no

secret my friend, you can get killed just for living in your American skin." That line says it all. You can get killed just for the color of your skin.

What was interesting about when he released that song, it was a big deal. And when he said those lines, he knew what he was saying, but he said it anyway. And even Bruce Springsteen, when he said it -- that working class hero, Bruce -- was ostracized, he was demonized. He was boycotted.

But he said it. And those words, as you can see, have stuck with me. Why? Because I'm a mother, a mother of black children. I'm a grandmother of black children. And quite honestly, like all of us who are the parents of black children, we have and we live with this worry.

And you know, Senator Bailey, you mentioned so many of the families. You know, I think of Gwen Carr and I think of Valerie Bell and Sybrina Fulton, Lesley McSpadden, and so many others whose reality of those fears came true in so many terrible ways.

And I also know, as we all know,

that if you're black in this country, you face racism. And I was talking to a friend of mine and I was saying, you know, just like everybody I know knows somebody who's been stricken with cancer or themselves have dealt with it, in black America, everyone I know knows someone that has had a bad interaction with law enforcement. That's just the way it is.

And the reality is no matter who you are, no one is immune. It doesn't matter about your economic status, it doesn't matter about your educational level, it doesn't even matter if you're a New York State Senator. Just ask Senator Zellnor Myrie.

And, you know, that reality hits you deep inside, and it stays with you in everything that you do. And even as I stand here, I think about what's happened in my life, because my family has been part of this sad reality. You know, when I stand on the floor I've often talked about my dad, you know, the World War II veteran who served in the segregated army. I've mentioned what he went through.

But I don't often mention my brother Bobby. Bobby also is a veteran, a Marine. He

served in Vietnam. And when he came home, after having an interim job, he went to New York City Transit as a cop. Bobby was 24.

And I was talking to him last night about what we were doing, and he told me two things. He said: "Andrea, I went to the police force because I wanted to help our community." And he said he left -- and he left ultimately when he was 30 years old -- that he left because he was convinced that the system was created to give young black men a record.

He told me, you know, an example, that he saw like two white kids fighting, they would be brought down to the station and their families would be called. And that he saw two black kids fighting, they'd be brought down to the station and they'd be booked for assault.

He couldn't understand how this system was designed to do anything other than what he saw too many times. You know that those assault records follow those kids for their lives. And that's what we're up against.

And Bobby, like so many, was a good cop. And Bobby worked with a lot of good cops. But Bobby himself did not believe that he could

change the system. Nor did he believe that the system would change itself.

The other thing a lot of people don't know -- because I have three kids -- my youngest son, when he was only 18, was with three other friends on the other side of town. And when they were stopped, they were frisked. And at the time, you know, there was nothing -- you know, nothing was found and so on and so forth. But by the end of that interaction, I met Steven in the emergency room, with a fractured nose. Anybody knew that Steven would never have resisted.

And here I am now with four grandsons. And I worry the same way I've had to worry all the time I've been a parent.

But despite that worry, I have hope. Because remarkably, in this historic time, I'm in this historic position with so many incredible colleagues who understand the gravity and the importance of this moment -- who, as a result of the blatant and horrific murder of George Floyd, understood that we must act, we can't wait. My Assembly colleague, Speaker Heastie. The Governor is ready to sign these bills. The

important momentum of what's been happening in our streets. People, many who look like me -- many, many who don't -- united, calling for us to make some changes. How do I not have hope?

This past week -- and all of you know the diversity of my district -- I've traveled throughout the district. I've gone to Black Lives Matter rallies in every area of my community, places that I never thought would embrace that simple rallying cry. And that gives me hope.

And just as we're sitting in our chambers here in New York, there are elected leaders of all races and backgrounds standing together and taking action to answer the call of the day against racial injustice and to curb police brutality. And that gives me hope, and that gives me faith.

But we know, as scripture says, faith without work is dead. And so ultimately that's why we stand here and we take this action this week. Make no mistake: We know that what we did is not a cure. We know it's a first step. It acknowledges that laws alone are important, but they can't fix racism in America. You know,

Senator Sanders is always reminding us of that.

But as Senator Kavanagh was just saying, it begins to root out injustice and to bring justice to our justice system. It is a step and it is a path to equality.

Sadly, we all know that there will be more moments that will shake us all to our core. But in this chamber we also understand that our response to those moments will make all the difference.

Mr. President, I vote aye.

ACTING PRESIDENT BENJAMIN: Majority Leader Stewart-Cousins to vote in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 679, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Boyle, Flanagan, Funke, Gallivan, Griffo, Helming, Jacobs, Jordan, Lanza, LaValle, Little, Ortt, Ranzenhofer, Ritchie, Robach, Serino, Seward and Tedisco.

Ayes, 41. Nays, 21.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 721, Senate Print 7901B, by Senator Martinez, an act in relation to authorizing the Village of Patchogue to file an application for exemption from real property taxes.

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 721, voting in the negative: Senator Akshar.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 739, Senate Print 8344A, by Senator O'Mara, an act authorizing the alienation of certain reforested lands in the County of Yates.

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar 739, voting in the negative:

Senator Martinez.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 743, Senate Print 8409A, by Senator Little, an act to amend Item A of Subpart B of Part 30 of Chapter 58 of the Laws of 2020.

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 743, voting in the negative: Senator Martinez.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 752, Assembly Print Number 8666A, substituted earlier by Assemblymember Lifton, an act to amend the Environmental Conservation 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 752, voting in the negative: Senator Martinez.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

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

SENATOR GIANARIS: Is there a report of the Rules Committee at the desk, Mr. President?

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 3466, by Senator Griffo, an act to amend the Highway Law;

Senate Print 6759, by Senator Jordan, an act to amend the Public Officers Law;

Senate Print 8539, by Senator Parker, an act to amend the Executive Law;

Senate Print 8483, by Senator Martinez, an act to authorize the Village of Patchogue, Town of Brookhaven, County of Suffolk, to alienate and discontinue the use of

certain parklands.

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 Committee on Rules report signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BENJAMIN: Opposed, nay.

(No response.)

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

SENATOR GIANARIS: Please take up the reading of the supplemental calendar.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Calendar Number 753, Senate Print 3466, by Senator Griffo, an act to amend the Highway Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 4. 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 753, voting in the negative: Senator Martinez.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Jordan moves to discharge, from the Committee on Rules, Assembly Bill Number 8609 and substitute it for the identical Senate Bill 6759, Third Reading Calendar 754.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 754, Assembly Print Number 8609, by Assemblymember Woerner, an act to amend the Public Officers 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 754, those Senators voting in the negative are Senators Biaggi, Jackson, Krueger, Liu, Martinez, May, Ramos and Sepúlveda.

Ayes, 54. Nays, 8.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 755, Senate Print 8539, by Senator Parker, an act to amend the Executive 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.

The Secretary will read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2020.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar 755, those Senators voting in the negative are Senators Akshar, Amedore, Borrello,

Boyle, Flanagan, Funke, Gallivan, Griffo, Helming, Jacobs, Jordan, Lanza, LaValle, Little, Ortt, Ranzenhofer, Ritchie, Robach, Seward and Tedisco.

Ayes, 42. Nays, 20.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 756, Senate Print 8483, by Senator Martinez, an act to authorize the Village of Patchogue, Town of Brookhaven, County of Suffolk, to alienate and discontinue the use of certain parklands.

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BENJAMIN: The bill is passed.

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

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

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

SENATOR GIANARIS: I move to adjourn subject to the call of the Temporary President, with 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, the Senate adjourned at 1:02 p.m.)