NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

July 22, 2020

12:07 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, Tuesday, July 21, 2020, the Senate met pursuant to adjournment. The Journal of Monday, July 20, 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 Hoylman

moves to discharge, from the Committee on Rules, Assembly Bill Number 5991A and substitute it for the identical Senate Bill Number 52A, Third Reading Calendar 757.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Hoylman moves to discharge, from the Committee on Rules, Assembly Bill Number 2176A and substitute it for the identical Senate Bill 425A, Third Reading Calendar 759.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Boyle moves to discharge, from the Committee on Local Government, Assembly Bill Number 7302 and substitute it for the identical Senate Bill 672, Third Reading Calendar 761.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator May moves to discharge, from the Committee on Rules, Assembly Bill Number 2655 and substitute it for the identical Senate Bill 3392, Third Reading Calendar 767.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Montgomery moves to discharge, from the Committee on Rules, Assembly Bill Number 5045 and substitute it for the identical Senate Bill 3457, Third Reading Calendar 768.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Carlucci moves to discharge, from the Committee on Mental Health and Developmental Disabilities, Assembly Bill Number 3402 and substitute it for the identical Senate Bill 4255, Third Reading Calendar 771.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Parker moves to discharge, from the Committee on Rules, Assembly Bill Number 9804 and substitute it for the identical Senate Bill 4549, Third Reading Calendar 774.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Kavanagh

moves to discharge, from the Committee on Rules, Assembly Bill Number 6787D and substitute it for the identical Senate Bill 5140B, Third Reading Calendar 779.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Comrie moves to discharge, from the Committee on Housing, Construction and Community Development, Assembly Bill Number 5410A and substitute it for the identical Senate Bill 5342A, Third Reading Calendar 781.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Kennedy moves to discharge, from the Committee on Rules, Assembly Bill Number 7463B and substitute it for the identical Senate Bill 5348B, Third Reading Calendar 782.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Myrie moves to discharge, from the Committee on Elections, Assembly Bill Number 1385B and substitute it for the identical Senate Bill 6302A, Third Reading

Calendar 790.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Brooks moves to discharge, from the Committee on Rules, Assembly Bill Number 8186B and substitute it for the identical Senate Bill 6371A, Third Reading Calendar 791.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Gounardes moves to discharge, from the Committee on Rules, Assembly Bill Number 8127 and substitute it for the identical Senate Bill 6430, Third Reading Calendar 793.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Sepúlveda moves to discharge, from the Committee on Rules, Assembly Bill Number 8337B and substitute it for the identical Senate Bill Number 6437A, Third Reading Calendar 794.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Carlucci

moves to discharge, from the Committee on Rules, Assembly Bill Number 8300A and substitute it for the identical Senate Bill 6459A, Third Reading Calendar 795.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Salazar moves to discharge, from the Committee on Rules, Assembly Bill Number 5240A and substitute it for the identical Senate Bill 6479A, Third Reading Calendar 796.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Benjamin moves to discharge, from the Committee on Social Services, Assembly Bill Number 8023 and substitute it for the identical Senate Bill 6665, Third Reading Calendar 803.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Metzger moves to discharge, from the Committee on Transportation, Assembly Bill Number 8608 and substitute it for the identical Senate Bill 6836, Third Reading Calendar 806.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Gaughran moves to discharge, from the Committee on Rules, Assembly Bill Number 8936 and substitute it for the identical Senate Bill 6868, Third Reading Calendar 807.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Savino moves to discharge, from the Committee on Rules, Assembly Bill Number 7579 and substitute it for the identical Senate Bill 7210, Third Reading Calendar 813.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Gaughran moves to discharge, from the Committee on Rules, Assembly Bill Number 9779A and substitute it for the identical Senate Bill 7589B, Third Reading Calendar 820.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Helming moves to discharge, from the Committee on Rules,

Assembly Bill Number 9675 and substitute it for the identical Senate Bill 7591, Third Reading Calendar 821.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Harckham moves to discharge, from the Committee on Rules, Assembly Bill Number 9691A and substitute it for the identical Senate Bill 7740A, Third Reading Calendar 826.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Mayer moves to discharge, from the Committee on Rules, Assembly Bill Number 9913 and substitute it for the identical Senate Bill 7787, Third Reading Calendar 828.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Harckham moves to discharge, from the Committee on Rules, Assembly Bill Number 10012 and substitute it for the identical Senate Bill 7845, Third Reading Calendar 829.

ACTING PRESIDENT BENJAMIN: The

substitution is so ordered.

THE SECRETARY: Senator Ortt moves to discharge, from the Committee on Rules, Assembly Bill Number 9905A and substitute it for the identical Senate Bill 7870A, Third Reading Calendar 830.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Comrie moves to discharge, from the Committee on Rules, Assembly Bill Number 9763A and substitute it for the identical Senate Bill 7881, Third Reading Calendar 832.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Bailey moves to discharge, from the Committee on Rules, Assembly Bill Number 10039 and substitute it for the identical Senate Bill 7926, Third Reading Calendar 834.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Stavisky moves to discharge, from the Committee on Rules, Assembly Bill Number 10021A and substitute it for

the identical Senate Bill 7986A, Third Reading Calendar 837.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Boyle moves to discharge, from the Committee on Rules, Assembly Bill Number 7919 and substitute it for the identical Senate Bill 8018, Third Reading Calendar 839.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator May moves to discharge, from the Committee on Rules, Assembly Bill Number 9922 and substitute it for the identical Senate Bill 8021, Third Reading Calendar 840.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Funke moves to discharge, from the Committee on Rules, Assembly Bill Number 10209A and substitute it for the identical Senate Bill 8084A, Third Reading Calendar 846.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Gaughran moves to discharge, from the Committee on Rules, Assembly Bill Number 10041 and substitute it for the identical Senate Bill 8220, Third Reading Calendar 850.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Borrello moves to discharge, from the Committee on Rules, Assembly Bill Number 5456A and substitute it for the identical Senate Bill 8224A, Third Reading Calendar 851.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Harckham moves to discharge, from the Committee on Rules, Assembly Bill Number 10388A and substitute it for the identical Senate Bill 8256A, Third Reading Calendar 852.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Harckham moves to discharge, from the Committee on Health, Assembly Bill Number 7812A and substitute it for the identical Senate Bill 8259, Third Reading

Calendar 853.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Ritchie moves to discharge, from the Committee on Rules, Assembly Bill Number 10514 and substitute it for the identical Senate Bill 8302, Third Reading Calendar 855.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Rivera moves to discharge, from the Committee on Rules, Assembly Bill Number 10463A and substitute it for the identical Senate Bill 8315A, Third Reading Calendar 856.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Metzger moves to discharge, from the Committee on Rules, Assembly Bill Number 10464A and substitute it for the identical Senate Bill 8464A, Third Reading Calendar 860.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Thomas

moves to discharge, from the Committee on Rules, Assembly Bill Number 10587 and substitute it for the identical Senate Bill 8523, Third Reading Calendar 863.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Carlucci moves to discharge, from the Committee on Rules, Assembly Bill Number 10313 and substitute it for the identical Senate Bill 8531, Third Reading Calendar 864.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Liu moves to discharge, from the Committee on Rules, Assembly Bill Number 10566A and substitute it for the identical Senate Bill 8643A, Third Reading Calendar 866.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Metzger moves to discharge, from the Committee on Rules, Assembly Bill Number 6679C and substitute it for the identical Senate Bill 8805, Third Reading Calendar 869.

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: I move to adopt the Resolution Calendar, with the exception of Resolutions 3275 and 3286, please.

ACTING PRESIDENT BENJAMIN: All in favor of adopting the Resolution Calendar, with the exception of Resolutions 3275 and 3286, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BENJAMIN: Opposed, nay.

(No response.)

ACTING PRESIDENT BENJAMIN: The Resolution Calendar, with exceptions, is adopted.

Senator Gianaris.

SENATOR GIANARIS: 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.

ACTING PRESIDENT BENJAMIN: The Senate will stand at ease.

ACTING PRESIDENT BENJAMIN: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 12:17 p.m.)

(Whereupon, the Senate reconvened at 12:49 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 222C, by Senator Benjamin, an act to amend the

Social Services Law;

Senate Print 272A, by Senator Benjamin, an act to amend the Retirement and Social Security Law, the Education Law, and the Administrative Code of the City of New York;

Senate Print 432A, by Senator Hoylman, an act to amend the Domestic Relations Law;

Senate Print 584A, by Senator Kennedy, an act to amend the New York State Urban Development Corporation Act;

Senate Print 745A, by Senator Montgomery, an act to amend the Executive Law;

Senate Print 1476B, by Senator Hoylman, an act to direct the Department of Financial Services to study, evaluate and make recommendations concerning lending practices by financial institutions;

Senate Print 1548, by Senator Kennedy, an act to amend the Highway Law;

Senate Print 1550, by Senator Kennedy, an act to amend the Highway Law;

Senate Print 1693B, by Senator Krueger, an act to amend the

Public Health Law and the Civil Rights Law;

Senate Print 3880, by Senator Martinez, an act to amend the Criminal Procedure Law;

Senate Print 3904A, by Senator Martinez, an act in relation to entitling Robert V. Vassallo, Sr., to reapply for a disability retirement from the New York State Police;

Senate Print 4176A, by Senator Harckham, an act to amend the Environmental Conservation Law;

Senate Print 4580C, by Senator Kennedy, an act to amend the Vehicle and Traffic Law;

Senate Print 4717A, by Senator Metzger, an act to amend the Tax Law;

Senate Print 5254B, by Senator Breslin, an act to amend the Real Property Tax Law;

Senate Print 5282B, by Senator Kaminsky, an act to amend the Environmental Conservation Law and the State Finance Law;

Senate Print 5470B, by

Senator Thomas, an act to amend the Financial Services Law;

Senate Print 5579A, by Senator Serrano, an act to amend the Environmental Conservation Law;

Senate Print 6144A, by Senator Robach, an act to amend the General Municipal Law;

Senate Print 6226, by Senator Felder, an act to amend the Public Health Law;

Senate Print 6420A, by Senator Seward, an act relating to the miscalculation of benefits paid to Katherine Sweeney;

Senate Print 6491B, by Senator Gaughran, an act to amend the Public Authorities Law;

Senate Print 6880, by Senator Gallivan, an act to amend the General Municipal Law;

Senate Print 6886D, by Senator Skoufis, an act to amend the Election Law;

Senate Print 8015D, by Senator Biaggi, an act to amend the Election Law;

Senate Print 8216A, by Senator Seward, an act to authorize certain police officers to receive certain service credit under Section 384D of the Retirement and Social Security Law;

Senate Print 8217, by Senator Seward, an act to authorize the City of Cortland, in the County of Cortland, to offer an optional twenty-year retirement plan to firefighter Travis Marshall;

Senate Print 8218, by Senator Seward, an act to authorize the City of Little Falls, in the County of Herkimer, to offer certain retirement options to Police Officer Justin Dibble;

Senate Print 8278A, by Senator Kennedy, an act to amend the Labor Law;

Senate Print 8303, by Senator Griffo, an act to repeal Section 16 of the General Business Law;

Senate Print 8328, by Senator Hoylman, an act to amend the Public Authorities Law;

Senate Print 8333, by Senator Seward, an act to authorize Thomas J. Carinci,

Jr., to take the competitive civil service examination;

Senate Print 8337, by Senator Rivera, an act to amend the Social Services Law;

Senate Print 8361, by Senator Rivera, an act to amend the Public Health Law;

Senate Print 8370B, by Senator Myrie, an act to amend the Election Law;

Senate Print 8403, by Senator Rivera, an act to amend the Social Services Law;

Senate Print 8429, by Senator Brooks, an act to amend the General Municipal Law;

Senate Print 8448D, by Senator Thomas, an act in relation to the collection of emergency health data;

Senate Print 8450C, by Senator Rivera, an act to amend the Public Health Law;

Senate Print 8465A, by Senator Liu, an act to amend the Election Law;

Senate Print 8482, by

Senator Skoufis, an act to amend the Alcoholic Beverage Control Law;

Senate Print 8525, by Senator Montgomery, an act to amend the Public Health Law;

Senate Print 8532, by Senator Carlucci, an act in relation to authorizing Hamaspik of Rockland County, Inc., to file with the Town of Ramapo assessor an application for certain real property tax exemptions;

Senate Print 8533, by Senator Carlucci, an act in relation to authorizing Hamaspik of Rockland County, Inc., to file with the Town of Ramapo assessor an application for certain real property tax exemptions;

Senate Print 8534, by Senator Carlucci, an act in relation to authorizing Hamaspik of Rockland County, Inc., to file with the Town of Ramapo assessor an application for certain real property tax exemptions;

Senate Print 8535, by Senator Thomas, an act authorizing the Town of Hempstead

to transfer and convey certain state land to the Levittown School District;

Senate Print 8540, by Senator Harckham, an act in relation to designating a portion of the state highway system as the "Putnam County Workers Memorial Bridge";

Senate Print 8541, by Senator Harckham, an act to amend the Executive Law;

Senate Print 8542, by Senator Harckham, an act to amend the Executive Law;

Senate Print 8545, by Senator May, an act to amend the General Municipal Law;

Senate Print 8552A, by Senator Kaplan, an act authorizing the County of Nassau to alienate certain lands used as parklands;

Senate Print 8554, by Senator Parker, an act to authorize Top Community Development Corporation to file an application for a real property tax exemption;

Senate Print 8555A, by Senator Carlucci, an act to amend the Highway Law;

Senate Print 8561A, by Senator Metzger, an act to amend the Agriculture and Markets Law;

Senate Print 8585A, by Senator May, an act to amend the Education Law;

Senate Print 8588, by Senator Carlucci, an act to authorize Jodi Manne to receive a refund for the New York State Teachers' Retirement System;

Senate Print 8598, by Senator Parker, an act to amend the General Construction Law;

Senate Print 8606, by Senator Carlucci, an act in relation to authorizing Hamaspik of Rockland County, Inc., to file with the Town of Ramapo assessor an application for certain real property tax exemptions;

Senate Print 8607, by Senator Carlucci, an act in relation to authorizing Hamaspik of Rockland County, Inc., to file with the Town of Ramapo assessor an application for real property tax exemptions;

Senate Print 8608A, by Senator Carlucci, an act to amend the

Mental Hygiene Law;

Senate Print 8617B, by Senator Gounardes, an act to amend the Labor Law;

Senate Print 8623, by Senator Mayer, an act to amend the Education Law;

Senate Print 8632, by Senator Stavisky, an act in relation to permitting the Education Department to renew limited and provisional permits for an additional 12 months;

Senate Print 8633B, by Senator May, an act in relation to enacting the "Reimagining Long-Term Care Task Force";

Senate Print 8635, by Senator Harckham, an act to amend the Environmental Conservation Law;

Senate Print 8637A, by Senator Kaminsky, an act to amend the Highway Law;

Senate Print 8639, by Senator Kaminsky, an act in relation to authorizing the County of Nassau to lease certain parkland located in the Village of Atlantic Beach;

Senate Print 8641A, by

Senator Stavisky, an act to amend the Education Law;

Senate Print 8647, by Senator Brooks, an act to amend Chapter 122 of the Laws of 2015;

Senate Print 8652A, by Senator Gaughran, an act in relation to establishing a Caumsett State Park fire readiness study;

Senate Print 8657, by Senator Martinez, an act granting retroactive membership in the New York State and Local Employees' Retirement System to Michael Posillico;

Senate Print 8658, by Senator Martinez, an act authorizing Marie Glarakis to change the designated beneficiary of her retirement benefits;

Senate Print 8663A, by Senator Kennedy, an act to establish the Adirondack Road Salt Reduction Task Force;

Senate Print 8664, by Senator Seward, an act to amend the General City Law;

Senate Print 8691, by Senator Skoufis, an act to amend the Town Law;

Senate Print 8692, by Senator Mayer, an act to amend the Labor Law;

Senate Print 8702, by Senator Brooks, an act authorizing Community Mainstreaming Associates, Inc., to receive retroactive real property tax exempt status;

Senate Print 8711, by Senator Brooks, an act in relation to permitting Roosevelt Fire District to file an application for a retroactive real property tax exemption;

Senate Print 8721, by Senator Comrie, an action to direct the New York State Department of Financial Services and the New York State Department of State's Consumer Protection Division to conduct a study on consumer awareness;

Senate Print 8722, by Senator Benjamin, an act to amend the Banking Law;

Senate Print 8723, by Senator Sanders, an act to amend the Public Health Law;

Senate Print 8724, by Senator Parker, an act to amend the Public Service Law;

Senate Print 8730, by Senator Kaminsky, an act to authorize the County of Nassau to discontinue use of certain lands as parkland;

Senate Print 8737, by Senator Helming, an act to amend the Alcoholic Beverage Control Law;

Senate Print 8740, by Senator Liu, an act to amend the Correction Law;

Senate Print 8743, by Senator Liu, an act to amend the Social Services Law;

Senate Print 8748, by Senator Mayer, an act to amend the Labor Law;

Senate Print 8750, by Senator Kaminsky, an act to amend the Environmental Conservation Law;

Senate Print 8757, by Senator Comrie, an act to amend the New York State Medical Care Facilities Finance Agency Act;

Senate Print 8761, by Senator Sanders, an act to amend the Banking Law;

Senate Print 8763A, by Senator Carlucci, an act to amend the Town Law;

Senate Print 8780, by Senator Mayer, an act to amend the General Business Law;

Senate Print 8781, by Senator Comrie, an act in relation to requiring certain provisions be included in any procurement or agreement prior to disposing of any asset owned;

Senate Print 8782, by Senator Breslin, an act to amend the Election Law;

Senate Print 8783A, by Senator Myrie, an act to amend the Election Law;

Senate Print 8786A, by Senator Parker, an act to amend the Mental Hygiene Law;

Senate Print 8791, by Senator Brooks, an act to amend the Executive Law;

Senate Print 8795, by Senator Harckham, an act in relation to ordering a study and report on improvements of State Route 9A in the Towns of Ossining and Mount Pleasant;

Senate Print 8796A, by Senator Stavisky, an act to amend the Election Law;

Senate Print 8799A, by Senator Gianaris, an act to amend the Election Law;

Senate Print 8806, by Senator Gianaris, an act to amend the Election Law.

All bills ordered 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 please 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: Mr. President, at this time can we go back to motions and resolutions and take up Resolution 3286, by Leader Stewart-Cousins, have it read in its entirety, and recognize Leader Stewart-Cousins.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Senate Resolution 3286, by Senator Stewart-Cousins, mourning the death of United States Representative John R. Lewis, civil rights leader and icon of American history.

"WHEREAS, It is the custom of this Legislative Body to pay homage to a man of indomitable faith and dedication whose purposeful life and accomplishments will forever stand as a paradigm and inspiration for others; and

"WHEREAS, With feelings of deepest regret, this Legislative Body records the passing of John Robert Lewis, who died on Friday, July 17, 2020, at the age of 80; he served in the United States House of Representatives for Georgia's 5th Congressional District from 1987 until his death; and

"WHEREAS, Born on February 21, 1940, in Troy, Alabama, the third of 10 children of sharecroppers Willie Mae and Eddie Lewis, John R. Lewis graduated from the American Baptist Theological Seminary in Nashville, Tennessee, before receiving a bachelor's degree in religion and philosophy from Fisk University; and

"WHEREAS, While studying at Fisk University, John R. Lewis became involved in the civil rights movement by organizing sit-ins at segregated lunch counters, bus boycotts, and other nonviolent protests as part of the Nashville Student Movement; and

"WHEREAS, Dedicated to the movement, John R. Lewis was one of the original 13 Freedom Riders who rode on public transportation from Washington, D.C., to New Orleans in an integrated fashion, and was arrested many times, beaten and imprisoned; and

"WHEREAS, In 1963, as chairman of the Student Nonviolent Coordinating Committee, SNCC, John R. Lewis was one of the primary organizers of the March on Washington and spoke at the march; and

"WHEREAS, Known as the 'conscience of Congress,' John R. Lewis was one of the most liberal congressmen to represent a Deep South district, and over the course of 17 elections he only once got less than 70 percent of the vote, when he received 69 percent in 1994; and

"WHEREAS, Congressman John R. Lewis was senior chief deputy whip and served on the Committee on Ways and Means; among the successful legislation he sponsored was the bill establishing the National Museum of African American History and Culture; and

"WHEREAS, John R. Lewis spent his whole adult life fighting racism; he was awarded

over 50 honorary degrees from prestigious colleges and universities throughout the United States, including Harvard University, Brown University, the University of Pennsylvania, Princeton University, Duke University, Morehouse College, Clark-Atlanta University, Howard University, Brandeis University, Columbia University, Fisk University, and Troy State University; and

"WHEREAS, Furthermore, in 2011, President Barack Obama awarded him the Presidential Medal of Freedom, the nation's highest civilian honor; and

"WHEREAS, John R. Lewis was a stalwart champion in the ongoing struggle to demand respect for the dignity and worth of every human being; he dedicated his entire life to nonviolent activism and was an outspoken advocate in the struggle for equal justice in America; and

"WHEREAS, It is the sense of this Legislative Body to give acclaim to individuals of great character whose lives exemplify the highest ideals of humanity; and

"WHEREAS, Predeceased by his wife of 44 years, Lillian Miles Lewis, John R. Lewis is

survived by his son, John-Miles Lewis, and six siblings, as well as approximately 30 nieces and nephews; and

"WHEREAS, In appreciation of his life of commitment, dedication and substantial contribution, it is the intent of this Legislative Body to inscribe upon its records this tribute to the memory of Congressman John R. Lewis, that future generations may know and appreciate his admirable character, his many benevolent deeds, and the respect and esteem in which he was held; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to mourn the death of U.S. Representative John R. Lewis, and to express its deepest condolences to his family; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to the family of U.S. Representative John R. Lewis."

ACTING PRESIDENT BENJAMIN: Leader Stewart-Cousins on the resolution.

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

Last Friday we lost John R. Lewis.

He was 80. It is hard to find the words to really explain or describe Congressman Lewis. Visionary, leader, legend, icon. The conscience of Congress. Those are some of the things that come to mind.

From the beginning of the Civil Rights Movement right up to his death, he was fighting for change, he was fighting for what was right. Sometimes he almost lost his life in the fight. John R. Lewis was arrested 45 times.

But I want to go back a little bit, because his remarkable beginnings -- one of 10 children, he was born outside of Troy, Alabama, to sharecropping parents. He never knew how segregated his life was until he had an opportunity to visit Buffalo, New York. And that's when he realized the difference between where he lived and New York.

He was the last surviving member of the Big Six leaders of the Civil Rights Movement in 1960. And so I'll say the names of those leaders. Obviously, there was Reverend Dr. Martin Luther King, James Farmer, A. Philip Randolph, Roy Wilkins, and Whitney Young.

Of the Big Six, Congressman Lewis

was the youngest speaker on the March on Washington in 1963. He was only 23 years old, and he addressed the crowd. But the reality was right before his speech, they forced him to change what he was going to say because they thought it would be just a little too provocative and too powerful. And he changed it because he understood the big picture.

But he went right out there and he spoke, and he delivered a speech that resonates in so many ways today. He spoke of being tired of waiting. He spoke of being tired of being patient.

In fact, he said: "To those who have said be patient and wait, we have long said that we cannot be patient. We do not want our freedom gradually, but we want to be free now. We are tired. We are tired of being beaten by policemen. We are tired of seeing our people locked up in jail over and over again. And then you holler 'Be patient.' How long can we be patient? We want our freedom, and we want it now. We do not want to go to jail, but we will go to jail if this is the price we must pay for love, brotherhood, and peace."

We are seeing some of that same frustration today. And I think a lot of us are still tired of waiting, still tired of being patient. And we know, like Congressman Lewis, we have to persevere.

We've made progress. We've made changes. My standing in this chamber, and so many of my colleagues standing in this position, underscores that we've made those changes. And it's the proof of the power of a Congressman John Lewis and what he stood for. I know that I stand on his and so many others' shoulders.

After the March on Washington, the Civil Rights Act of 1964 became law. But again, that change wasn't easy. The passing of the law made it easier for African-Americans to vote in the South and to bring attention to the struggle. Lewis and Hosea Williams led a march from Selma to Montgomery, Alabama, on March 7, 1965, across the Edmund Pettus Bridge. After crossing that bridge, the marchers were attacked by state troopers, and Lewis was severely beaten. In fact, he suffered a fractured skull.

We stood on this floor so many times -- I know our late colleague Senator Larkin

would talk about, you know, being there and what that Bloody Sunday march was like. And we always talked about it in the context of Dr. King. But John Lewis was one of the leaders of that march. And when he celebrated the anniversary of that march, he did it with President Obama. What an amazing moment that must have been for him.

You know, there are pictures that show President Obama and John Lewis, and there's one that was particularly poignant because he was hugging President Obama. And I think he must have felt like, you know, we've arrived, that this dream was fulfilled. He almost seemed to have a sense of relief.

But like everything else, the relief isn't permanent. And in this case, it didn't last that long. Now we have a president who is trying to undo so much of the progress, so many of the things that Congressman Lewis fought for.

He was relentless in terms of having a renewal of the Voting Rights Act that was gutted by the Supreme Court, begging to have Congress renew the Voting Rights Act -- but it didn't happen. And here we are, in many ways watching our progress slip away. But we have to,

like John Lewis, continue to fight, again for the ideals and dreams of America.

The last public appearance that Congressman Lewis made was standing on the Black Lives Matter mural in Washington, D.C. So fitting because, although that hug of President Obama meant something, he realized that the fight did not stop. And until his dying days, he would stand up for what's right, for what matters, for brotherhood, for peace, for love, for justice and for equality. We are a better people because John Lewis lived.

And I will just go back to one of his last quotes. And it was, very simply: "Wake up, America! Wake up! For we cannot stop, and we will not and cannot be patient."

Rest in peace, Congressman Lewis.

Thank you.

ACTING PRESIDENT BENJAMIN: Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Mr. President.

And I want to thank Madam Leader for introducing an important resolution so that generations in the future in the City and the

State of New York, those who will look at the body of work that we complete, will know that we recognize the greatness of John Lewis.

This is one of these generational "where were you" moments. I happened to be sleeping, but I woke up and I looked at the news and I found out that Congressman John Lewis had passed away.

And rarely do I take to social media after midnight, but I felt compelled to write something, because I was moved by his life's body of work. I was moved by all that he had accomplished. And I was moved by his simple presence in the physical plane.

And I think about me being in this chamber. And I was -- as Madam Leader was speaking, I was looking up. And I was looking at, wow, this is a beautiful place. And it's so amazing and incredible that I have the privilege of being here. And I would not be here today if not for John Lewis.

Now, on February 4th this past year I spoke about my great-great-great grandmother Sylvia Richardson Holder, that she was born into slavery and that we're not that far removed. And

one of the things that if you're looking up John Lewis's biography and you look about where he came from, the humble beginnings that he came from, it says that he was the son of sharecroppers.

Now, the phrase "the son of a sharecropper" isn't just a throwaway line to describe his legacy and his rise from humble beginnings, like I said before, or his dedication. But that should remind us again, still in the year 2020, that we are not that far removed from the vestiges of slavery. John Lewis spent every single day of his life fighting against that, fighting for people, fighting for equality.

You know, you can't find anybody with good sense, Mr. President, to say a bad thing about John Lewis. Regardless of whatever political affiliation you may hold, you have to respect the tenacity and the willingness to risk his own life for people that he didn't know. And there's one -- one of so many quotes.

John Lewis said "Take a long hard look down the road you have to travel once you've made a commitment to work for change. Know that

this transformation will not happen right away. Change often takes time. It rarely happens at once. In the movement we didn't know how history would play itself out. When we were getting arrested and waiting in jail or standing in unmovable lines on courthouse steps, we didn't know what would happen, but we knew it had to happen."

Mr. President, my prediction is that once America truly understands the greatness of John Lewis, and you look at his quotables, people will realize that he was simply just as profound as Dr. King was. And his many quotes and his many statements also backed up with action.

The Book of James in the Bible tells us that faith without works is dead. And Congressman Lewis had the faith, but he had the work behind the faith. And he proved that on the Edmund Pettus Bridge. And after having his skull fractured, he didn't stop. Dare I say he was further emboldened by that experience, that near-death experience, to move forward and move faster and be better -- not just for himself, but for people that he never knew that he would inspire.

Mr. President, I think I've said it on the floor before: The greatest test of leadership is not simply helping people you know, but it's helping people that you will never meet. I never got to meet John Lewis, but my life has profoundly been inspired by the work that he's done.

You know, he had another quote that he said: "When we were organizing voter registration drives, going on Freedom Rides, sitting in, coming here to Washington for the first time, getting arrested, going to jail, being beaten, I never thought -- I never dreamed -- of the possibility that an African-American would one day be elected President of the United States of America."

That's why that picture that Madam Leader mentioned with John R. Lewis and President Barack Obama was so powerful. Because if you've come from rural Alabama and you've spent your whole life fighting against injustice, the simple visual of that is enough to make you burst into tears.

Now, Congressmember John Lewis was not afraid of new leadership. He was not afraid

of the younger generation. In fact, he wrote a series of graphic novels about his work in the Civil Rights Movement that younger readers could be inspired by that. And he spoke about when he accepted an award, a National Book Award in 2016, he said: "Some of you knew I grew up in rural Alabama, very poor. Very few books in our home. And I remember in 1956, when I was 16 years old, going to the public library to get library cards. And we were told that the library was for whites only and not for colored people. And to come here and receive this honor -- it's too much."

He spoke about how he had a wonderful teacher in elementary school who said "Read, my child, read." Generations before us are responsible for our success, and John Lewis's teacher encouraged him to read. And his book hopefully will encourage nations and scores of people to read about the work that he's done.

And speaking of youth, they say youth is often wasted on the young, but it wasn't on John Lewis. In his 20s, being a civil rights icon in his 20s -- but he did not rest on those laurels. In 2019 John Lewis talked about youth climate activists, and he said that "These young

people are saying that we all have a right to know what is in the air that we breathe, in the water that we drink, in the food that we eat. It is our responsibility to leave this planet cleaner and greener. That must be our legacy."

You see, John Lewis was well -- was versatile. He spoke about a great variety of things that impacted not just black people, not just people of color, but our entire world. That's who John Lewis was, Mr. President.

"I've said this before and I'll say it again," said John Lewis. "The vote is precious. It's almost sacred. It is the most powerful nonviolent tool that we have in democracy."

He spoke about getting in good and necessary trouble and helping to redeem the soul of America.

As Madam Leader said, his last public appearance was a powerful one in front of that Black Lives Matter mural in Washington, D.C. And he spoke about the Justice in Policing Act related to the tragic murder of George Floyd. And he said that "democracy cannot thrive when power remains unchecked and justice is reserved

for a select few. Ignoring these cries and failing to respond to this movement is simply not an option, for peace cannot exist where justice is not served." Peace cannot exist where justice is not served.

As I conclude, the final quote from John R. Lewis, I ask everybody to think about the work that he's done, to think about what he has done for you, indirectly or directly. "We will march through the South, through the streets of Jackson, through the streets of Danville, through the streets of Cambridge, through the streets of Birmingham ... We must say: Wake up, America! Wake up! For we cannot stop, and we will not and cannot be patient."

Congressman Lewis, thank you for never stopping. Thank you for never being patient. Thank you for being great. May you rest in peace, and may your legacy live on.

I vote aye on the resolution, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Myrie on the resolution.

SENATOR MYRIE: Thank you, Mr. President.

And thank you to the leader for bringing this resolution.

You've already heard and you will hear afterwards people who will speak with much more eloquence and authority on the legend and legacy that is John R. Lewis. So I wanted to take a moment to talk about the America that Congressman Lewis bled for.

The Freedom Riders were unpopular during their time. Sixty percent of Americans thought they were doing the wrong thing. They thought that their efforts would set the country back, that it would not advance the progress of black people in this country. But John Lewis didn't do what was popular, he did what was right. And the question is always why. Why fight for a country that has brutalized you? Why fight for a better democracy that has devalued your right to vote?

And the truth is that John Lewis believed in the hope of this country. He believed that we could do better. And that same country that he has fought for, the same country that he believed could do better, is still on that path today. We have not yet arrived.

And because John Lewis knew that the descendants of Jim Crow and housing injustice and economic injustice and democracy injustice and education injustice live on to fight against us, so too the descendants of John Lewis live on in Andrea Stewart-Cousins and Senator Velmanette Montgomery and the protesters and every young black child in this country who wants to see America do better.

So we thank you, Congressman. We love you, Congressman. We mourn you, Congressman. And as the ancestors welcome you with open arms, we are so glad to have been a part of the perfecting of our democracy that you fought for.

I'll be voting aye on the resolution, Mr. President. Thank you.

ACTING PRESIDENT BENJAMIN: Senator Robach on the resolution.

SENATOR ROBACH: Yes, Mr. President, let me join in this very meritorious resolution.

I got to meet John Lewis several times. He was a good friend and supporter of former Congressman and my good friend Joe

Crowley, as well as Louise Slaughter, who was my home Congressman for much of my adult life.

And one thing I could say about him unequivocally, there was no question, in any conversation you had with him he would weave in parts of equality and making sure that everybody got to participate in everything that happened.

And it was interesting to me because you see different people, how they want to get a result. He felt very strongly that having that honor and privilege to represent in Congress gave him even a greater platform to make sure that we did things right.

And as Andrea Stewart-Cousins mentioned in her remarks, he always did it his way. Even though he got bashed, probably undeservedly, he kept to the mission of civil dialogue but strong dialogue, and a man of peaceful protest, all to make a change at the sacrifice of himself.

And to me, that's the greatest compliment you can give anybody. As my father taught me, it's easy to talk the talk; it's harder to walk the walk. But John Lewis did that, and he made a profound difference and

really became a leader for many people all across America.

And the other thing I would just say, too -- I don't want to disagree with anything anybody said, but, you know, John Lewis in his speech used to always say and try to unite people and say, you know, in one way or another, we all came on ships. They might have been different ships, but we all got here.

And the point he was trying to make, to me, I felt very strongly that he did like America, he thought it was good. He was for education, healthcare, things that we want here. He just wanted to make sure that everybody fairly had access to those things, as we should.

And he was clearly a unique individual who did it his way, who did it strong. Who, as Senator Bailey said, will live on through a lot of people and through a lot of good actions. St. Thomas Aquinas said if a man's good actions live on, he's never really gone. John Lewis will never really be gone and did a lot to advance and make our entire country fairer, better, and more equitable, and we thank him for that.

Job well done. Rest in peace, Congressman Lewis.

ACTING PRESIDENT BENJAMIN: Senator Parker on the resolution.

SENATOR PARKER: Thank you, Mr. President. On the resolution.

First let me thank Senator Andrea Stewart-Cousins for her leadership and for bringing this important resolution forward.

As you've heard from many of my colleagues who spoke before me, I am also deeply saddened by the passing of Congressman John Lewis.

Again, as you heard Leader Cousins indicate, he was the true conscience of the Congress, a man whose dedication and his life was all about equality and justice for African-Americans. But not just for African-Americans, as you heard Senator Robach indicate, but somebody who fought for justice for all people. And as you heard Senator Bailey indicate, fought for justice in all matters, not just in the context of civil rights.

He fought for justice in every single breath he took. It wasn't just something

he did part-time or something he did, you know, here and there. His entire raison d'etre was about providing justice in this country.

Congressman Lewis is an inspiration for all of us, a living example who taught us how to stand up for what is right and who encouraged us to get into good trouble. I want everybody in this chamber to remember that next time I'm in a situation --

(Laughter.)

SENATOR PARKER: -- this issue about good trouble. I'm just saying, I'm raising this for a friend.

(Laughter.)

SENATOR PARKER: His life will continue to be an inspiration to all of us and to everyone who seeks justice.

The world is a darker place for the loss of his life. But we must continue to illuminate the way by living his legacy.

I really want to send my condolences out to his family, to his staff. You know, somebody who's spent that much years with his colleagues in Congress, I know he will absolutely be missed by the people who knew him best.

But he will be missed by all of us, and may his memory live on. God bless him.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BENJAMIN: Opposed?

(No response.)

ACTING PRESIDENT BENJAMIN: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, can we now move to Resolution 3275, by Senator Parker, read its title only, and recognize Senator Parker.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Senate Resolution 3275, by Senator Parker, mourning the death of Ronald Everton Nathan, distinguished citizen and devoted member of his community.

ACTING PRESIDENT BENJAMIN: Senator Parker on the resolution.

SENATOR PARKER: Thank you, Mr. President.

We have all been profoundly affected by the impact of COVID-19. And over the past few months, particularly here in the State of New York, many of us have seen friends, family, neighbors, colleagues, you know, mentors, you know, extended families, you know, be taken by this horrible dreaded disease.

And I thought it was important for us in this moment just to pause in our deliberations to just speak for a moment of at least one person in this great state who is going to be missed and who this virus has made a victim of.

And so I chose Mr. Ronald Everton Nathan, lovingly known by his family and friends as Bobby. Bobby was somebody who was well-known in the community. You know, one of those people who not just took in his family but also extended himself to take care of his community.

Like many of the people in the great State of New York, and particularly in the great borough of the People's Republic of Brooklyn, he was an immigrant. And like our president pro

tem, you know, his family hailed from the island of Jamaica. He emigrated here when he was about 16 years old following his mother, Joyce, who he had a very close relationship with.

He settled down and later united with his childhood sweetheart, Pam, lovingly known as Pam-Pam. And together they grew a life here with two children, many grandchildren.

And he was just somebody who -- he had various activities. He was really involved in the community. He was known to literally stop robberies. He was somebody who owned -- he was a business owner. He owned a bodega in Crown Heights for a number of years. He drove a cab. But mostly known for the work he did with his hands and worked in the construction arena and was really vital in the work of the Atlantic Mall that we all visit in Brooklyn.

He was steadfast and had an unwavering commitment to his community, but he particularly was close to seniors. Even as he moved up in age, he continued to make sure that people in their golden years were taken care of.

He was somebody who enjoyed his life. Like I said, you know, he had a 50-year

marriage to his high school sweetheart. He was somebody who loved music, he loved a good time, but nothing more than his grandchildren.

He is survived by his two children, Jahmeliah and Sion; his two grandchildren, Sionna and Liam; his sister Beverly and his sister-in-law Jakki and brothers-in-law Kassa and Danny, and then beloved by all kinds of family members and friends.

And so a man who just -- tried to just make the best way he could for his family, his friends, and his community. And I just wanted to take this moment to honor his memory. He's somebody that I knew and somebody that, you know, on the times that I interacted with him was nothing but positivity and light.

And we certainly want to remember him, and I know his legacy will continue to live on through his family and his friends. God bless him.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BENJAMIN: Opposed?

(No response.)

ACTING PRESIDENT BENJAMIN: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: At this time we will open those resolutions for cosponsorship, at the request of the sponsors.

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

Senator Gianaris.

SENATOR GIANARIS: Let's move on to the calendar now, Mr. President.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Calendar Number 757, Assembly Print 5991A, substituted earlier by Assemblymember Weinstein, an act to amend the Civil Rights 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 757, those Senators voting in the negative are Senators Amedore and O'Mara.

Ayes, 58. Nays, 2.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 758, Senate Print 123, by Senator Ortt, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 759, Assembly Print 2176A, substituted earlier by Assemblymember Solages, an act to amend the Civil Rights Law and the Judiciary 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 759, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Boyle, Funke, Gallivan, Griffo, Helming, Jordan, LaValle, O'Mara, Ranzenhofer, Ritchie, Robach and Seward.

Ayes, 45. Nays, 15.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 760, Senate Print 668, by Senator Boyle, an act authorizing the Church of God by Faith to file an application for retroactive real property tax exemption.

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 760, voting in the negative: Senator Akshar.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 761, Assembly Print 7302, substituted earlier by Assemblymember LiPetri, an act in relation to authorizing Good Samaritan Hospital Medical Center 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 Number 761, voting in the negative: Senator Akshar.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 762, Senate Print 1761A, by Senator Brooks, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 13. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT BENJAMIN: Call

the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 762, voting in the negative: Senator Ranzenhofer.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 763, Senate Print 1942, by Senator Little, an act to amend the Civil Service Law.

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

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The

bill is passed.

THE SECRETARY: Calendar Number 764, Senate Print 2170A, by Senator Bailey, an act authorizing and directing the Commissioner of Education to conduct a study on the number of children who are caregivers.

ACTING PRESIDENT BENJAMIN: 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 Bailey to explain his vote.

SENATOR BAILEY: Thank you, Mr. President.

I'd like to thank the leader for allowing this bill to come to the floor for a vote.

When we think about caregivers, we tend to think about older people caring for younger people. But often the case is exactly the reverse. There are children who are taking care of their parents, their aunts, their uncles,

their grandparents and other unclassified members of their family that require care.

According to the American Psychological Association, approximately 1.3 to 1.4 million people nationwide serve as caregivers. And many of these children have sick, disabled or elderly relatives that they take care of, which adds another burden to them.

So when we speak about the success of our children, we have to realize that we saddle sometimes -- sometimes we saddle our children with more than they may be able to bear. And sometimes I think that we should recognize that.

In 2006 the Gates Foundation commissioned a survey that said approximately 22 percent of high school students who dropped out did so because they were providing care for a sick family member.

Again, the reason why people sometimes are not able to do the best that we know that they can is because of outside complicating factors such as traumatic experiences. And this is a form of trauma, having to take care of a family member

immediately after school. Or sometimes, unfortunately, in lieu of school sometimes, as we've seen with that Gates Foundation study.

And so in my district a lady by the name of Diane Cooper has an organization called the Caregivers Outreach Ministry, and she commissioned a study. And however informal it was, it found that in two schools in the North Bronx -- PS 83, which is where I graduated from, and Christopher Columbus High School Campus -- that 43 percent of these students were also caring for sick and disabled loved ones.

Now, I don't know about you, but I think about if -- I had the opportunity, after school, to play on sports teams, to go to get involved with extracurricular activities. We are depriving certain children with the opportunity to do so because we're not providing the supplements for them to be able to provide this type of care.

And while this bill is a study, I think that it's high time that a study be commissioned so that we can get a true number, a number that truly reflects how many children are actually giving care in addition to their primary

job that we always tell them, that your number-one job is to be a student. Well, that's not the case for at least 43 percent of the kids in two of these schools in the North Bronx.

So I'm grateful for this opportunity to have this bill passed in the Senate, and hopefully we can get it done in the Assembly and the Governor hopefully will sign it into law so that we can take a deeper look into what our children are actually facing on so many levels. And this is one of them as far as giving care goes.

I proudly vote aye, Mr. President. Thank you for the opportunity.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 765, Senate Print 2187B, by Senator Bailey, an act to amend the Elder Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect April 1, 2021.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 766, Senate Print 2649C, by Senator Krueger, an act to amend the Executive Law.

ACTING PRESIDENT BENJAMIN: 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 Number 766, those Senators voting in the negative are Senators Akshar, Amedore, Borrello,

Boyle, Funke, Gallivan, Griffo, Helming, Jordan, LaValle, Little, Martinez, O'Mara, Ranzenhofer, Ritchie, Robach and Seward.

Ayes, 43. Nays, 17.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 767, Assembly Print 2655, substituted earlier by Assemblymember Englebright, 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: Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

Governor Cuomo and the Legislature have wisely banned hydraulic fracturing in New York State, in part because the practice involves the injection of toxic chemicals into

the earth and the extraction of even more toxic, often highly radioactive waste products from the earth.

In spite of this, New York is still the destination for fracking waste from other states. And a loophole in the law has prevented the state from regulating this material as hazardous waste.

Just in April, the State of Pennsylvania reported shipments of fracking waste into my home city of Syracuse. And as recently as 2018, large quantities of fracking waste were coming here from Pennsylvania and then being spread on roads in rural New York State.

I want to thank Assemblymember Englebright, our Majority Leader, and my colleagues for helping close this legal loophole and safeguard New York's soil, water and public health.

I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 767, those Senators voting in the

negative are Senators Amedore, Borrello, Funke, Gallivan, Griffo, Helming, Jordan, O'Mara, Ranzenhofer, Ritchie, Robach and Seward.

Ayes, 48. Nays, 12.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 768, Assembly Print 5045, substituted earlier by Assemblymember Davila, an act to amend the Criminal Procedure 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: Senator Montgomery to explain her vote.

SENATOR MONTGOMERY: Thank you, Mr. President.

I am speaking on the bill that is before the house, but I also will be speaking on one that will come later, though I will speak now.

As you know, I'm chair of the Children and Families Committee, but I think that it should be Children, Youth and Families Committee. And in fact, most of the legislation that relates to the children, youth and families in our state comes from every other committee -- i.e., education, as I have a bill on today that is in the Education Committee; higher ed, health -- as one of the interests of mine, school-based health clinics, that's a very major issue for children and families in our state -- criminal justice, obviously, and juvenile justice, the judiciary and Office of Court Administration and community courts, youth courts -- all of those are related to my committee. As well as labor -- i.e., the Youth Bill Act, which we also passed in this house. So there are -- every area -- in every area of our deliberations, there are concerns for youth, children, and families.

And so today the two bills that I have that I will be speaking about, one is the bill which allows for exclusion of mandatory fees and surcharges to be waived for any defendant under the age of 21. That bill deals with youth

in court.

And as you know, in 2017 New York State and local courts collected about $3 million dollars in fees and surcharges from young people between the ages of 18 and 21. And even though they may have been deemed to have been unable to pay, they were still given a civil judgment. Which meant that if they got employed, whenever they got employed, they still had to pay those fees. So the judges could not waive fees on young people based on the fact that they were unable to pay.

So this bill would correct that and would make it possible for judges to waive the fees without the necessity of a civil judgment on young people in particular.

The other related bill that we will pass shortly I consider the Anti-Shackling of Youth in Court Bill. As you know, Mr. President, I did the anti-shackling bill of pregnant women who were incarcerated. This bill today is the anti-shackling bill of youth. So that when they appear in court, they are not brought in in shackles.

So I am considering these two bills

that we're doing today to be addressing youth in court, to bring some level of support and justice to young people who find themselves in court who are really unable to pay, so their parents end up being responsible for paying the fees and charges that are levied to them without consideration of their ability to pay.

So thank you to the staff who worked on these with me. Thank you to the Office of Court Administration and the Family Court judges who have been working with us these last few months to make sure that we begin to address the problem of having penalties levied, especially on youth, without giving the support that they need before they get to court, before they get in trouble, and before their families essentially fall apart.

So thank you. I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 768, those Senators voting in the negative are Senators Akshar, Amedore, Borrello,

Boyle, Funke, Gallivan, Griffo, Helming, Jordan, LaValle, Little, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach, Serino and Seward.

Ayes, 42. Nays, 18.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 769, Senate Print 3688A, by Senator LaValle, an act to amend the Navigation Law and the Insurance Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first of January.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 769, voting in the negative: Senator Skoufis.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 770, Senate Print 3836A, by Senator Krueger, an act to amend the Tax Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first of April.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar 770, those Senators voting in the negative are Senators Amedore, Borrello, Gallivan, Griffo, Jordan, LaValle, O'Mara and Ranzenhofer.

Ayes, 52. Nays, 8.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 771, Assembly Print 3402, substituted earlier by Assemblymember Gunther, an act to amend the Mental Hygiene 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 772, Senate Print 4352B, by Senator Skoufis, an act to amend the Executive Law.

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to

Calendar 772, those Senators voting in the negative are Senators Borrello and Griffo.

Ayes, 58. Nays, 2.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 773, Senate Print 4454A, by Senator Brooks, an act to amend the Insurance Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar 773, those Senators voting in the negative are Senators Akshar, Funke, Gallivan, Griffo, Helming, Jordan, Lanza, Little, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach and Serino.

Ayes, 46. Nays, 14.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 774, Assembly Print 9804, substituted earlier by Assemblymember Hyndman, an act to amend the Education Law.

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 775, Senate Print 4652, by Senator Sanders, an act to amend the Banking 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 776, Senate Print 4819, by Senator Parker, an act to amend the Real Property Actions and Proceedings Law.

ACTING PRESIDENT BENJAMIN: 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: Announce the results.

THE SECRETARY: In relation to Calendar Number 776, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Boyle, Funke, Gallivan, Griffo, Helming, Lanza, LaValle, Little, O'Mara, Ortt, Ranzenhofer,

Ritchie, Robach and Serino.

Ayes, 43. Nays, 17.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 777, Senate Print 5047, by Senator Krueger, an act to amend the New York City Civil Court Act and the Real Property Actions and Proceedings Law.

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar 777, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Funke, Gallivan, Griffo, Helming, Jordan, LaValle, O'Mara, Ortt, Ranzenhofer, Ritchie, Serino, Seward and Skoufis.

Ayes, 44. Nays, 16.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 778, Senate Print 5090A, by Senator Parker, an act to amend the Workers' Compensation Law.

ACTING PRESIDENT BENJAMIN: 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.

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 778, those Senators voting in the negative are Senators Amedore, Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, Little, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach and Seward.

Ayes, 46. Nays, 14.

ACTING PRESIDENT BENJAMIN: The

bill is passed.

THE SECRETARY: Calendar Number 779, Assembly Number 6787D, substituted earlier by Assemblymember Wallace, an act to amend the Education --

SENATOR ROBACH: Lay it aside, please.

ACTING PRESIDENT BENJAMIN: Lay it aside.

THE SECRETARY: Calendar Number 780, Senate Print 5210A, by Senator Metzger, an act to authorize Susan Gillinder, the widow of Robert C. Ritchie, to file a new service retirement application.

ACTING PRESIDENT BENJAMIN: 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: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The

bill is passed.

THE SECRETARY: Calendar Number 781, Assembly Print 5410A, substituted earlier by Assemblymember Cymbrowitz, an act to amend the Public Authorities Law.

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 782, Assembly Print Number 7463B, substituted earlier by Assemblymember Hunter, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 8. This

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Kennedy to explain his vote.

SENATOR KENNEDY: Yes, thank you, Mr. President. I rise today to explain my vote and support for this very important piece of legislation.

Our criminal justice system punishes poverty in many ways, including by suspending an individual's driver's license for failure to pay a fine for minor traffic infractions. And simply put, that inability to pay became magnified over the last few months as millions of people found themselves out of work during the COVID-19 pandemic.

We know that the communities affected by these antiquated fines and fees are often communities of color and low-income New Yorkers. And it's the same population that's been hardest hit by COVID-19.

According to the data provided by

the Driven by Justice Coalition, during a recent 28-month period New York issued over 1.6 million driver's license suspensions related to traffic debt.

Driver's license suspension rates in New York are nearly nine times higher in the 10 poorest communities compared to the 10 wealthiest communities. In upstate New York where I live, communities with the highest percent of people of color receive driver's license suspensions at rates four times as high as communities with the smallest percentage of people of color. This isn't just an issue of economic justice, it's a civil rights issue.

In many regions of our state, without a driver's license people cannot get to work, school, or even access healthcare. These consequences compound and make it even less likely the person can repay the original fine they incurred. In other words, we're kicking people while they're down.

While a ticket for $50 or $100 may not seem like a lot to some people, for some it can be financially devastating. Now more than ever, New Yorkers shouldn't have to live in fear

of losing a job, missing a rent payment, or forfeiting an education due to personal and financial challenges.

Through this bill we're addressing that injustice by offering a common sense solution, a path toward repaying traffic fines without further penalizing drivers and sending them into the dark hole of debt. With these payment plans, people will now have the ability to pay back their debt while also benefiting the state and municipalities who otherwise would not see any of this money.

It's important to note that this move is not unprecedented. Mississippi, Idaho, California, Washington, D.C., and Virginia all have similar programs. We couldn't have pushed this legislation forward as aggressively as we did without incredible partnerships.

And in closing, I want to thank those who are also responsible for moving this reform forward. First and foremost, I'd like to recognize the Majority Leader in the Senate, Senator Andrea Stewart-Cousins, for allowing this bill to come to the floor for a vote and for her continued leadership.

To my colleague in the Assembly, Pam Hunter, who joined with me in championing this issue in the State Legislature, and so many of our colleagues that got behind us to drive this agenda forward.

To those community leaders like Katie Adamides and the Fines and Fees Justice Center, along with the Bronx and Brooklyn Defenders, the Fiscal Policy Institute, and the entire Drive for Justice Coalition. Today is for those advocates, and a demonstration of their hard work to correct injustices across New York and across this great nation.

And to the leaders in Western New York who have championed reforms like these alongside us, including Buffalo City Court Chief Judge Craig Hannah; Pastor George Nicholas of Lincoln Memorial United Methodist Church, co-convener of Buffalo's African-American Health Equity Task Force; the Western New York Law Center; and Neighborhood Legal Services. A great thank you to all of those organizations and individuals. Their partnership is creating real systemic change across our community and across this great state, here and now.

Together we're going to keep pushing for justice on behalf of these communities that need our help, because it's our responsibility as public servants to truly serve the people -- all of the people. And that's exactly what we're dedicated to doing with this bill.

With that, Mr. President, I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 782, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Boyle, Funke, Gallivan, Griffo, Helming, Jordan, Lanza, LaValle, Little, Martinez, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach, Serino, Seward and Tedisco.

Ayes, 39. Nays, 21.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 783 Senate Print 5366, by Senator Comrie, an act to amend the General Business Law.

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 783, voting in the negative: Senator Lanza.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 784, Senate Print 5414F, by Senator Gounardes, an act to amend the Retirement and Social Security 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 784, those Senators voting in the negative are Senators Borrello, Jordan, Lanza and Ritchie.

Ayes, 56. Nays, 4.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 785, Senate Print 5537A, by Senator Brooks, an act in relation to authorizing the Town of Babylon to grant Long Island Teen Challenge of West Babylon a real property tax exemption.

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 785, those Senators voting in the negative are Senators Akshar and O'Mara.

Ayes, 58. Nays, 2.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 786, Senate Print 5625A, by Senator May, an act to amend the State Finance Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 3. This act shall take effect June 1, 2020.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar 786, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, LaValle, O'Mara, Ortt, Ranzenhofer, Ritchie, Serino, Seward and Tedisco.

Ayes, 43. Nays, 17.

ACTING PRESIDENT BENJAMIN: The

bill is passed.

THE SECRETARY: Calendar Number 787, Senate Print 5683A, by Senator Comrie, an act to amend the Real Property 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 787, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, O'Mara, Ortt, Ranzenhofer, Ritchie, Seward and Tedisco.

Ayes, 46. Nays, 14.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 788, Senate Print 5959D, by Senator Savino, an act to amend the Civil Rights Law.

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Savino to explain her vote.

SENATOR SAVINO: Thank you, Mr. President. To explain my vote.

This piece of legislation has been 33 years in the making. That's the last time the State of New York took the opportunity to update our Right to Publicity Law. In those 33 years, a lot has changed in the recording industry, in the motion picture industry, and in this area of law.

When I first got elected, we used to call this bill the "Dead Celebrities Bill." It has actually been carried by several members of the Senate over the years, and with each passing year the bill becomes more complicated, more difficult to write, and in fact here we are today with probably the most updated and most complicated one we've ever had.

It would not have happened, though, had it not been for the Majority Leader, Senator Stewart-Cousins, who decided that the time was right for us to finally solve this problem, making sure that people in New York State had a right to publicity and a right to privacy bill that was enforceable, that made sense, that the industries understood. And she assigned the staff -- Kenan, standing right next to you, he's instrumental in it -- asked the Deputy Majority Leader to convene interested parties on this issue to help us get to a place where we could finally satisfy people in the motion picture industry, in the electronic gaming industry, in the First Amendment rights area.

Not everyone is going to be happy, but everyone understands what this bill does. It makes sure that people know who owns their image, how to protect them posthumously, how to make sure that people don't monetize your personhood without your rights being protected.

We are the first in the nation to finally get it right, and I just want to say a heartfelt thank you to everyone who played a role in getting us to where we are today. And I

proudly vote aye, Mr. President.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 789, Senate Print 6266D, by Senator Biaggi, an act to amend the Labor Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 15. This act shall take effect January 1, 2021.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Biaggi to explain her vote.

SENATOR BIAGGI: Thank you, Mr. President.

I rise today to proudly cast my vote in support of the Healthy Terminals Act. I introduced this bill last year with Assemblywoman Alicia Hyndman long before the arrival of

COVID-19, because it should not take a pandemic for us to value workers' lives and fulfill their right to healthcare.

This pandemic has made it tragically clear just how important it is to guarantee healthcare coverage for all New Yorkers, especially those at high risk of exposure like our front-line airport workers, our essential workers. We have told airport workers that they are essential and must come and continue to report to work throughout the pandemic. But as we have praised them for their bravery and thanked them, we have failed to ensure that they can access healthcare to keep themselves, their families, and passengers healthy.

COVID-19 has taken the lives of at least 26 airport workers serving our great state and has infected countless others and their families. It is truly harrowing to think of how many lives could have been saved, how many lives could have been saved if our airport workers had access to the affordable healthcare they needed and if we had not asked them to choose between medical care and paying for other essential expenses.

By enacting the Healthy Terminals Act, we can provide tens of thousands -- tens of thousands -- of workers, including those who work for subcontractors, with the ability to purchase health insurance without failing and falling into poverty.

It is paramount that we now show up for these New Yorkers. These are the people who put their lives on the line for all of us. They are the critical infrastructure of our state, and they did this in our time of greatest need.

We have chosen to dedicate this bill to Leland Jordan. Leland was a baggage handler at JFK Airport and one of the first airport workers serving New Yorkers to die from COVID-19. He was an architectural drafter who immigrated from Guyana, and Leland took the job at JFK to support his family, who live in Queens. Leland could not afford quality health insurance and, at 73 years old, often worked overtime to cover the cost of his diabetes medicine and medical expenses. He was a dedicated, dedicated union leader who fiercely advocated for his coworkers, winning the first union contract at his job and raises for himself and his colleagues. He had

been fighting for this very bill.

Of course we will never be able to erase the pain and the impact of losing Leland. But what we can do is everything in our power to make sure that all of the essential workers who work in our airports actually have the ability to get access to quality healthcare.

I am deeply grateful to the Majority Leader, Andrea Stewart-Cousins, to Assemblywoman Alicia Hyndman, and to 32BJ for their partnership to push this bill at a very, very challenging time.

We stand here today because of the tireless organizing and strength of essential airport workers, labor advocates, immigrants, and working families. And I have to say it is an absolute honor to stand alongside all of them to be able to push this bill over the finish line and to do this in the honor and the spirit of Héctor Figueroa.

Thank you very much, Mr. President.

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

Senator Skoufis to explain his vote.

SENATOR SKOUFIS: Thank you very

much, Mr. President.

And I want to start by thanking and congratulating the sponsor, my colleague Senator Biaggi, 32BJ, the Majority Leader, for getting this bill done.

And over the past four or five months during this pandemic, there has been a lot of -- and rightfully so -- thanking of our essential workers, calling our front-line men and women here in New York State heroes. We're all doing that, we all ought to be acknowledging their efforts. But we as legislators, we as legislators have an obligation to back up those words with actions like this bill.

And as the Senator who proudly represents Stewart Airport, we're finally going to see the workers at Stewart, the workers at JFK and LaGuardia get some compensation to buy the most basic of protections during times like this: Healthcare.

And so I thank everyone who I mentioned before who got this across the finish line. We are backing up our words with actions today and looking out for our front-line workers -- our baggage handlers, our wheelchair

attendants, our terminal cleaners. These are the unsung heroes. And with today's vote, we're finally telling them: You matter, and we have your back.

I vote yes.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 789, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Helming, Jordan, Lanza, Serino and Seward.

Ayes, 52. Nays, 8.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 790, Assembly Print Number 1385B, substituted earlier by Assemblymember Perry, an act to amend the Election Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 790, voting in the negative: Senator Boyle.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 791, Assembly Print Number 8186B, substituted earlier by Assemblymember Darling, an act authorizing the County of Nassau to alienate and sell parklands.

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

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 791, voting in the negative: Senator Lanza.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 792, Senate Print 6400, by Senator Lanza, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

ACTING PRESIDENT BENJAMIN: Calendar Number 793, Assembly Print Number 8127, substituted earlier by Assemblymember Dinowitz, an act to amend the Public Authorities 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 794, Assembly Print Number 8337B, substituted earlier by Assemblymember Walker, an act to amend the Mental Hygiene Law and the Public Health 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 795, Assembly Print Number 8300A, substituted earlier by Assemblymember Zebrowski, an act to authorize the Town of Clarkstown to offer a certain retirement option to Clarkstown police officers.

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

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 795, voting in the negative: Senator Griffo.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 796, Assembly Print Number 5240A, substituted earlier by Assemblymember O'Donnell, an act to amend the Civil Rights Law and the Education Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 6. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 796, those Senators voting in the negative are Senators Akshar, Amedore, Funke, Helming, Ortt, Seward and Tedisco.

Ayes, 53. Nays, 7.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 797, Senate Print 6502A, by Senator Serrano, an act to amend the Environmental Conservation Law.

SENATOR O'MARA: Lay it aside.

ACTING PRESIDENT BENJAMIN: Lay it aside.

THE SECRETARY: Calendar Number 798, Senate Print Number 6523A, by Senator Parker, an act to amend the General Municipal 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 799, Senate Print 6534, by Senator Montgomery, an act to amend the Family Court Act.

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 799, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Funke, Gallivan, Griffo, Helming, Jordan, LaValle, Little, O'Mara, Ortt, Ritchie, Robach, Seward and Tedisco.

Ayes, 44. Nays, 16.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 800, Senate Print 6537, by Senator Montgomery, an act to amend the Education Law.

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN:

Senator Montgomery to explain her vote.

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

I know this is a small bill, but I just did not want this moment to pass without making a comment about how important I think this legislation is. This is -- it codifies the Early College High School program in the State of New York. And it was really requested by the State Education Department and the Regents.

This particular program has been tested to really work for young people throughout the state. It establishes, in my opinion, a new paradigm in the way that we educate young people because it creates a partnership, a marriage, between the higher ed community and high schools throughout the state. It is also very much available to many of the young people for whom there are not big opportunities for advanced high school courses which prepare them for college.

The curriculum and the professionals work together in this program to prepare young people for advanced educational experiences. Sometimes high school students are taking classes

in college; in very many cases, college professors are teaching classes in high schools. So it's a very, very important educational improvement.

And what is the level -- what is the record of success of this program? Well, I have, at least from the Bard College program -- which was one of the early, early college programs -- the Bard High School Early College program is extremely successful, based on them, with students in their program completing an associate's degree at the rate of 94 percent and graduates completing bachelor's degrees at a rate well above national and state averages.

That is the record that is reported in most of those programs across the state. So it's not only Bard, but it's many of those higher ed institutions who participate in this program.

Why is it necessary for us to do this legislation? Well, one of the problems is currently it is a grant program, it is not coordinated, and it is not evaluated by State Ed because it is still in the early stages and considered to some extent to be an experimental program.

So we would like -- this bill would establish a uniform system of approval and oversight for all of the programs across the state by State Ed, including Smart Scholars Early College High School as well as Pathways in Technology Early College High Schools.

So this is necessary for us to institutionalize this very, very valuable program. And it also is an answer as to how can the state upgrade our high school experience as well as allow for young people to be able to get up to even an associate's degree without their parents having to pay.

It's extremely important, and I hope we pass it today. I hope that it also will pass in the Assembly, I expect it will, and that it becomes law. Because this really for New York State is, I think, a giant step toward improving high school education for students throughout our state.

Thank you, Mr. President. I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 801, Senate Print 6569, by Senator Jackson, an act to amend the Executive Law.

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Mr. President.

My colleagues, I rise this afternoon to speak about this bill. It provides a new level of protection for our constituents who are dealing with issues of housing discrimination. And as you know, people can go to Housing and Community Renewal with a claim of housing

discrimination. Unfortunately, some of these cases that are initially taken up by HCR, Housing and Community Renewal, are dropped by the Division of Human Rights because it finds a lack of probable cause or jurisdiction.

This bill gives people seeking justice on a housing discrimination claim a new avenue if this happens. They can start a new case in court, or they can use the option of asking the court to review the HCR action. While housing discrimination remains an issue throughout our state, I am glad that we're providing another avenue to justice for those who are on this bill.

And not only that, but, Mr. President, I say to you that I represent the 31st Senatorial District in Manhattan. It has the most rent-regulated units in the entire state. And housing discrimination, as you know, it has no color. It can be blacks discriminating against whites. It can be whites discriminating against blacks, or Latinos, or religious discrimination.

All discrimination is bad, and we need to stop it. And this is another avenue for

people to seek justice when they feel that they've been denied as a result of discrimination.

I vote aye, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 801, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Boyle, Funke, Gallivan, Griffo, Helming, Jordan, Lanza, LaValle, Little, Ranzenhofer, Ritchie, Seward and Tedisco.

Ayes, 44. Nays, 16.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 802, Senate Print 6658B, by Senator Bailey, an act to amend the Executive 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: Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Mr. President.

This has been an interesting time in our society when we've been able to look back -- because of the recent protests about the injustice in our society, we've been looking back and taking a look at what has happened in our society to bring us to the point that we're in.

And for the first time this year in New York State we celebrated Juneteenth, which was to celebrate the abolition of slavery in the United States, June 19th. But in New York State the date that the slaves were freed was July 4, 1827.

So for the past 16 years, the members of the New York State branches of ASALH, the Association for the Study of African American Life and History, they've been celebrating Abolition Commemoration Day on July 4th. And they've done many things in my district and districts throughout the state, Mr. President. And I know they have come to Harlem and spoken to

you about the importance of this legislation, and to many other of our colleagues as well.

And I'm glad that we're recognizing Abolition Commemoration Day as a day of commemoration in the state so that people can understand that, you know, slavery has a deep, dark past. And we tend to think of just Southern states as the slaveholder states. But many enslaved -- there were many enslaved Africans in the South, but in 1703 more than 42 percent of households in New York City had slaves.

So -- and over time, the North became known as a more -- as a better venue for those -- for those of us, but I want us to make sure that we recognize that there is a history of slavery here, and to recognize the freedom of our people in New York State. So I wanted to make sure I thanked the New York State branches of ASALH, specifically Ms. Bessie Jackson. Bessie Jackson is 94 years young and speaks with amazing tenacity. She's ferocious, and she's been calling me every day since she's known me -- even before I got elected -- to tell me how important this is.

And being 94 years old, Ms. Jackson

has seen a few things. She's seen a few things that I'm sure she hasn't liked. But today is a day that I hope that we can make Ms. Jackson proud, and those other members of ASALH such as Dina Robbins, one of my former high school teachers, and so many others.

To finally say that we're recognizing the day that slaves became free in New York State is a momentous occasion, and I am appreciative of the opportunity for us to mark that day of commemoration. But again, let us not rest on those laurels to just simply make a day of commemoration. Let us understand what the past was so that we're not doomed to repeat it in the future.

I vote aye on this bill, Mr. President. Thank you for the opportunity.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 803, Assembly Bill Number 8023, substituted

earlier by Assemblymember Williams, an act to amend the Executive 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 804, Senate Print 6712, by Senator Metzger, an act to amend the Executive 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:

Senator Metzger to explain her vote.

SENATOR METZGER: Thank you, Mr. President.

I rise to thank Majority Leader Andrea Stewart-Cousins for advancing this important bill to designate September 22nd as Veteran Suicide Awareness and Remembrance Day, as an annual observance.

I also want to thank my colleagues on both sides of the aisle for cosponsoring this important bill.

The number 22 has significant and tragic meaning for veterans, their families, and our communities. It's been estimated that we have been losing 22 veterans a day to suicide, on average. Suicide rates among male veterans are 1.4 times the general population, and it's 1.8 times for women veterans.

They return home from their service to our country with wounds of war that are not necessarily visible to all of us but take a serious mental and physical toll. In 2018 alone, 153 veterans in New York lost their lives to suicide.

By designating September 22nd as

Veteran Suicide Awareness and Remembrance Day, we recognize and remember those we have lost, we elevate this issue in the public consciousness, and we bring attention to the need to address the root causes so that we can prevent the further tragic loss of life in our veteran communities.

I want to thank Manny Tirado and Carol Olszanecki, constituents of mine, for their advocacy on this issue, and I want to give a special thanks to Kevin Hertell, a colleague of Manny's on the MTA New York City Transit Veterans Resource Group, who has worked incredibly hard to elevate this issue.

Thank you, Mr. President. I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 805, Senate Print 6829B, by Senator Kaminsky, 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: Senator Kaminsky to explain his vote.

SENATOR KAMINSKY: Thank you, Mr. President.

For decades now, something has been amiss in this country when study after study shows that the chemical TCE has been harmful to human beings throughout this country. A known carcinogen and a known cause of fetal heart defects, it has been in our water wherever it has been used on industrial usage, whether it be on a military plant or in other establishments throughout our country.

But powerful forces have fought to keep this chemical in constant usage. Lobbyists have won fight after fight. Indeed, the Trump administration buried a study that should have led to its banning in the very beginning of its

term.

Today New York takes a step to fight back. New York says that the most prevalent uses of TCE will now be outlawed because the health and safety of our children and our communities should be paramount and more important than anything else.

I'm proud we're taking this step today to ban TCE. I thank the Majority Leader for her support, the Assembly, especially Assemblyman Englebright, Chairman Englebright, for his support. And together let's continue to do the right thing by keeping our New Yorkers safe, and that should count above all else.

Mr. President, I vote in the affirmative.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 805, those Senators voting in the negative are Senators Akshar, Borrello, Funke, Gallivan, Griffo, Helming, Little, O'Mara, Ortt, Ritchie, Seward and Tedisco.

Ayes, 48. Nays, 12.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 806, Assembly Print 8608, substituted earlier by Assemblymember Paulin, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 806, those Senators voting in the negative are Senators Gallivan, Lanza and Ortt.

Ayes, 57. Nays, 3.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 807, Assembly Print Number 8936, substituted

earlier by Assemblymember Thiele, an act to amend the Public Authorities 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: Senator Gaughran to explain his vote.

SENATOR GAUGHRAN: Thank you, Mr. President.

When this Legislature back in 2013 enacted the Long Island Power Authority Reform Act, Long Islanders lost almost all of their oversight over their utility rates and utility issues.

Most public utilities in this state have the right to go to the Public Service Commission to review rates and other issues. LIPA is exempt from this. They are self-policing. They get to set rates, and nobody gets to review them.

So this bill today actually provides

some relief to ratepayers, because the act is sort of limited in what we can do. But it simply says that if there is an audit that LIPA submits and in that audit there is found to be fraud, abuse or mismanagement, the Public Service Commission can then take action to make sure that LIPA reforms on behalf of the ratepayers.

So thank you, Mr. President. I vote in the affirmative.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 808, Senate Print 6874A, by Senator Gaughran, an act to amend the Real Property 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: Senator Gaughran to explain his vote.

SENATOR GAUGHRAN: Thank you, Mr. President.

"The tenant agrees not to permit the premises to be used by any person other than members of the Caucasian race. But employment of other than Caucasian domestic servants shall be permitted."

That was language in 1948 that the Levittown Corporation used when anybody signed a lease for one of the new homes that was built for this Long Island community that became known as America's first suburbs. The exact same language was also used when somebody purchased one of these homes. And that language stayed in the deed for posterity.

The base price for these homes was $6,990, and for most a down payment was not required. Many of our returning World War II veterans were able to buy homes that took advantage of the GI Bill, which guaranteed $4,000 of this.

But if you happened to be part the Greatest Generation and you were African-American

or Hispanic or Asian or anything -- of any race other than Caucasian, you could not take advantage of this opportunity. It was suggested that you go to another community.

Now, this may have been the first subdivision on Long Island, but this continued throughout Long Island, New York State, and across America. And yes, the racist language and these deeds were then thrown out as unconstitutional, but they accomplished their purpose. Segregated neighborhoods developed, and then followed discriminatory land use practices and other measures.

And for years this was carried out by the real estate sales industry across this country. They would steer potential homeowners to neighborhoods based on the race of the potential buyer.

And you would hope that this ugly history has passed us, but very recently a Newsday investigation proved otherwise. Using undercover potential homebuyers, it became clear that there still are those in the industry who want to continue to steer people to communities based on race.

So today we will be passing legislation that will start to begin an end to this ugly practice. There's obviously more that we need to do, but this legislation gives the Department of State the power to suspend or to revoke a real estate salesperson or broker's license. Simply put, if you continue these discriminatory practices, you're going to lose your license and you're going to lose your occupation.

Now, I just want to make it clear that not all real estate brokers or salespeople engage in this practice. In fact, I think the vast majority do not. And in fact when I filed this bill, I received many calls from those in the real estate sales industry who were thanking me for filing this bill who were appalled that this continues and that Newsday uncovered this and were very supportive of this legislation.

So I want to thank the Majority Leader, Andrea Stewart-Cousins, for allowing this bill to go to the floor today; my colleagues for their support; Assemblywoman Kimberly Jean-Pierre, my partner on this legislation in the Assembly as well.

And finally, Mr. President, I think today we're heeding the words of Congressman John Lewis when he said recently "When you see something that is not right, not just, not fair, you have a moral obligation to say something, do something."

Therefore, Mr. President, I vote in the affirmative. Thank you very much.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 808, voting in the negative: Senator Lanza.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 809, Senate Print 7104A, by Senator Mayer, an act to amend the General Business Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect one year after it shall have become a law.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 810, Senate Print 7131, by Senator Harckham, an act to amend the General Municipal 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 810, voting in the negative: Senator Lanza.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The

bill is passed.

THE SECRETARY: Calendar Number 811, Senate Print 7159, by Senator Jackson, an act to amend the Insurance Law.

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Mr. President.

And good afternoon, my colleagues. I rise this afternoon again in order to talk about the passage of a bill to provide accurate information for medical coverage notices. And I thank you for the opportunity to speak on the passage of this bill.

As you know, this bill is an important one not only for my constituents, but all of the people of New York State. This bill

is part of an ongoing effort to demystify how the private insurance industry works. We want our people in our districts across the state to receive information from insurance carriers that is clear, understandable, and usable.

By passing S5159, we are forcing these private companies to clearly specify if they are approving a claim or partially approving or denying a claim.

When people receive clear information that avoids confusing consumers, our constituents are better prepared to deal with and will be less likely to face the shock of one of those surprise hospital bills for tens of thousands of dollars. This bill is especially important now because -- as many of our people are still dealing with COVID-19 and the effects on their lives and their families' lives.

I'd like to say many thanks to our great ally, the Assemblyman Richard "Dick" Gottfried, who sponsored this bill in the other house. And this bill is a good step, but it also reminds me that when we -- as a state and a nation, we must do better to provide public plain plans that work for all of the families that we

represent, and not just for those who have private insurance. We need a system that works for all of the people.

I vote aye, Madam President {sic}.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 811, those Senators voting in the negative are Senators Amedore, Borrello, Funke, Gallivan, Griffo, Helming, Little, Ortt, Serino and Seward.

Ayes, 50. Nays, 10.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 812, Senate Print 7203, by Senator Amedore, an act to authorize Stephen Ferraro and Stephen Porcello to take the competitive civil service examination.

ACTING PRESIDENT BENJAMIN: 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: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 813, Assembly Print Number 7579, substituted earlier by Assemblymember Reyes, an act to amend the Workers' Compensation 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 814, Senate Print 7219, by Senator Borrello, an

act to amend the Criminal Procedure 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 814, those Senators voting in the negative are Senators Krueger, Rivera and Skoufis.

Ayes, 57. Nays, 3.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 815, Senate Print 7235, by Senator May, an act to amend the Education 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: Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

One of my favorite things about this job is that you learn things you never thought about before, almost on a daily basis. Last year a man came up to me at a party and he said, "Let me tell you about medical oxygen tanks." And in the end, I went to his welding supply company to see they how they fill medical oxygen tanks, and learned a lot about the whole process.

And it turns out that medical oxygen tanks -- his company is a welding supply company, and they fill medical oxygen tanks for hospitals and nursing homes and individuals who need them. And they provide this life-saving equipment for people all over upstate, and some in very rural areas.

So it turns out that medical oxygen is regulated the same way as pharmaceutical drugs. And that means you're supposed to have somebody with a college education and a certain

amount of experience to supervise anybody who's filling these tanks. But honestly, in the 15 minutes that I was touring that part of his plant, I think I could have learned how to do it myself. It's not that complicated. It's very technical, but once you've learned it, you've learned it and it's hard to make any mistakes.

So he's in a position of not being able to offer this service to the people of upstate New York anymore because he can't hire, in a rural welding supply company, somebody who's got a degree in chemistry from a college or something like that. And he made a very compelling argument that it's time to change the requirements for who is allowed to do this job.

I am very pleased, I am grateful to the leadership and to my colleagues for supporting this bill that will allow him to continue providing life-saving medical oxygen to the people of upstate New York and other companies that do it too.

So thank you very much. I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 815, those Senators voting in the negative are Senators Lanza and LaValle.

Ayes, 58. Nays, 2.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 816, Senate Print 7256, by Senator Ramos, an act --

SENATOR ROBACH: Lay it aside.

SENATOR GIANARIS: Lay it aside for the day, please.

ACTING PRESIDENT BENJAMIN: The bill will be laid aside for the day.

THE SECRETARY: Calendar Number 817, Senate Print 7367A, by Senator Harckham, an act to establish the New York City Watershed Road Salt Reduction Task Force.

ACTING PRESIDENT BENJAMIN: 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: Announce the results.

THE SECRETARY: In relation to Calendar Number 817, voting in the negative: Senator Lanza.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 818, Senate Print 7369, by Senator Metzger, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number

819, Senate Print 7587, by Senator Skoufis, an act to amend the Education Law.

ACTING PRESIDENT BENJAMIN: 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: Announce the results.

THE SECRETARY: In relation to Calendar Number 819, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Boyle, Funke, Gallivan, Griffo, Helming, Jordan, LaValle, Lanza, Little, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach, Serino, Seward and Tedisco.

Ayes, 40. Nays, 20.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 820, Assembly Print Number 9779A, substituted earlier by Assemblymember Thiele, an act directing the Office of Fire Prevention and

Control within the Division of Homeland Security.

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: Senator Gaughran to explain his vote.

SENATOR GAUGHRAN: Thank you, Mr. President.

Our volunteer firefighters are the lifeblood of so many of our communities. And during this COVID crisis, many of them have been afflicted with this disease. Some of them, unfortunately, have passed away.

And they're having problems -- they had it before COVID, and they have it now -- in terms of recruitment. Many of these departments are having a hard time recruiting volunteers. In fact, it is argued by some studies that if we ever had to go to a fully paid fire department for some of our communities, our property taxes in places like Long Island could go up 25 percent

or more.

So today we're taking a step to create a Volunteer Firefighter Recruitment Task Force, with a mission to come up with a plan so we can help recruit new firefighters. And my hope is this task force will come up with a good plan, the state can then implement it, and then we will have many more future heroes who will be joining the ranks of the volunteer fire departments across this state.

Thank you very much, Mr. President. I vote in the affirmative.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 821, Assembly Print Number 9675, substituted earlier by Assemblymember Kolb, an act providing for the transfer of Onanda Park from the Department of Environmental Conservation.

ACTING PRESIDENT BENJAMIN: There

is a home-rule message at the desk.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 822, Senate Print 7607, by Senator Breslin, an act to repeal Subdivision 6 of Section 11-0907 of 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 Number 822, those Senators voting in the negative are Senators Boyle and Martinez.

Ayes, 58. Nays, 2.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 823, Senate Print 7655, by Senator Amedore, an act to amend the Real Property Tax Law.

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

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 824, Senate Print 7664, by Senator Breslin, an act to amend the State Finance Law and the

General Municipal 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 Number 824, voting in the negative: Senator Griffo.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 825, Senate Print 7694, by Senator Persaud, an act to amend the Social Services Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 3. This act shall take effect October 1, 2020.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 825, those Senators voting in the negative are Senators Akshar, Borrello, Funke, Gallivan, Griffo, Jordan, LaValle, Little, Ortt and Ritchie.

Ayes, 50. Nays, 10.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 826, Assembly Print Number 9691A, substituted earlier by Assemblymember Galef, an act to amend the Vehicle and Traffic Law.

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

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 827, Senate Print 7760, by Senator Ritchie, an act in relation to authorizing the Town of DeKalb, in the County of St. Lawrence, to reduce the maximum speed limit.

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

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 829, Assembly Print Number 10012, substituted earlier by Assemblymember Byrne, an act to amend the General Municipal 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 828, Assembly Print Number 9913, substituted earlier by Assemblymember Gunther, an act to amend the State 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 830, Assembly Print Number 9905A, substituted earlier by Assemblymember Hawley, 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Rivera moves to discharge, from the Committee on Rules, Assembly Bill Number 10034 and substitute it for the identical Senate Bill 7879, Third Reading

Calendar 831.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 831, Assembly Bill 10034, by Assemblymember Gottfried, an act to amend the Public Health 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 832, Assembly Print 9763A, substituted earlier by Assemblymember Hyndman, an act to amend the Insurance 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 833, Senate Print 7885A, by Senator Kaplan, an act to amend the Transportation 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 833, those Senators voting in the negative are Senators Amedore, Helming and Ortt.

Ayes, 57. Nays, 3.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 834, Assembly Print Number 10039, substituted earlier by Assemblymember Rozic, an act to amend the Family Court Act.

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: Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Mr. President.

So smart technology has made many of our lives easier. It allows us access to do a lot of great things in terms of even setting thermometers, thermostats, opening garage doors and setting alarms, and having cellphones.

But unfortunately, with the increased accessibility with smart tech, it has

also created a loophole for people who take the opportunity to be -- it also creates a loophole for individuals who are engaged in domestic abuse to take advantage of those that they are abusing.

So that's why I'm glad that we're able to get this bill passed today, and I want to thank Leader Stewart-Cousins and Assemblymember Rozic in the Assembly for being such a champion on this. Because, you know, as we rely more on technology, this is sort of a silent way of abusing individuals. When you have a password or when you have access to these devices of somebody, it's another way to try to exercise control over another individual, which is wrong.

And I'm glad that we're finally taking steps towards changing this loophole. And again, either we change with the times or we're going to be changed by them. And I'm glad that we're changing with the times with this forward-looking legislation that encompasses -- that is going to encompass the way that we look at -- the way that we handle orders of protection and victims of domestic violence so that we can give them a sense of assurance that they're going to be safe and protected.

And for that reason -- for those reasons and for many other reasons, I vote aye, Mr. President.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 835, Senate Print 7929, by Senator Mayer, an act to amend the Civil Practice Law and Rules and the Criminal Procedure Law.

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 835, those Senators voting in the

negative are Senators Akshar, Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach and Tedisco.

Ayes, 47. Nays, 13.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 836, Senate Print 7930, by Senator Salazar, an act to amend the Family Court Act.

ACTING PRESIDENT BENJAMIN: 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 Number 836, those Senators voting in the negative are Senators Akshar, Borrello, Funke, Lanza, O'Mara and Robach.

Ayes, 54. Nays, 6.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 837, Assembly Print Number 10021A, substituted earlier by Assemblymember Englebright, an act to amend the Education Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 837, voting in the negative: Senator Lanza.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 838, Senate Print 7995A, by Senator Skoufis, an act to amend the Education 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 839, Assembly Print Number 7919, substituted earlier by Assemblymember LiPetri, an act in relation to authorizing the Good Samaritan Hospital Medical Center to file an application for a real property tax exemption.

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 839, voting in the negative: Senator Akshar.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 840, Assembly Print Number 9922, substituted earlier by Assemblymember Stirpe, an act in relation to authorizing the Liverpool Central School District to receive state aid for certain approved capital funded projects.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Kaminsky moves to discharge, from the Committee on Rules, Assembly Bill Number 10001 and substitute it for the identical Senate Bill Number 8026, Third Reading Calendar 841.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 841, Assembly Print Number 10001, by Assemblymember Thiele, 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number

842, Senate Print 8033B, by Senator Seward, an act authorizing the Village of Herkimer, County of Herkimer, to alienate and convey certain parcels of land used as parkland.

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

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: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 843, Senate Print 8040, by Senator Breslin, an act to amend the Navigation 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 843, those Senators voting in the negative are Senators Akshar, Griffo, Helming, Martinez and Tedisco.

Ayes, 55. Nays, 5.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 844, Senate Print 8046, by Senator Sepúlveda, an act to amend the Correction Law.

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to

Calendar Number 844, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Boyle, Funke, Gallivan, Griffo, Harckham, Helming, Jordan, Lanza, LaValle, Little, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach, Serino, Seward, Skoufis and Tedisco.

Ayes, 38. Nays, 22.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 845, Senate Print 8057, by Senator Akshar, an act to amend the General Municipal 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number

846, Assembly Print Number 10209A, substituted earlier by Assemblymember Kolb, an act to amend Chapter 672 of the Laws of 1993.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 847, Senate Print 8129, by Senator Gounardes, an act amending Part B of Chapter 104 of the Laws of 2005.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 848, Senate Print 8146, by Senator Funke, an act to amend the Criminal Procedure 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 848, those Senators voting in the negative are Senators Krueger, Rivera and Skoufis.

Ayes, 57. Nays, 3.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 849, Senate Print 8154B, by Senator Harckham, an act to amend the Public Service Law.

SENATOR GIANARIS: Lay it aside for the day.

ACTING PRESIDENT BENJAMIN: The bill will be laid aside for the day.

THE SECRETARY: Calendar Number 850, Assembly Print Number 10041, substituted earlier by Assemblymember Gunther, an act to amend the General Municipal Law and the Town 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 850, voting in the negative: Senator Skoufis.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The

bill is passed.

THE SECRETARY: Calendar Number 851, Assembly Print Number 5456A, substituted earlier by Assemblymember Goodell, an act to amend the Public Health 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 851, those Senators voting in the negative are Senators Gaughran, Kennedy and Martinez.

Ayes, 57. Nays, 3.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 852, Assembly Print Number 10388A, substituted earlier by Assemblymember Byrne, an act in relation to authorizing the Town of Southeast,

County of Putnam, to alienate certain lands used as parkland.

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

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 853, Assembly Print Number 7812A, substituted earlier by Assemblymember Rosenthal, an act to amend the Public Health 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 854, Senate Print 8282, by Senator Gaughran, an act to amend the Public Health 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 855, Assembly Print Number 10514, substituted earlier by the Assembly Committee on Rules, an act to amend the Uniform City Court Act and the

Judiciary 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: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 856, Assembly Print Number 10463A, substituted earlier by the Assembly Committee on Rules, an act to amend the Public Health 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 856, voting in the negative: Senator Helming.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 857, Senate Print 8332, by Senator Persaud, an act to amend the Social Services 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Persaud

moves to discharge, from the Committee on Rules, Assembly Bill Number 10513 and substitute it for the identical Senate Bill 8421A, Third Reading Calendar 858.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 858, Assembly Print Number 10513, by the Assembly Committee on Rules, an act to amend the Social Services 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 859, Senate Print 8451A, by Senator Kaplan, an

act --

SENATOR ROBACH: Lay it aside, please.

ACTING PRESIDENT BENJAMIN: Lay it aside.

THE SECRETARY: Calendar Number 860, Assembly Bill Number 10464A, substituted earlier by the Assembly Committee on Rules, an act to amend the Agriculture and Markets 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: Senator Metzger to explain her vote.

SENATOR METZGER: Thank you, Mr. President.

Our farms have been hit hard during this pandemic, and they face great uncertainty about what this year will bring in terms of sales. This bill provides assurance that farms can hold on to their agricultural assessment even

if gross sales fall short during this challenging time.

Our farms are absolutely critical to New York's economic recovery and to our food security, and this bill will help to keep farmers on their land.

Thank you, and I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 861, Senate Print 8474, by Senator Savino, an act to amend the Education Law and the Public Health Law.

ACTING PRESIDENT BENJAMIN: 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: Announce the results.

THE SECRETARY: In relation to Calendar Number 861, voting in the negative: Senator Lanza.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 862, Senate Print 8490, by Senator Skoufis, an act to amend the Highway Law.

ACTING PRESIDENT BENJAMIN: 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: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 863, Assembly Print Number 10587, substituted

earlier by the Assembly Committee on Rules, an act in relation to authorizing the assessor of the County of Nassau to accept from The Academy Charter School 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 Number 863, voting in the negative: Senators Akshar and O'Mara.

Ayes, 58. Nays, 2.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 864, Assembly Print Number 10313, substituted earlier by Assemblymember Galef, an act to amend Chapter 598 of the Laws of 1938.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 866, Assembly Print Number 10566A, substituted earlier by the Assembly Committee on Rules, an act to amend the Social Services 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 866, voting in the negative: Senator Funke.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 867, Senate Print 8666, by Senator Benjamin, an act to amend the Criminal Procedure Law.

SENATOR ROBACH: Lay it aside.

ACTING PRESIDENT BENJAMIN: Lay it aside.

THE SECRETARY: Calendar Number 868, Senate Print 8707A, by Senator Gianaris, an act to amend the Criminal Procedure Law and the Civil Practice Law and Rules.

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: Senator Gianaris to explain his vote.

SENATOR GIANARIS: Thank you,

Mr. President.

In the last several weeks we have seen all over this nation people take to the streets to protest police misconduct. And the reactions to those protests often involved additional misconduct. Now we've seen currently situations where the Trump administration is responsible for problems in Portland, Oregon, where people's constitutional rights are being trampled. But it's not just coming from those quarters.

In reaction to the protests in New York City, the city administration, the city police and a city judge decided it was okay to detain people for longer than 24 hours without charging them.

Now, that is an affront to our very basic constitutional principles of habeas corpus, that someone should not be detained and lose their freedom without even being accused of a crime.

And somehow an individual judge decided to make a blanket exception for everyone who was arrested as part of these protests, to allow them to be detained for days and days at a

time.

This bill would stop that. It would return us to a norm that we thought we had, which is someone needs to be charged within 24 hours or be released upon request. If there's going to be an exception, it needs to be individualized for a specific reason, not one that applies to thousands of people just because the courts are busy at that moment.

And so this is an important piece of legislation. It was actually a standard we thought we had in place before this court decision, and now we will codify that as to the fact so that we don't have to allow a rogue judge to allow hundreds and hundreds of people to be held for days without being charged.

So I thank my colleagues for voting in support of this legislation, and I vote in the affirmative.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 868, those Senators voting in the negative are Senators Akshar, Amedore, Borrello,

Boyle, Funke, Gallivan, Griffo, Helming, Jordan, Lanza, LaValle, Little, Martinez, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach, Serino, Seward and Tedisco.

Ayes, 39. Nays, 21.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 869, Assembly Print Number 6679C, substituted earlier by Assemblymember Ryan, an act to amend the Public Service Law.

SENATOR ROBACH: Lay it aside, please.

ACTING PRESIDENT BENJAMIN: Lay it aside.

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

SENATOR GIANARIS: Mr. President, can we return to Calendar Number 779, remove the lay-aside on that bill, and take that up.

ACTING PRESIDENT BAILEY: So ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 779, Assembly Print Number 6787D, by

Assemblymember Wallace, 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: In relation to Calendar Number 779, those Senators voting in the negative are Senators Akshar, Amedore, Funke, Gallivan, Griffo, Jordan, LaValle, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach and Serino.

Ayes, 47. Nays, 13.

ACTING PRESIDENT BAILEY: The bill is passed.

SENATOR GIANARIS: Mr. President, can we now move to take up the supplemental calendar, please.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number

893, Senate Print 6886D, by Senator Skoufis, an act to amend the Election 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 Number 893, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, LaValle, Little, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach, Serino, Seward and Tedisco.

Ayes, 42. Nays, 18.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 894, Senate Print 8015D, by Senator Biaggi, an act to amend the Election 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 Number 894, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Funke, Gallivan, Griffo, Helming, Jordan, Lanza, LaValle, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach, Serino, Seward and Tedisco.

Ayes, 42. Nays, 18.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 904, Senate Print 8370B, by Senator Myrie, an act to amend the Election 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 Myrie to explain his vote.

SENATOR MYRIE: Thank you, Mr. President.

We are in very different times in this state and in this country, and this pandemic has touched every area of our lives, and our elections have been no exception to that. We saw, just this past June 23rd, an uptick by almost 600 percent in participation in our democracy by way of absentee ballot.

Now, while we appreciate the improved process by which folks do not have to choose between their health and their democracy, we also have seen a high rate of the discarding of absentee ballots for technicalities. People should not have to lose their franchise, their constitutional right to vote simply because they failed to make a signature or failed to meet some other technicality in the law.

And so what this bill provides is notice and an opportunity to be heard. That is what this bill is about. If you cast an absentee ballot, you should know whether it was deficient

and if it was deficient, you should have the opportunity to correct that deficiency.

We are, as a body, putting voting rights at the top of our agenda. And we have done so since the beginning of 2019, and we continue the journey to make New York go from worst to first in our democracy here in the state.

And so, Mr. President, I will be voting in the affirmative, and I will encourage my colleagues to do the same. Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 904, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Boyle, Funke, Gallivan, Griffo, Helming, Jordan, Lanza, LaValle, Little, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach, Serino, Seward and Tedisco.

Ayes, 40. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

909, Senate Print 8465A, by Senator Liu, an act to amend the Election 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 Number 909, voting in the negative are Senators Akshar and Funke.

Ayes, 58. Nays, 2.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 963, Senate Print 8782, by Senator Breslin, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect January 1, 2021.

ACTING PRESIDENT BAILEY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 963, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, LaValle, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach, Serino, Seward and Tedisco.

Ayes, 43. Nays, 17.

ACTING PRESIDENT BAILEY: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Myrie moves to discharge, from the Committee on Rules, Assembly Bill Number 10807 and substitute it for the identical Senate Bill 8783A, Third Reading Calendar 964.

ACTING PRESIDENT BAILEY: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 964, Assembly Print Number 10807, by the Assembly

Committee on Rules, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 964, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Boyle, Funke, Gallivan, Griffo, Helming, Jordan, LaValle, Little, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach, Serino, Seward and Tedisco.

Ayes, 41. Nays, 19.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 968, Print 8796A, by Senator Stavisky, an act to amend the Election 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 Number 968, voting in the negative: Senator Tedisco.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 969, Senate Print 8799A, by Senator Gianaris, an act to amend the Election 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 Number 969, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Boyle, Funke, Gallivan, Griffo, Helming, Jordan, Lanza, LaValle, Little, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach, Serino, Seward and Tedisco.

Ayes, 40. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 970, Senate Print 8806, by Senator Gianaris, an act to amend the --

SENATOR ROBACH: Lay it aside, please.

ACTING PRESIDENT BAILEY: The bill will be laid aside.

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

SENATOR GIANARIS: Thank you, Mr. President.

Can we now begin taking up the bills on the controversial calendar, starting with

Calendar 867.

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 867, Senate Print 8666, by Senator Benjamin, an act to amend the Criminal Procedure Law.

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

SENATOR ROBACH: Yes, Mr. President, there's an amendment at the desk. I waive the reading of the amendment and ask that Senator Gallivan be recognized to be heard on the amendment, please.

ACTING PRESIDENT BAILEY: Thank you, Senator Robach.

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

SENATOR ROBACH: Accordingly, I appeal the ruling of the chair, Mr. President, and ask that Senator Gallivan be recognized on the amendment.

ACTING PRESIDENT BAILEY: The appeal has been made and recognized, and Senator

Gallivan may be heard.

SENATOR GALLIVAN: Thank you, Mr. President.

The amendment is germane as it seeks to end the bill-in-chief's continuation of laws and policies enacted in the last year and a half that have favored offenders over the law-abiding New Yorkers and communities that have entrusted us with their safety.

When we see and hear violent criminals walking free only to reoffend time and time again -- when we hear a repeat offender asking "How could they release someone like me? What were they thinking?" -- when we hear cheering when cop killers are released from prison -- when we see looters and arsonists destroying businesses and private properties -- a one-year-old shot dead in the midst of rising violence across the state, more shootings, more killings, more violence, more victimization in our neighborhoods and communities and the bloody faces of police officers who are standing up to protect others -- it's time to stop the madness.

It's time to change direction, it's time for us to do what the Governor calls our

most fundamental responsibility: Protect our people.

In order to protect our people, in order to protect our constituents, our communities, we must protect our protectors. We must protect the very law enforcers that we charge with the responsibility of protecting our loved ones and our communities.

Our amendment does just that. Our law enforcement protection package is designed to better protect law enforcement officers and increase penalties for those who commit crimes against police officers. We increase penalties for assault upon a police officer, we not do not allow hate crimes against a police officer, we make it a felony to commit aggravated harassment against a police officer, making false accusations against a police officer, stalking a police officer. And we make May 15th of each year a state holiday in honor of the more than 1500 police officers killed in the line of duty in New York State.

We do this not just for them, we do it for all of us -- for our families, for our constituents, for our communities -- for the

simple yet most significant reason. If the police aren't safe, we're not safe. Police officers cannot protect us if we cannot protect them.

Law enforcement officers have one of the most difficult jobs in society and often face life and death situations. The vast majority of these men and women are dedicated public servants committed to protecting our communities. This legislation provides additional support to police officers, sheriff's deputies, correction officers and others. And at the same time, it also holds those individuals who target law enforcement officers or interfere with their ability to protect us, it holds them accountable for their actions.

I ask my colleagues in the Majority to help us protect our protectors and our communities by passing this package of bills. And I ask you, Mr. President, for the reasons stated to rule this amendment germane and help us fulfill our most fundamental responsibility, to protect our people.

ACTING PRESIDENT BAILEY: Thank you, Senator Gallivan.

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.")

SENATOR ROBACH: Mr. President, request a show of hands.

ACTING PRESIDENT BAILEY: Without objection, so ordered.

SENATOR GIANARIS: Mr. President, by unanimous consent, we've agreed to waive the showing of hands and record each member of the Minority in the affirmative on this vote.

ACTING PRESIDENT BAILEY: Without objection, so ordered.

Announce the results.

THE SECRETARY: Ayes, 20.

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

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 Benjamin to explain his vote.

SENATOR BENJAMIN: Thank you, Mr. President.

I rise because this bill is so important and at this time as we are talking about Black Lives Matter across the country, it's important to make sure that that is in law.

You know, I'm wearing this mask right now, it's a Black Lives Matter mask that I received in Harlem from Korey Wise. Korey Wise is a member of the Exonerated 5, but he is known to some who remember 1989 as a member of the Central Park 5. And those were five individuals who were wrongly convicted of a crime they didn't commit.

And a few weeks ago he gave me this mask and he said, "Senator, I want you to do something real with it." And I found it interesting that he said that to me, because at that time, you know, we were only able to elbow bump because couldn't hug, but it was such an emotional moment. But I found it interesting

because at that moment we had -- did a couple of Black Lives Matter murals, we did some marches. Juneteenth had occurred. And so I wondered why he said "Do something with it."

And it occurred to me that what he was telling me was the marches and the murals and the symbolic things are great, but if you don't pass real laws that impact black lives, it's not for much.

And so I'm honored to be here today under that spirit to pass a bill that would basically say for anyone who is convicted of a marijuana offense before 1977 -- I'm going to get to the other side's comments in a second -- before 1977, for less than two ounces of marijuana, that your record would be expunged.

A number of these individuals are3 now in their 60s, 70s. Some of them still have an old offense hanging over their head. And oh, by the way, these are law-abiding citizens. I found the language very interesting when Brother Gallivan, who I have a lot of respect for, said that we're tired of laws that favor offenders over law-abiding citizens.

I would submit to him that someone

who might have committed a marijuana offense, whether they had the marijuana in their pocket or it was in public view, small amounts, previous to 1977 -- by the way, I'm 43 years old. I was born in 1976, so that's 40-plus years ago. Those people have reintegrated back into society, are paying their taxes, raising families. I think that they're law-abiding citizens.

And maybe they made a mistake in the 1970s or the 1960s -- or the 1950s, I don't know -- but they deserve a right to be reintegrated back into society and not have these small offenses hanging over their heads, particularly in a time like now where we have so many people who have lost their jobs trying to get back into society, some of them are struggling to make ends meet, and yet you're going to interview for a job and you have an old offense hanging over your head.

So I feel very strongly that bills like this are the kinds of things we should be doing in the Majority.

Now, let me say for a second on the law enforcement piece that the other side has brought up. I believe strongly that there is a

role for law enforcement in public safety. I don't think there's anyone who doesn't believe there's a role for law enforcement in public safety. I think the issue is that that's not the only role in public safety. We have to have a community-based approach where law enforcement is a part of the conversation, but not the only conversation we turn to when there are issues in our community.

And so let's be very clear: Everyone who was arrested for a marijuana conviction before 1977 deserves the right to be a part of society today in a way where they don't have to continuously have hanging over their head a mistake they might have made over 40 years ago. Over 40 years ago.

I am stunned that my colleagues are providing hostile amendments to a bill like this, because don't we say people deserve a second chance? I thought that was part of what we believed in. And I don't know what's so offensive about saying that if someone had been arrested for a marijuana offense over 40-plus years ago and they have been good citizens since, that we can't expunge their

records. So maybe someone could explain it to me, because I'm a little confused.

I believe in providing people with an opportunity to move forward in life, not have petty offenses -- a lot of children, you know, they smoke marijuana, you know. We're going to now say that you're now 67 years old, this is going to hang over your head? I don't think so.

I want to thank you, Mr. Chair, for your earlier bill last year that created the standard that expunged marijuana convictions of all those from 1977 forward. And I'm honored to carry the companion bill that covers those before that period.

So I want to thank our leader, Andrea Stewart-Cousins, for allowing this bill to the floor. I want to thank you for allowing this through committee. And I want to thank my colleagues for listening to my comments.

And to all of those who have had these records hanging over your head for decades and decades and decades, know that the New York State Senate has stepped up to your defense and, when we say Black Lives Matter, these are the kinds of things that we believe in.

Thank you.

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

Senator Akshar to explain his vote.

SENATOR AKSHAR: Mr. President, thank you.

I too have a mask. And I got this mask from a member of law enforcement that was searching for support from elected officials, because he didn't feel like that was happening right now.

And, you know, I listened intently as to what Senator Benjamin was saying. I think it's very clear, Senator, that members of law enforcement are simply seeking an environment in which they can go out and do the job that we have asked them to do, and currently that is not happening.

They want to be provided an opportunity to simply go out and do their job, and rather, quite frankly, than be disparaged and vilified by people in this building and people in City Hall. That is -- that is -- that is happening. That is fact. And we could argue that all day.

And I heard the points that you made. I think they're very valid points. But I rise -- of course I won't be supporting this bill, but I rise to make a very clear point that I too have a mask, and I was given it by somebody who wants to be supported. And quite frankly, part of the conversation that you just had was about law enforcement does in fact play a role. I think we could help law enforcement if in fact people in this building and people at City Hall would at least afford them an opportunity to have a seat at the table and be part of those conversations.

So, Mr. President, while I respect the sponsor of the bill, I'll be voting no.

Thank you.

ACTING PRESIDENT BAILEY:

Senator Akshar to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 867, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Boyle, Funke, Gallivan, Griffo, Helming, Jordan, Lanza, LaValle, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach, Serino, Seward and Tedisco.

Ayes, 41. Nays, 19.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Next, Mr. President, let's take up Calendar 797.

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 797, Senate Print 6502A, by Senator Serrano, an act to amend the Environmental Conservation Law.

SENATOR O'MARA: Mr. President, would the sponsor provide an explanation of this bill.

ACTING PRESIDENT BAILEY: Senator O'Mara is requesting an explanation, Senator Kaminsky.

SENATOR KAMINSKY: Thank you, Mr. President. Although I'm not the sponsor of the bill, I'm standing in for Senator Serrano today.

This bill would ban the use of glyphosate, commonly known in its commercial form as Roundup, on state properties by state

officials.

SENATOR O'MARA: Through you, Mr. President, will the Senator yield for some questions?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: Does the sponsor yield? The sponsor yields.

SENATOR O'MARA: Banning the use of glyphosate, which is the most-used weedkiller -- most effective weedkiller, particularly on invasive species. And the alternatives can result in harsher chemicals being used, requiring manual labor to remove vegetation along highways.

Does the sponsor -- has the sponsor done any studies about what the fiscal impact of this will be to the state of not being able to use glyphosate?

SENATOR KAMINSKY: Through you, Mr. President. There is extensive evidence about the very harmful nature of glyphosate, its impact as a cancer-causing chemical, so much so that its manufacturer settled an $11 billion settlement paying out victims for doing so.

The direct answer to my colleague's question is that we have asked different agencies

to give us their particular costs, and that's been a very elusive number to get at, because of course it depends on what they replace it with.

There are a number of safer organic alternatives, but this bill does give them a year from its signature for them to decide and figure that out. There may be places where they'll need to use one chemical versus another; one may be more expensive, one may be less.

But we also don't have a handle on a different number, and that number is the health impact of this on so many different people. We know if you are around this chemical for a period of time, you can get very sick, perhaps fatally ill. What is the cost of that? What is the cost of the hospital fees associated with that, the medical treatments, the loss of labor, the lawsuits paid out by the state and other actors? That's incalculable.

And I think that we need to start with the position that we don't want to get people sick, we've got to figure out an alternative, we give time to do that. And we think that state lands are a great place to have this take impact.

I know my colleague would strenuously object if this was put on all of the citizens and farmers of the state, and that's not how this is proceeding. This is proceeding to have the state be the responsible steward to figure out how this will work, and that makes a lot of sense to me.

SENATOR O'MARA: Will the sponsor yield for a question?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: Does the sponsor yield? The sponsor yields.

SENATOR O'MARA: Has the sponsor done any scientific reviews of itself, or has New York State itself, DEC or any other agency, done its own independent studies of glyphosate?

SENATOR KAMINSKY: I don't believe the state has done so, but there are myriad studies done in various journals and that are -- for example, the International Agency for Research on Cancer classified glyphosate as a probable human carcinogen in 2015. The U.S. Department of Health and Human Services determined in 2019 that glyphosate is linked to cancer, developmental defects, kidney function

and other adverse health impacts. And of course Roundup itself settled for $11 billion instead of saying, What do you mean, we don't really do anything wrong.

And it should also be noted that California listed glyphosate as a carcinogen in 2018, and a number of public agencies there have also banned its use.

So the direct answer to your question is DEC has not done its own study, but this is not a slender reed to lean upon; there are many very valid studies that call highly into question the continued use of Roundup and very strongly suggest we should be going as far away from it as we can as soon as we can.

SENATOR O'MARA: The IARC --

ACTING PRESIDENT BAILEY: Senator O'Mara, are you on the bill or still asking the sponsor to yield?

SENATOR O'MARA: No, will the sponsor yield for another question.

ACTING PRESIDENT BAILEY: Will the sponsor yield? Does the sponsor yield?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR O'MARA: The IARC, the Committee on Cancer Research, are you aware that that is part of the World Health Organization?

SENATOR KAMINSKY: Yes.

SENATOR O'MARA: And are you aware that the World Health Organization is not a regulatory body?

SENATOR KAMINSKY: Through you, Mr. President. I mean, they may not make rules directly applicable to agencies, but they certainly are the major health organization providing guidance for countries all over the world. So I don't take any less validity from their studies and their report.

SENATOR O'MARA: Through you, Mr. President, if the sponsor will yield for another question.

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: Does the sponsor yield? The sponsor yields.

SENATOR O'MARA: Are you familiar with an IARC committee member by the name of Chris Portier?

SENATOR KAMINSKY: I am not.

SENATOR O'MARA: Are you familiar or are you aware that this Chris Portier, who is a member of the IARC committee, was working with U.S. law firms bringing these lawsuits against producers of glyphosate? Were you aware of that?

SENATOR KAMINSKY: Through you, Mr. President, I am not aware of that. But I want to make clear that today's bill is not depending upon any one particular study, any one particular report.

This has been tested for a very long time. I don't think it is fair to say, nor would I subscribe for a minute to a conspiracy theory that somebody on a particular board was able to weasel in and get a particular result from a particular study and therefore the State of New York should no longer use Roundup on its land.

There have been a lot of people for a long time who have been getting sick as a result of that -- so much so that the company itself is giving them $11 billion. So much so that the State of California took action. So much so that there have been, you know, many other studies over time.

So I do not think that one particular member who may have or may not have had a conflict on a particular study calls today's bill into question.

SENATOR O'MARA: Will the sponsor yield?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: Does the sponsor yield? The sponsor yields.

SENATOR O'MARA: Would it surprise you to learn that this Chris Portier, at the time the World Health Organization came out with its findings, was already working with U.S. law firms and later he served as an expert witness in those lawsuits?

SENATOR KAMINSKY: I would be surprised.

SENATOR O'MARA: Well, would that give you rise and cause for concern on the accuracy of those findings by the World Health Organization?

SENATOR KAMINSKY: Mr. President, not having seen this or being able to look into this, I'm not sure.

I know -- I know right now, just

speaking generally, I think there are a lot of conspiracy theories going around trying to undermine public health organizations and what they say Americans and citizens around the world should do to protect their health. And I think it's very deleterious, and we should be doing our best to listen to our public health authorities, but I cannot draw that conclusion.

SENATOR O'MARA: Will the sponsor yield for a question?

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: Would you put more reliance on the World Health Organization or on the National Cancer Institute here in America?

SENATOR KAMINSKY: I can't answer that question in a vacuum. I need to evaluate both of their studies and the claims made and ask independent researchers.

But I know that in a 2018 agricultural study that I think you're referring to is what -- is what you're referring to. But I

do want to point out that that same 2018 agricultural study did find an increased risk between leukemia and glyphosate exposure, non-Hodgkin's lymphoma. So if you are referring to that report itself, I think that provides the very evidence for the spirit behind this legislation.

SENATOR O'MARA: Well, referring -- through you, Mr. President.

ACTING PRESIDENT BAILEY: Are you asking the sponsor to yield, Senator O'Mara?

SENATOR O'MARA: If the sponsor will yield, Mr. President.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: In that study published in the Journal of the National Cancer Institute, entitled "Glyphosate Use and Cancer Incidence in the Agricultural Health Study," in 2018, three years after the World Health Organization came out with their baseless findings, they note in this that "A previous

evaluation in the Agricultural Health Study, with follow-up through 2001, found no statistically significant associations with glyphosate use and cancer at any site."

They continue to describe the methods and the results that they had, and their conclusion states: "In this large prospective cohort study, no association was apparent between glyphosate and any solid tumors or lymphoid malignancies overall."

Are you aware of that report?

SENATOR KAMINSKY: Through you, Mr. President. I am aware of that report.

And I do want to point out those same results say the following: "However, among applicators in the highest-exposure quartile, there was an increased risk of acute myeloid leukemia," which I think should be disturbing to all of us.

SENATOR O'MARA: In this legislation it bans the use of glyphosate on any state lands?

SENATOR KAMINSKY: Uh --

ACTING PRESIDENT BAILEY: One second. Senator O'Mara --

SENATOR O'MARA: Will the sponsor yield?

ACTING PRESIDENT BAILEY: Does the sponsor yield? Just -- does the sponsor yield?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR KAMINSKY: I can answer that, Mr. President.

The state-owned properties do not include easements.

SENATOR O'MARA: Do not include conservation easements?

SENATOR KAMINSKY: Correct.

SENATOR O'MARA: Is that what you mean?

SENATOR KAMINSKY: Through you, Mr. President, correct.

SENATOR O'MARA: Through you, Mr. President, will the sponsor yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: Does it apply to state-owned forestland that is managed by private companies?

SENATOR KAMINSKY: Through you, Mr. President, only if the state is performing the application, or its subcontractors or contractors are performing the application.

SENATOR O'MARA: Through you, Mr. President.

ACTING PRESIDENT BAILEY: Does the sponsor yield for a question?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: So on state forestland, then, that may be managed or leased by a lumber company, timber company, they can continue to use glyphosate on those state lands?

SENATOR KAMINSKY: Through you, Mr. President, in that scenario, yes. As long as they were not contracted by the state to be the pesticide applicator at that property.

SENATOR O'MARA: Through you, Mr. President --

ACTING PRESIDENT BAILEY: Does the

sponsor yield for a question?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: Can you direct me in the legislation where that is spelled out?

SENATOR KAMINSKY: Through you, Mr. President, just one moment.

Through you, Mr. President. Does the colleague have in front of him the bill? I refer him to Section 1, lines 3 through 5, where it specifically says -- references the language of "applicator employed thereby" or "contractor."

SENATOR O'MARA: But it doesn't specify -- through you, Mr. President.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: It does not specify or make clear that a private entity doing forest management on state land can use -- continue to use glyphosate.

SENATOR KAMINSKY: Through you,

Mr. President, I believe it makes it pretty clear. It says "a contractor or subcontractor," which would by definition be private, and it --

SENATOR O'MARA: Through you, Mr. President.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields for a question.

SENATOR O'MARA: Will this bill preclude the use of glyphosate on SUNY campuses?

SENATOR KAMINSKY: Through you, Mr. President. If SUNY employees are using Roundup, yes, it would.

SENATOR O'MARA: Through you, Mr. President.

ACTING PRESIDENT BAILEY: Will the sponsor yield for a question?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: Has the sponsor received any input from SUNY, particularly the agricultural schools -- Cornell College of Ag and

Life Sciences, Morrisville, Cobleskill, or Alfred -- on their input with regard to banning glyphosate on their campuses in their agricultural activities?

SENATOR KAMINSKY: Mr. President, no.

SENATOR O'MARA: Through you, Mr. President.

ACTING PRESIDENT BAILEY: Does the sponsor yield for a question?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: Would it -- since you don't know that, would it surprise you to know that the farm manager of SUNY Morrisville desires to continue the use of glyphosate in its agricultural activities and states that "It would force us to use more dangerous chemistries for weed control, and in some case lose crop yields if we cannot spray them"?

SENATOR KAMINSKY: Yes, that would surprise me.

SENATOR O'MARA: Yet the sponsor of this explanation didn't bother to reach out and

ask SUNY what their position was on this.

ACTING PRESIDENT BAILEY: Through you, Mr. President, is that a -- excuse me. Through you, Mr. President.

Senator O'Mara, is that a question or a rhetorical statement? Are you asking the sponsor to yield?

SENATOR O'MARA: I'm asking the sponsor to yield for a question.

ACTING PRESIDENT BAILEY: Will the sponsor yield for a question?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: So the sponsor in the Senate has not asked SUNY for their input, the agricultural schools, on this legislation.

SENATOR KAMINSKY: Through you, Mr. President. My understanding, speaking through Senate Majority staff -- obviously I'm not the sponsor of the bill -- is that those conversations did not take place.

SENATOR O'MARA: Those conversations did not take place?

SENATOR KAMINSKY: Correct, did not

take place.

SENATOR O'MARA: Through you, Mr. President.

ACTING PRESIDENT BAILEY: Will the sponsor yield for a question?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: What about situations of farmland that may be state land leased by a farmer and conducting farming activities? Can they continue to use glyphosate?

SENATOR KAMINSKY: Through you, Mr. President, yes, they can.

SENATOR O'MARA: And as -- through you, Mr. President.

SENATOR KAMINSKY: I yield.

SENATOR O'MARA: Is that specified in the legislation?

SENATOR KAMINSKY: Through you, Mr. President, I think we could continue to have the same back and forth. But yes, I believe that the language that we referenced previously makes that clear, and I'm making it clear now as well.

SENATOR O'MARA: Through you,

Mr. President, could I ask him a question?

ACTING PRESIDENT BAILEY: Are you asking the sponsor to yield?

SENATOR O'MARA: Yes.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: Are you familiar with a Bloomberg Law Environment and Energy Report entitled "Invasive Weed Creep Spurs Concern over Roundup Bans," from February of 2019?

SENATOR KAMINSKY: Through you, Mr. President, no, specifically I am not.

SENATOR O'MARA: Through you, Mr. President, if the sponsor will yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: Is the sponsor aware that cited in that article, and quoted, is

a Brendan Quirion, an invasive species specialist with The Nature Conservancy, the largest conservancy advocacy group in the world, who says that "As it stands, glyphosate is really the best tool we have for fighting invasive plants"?

Then he goes on to further say: "I think we need to fully consider both the ecological and societal impacts of not having this tool."

Are you familiar with The Nature Conservancy's position on this?

SENATOR KAMINSKY: Through you, Mr. President, I am.

I know that this does not apply to The Nature Conservancy.

And I think that we should all be doing our best to find safer alternatives. I think this gives us the time to do that. I think the state is a great place to begin the hard work of doing that.

I have no doubt that Roundup is highly effective. I have no doubt it's much easier for people to use. I have no doubt it will change the way that farmers, groundskeepers, all types of stewards of our land who are

responsible for getting rid of invasive species and killing weeds and protecting dams and doing many things want to use.

But the evidence that it likely causes cancer should make us all pivot and want to use other materials that are less toxic, hopefully less expensive, and we've got to be moving in that direction.

So I have no doubt that this should cause concern, but there should also be a lot of concern that the study that you cite says it causes leukemia. Right? I mean --

SENATOR O'MARA: It says there is some evidence. It doesn't conclude that it causes cancer.

SENATOR KAMINSKY: Okay. But I just want us to pause for a minute and step back a little bit and say, Oh, my gosh, something is linked to leukemia. Maybe we should run away from it as fast as we can, because leukemia is awful and we want to do our best to protect public health. And think of all the people out there who don't have the option whether or not to be exposed to this chemical. Right? For every person who sprays it, there are other people who

walk around it, who breathe it, who play ball in those fields, who run through those fields as children.

So I'd like to think that we could take progressive steps to get at those same problems. No one is saying that invasive species is something to sneeze at. It's a very big problem in our state. And we are taking action to deal with it. And no one is saying that having the state spend an extra million here, a million there is not a problem, especially now. These are all issues.

But we've got to be able to walk and chew gum at the same time, as Mr. President likes to say. We have to be able to use chemicals that do the trick without harming human health, and that's what this is all about today.

SENATOR O'MARA: Through you, Mr. President, will the sponsor yield?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: Does the sponsor yield? The sponsor yields for a question.

SENATOR O'MARA: Senator, are you aware of the U.S. Environmental Protection

Agency's findings on the use of glyphosate?

SENATOR KAMINSKY: Yes, Mr. President.

SENATOR O'MARA: Through you, Mr. President.

ACTING PRESIDENT BAILEY: Will the sponsor yield for a question?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: Are you aware that in January of 2020 that the EPA determined that the most widely used weedkiller in the United States is not a carcinogen and, further, that the EPA has concluded there are no risks of concern to human health when glyphosate is used according to the label and that it is not a carcinogen?

And this was directly reaffirming a 2018 study, the -- the -- I believe from the one we referenced earlier, from the Agricultural Health Study, and references and took into consideration this World Health Organization finding. Are you aware of the EPA's position?

SENATOR KAMINSKY: Through you,

Mr. President, this is an EPA that at best, at best is silently complicit in the poisoning of millions of Americans already at this time. That's done nothing to ban toxic chemicals, that lets lobbyists into their midst at any time.

The memos for this particular study show that Monsanto was involved in influencing it. This is an EPA that doesn't believe in fighting global warming, an EPA that hasn't banned a dangerous chemical, many that have been studied for a long time.

I place no weight in this EPA's response to this. I think it's really sad that Americans who are counting on the government to protect them have no protection from this administration.

SENATOR O'MARA: Through you, Mr. President, will the sponsor yield?

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields for a question.

SENATOR O'MARA: Are you familiar with a report of the California County of Ventura

from October of 2019 regarding the potential ban of glyphosate in California?

SENATOR KAMINSKY: Not specifically. Through you, Mr. President, not specifically.

SENATOR O'MARA: Are you familiar -- through you, Mr. President, if the sponsor will yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: Are you familiar with a study by the University of Massachusetts that's referenced in the County of Ventura report that using glyphosate to control weeds along roads costs about $20 per mile, and found that other alternatives varied in cost from $120 per mile to $4,000 per mile to do weed eradication?

SENATOR KAMINSKY: I have seen similar studies. There's also a new treatment called Milestone that has been found to have been safe and effective.

I do think, though, there will have

to be some readjustment and more creative thinking and more collaboration in order to find safer alternatives that are as effective and as cheap. But that is why the effective date on this bill does not take place for another year.

And other California agencies have reached a different conclusion. Many have banned this. The state itself lists this as a known carcinogen.

So I don't -- I don't undercut your argument, Senator, that this is seen as inconvenient and costly at first, but I believe that's the reaction many times when change presents itself. And I think we have to do better and we can find better things that are at the same cost.

SENATOR O'MARA: Through you, Mr. President, will the sponsor yield?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: Will the sponsor yield? The sponsor agrees to yield.

SENATOR O'MARA: This County of Ventura study further goes on to estimate that the manual removal of weeds would be 30 to 40 times more expensive to eradicate weeds along

the roads.

Has the sponsor done any cost-benefit analysis of this legislation on what the impact to the State of New York and its taxpayers will be?

SENATOR KAMINSKY: Through you, Mr. President, that was the first question that the Senator asked previously: Have you done a study, what is this going to cost the state?

As I said before, it's a moving target and it's impossible to do because the state would have to know what it's replacing its Roundup with, in how many instances, and whether they're the same or different agencies are going to do different things.

So I think this bill will really force the state to take a hard look at what it's doing, to find the safest alternative. And at that point we believe that the state certainly will not be at an exorbitant expense to get safer product.

And as I said previously, the cost of the state giving people leukemia is also something that's incalculable, that also costs a lot, through insurance, through hospital costs,

through loss of productivity and all the other terrible things that come with a family member stricken with cancer, which should cause everyone great alarm.

So I do not have a direct answer to your question. I understand what you are saying very clearly. This is not meant to cause the state to have -- to take on a burden it cannot undertake. But we believe that there are safe alternatives and that it can manage to do this.

SENATOR O'MARA: Through you, Mr. President, will the sponsor yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: Are you familiar with the study and report that Health Canada did, I believe in 2018, regarding glyphosate?

SENATOR KAMINSKY: No. Through you, Mr. President, no.

SENATOR O'MARA: Through you, Mr. President, will the sponsor yield.

ACTING PRESIDENT BAILEY: Will the

sponsor yield?

SENATOR KAMINSKY: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields for a question.

SENATOR O'MARA: So then I assume, then, the sponsor is not aware that Health Canada determined in that study that no pesticide regulatory authority in the world currently considers glyphosate to be a cancer risk to humans at the levels at which humans are currently exposed.

SENATOR KAMINSKY: Through you, Mr. President, I don't know what Health Canada is. I just know that's blatantly false. I mean, we've already named organizations that have said the opposite here today.

SENATOR O'MARA: On the bill, Mr. President.

ACTING PRESIDENT BAILEY: Senator O'Mara on the bill.

SENATOR O'MARA: Mr. President, I would urge a no vote on this bill. It is not well thought out of what the cost benefits are of this legislation, what it will be to the state, what detriment it will have to our SUNY

agricultural colleges. It's not clear from the language of the legislation what the impact will be to state lands being forested or farmlands being farmed, other than the sponsor saying that it won't apply.

The World Health Organization, who has done such a bang-up job with coronavirus, is the only entity that comes up saying it's a probable carcinogen, when no other regulatory agency in the world has found that glyphosate is a carcinogen.

The findings of the IARC of the World Health Organization are replete with a conflict of interest when a member of that committee was working for and in conjunction with lawsuits bringing litigation against manufacturers of glyphosate.

The World Health Organization looked only at data -- it didn't do its own study -- and made a conclusion in one week.

The World Health Organization report was published in March of 2015. After that report came out, which involved this Chris Portier who was working for plaintiff's law firms there, it was within six months of that report

that plaintiff's law firms, ambulance chasers started running advertisements about bringing lawsuits against the producers of glyphosate. A clear conflict. And that individual also worked as an expert witness at those cases.

The Agricultural Health Study from 2018: No statistically significant associations with glyphosate use and cancer at any site. It's reported in the Journal of the National Cancer Institute.

The EPA has looked at glyphosate for over 40 years. In January of this year, they reaffirmed their decision and their findings that glyphosate, the most widely used weedkiller in the United States, is not a carcinogen. That the EPA has concluded that there are no risks of concern to human health when glyphosate is used according to the label, and that it is not a carcinogen.

The Health Canada, as I referenced earlier, is quoted as saying "Our scientists left no stone unturned in conducting this review. They had access to all relevant data and information from federal and provincial governments, international regulatory agencies,

published scientific reports, and from multiple pesticide manufacturers." Health Canada utilized a group of 20 of its own scientists, who were not involved in their prior 2017 findings, which reevaluated the concerns over glyphosate and found that "No pesticide regulatory authority in the world currently considers glyphosate to be a cancer risk to humans at the levels at which humans are currently exposed."

The Nature Conservancy, a leading organization to protect the environment, is very concerned about this because it is the most effective and sometimes only effective chemical to kill invasive species that are killing our native species, outperforming them, and that are downright dangerous to treat any other way. Giant hogweed, for example, causes burns to the skin if you come in contact with it. Very significant. Without glyphosate, our highway departments, our road crews will not be able to kill these plants and other invasive species that are invading our environment at a rapid pace.

And as I said, Brendan Quirion, an invasive species specialist with The Nature Conservancy, says "Glyphosate is really the best

tool we have for fighting invasive plants, and I think we need to fully consider both the ecological and societal impacts of not having this tool."

SUNY Morrisville that I mentioned, I have an email from a Shawn Bossard, the farm manager of the dairy complex at SUNY Morrisville Agricultural College. "The Roundup ban on state property could have real adverse effects for our ag school. I really don't know if the research farm properties that Cornell owns are state-owned or not, but that could eliminate any research utilizing Roundup."

Yes, Cornell Agriculture and Life Sciences property is state-owned.

He's also concerned because SUNY Morrisville farms land owned by the state. He states that "Roundup, glyphosate, is one of our key chemistries for weed control." That they feel -- that he feels that the school will still need to be able to utilize the glyphosate for weed control and for crop protection.

It's clear that this sponsor of this legislation failed to do any investigation, any scientific review, any cost-benefit analysis of

what this is going to cost us.

I would further note that with these plaintiff's law firms ratcheting up all these cases, that there were two -- two plaintiff's attorneys that started these litigations that were indicted and convicted with a guilty plea of federal extortion charges, trying to extort chemical companies into settlements, demanding over $200 million from the manufacturer. These plaintiff's attorneys pled guilty. These plaintiff's attorneys that were emboldened by a World Health Organization report that is rife with conflicts of interest and should not be relied upon.

I strongly urge a no vote on this legislation. Thank you, Mr. Speaker -- Mr. President.

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

Senator Kaminsky on the bill.

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

I just want to say a few things.

First is I do -- now that I'm standing in his stead, I do want to thank Senator

Serrano for his earnest and hard work on this important piece of legislation, as well as Senator Hoylman for his work on this legislation as well.

I don't want to go tit for tat on the studies. I think the literature is out there and certainly undergirds this legislation. But I do think it is worth addressing something that should trouble us all in this time, and that is the attack on public health authorities that's taking place. And it is always very easy to find a board member whose cousin's sister has a conflict on something, and so we shouldn't trust the people giving us health information.

That's why we're in the mess we're in with coronavirus. Because when authorities speak, people don't listen and say, Aw, they're probably one of them, they're probably on the other side, they're probably connected with the people I don't like, they're probably part of a cabal that's against people like me.

That is dangerous. I always pride ourselves on being a society that checks authority. I'm glad we're not a society that when the leader says jump, we all say how high.

But the other extreme is really dangerous too, where people don't believe in wearing masks and people think Dr. Fauci's part of a cabal and people think that a board member on the World Health Organization concocted a study showing that glyphosate is connected to cancer.

We have to do better than that. It's -- to trudge these things out of the dark corners of the internet and put them on the floor of the Senate is a dangerous precedent, and it's happening from Washington to Albany, and we cannot let it affect our public health judgments.

My colleague's comments on the cost, on the impact on invasive species, on what this means for our state are all meaningful and important, and I think we should keep the debate to that and people should vote accordingly.

But when we all have to come together as a society to protect one another's health, whether in a long-term study or a short-term crisis like we're in now, it's very important we let the authorities do their work, that we trust the people with medical degrees who we've put in positions of power, and we all come together to support one another.

And on this particular bill, thanks to the work of Senator Serrano, Senator Hoylman, and the Majority Leader, I vote in the affirmative. Thank you.

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

SENATOR O'MARA: If I want to explain my vote, is that now or --

ACTING PRESIDENT BAILEY: After -- after -- you will get an opportunity to explain your vote, Senator O'Mara.

Seeing and hearing none, debate is closed. The Secretary will ring the bell.

Read the last section.

THE SECRETARY: Section 2. This act shall take effect December 31, 2021.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator O'Mara to explain his vote.

SENATOR O'MARA: Yes, thank you, Mr. President.

One item that I left out of my remarks on the bill was that on June 22nd of this

year, a California judge ruled it would be misleading to list glyphosate as known to cause cancer to the State of California. Notwithstanding the IARC's -- the committee of the World Health Organization's determination that glyphosate is a probable carcinogen, the statement that glyphosate is known to the State of California to cause cancer is misleading, the judge wrote. "Every regulator of which the court is aware, with the sole exception of the IARC of the World Health Organization, has found that glyphosate does not cause cancer or that there is insufficient evidence to show that it does."

I'll be voting in the negative.

ACTING PRESIDENT BAILEY: Senator O'Mara to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar Number 797, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, Little, O'Mara, Ortt, Ranzenhofer, Ritchie, Serino and Tedisco.

Ayes, 45. Nays, 15.

ACTING PRESIDENT BAILEY: The bill

is passed.

SENATOR GIANARIS: Mr. President, can we now take up Calendar Number 869.

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 869, Assembly Print Number 6679C, by Assemblymember Ryan, an act to amend the Public Service Law.

ACTING PRESIDENT BAILEY: Senator Borrello.

SENATOR BORRELLO: On the bill, Mr. President.

ACTING PRESIDENT BAILEY: Senator Borrello on the bill.

SENATOR BORRELLO: First of all, let me say that broadband is a critically important issue right now, Mr. President, particularly in rural upstate New York. And I'm glad -- because I am a sponsor of this bill -- I am glad that there is finally something being done to address what could only be considered a fiasco when it comes to the broadband access projects that are being delayed and even canceled

across the state.

So with that being said, I would like to ask the sponsor some questions in a friendly manner, if you will -- because I am, again, a sponsor on this bill. But I do have some questions, so will the sponsor yield?

ACTING PRESIDENT BAILEY: To be clear, you're not on the bill anymore, you're asking the sponsor to yield?

SENATOR BORRELLO: Excuse me, yes. Yes, sir.

ACTING PRESIDENT BAILEY: Will the sponsor yield to a question?

SENATOR METZGER: Yes, I will.

ACTING PRESIDENT BAILEY: Senator Metzger yields.

SENATOR METZGER: And by the way, thank you for cosponsoring my bill.

(Laughter.)

SENATOR BORRELLO: Thank you.

Through you, Mr. President, in the previous two budgets, was there any additional funding added in those budgets for broadband?

SENATOR METZGER: No, there has not been. But I would certainly love to see

additional funding added to the budget.

SENATOR BORRELLO: Thank you, Mr. President. Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield to another question?

SENATOR METZGER: Yes, I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: In those budgets, was there anything included in those budgets that may have increased the costs of broadband projects in these last two budgets?

SENATOR METZGER: So there was a provision of a bill -- of the budget passed in 2019 that placed a fee for the right of way. So yes.

SENATOR BORRELLO: Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Borrello on the bill.

SENATOR BORRELLO: So that's -- yes, that's correct. And unfortunately, this has been a terrible impediment to the expansion of broadband.

In 2018, this same tax -- you can call it a fee, you can call it a tax -- was proposed. And when the Republicans controlled this house, it was defeated.

However, in 2019, when the one-party rule that we have, that fee has now been imposed. And it has already started to cause damage to the broadband access and broadband projects across the state.

I've spoken to many of the providers. Number one, they have been plagued with what I can only view as extortion, because of the money that's involved from the state for things like accessing lines. Because once this tax was imposed, the cost to run lines underground was much higher than putting the broadband fiber optic cable on poles.

So many -- and this is my opinion -- many of these -- of the utility companies that own the poles decided they were going to jack up the rates to run fiber optic cable on these poles, in some cases going from $2500 per pole to $25,000, so that they could get their access to that fee that we imposed last year. Not me, I wasn't here.

Also, in addition to that, there has been a major project in the North Country, which is a huge challenge right now with broadband access, that has now been canceled. According to the Albany Times Union, the carrier in the North Country has abandoned the project after determining that that tax would add a monthly cost of $21.66 per customer, a tax that cannot be passed along to the customer -- which is a nice idea, except for the fact that it now has killed projects and will continue to kill projects.

This fee, as a matter of fact, is going to represent, on average, an approximately 60 percent increase in the construction costs. In fact, most of the providers would have to scale back their projects by as much as 75 percent. That means a lot less people are going to be getting access to it.

The cost of this tax is actually more than what it cost to lay the fiber optic cables and run the fiber optic cables. So we're going to spend time to do a study, which I'm in favor of. However, this tax is one of the biggest impediments that we have to the expansion of our broadband.

Mr. President, will the sponsor yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield for a question?

SENATOR METZGER: Yes. To a question.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Thank you.

You know, the Governor claims that New York has universal access to broadband. Do you think the New York broadband initiative has met its goals?

SENATOR METZGER: Mr. President, I -- we have made significant progress in New York, but I am sponsoring this legislation because I do not believe that New York State has met its goals. I have many -- it's probably the number-one complaint by constituents in my district, the lack of access to broadband. And this is -- this is why we need this bill.

A big -- one of the biggest impediments, I would say, is not this tax, although there is a bill, I want to point out, by Senator Kennedy that would address that very

topic, which I think is very important.

But the fact is that we don't have, in New York State, accurate information about who does and does not have broadband, about the speeds that people have access to to support very common uses. And the affordability issue is huge as well. Many people simply can't afford it. But we don't have transparency from the company on the costs.

So all of these issues need to be looked at, they need to be mapped. What is so -- one of the additional and very important provisions of this bill is that it makes this information public, it brings needed transparency and accountability to this issue. It's a necessary step to closing the urban/rural divide on broadband, the rich/poor gap on broadband as well.

SENATOR BORRELLO: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield for a question?

SENATOR METZGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So does that mean that we should also expect transparency from the Cuomo administration on what's actually going on with these projects?

And, by the way, with the serious flaws in the data that he's presenting. Because according to the FCC, they kind of agree with this 98 percent coverage. However, there's a major flaw in that, because it is based on census tracts. And in rural areas, if one person has access to broadband, that entire census tract is actually considered to be served.

However, according to Microsoft -- and we know that the president {sic} is fond of the founder of Microsoft, Mr. Gates. According to Microsoft's data, only 54.6 percent of New Yorkers actually have broadband. So the Governor is, you know, ready to spike the football in the end zone, but he actually has barely crossed the 50-yard line on this.

So would the sponsor agree that we need complete transparency from the Cuomo administration on the fiasco that is this current broadband initiative?

SENATOR METZGER: So,

Mr. President, once again I am in agreement broadly with the Senator and so thrilled that he is a cosponsor of this bill.

I specifically added a provision to this bill to make sure that data is collected below the census block level precisely because the census block data collected by the FCC -- which is what the state used for its Broadband for All initiative, is flawed and it does not count. It overlooks many people that do not have access.

You know, this was recognized in August 2019 with the new FCC order. They're going to change the data collection. But there's still a lot of uncertainty about when they're going to do this, about what their approach is going to be. And we can't wait, we cannot wait to address this issue. We as a state need to take action and find out this information for New York State now.

SENATOR BORRELLO: Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Borrello on the bill.

SENATOR BORRELLO: Mr. President, I

agree with my cosponsor, we cannot wait. Unfortunately, this is going to take a year to get this information.

Right now our farms in New York State, 25 percent of them do not have access to broadband. One in four do not have access. And many of those that do have access at extremely slow speeds, like satellite and even dial-up -- which, believe it or not, is still out there in rural New York State.

So we need to move quickly on this study. But more importantly, we have to recognize the fact that the biggest impediment right now to expanding broadband for those projects that are already out there is this tax. It needs to be repealed.

And I appreciate the sponsor on this; that's why I'm a cosponsor. But the bottom line is the rhetoric of the Senate Majority doesn't match their actions. They claim to support farmers, and yet they passed the devastating farm labor bill. They claim to support broadband access for everyone, but they passed this very oppressive tax that is killing projects across New York State. This will

reduce the number of people that can be served.

Yes, let's do this study. Let's find out. But over the next year, when we have the crisis of COVID, when we have children that are going to be learning from home -- many of which in upstate New York have no access to the internet. I've heard stories of parents having to take their kids to McDonald's just to do their homework -- when we have farmers that are struggling because of COVID that do not have access to broadband, and when we're going to spend the next year doing this study -- when, right now, we can repeal this tax that will immediately start bringing more broadband access as these projects continue to move forward, and the numbers will work better so that more and more people can have access.

It's time to repeal this tax. I thank the sponsor for this bill, I appreciate where we are going, but to me it's a parallel path, Mr. President. We have to repeal this tax, especially right now during this COVID crisis where so many people are working from home, children are learning from home, and we must in fact move along as quickly as possible.

Thank you.

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

Seeing and hearing none, debate is closed, and the Secretary will ring the bell.

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: Senator Metzger to explain her vote.

SENATOR METZGER: Thank you, Mr. President.

Access to the internet is a fundamental necessity in today's world. It's fundamental to getting and keeping a job. It's fundamental to educational opportunity. It's fundamental to access to healthcare, to telehealth services, to social connection, to daily life.

We've made great strides in New York in expanding access over the years, but too many

households still go without.

I have constituents who drive many miles to a Dunkin' Donuts to take advantage of free wifi to study or do their work or go and sit in a parking lot in a library to take advantage of the wifi in the library. I have other constituents who cobble together hotspots and satellite service at a cost of something like $500 a month. I have school districts in my district where up to 20 percent of the kids don't have internet service at home. These kids are deprived of the learning opportunities that are enjoyed by their suburban counterparts.

The pandemic has magnified the impacts of existing inequalities in access. Telemedicine, telecommuting and virtual classrooms are next to impossible for too many households. If we want to ensure equal opportunity in today's world and close the urban/rural and rich/poor gaps, then we need to make sure that every single New Yorker has affordable access to broadband.

This legislation rightly recognizes high-speed internet as essential to our economic and social well-being and to public safety. We

need this legislation. We do not have a clear understanding of who is and who is not connected and how many New Yorkers actually have broadband at speeds that can support common uses for work, for school, for daily living. I know that many of my constituents do not, just judging by the number of calls I get. We also do not know how many -- what the costs are and what the affordability issue is.

With this legislation the Public Service Commission will not only undertake the needed study to provide this information, but will make it publicly available, bringing much-needed transparency and accountability to the practices of internet service providers. This is absolutely vital to closing the broadband gap and addressing the inequalities it perpetuates.

Thank you to my colleagues on both sides of the aisle for their cosponsorship, and to Majority Leader Andrea Stewart-Cousins for her leadership on this issue.

Finally, I want to give a huge thank you to Communication Workers of America for championing this issue and for this legislation.

Thank you, Mr. President. I vote aye.

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

Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Mr. President.

Broadband access in rural America is as important as the electrification of rural America was more than a century ago. We have moved forward in many ways, but now we need to accelerate this. And while this study is critically important, the anchor that is weighing us down is this new tax.

I've spoken to many that are the producers of broadband that are running fiber optic cables that are saying they cannot do this with this tax. So on one hand we have celebrated the money that was allocated from the taxpayers, only to claw it back over here with the tax.

So I support this bill, I'm voting aye. But the next thing we need to do is to repeal this oppressive tax on broadband service. It is critically important to everyone across the

state.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 869, voting in the negative: Senator Ortt.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, can we now take up Calendar 859, please.

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 859, Senate Print 8451A, by Senator Kaplan, an act authorizing the Empire State Development Corporation to develop a public awareness campaign promoting personal protective clothing and equipment.

ACTING PRESIDENT BAILEY: Senator Borrello.

SENATOR BORRELLO: Mr. President, would the sponsor yield for some questions.

ACTING PRESIDENT BAILEY: Will the sponsor yield for some questions?

SENATOR KAPLAN: Yes, Mr. President.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Mr. President, I think it's laudable to try to promote a Buy New York program, especially when it comes to PPE. My concern is the fact that we are asking ESD, which is already strained, to provide this.

So my first question for the sponsor is, what is the fiscal impact of this bill?

SENATOR KAPLAN: Mr. President, through you, the fiscal impact should be very minimal. This is basically just asking ESD to -- that already has the infrastructure in place -- to create the directory. And there is sufficient funds in there for them to be able to do this.

SENATOR BORRELLO: Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KAPLAN: Yes, Mr. President.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: As a former marketing executive myself, I can tell you that what's critically important when you're going to put forth a marketing campaign is a budget.

So was there any additional funding for this because of the fact that we spent, for example, $300 million plus on the START-UP NY program to promote that? Right now we are in a fiscal crisis, so was any additional funding provided so that ESD could move forward effectively with this program?

SENATOR KAPLAN: Mr. President, there is no additional funding. This is basically a directory that is going to be put on.

SENATOR BORRELLO: Okay. Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Does the sponsor yield for a question?

SENATOR KAPLAN: Yes.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR BORRELLO: Thank you, Mr. President. Through you, Mr. President.

Does the sponsor or anyone know what the status of the consolidated funding applications will be through ESD over this year? Are we going to have them?

SENATOR KAPLAN: I'm sorry, can you please -- Mr. President, can he repeat the question?

SENATOR BORRELLO: I'm sorry, I'll speak -- if it's okay, I'll speak toward you.

ACTING PRESIDENT BAILEY: Yes.

SENATOR BORRELLO: Do you know what the status of the consolidated funding applications is, the CFAs, this year through ESD?

SENATOR KAPLAN: -- pulled the information on that, but I don't believe this has anything to do with the CFA.

SENATOR BORRELLO: Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Borrello on the bill.

SENATOR BORRELLO: Well, I do think it has a lot to do, because the CFA program is

critically important. And every dollar that we have right now at ESD is critically important because our local governments continue to suffer under this COVID crisis.

And the hardworking men and women of the Empire State Development, who I have worked with closely, both when I was a county executive and now continuing on in my role as a Senator, I've been working diligently to try and answer questions from across the state on the daily changes to the Governor's reopening plan.

During this shutdown and this crisis that we're currently facing, our economy has been incredibly damaged. Businesses, especially small businesses, have been incredibly damaged by this, and yet we are now going to divert some of their attention and energies away from trying to support those businesses -- which I believe they've done an outstanding job of -- in order for them to promote this study. I don't disagree -- or, excuse me, not study, with this program.

I don't disagree that we should try to promote "made in New York" for PPE. However, it's critically important, I believe, that there

is proper funding for this, because we are going to have to divert people away from this at ESD. I have seen this myself every day as we've done constituent services. The people that are working at the ESD offices have been distracted from their mission of trying to provide economic development support and stimulus in order to address the daily changes out of the Governor's office to our restarting plans.

So really, this is something where this cost that could normally be used for other projects is not just in the dollars and cents, but in the actual people that we have at ESD that are already, I think, hanging on by a thread -- and doing a fantastic job, but still hanging on by a thread.

So while local government revenues and states revenues have been strained, this project needs to have some money behind it. And quite frankly, the Governor has some expansive powers. And even during this crisis, he's been spending money on lots of things that are in my opinion quite unnecessary -- like trips to other states, for example.

So why not take some of that money

and divert it to supporting this very worthwhile project of being able to promote "made in New York" PPE plants? That's my concern. It's not this particular initiative; it's laudable. It's a laudable goal. It's the fact that -- and again, as a former marketing official, having something that goes out on a campaign that isn't properly funded and without the proper due diligence is going to be destined for failure, which is what we saw with the START-UP NY program. So I think the Governor needs to divert some money and some attention to this program. And this program itself, by itself, is an incomplete bill, in my opinion.

However, I will still be supporting it. And I want to thank the sponsor very much for taking some questions on this today, thank you.

SENATOR KAPLAN: Thank you.

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.

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 Kaplan to explain her vote.

SENATOR KAPLAN: Thank you, Mr. President.

As our state recovers from this pandemic, we need to do more to ensure our economy is resilient. We also need to take steps to ensure we are better prepared to meet the needs of our residents and our businesses if we have another surge in new COVID cases.

Back in March we learned how reliant our entire country is on manufacturing in China. Don't you think we should be making things like that PPE right here in New York State so that we can create good-paying jobs and not be forced into an international bidding war for China-made goods?

This bill is a first step to encourage new businesses to form here in the State of New York and to help existing businesses to rebound from this crisis, while also helping

the recovery effort.

Governor Cuomo has instituted important new programs that help our existing manufacturers to retool and begin manufacturing PPE, and it is important to get the word out about it. There are many small businesses who could benefit from these programs. And if they don't know about them, how could they benefit from them?

We want to make sure that our small businesses are getting all the help that they need in these difficult times. Specifically, this legislation would ensure Empire State Development to develop and implement a public awareness campaign promoting those businesses that manufacture personal protective equipment in New York. This public awareness campaign would promote PPE manufacturing businesses and encourage individuals and businesses to purchase products from such manufacturing businesses here in New York.

ESD would create a website providing information on these businesses and their products in a Buy New York PPE Clothing and Equipment Online Networking Directory.

I would also like to note that this bill is patterned after legislation that has passed unanimously every year since 2016 -- two years before I joined this body. This legislation is the same as its brother legislation, with the sole exception being it is limited in scope to PPE equipment.

Thank you. I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Senator Gianaris.

SENATOR GIANARIS: Mr. President, can we now move to Calendar 970.

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 970, Senate Print 8806, by Senator Gianaris, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: Senator Akshar.

SENATOR AKSHAR: Thank you, Mr. President. Through you, if the sponsor would yield for a few questions.

ACTING PRESIDENT BAILEY: Will the sponsor yield for a question?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR AKSHAR: Senator Gianaris, thank you.

How does this current -- this current statute change the voter registration process as it currently exists?

SENATOR GIANARIS: This bill would set up a system of automatic voter registration through several agencies that would, upon someone interacting with them -- filling out an application for a driver's license, for example -- there would be a unified form that would serve both as an application for the services of the agency and as a voter registration form, which would be transmitted by the agency to the Board of Elections for registration.

SENATOR AKSHAR: 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 AKSHAR: I just want to read, in part, Section 6 of Article 2 of the State Constitution. In part, it reads: "The Legislature may provide by law a system or systems of registration whereby upon personal application, a voter may be registered."

You used the word "application." So is there a part of the statute that -- I guess at first glance, one could make the assumption that we're circumventing the language in the State Constitution. But as you've described, is there a portion of this statute as authored by you that would allow us to make that change?

SENATOR GIANARIS: I'm sorry, I don't understand what change you're referring to, Senator Akshar. The -- the --

SENATOR AKSHAR: Let me clarify, I'm sorry. I recognize that I'm probably not

articulating it well.

Section 6 of Article 2 of the State Constitution provides that the Legislature may provide by law for a system or systems of registration whereby, upon a personal application, a voter may be registered.

Is there in the statute, as authored by you, an application for a voter to be registered?

SENATOR GIANARIS: Yes. In fact, the very first words of the legislation say "Integrated personal voter registration application required."

SENATOR AKSHAR: Thank you. I appreciate that.

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 AKSHAR: How did we decide on the current state agencies that were involved with automatic voter registration?

SENATOR GIANARIS: There was an attempt to find agencies that would have the broadest reach in terms of interaction with the public so that we could reach as many people as possible. DMV is always a starting point in that conversation, but then there are many people in the state who don't have vehicles and don't interact with the DMV, so we tried to find additional agencies that would also be able to handle the work that would be required in doing this.

And it's my understanding these are all agencies that also have and seek the information from the public that would indicate whether such people were eligible to vote in the first place -- in other words, age, obviously, and citizenship status.

SENATOR AKSHAR: 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 AKSHAR: So moving forward, there is some possibility that we would expand this to include the Department of Environmental Conservation, Veteran Affairs, Department of Agriculture, other state agencies that people come into contact with?

SENATOR GIANARIS: I believe there's a mechanism for continuous evaluation of what agencies would be appropriate for that purpose, yes.

SENATOR AKSHAR: 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 AKSHAR: I just want to go back to the application piece. This is the automatic registration of a voter unless you affirmatively opt out; is that correct?

SENATOR GIANARIS: That's correct.

SENATOR AKSHAR: So by definition, there is no application to register to vote,

would you agree?

SENATOR GIANARIS: No, I would not agree with that. There is in fact an application that the applicant fills out, and included in that is an option to opt out of registering to vote as part of that application. It is an integrated application that serves the purpose both of voter registration as well as the services that the agency is providing.

SENATOR AKSHAR: Mr. President, through you, if the sponsor would continue to yield.

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: Will the sponsor yield? The sponsor agrees to yield.

SENATOR AKSHAR: I just want to make sure I understand, Senator Gianaris. So you're saying, by way of integrated application, I go in and apply for a driver's license -- that in fact is an application, but you've integrated this opt out -- opting out of being registered to vote?

SENATOR KRUEGER: That's correct.

SENATOR AKSHAR: Okay.

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 agrees to yield.

SENATOR AKSHAR: Does the bill allow someone to vote without ever providing a signature?

SENATOR GIANARIS: I just wanted to make sure I was a hundred percent correct.

No, the registration for voting purposes would not be transmitted to the Board of Elections without a signature.

SENATOR AKSHAR: 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 for a question.

SENATOR AKSHAR: I just want to look quickly at California. They recently enacted a similar program, and there were

significant issues in terms of registration error, party enrollment mistakes, and on at least 1500 occasions people who were not ineligible {sic} to vote were registered in the months following the rollout.

Have you or have we collectively ensured, by way of this legislation, that that doesn't in fact -- those mistakes don't in fact happen here in the State of New York?

SENATOR GIANARIS: I believe the process that we're rolling out in this proposal is different from the California process in several ways.

We have a statewide database that would be the clearinghouse for the information, which California does not. We also put the burden at the agency level to not transmit information about ineligible voters to the Board of Elections to begin with. So it's not just the voter's say-so that dictates whether they become registered or not; the agency also bears a responsibility not to transmit the information to the boards of elections if they are aware that the person is ineligible to vote.

SENATOR AKSHAR: 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 AKSHAR: I just want to make sure I understood you right. So it would be the responsibility of the state agency to not transmit that particular application to the local board or the state board if in fact they knew that Fred Akshar couldn't -- couldn't be -- was not an eligible voter.

SENATOR GIANARIS: If Fred Akshar hypothetically was not --

SENATOR AKSHAR: Hypothetically.

SENATOR GIANARIS: -- was not an eligible voter?

The agency which -- we chose these agencies in part because they possess this type of information. It would be their responsibility not to transmit it to the Board of Elections.

SENATOR AKSHAR: 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 AKSHAR: How many registrations do you project that the bill will -- registration -- the increase of registration, have you quantified what that looks like, based on the language of this bill?

SENATOR GIANARIS: -- are all estimates, and they vary significantly. But at the low end, we're talking about several hundred thousand people, and at the high end close to 2 million people that are eligible voters in New York State, New York State residents who are not currently on the rolls. So it would be very substantial.

SENATOR AKSHAR: 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 AKSHAR: Just a couple of questions, if I may, around the cost of something like this.

Does the sponsor know what the annual cost of the local board is to process and maintain voter registrations? I guess two parts, Senator Gianaris, if you would be so kind. Both the local boards and then the state agencies, the sourcing agencies that are going to be handling this issue.

SENATOR GIANARIS: There would be no short-term costs because the bill doesn't take effect for two years. So there would be a ramp-up time.

But once the legislation is in full effect, it's -- I think estimates are approximately $3 million.

SENATOR AKSHAR: I'm sorry, Senator, 3 million?

SENATOR GIANARIS: Three million.

SENATOR AKSHAR: 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 AKSHAR: Would it be the intention of the sponsor to continue to advocate for increased levels of funding to address these issues that we're speaking of so we were not advancing what one could easily describe as an unfunded mandate?

SENATOR GIANARIS: Well, unfunded mandates in my experience are typically referring to state directives at local governments. But this -- the costs of this would largely be borne by the state, state agencies and the State Board of Elections.

SENATOR AKSHAR: Thank 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 AKSHAR: I just want to talk briefly, if we may, about noncitizens.

You had made a reference just a couple of minutes ago that the state agencies would in fact have information at their disposal to make a determination whether or not they can or should transmit this application. What protection does the bill have to protect noncitizens from being automatically registered?

SENATOR GIANARIS: Well, the one I was referring to specifically was in -- it's on page 2, line 39. It says: "Notwithstanding any law to the contrary, no agency designated under this section shall transmit to the Board of Elections any application for a person that indicates on their application that they do not meet one of the eligibility requirements."

It then goes on to require a listing of those eligibility requirements for the voter to also personally attest, under penalties of perjury, that they are citizens and eligible to vote. And so there are multiple layers of protection built into the legislation.

SENATOR AKSHAR: 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 AKSHAR: Can the DMV ask if you're a citizen?

SENATOR GIANARIS: The application that the member of the public would fill out would contain that information.

I believe the restriction you're referring to is that a clerk at a DMV, for example, cannot ask someone their citizenship status. But the application itself can request that information.

SENATOR AKSHAR: Mr. President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR AKSHAR: Let's just talk

about DMV, I guess, in the conversation that you and I are having.

What does DMV have at their disposal, what tools do they have at their disposal to in fact know whether or not someone is qualified to be a voter in this state?

SENATOR GIANARIS: I'm reminded that the DMV has been registering people to vote for many years, Senator Akshar, and so they already have systems in place and are well-versed in the information that's required to pass on voter registration information.

There's a reason that the law that's been around for I think a couple of decades now is called the Motor Voter Law. It's because the DMVs have been registering people to vote.

SENATOR AKSHAR: 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 AKSHAR: So in theory, if I

came in and I was a noncitizen, I could not opt out; right? Not opt out to vote. I came in to get a driver's license, I could not hit the "opt out" button, therefore I would be registered to vote.

SENATOR GIANARIS: No. In addition to the opt out, there would be a attestation that you would have to fill out under penalty of perjury that you are -- that you do meet the eligibility requirements to be registered to vote.

SENATOR AKSHAR: Thanks.

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 AKSHAR: Just a follow-up to that point, if you'd be so kind. Will the source agency -- the DMV in this particular instance -- will they cross-check citizenship of a person to be registered before they transmit that information to the board?

SENATOR GIANARIS: I'm trying to understand the question, Senator Akshar, I'm sorry.

Are you asking if they would just -- they would actually confirm what it is that the applicant is saying, is that the --

SENATOR AKSHAR: Mr. President, through you.

I suppose that the people who are working in the DMVs, you and I would just have to believe that they would take that -- they would take that form -- if someone said yes, in fact I am a citizen, take the people at their word, is that fair to say?

SENATOR GIANARIS: I suppose that process is no different than someone who wants to stroll into a Board of Elections and fill out a voter registration form and would make the same attestation there.

SENATOR AKSHAR: 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 AKSHAR: Just a couple of last questions here.

Is there something that exists in this statute or in the statutes that currently exist to ensure that if somebody lied on that application and they weren't supposed to be a voter, that that in fact -- we could have some reassurances to know that that in fact would not happen?

SENATOR GIANARIS: The perjury laws of the state.

SENATOR AKSHAR: 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 AKSHAR: The sponsor just brought up the penalty of perjury. But your bill has a provision where it's deemed an administrative error. So what happens to one if

they in fact lie on their application?

SENATOR GIANARIS: Mr. President, I believe that the -- Senator Akshar is referring to the presumption of administrative error if someone doesn't opt out inadvertently.

The attestation that the applicant meets the eligibility requirements is a separate -- is not covered by that presumption in the legislation.

SENATOR AKSHAR: Thank you, Mr. President. Senator Gianaris, always a pleasure. Thanks.

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.

Read the last section.

THE SECRETARY: Section 5. This act shall take effect January 1, 2023.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to

Calendar Number 970, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Boyle, Funke, Gallivan, Griffo, Helming, Jordan, Lanza, LaValle, Little, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach, Serino, Seward and Tedisco.

Ayes, 40. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

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

SENATOR GIANARIS: Okay, thank you, Mr. President.

At this time let me outline for anyone that's paying attention what the plan is for the rest of the evening. We're going to stand at ease for 90 minutes for party conferences. It's a little after 5:00, so why don't we say let us stand at ease until 6:30, after which we will have a Rules Committee meeting and additional floor action on supplemental calendars based on that Rules Committee meeting.

So, Mr. President, the Senate stands at ease until 6:30, at which time there will be a

Rules Committee meeting in Room 332.

ACTING PRESIDENT BAILEY: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 5:10 p.m.)

(Whereupon, the Senate reconvened at 7:26 p.m.)

ACTING PRESIDENT BENJAMIN: The Senate will return to order.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President. At this time can we take up the reading of Supplemental Calendar 38B.

ACTING PRESIDENT BENJAMIN: There's a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Benjamin moves to discharge, from the Committee on Rules, Assembly Bill Number 1436C and substitute it for the identical Senate Bill 222C, Third Reading Calendar 870.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number

870, Assembly Print Number 1436C, by Assemblymember Epstein, an act to amend the Social Services 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 871, Senate Print 272A, by Senator Benjamin, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 7. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT BENJAMIN: Call

the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar 871, voting in the negative: Senator Lanza.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 873, Senate Print 584A, by Senator Kennedy, an act to amend the New York State Urban Development Corporation Act.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 4. 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 Kennedy to explain his vote.

SENATOR KENNEDY: Thank you, Mr. President.

I rise today to support the passage of this bill that I sponsor referred to as the FRESH Act, which stands for the "Food Retail Establishment Subsidization for Healthy Communities."

Across the nation, Mr. President, 23.5 million Americans currently live in food deserts. And according to USDA research, more than 2.3 million Americans live more than a mile away from a supermarket and do not own a car.

Back in my district, there's several food deserts, both in the City of Lackawanna and in the City of Buffalo, where at least one-third of the population lives more than a mile from a supermarket or a large grocery store. They have little to no access to fresh, healthy food options, all because grocers have chosen not to invest in these neighborhoods.

And think about it. As these individuals have to get these foods from somewhere, they have to go out in the inclement weather, oftentimes risking life and limb just to get to the grocery store where they can take care of themselves and their families -- and that's not right.

These communities are often underserved, low income, and at risk for diabetes, obesity and other underlying issues. This gap in access to proper nutrition is simply unacceptable. All New Yorkers deserve access to fresh food, regardless of zip code or socioeconomic status.

Through this FRESH Act, we're incentivizing opportunities for supermarkets to put down roots in urban and rural areas that currently lack sufficient access to healthy food. In turn, we're not only requiring them to provide nutritional, locally sourced produce, but we're also requesting that they create local jobs for the surrounding communities to choose to invest in.

Through this legislation we're attempting to close the current gap that exists by providing the kind of accessibility to healthy food options that everyone rightfully deserves regardless of where they live.

Mr. President, I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 873, voting in the negative: Senator Ranzenhofer.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 874, Senate Print 745A, by Senator Montgomery, an act to amend the Executive 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 Number 874, those Senators voting in the negative are Senators Funke, Ortt, Ranzenhofer, Robach and Seward.

Ayes, 55. Nays, 5.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There's a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Hoylman moves to discharge, from the Committee on Banks, Assembly Bill Number 3275B and substitute it for the identical Senate Bill 1476B, Third Reading Calendar 875.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 875, Assembly Bill Number 3275B, by Assemblymember Epstein, an act to direct the Department of Financial Services to study, evaluate and make recommendations concerning lending practices.

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 875, those Senators voting in the negative are Senators Akshar, Funke, Jordan, Lanza, O'Mara, Ranzenhofer and Tedisco.

Ayes, 53. Nays, 7.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 876, Senate Print 1548, by Senator Kennedy, an act to amend the Highway Law.

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

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 876, voting in the negative: Senator Funke.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The

bill is passed.

THE SECRETARY: Calendar Number 877, Senate Print 1550, by Senator Kennedy, an act to amend the Highway Law.

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

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 877, voting in the negative: Senator Funke.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 879, Senate Print 3880, by Senator Martinez, an act to amend the Criminal Procedure 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 879, those Senators voting in the negative are Senators Bailey and Krueger.

Ayes, 58. Nays, 2.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 880, Senate Print 3904A, by Senator Martinez, an act in relation to entitling Robert V. Vassallo, Sr., to reapply for a disability retirement from the New York State Police.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Breslin moves to discharge, from the Committee on Rules, Assembly Bill Number 8091A and substitute it for the identical Senate Bill Number 5254B, Third Reading Calendar 884.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 884, Assembly Print Number 8091A, by Assemblyman Magnarelli, an act to amend the Real Property Tax Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect January 21, 2021.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 884, those Senators voting in the negative are Senators Ortt, Ranzenhofer, Ritchie, Robach and Seward.

Ayes, 55. Nays, 5.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Robach moves to discharge, from the Committee on Rules, Assembly Bill Number 7646A and substitute it for the identical Senate Bill Number 6144A, Third Reading Calendar 888.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 888, Assembly Print Number 7646A, by Assemblymember Bronson, an act to amend the General Municipal 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Felder moves to discharge, from the Committee on Rules, Assembly Bill Number 8146 and substitute it for the identical Senate Bill Number 6226, Third Reading Calendar 889.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 889, Assembly Print Number 8146, by Assemblymember Paulin, an act to amend the Public Health Law.

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Seward moves to discharge, from the Committee on Rules, Assembly Bill Number 8295A and substitute it for the identical Senate Bill Number 6420A, Third Reading Calendar 890.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 890, Assembly Print Number 8295A, by

Assemblymember Salka, an act relating to the miscalculation of benefits paid to Katherine Sweeney.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 892, Senate Print 6880, by Senator Gallivan, an act to amend the General Municipal 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 897, Senate Print 8218, by Senator Seward, an act to authorize the City of Little Falls, in the County of Herkimer, to offer certain retirement options to Police Officer Justin Dibble.

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 898, Senate Print 8278A, by Senator Kennedy, an

act to amend the Labor 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: Senator Kennedy to explain his vote.

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

Time and again throughout the COVID-19 pandemic we've talked about those front-line heroes, the individuals who are risking their own health and safety, putting their lives on the line every day to provide care and comfort to those who are impacted by this devastating virus.

Over the last few months, we've simultaneously seen thousands of New Yorkers lose their jobs.

This legislation seeks to take those two populations and weave them into one. We know folks who are unemployed are eager to return to

the workforce, eager to help, to make a difference during this challenging time. We also know that there's already a shortage of medically necessary positions, particularly certified nursing aides and nurses across the state.

This is a vocation that can be trained in roughly one month under normal circumstances. Through this bill we're requiring the Department of Labor, in consultation with the Department of Health, to establish a program that incentivizes unemployed individuals to enter jobs in healthcare and receive that training in an expedited fashion.

By providing this training in this accelerated timeline, we can ensure that our medical system is properly ramping up as demand for hospital services grows -- and as we contemplate the potential for a second wave of the COVID-19 pandemic to make its way into New York.

It's imperative that we develop plans to retrain and utilize our state's workforce who have been negatively impacted by business closures caused by COVID-19, and we know our medical field is desperately seeking to build

its workforce. As New York and our nation continue to wage a war against COVID-19, we should be ensuring that our most valuable asset, our workforce, plays a major role in this recovery.

To the dozens of my colleagues who have already and actively supported our push, I thank you. I thank you as an occupational therapist, as the husband of a physical therapist, the son of a nurse and as someone who has worked on the front lines but has seen individuals giving their all through this, the darkest of times, in our hospitals and other healthcare institutions.

Mr. President, I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There's a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Seward moves to discharge, from the Committee on Rules,

Assembly Bill Number 10453 and substitute it for the identical Senate Bill 8333, Third Reading Calendar 901.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 901, Assembly Print Number 10453, by the Assembly Committee on Rules, an act to authorize Thomas J. Carinci, Jr., to take the competitive civil service examination.

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

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number

902, Senate Print 8337, by Senator Rivera, an act to amend the Social Services Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 5. This act shall take effect October 1, 2020.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 903, Senate Print 8361, by Senator Rivera, an act to amend the Public Health 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 905, Senate Print 8403, by Senator Rivera, an act to amend the Social Services Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 3. This act shall take effect October 1, 2020.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 910, Senate Print 8482, by Senator Skoufis, an act to amend the Alcoholic Beverage Control 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 910, voting in the negative: Senator Robach.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Carlucci moves to discharge, from the Committee on Rules, Assembly Bill Number 10057 and substitute it for the identical Senate Bill Number 8532, Third Reading Calendar 912.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 912, Assembly Print Number 10057, by Assemblymember Jaffee, an act in relation to

authorizing Hamaspik of Rockland County, Inc., to file with the Town of Ramapo assessor an application for certain real property tax exemptions.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Carlucci moves to discharge, from the Committee on Rules, Assembly Bill Number 10056 and substitute it for the identical Senate Bill 8533, Third Reading Calendar 913.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 913, Assembly Print Number 10056, by Assemblymember Jaffee, an act in relation to authorizing Hamaspik of Rockland County, Inc., to file with the Town of Ramapo assessor an application for certain real property tax exemptions.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Carlucci moves to discharge, from the Committee on Rules, Assembly Bill Number 10055 and substitute it for

the identical Senate Bill Number 8534, Third Reading Calendar 914.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 914, Assembly Print Number 10055, by Assemblymember Jaffee, an act in relation to authorizing Hamaspik of Rockland County, Inc., to file with the Town of Ramapo assessor an application for certain real property tax exemptions.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number

915, Senate Print 8535, by Senator Thomas, an act authorizing the Town of Hempstead to file and convey certain state land to Levittown School District.

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

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: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Harckham moves to discharge, from the Committee on Rules, Assembly Bill Number 7888B and substitute it for the identical Senate Bill 8540, Third Reading Calendar 916.

ACTING PRESIDENT BENJAMIN: The

substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 916, Assembly Print Number 7888B, by Assemblymember Byrne, an act in relation to designating a portion of the state highway system as the "Putnam County Workers Memorial Bridge."

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 916, voting in the negative: Senator Lanza.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Harckham

moves to discharge, from the Committee on Rules, Assembly Bill Number 10061A and substitute it for the identical Senate Bill 8541, Third Reading Calendar 917.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 917, Assembly Print Number 10061A, by Assemblymember Byrne, an act to amend the Executive 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Harckham moves to discharge, from the Committee on Rules, Assembly Bill Number 10073A and substitute it for the identical Senate Bill 8542, Third Reading Calendar 918.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 918, Assembly Print Number 10073A, by Assemblymember Byrne, an act to amend the Executive 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number

919, Senate Print 8545, by Senator May, an act to amend the General Municipal 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Kaplan moves to discharge, from the Committee on Rules, Assembly Bill Number 10652A and substitute it for the identical Senate Bill 8552A, Third Reading Calendar 920.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number

920, Assembly Print Number 10652A, by the Assembly Committee on Rules, an act authorizing the County of Nassau to alienate certain lands used as parklands.

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

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 921, Senate Print 8554, by Senator Parker, an act to authorize Top Community Development Corporation to file an application for a real property tax exemption.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Carlucci moves to discharge, from the Committee on Rules, Assembly Bill Number 10653A and substitute it for the identical Senate Bill 8555A, Third Reading Calendar 922.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 922, Assembly 10653A, by the Assembly Committee on Rules, an act to amend the Highway 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: Senator Carlucci to explain his vote.

SENATOR CARLUCCI: Thank you, Mr. President.

I want to thank my colleagues for supporting this legislation. This is to rename Route 45 in the Village of Spring Valley after Sandra Wilson.

Sandra Wilson unfortunately was killed at the Finkelstein Library in February of this year, and her death really shocked our community, really rattled the library and the entire community surrounding the library. And this legislation is to make sure that Sandra Wilson's legacy and her name doesn't die in vain, that we live on with her name and make sure that we remember her legacy.

Because she worked at the Finkelstein Library in Spring Valley for about nine years, and before that she lived in the community, raised her family, went to

Spring Valley High School down the street, and was someone that you really wanted to know. So we wanted to dedicate the road right by the library in her name to remember her legacy and to make sure that we remember the contributions that she's made to our community.

So on behalf of the Finkelstein Library and the entire community in Spring Valley, we thank all the Senators supporting this legislation and look forward to her name being on that street for decades to come.

So thank you, Mr. President. I'll be voting in favor of this legislation.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Metzger moves to discharge, from the Committee on Rules, Assembly Bill Number 10607A and substitute it for the identical Senate Bill 8561A, Third Reading

Calendar 923.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 923, Assembly Print Number 10607A, by the Assembly Committee on Rules, an act to amend the Agriculture and Markets 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 925, Senate Print 8588, by Senator Carlucci, an act to authorize Jodi Manne to receive a refund from the New York State Teachers' Retirement System.

ACTING PRESIDENT BENJAMIN: 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: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Carlucci moves to discharge, from the Committee on Rules, Assembly Bill Number 10058 and substitute it for the identical Senate Bill 8606, Third Reading Calendar 927.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 927, Assembly Print Number 10058, by Assemblymember Jaffee, an act in relation to

authorizing Hamaspik of Rockland County, Inc., to file with the Town of Ramapo assessor an application for certain real property tax exemptions.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Carlucci moves to discharge, from the Committee on Rules, Assembly Bill Number 10059 and substitute it for the identical Senate Bill 8607, Third Reading Calendar 928.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 928, Assembly Print Number 10059, by Assemblymember Jaffee, an act in relation to authorizing Hamaspik of Rockland County, Inc., to file with the Town of Ramapo assessor an application for certain real property tax exemptions.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Stavisky moves to discharge, from the Committee on Rules, Assembly Bill Number 10741 and substitute it for

the identical Senate Bill 8632, Third Reading Calendar 932.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 932, Assembly Print Number 10741, by the Assembly Committee on Rules, an act in relation to permitting the Education Department to renew limited and provisional permits for an additional 12 months.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 933, Senate Print 8633B, by Senator May, an act

in relation to enacting the "Reimagining Long-Term Care Task Force."

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 6. 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 933, voting in the negative: Senator Ortt.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 934, Senate Print 8635, by Senator Harckham, 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: Senator Harckham to explain his vote.

SENATOR HARCKHAM: Thank you, Mr. President.

I'm proud to sponsor this bill, and it's an exciting bill because it accomplishes some major goals that we all have: Job creation, reducing greenhouse gases, and expanding our portfolio of renewal energy.

This bill came about when the Town of Yorktown was working with a solar provider about putting solar canopies above the parking lot in one of their parks. And as we worked with them, we worried about running out of time on alienation because of session ending, their local approvals, and how long it took.

Well, fortunately my legislative director, Joelle Foskett, thought what if we could eliminate that on all these projects. And so therefore this legislation would do away with alienation for solar canopies above municipal parking lots and parks. It doesn't impact the green space whatsoever. It can save years on

projects, create valuable green jobs, and will help local communities and New York State meet their clean climate goals.

So I'm excited to support this. I'll be voting yes on this. And with my 20 seconds remaining, I'd just like to comment on a bill that we voted on earlier this evening -- in fact, it was a bill of yours, Mr. President.

A Republican colleague brought a hostile amendment which was ruled nongermane, and it was voted down. Well, lo and behold, within 20 seconds of that vote my district was flooded with robocalls saying that I had voted against mom, pop and apple pie. And that's just childish, it's cynical, and New Yorkers deserve better.

And if our Republican colleagues really want to help police officers and their families, I invite them to support my bill, which increases the threshold for death benefit or serious injury benefit to $500,000.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 934, those Senators voting in the negative are Senators Lanza and Ritchie.

Ayes, 58. Nays, 2.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 935, Senate Print 8637A, by Senator Kaminsky, an act to amend the Highway Law.

ACTING PRESIDENT BENJAMIN: 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 Kaminsky to explain his vote.

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

During this pandemic many of us have had to sacrifice, but some sacrificed more than others -- and some sacrificed everything. And today I rise in commemoration of a true hero, Michael Field, who as a volunteer firefighter

contracted COVID while working on behalf of the community, and passed away.

But I'd like to focus on a wonderful life of sacrifice and citizenship and bravery that he embodied, first as an EMT for the New York City Fire Department, where he was actually at the South Tower when the second plane hit on 9/11. He gave years to the citizens of New York, rushing to the scenes that many were running away from, putting his life on the line on a daily basis.

But also, at home on Long Island, he was a dedicated volunteer in the Valley Stream Fire Department, a dedicated Cub Scout leader, a dedicated man who could be counted on to be there again and again for our community, just like he was when he responded to his last call.

So we are now today voting on a bill to name a bridge after him on the Southern State Parkway so that all entering Valley Stream, his home community, where his family still resides, will see the name of the Michael J. Field EMT/Firefighter Memorial Bridge. They will know about his sacrifice and bravery for generations, and they will remember what he stood for. And we

will all take a little bit of him with us as we continue to follow his lead.

I vote in the affirmative. Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 936, Senate Print 8639, by Senator Kaminsky, an act in relation to authorizing the County of Nassau to lease certain parkland located in the Village of Atlantic Beach.

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, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Stavisky moves to discharge, from the Committee on Rules, Assembly Bill Number 10634B and substitute it for the identical Senate Bill 8641A, Third Reading Calendar 937.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 937, Assembly 10634B, by the Assembly Committee on Rules, an act to amend the Education Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 5. This act shall take effect nine months after it shall have become a law.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN:

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Brooks moves to discharge, from the Committee on Rules, Assembly Bill Number 9968 and substitute it for the identical Senate Bill 8647, Third Reading Calendar 938.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 938, Assembly Print Number 9968, by Assemblymember Jean-Pierre, an act to amend Chapter 122 of the Laws of 2015.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Gaughran moves to discharge, from the Committee on Rules, Assembly Bill Number 10786A and substitute it for the identical Senate Bill 8652A, Third Reading Calendar 939.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 939, Assembly Number 10786A, by the Assembly Committee on Rules, an act in relation to establishing a Caumsett State Park fire readiness study.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 940, Senate Print 8657, by Senator Martinez, an act granting retroactive membership in the New York State and Local Employees' Retirement System.

ACTING PRESIDENT BENJAMIN: 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: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Kennedy moves to discharge, from the Committee on Rules, Assembly Bill Number 8767A and substitute it for the identical Senate Bill Number 8663A, Third Reading Calendar 942.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 942, Assembly Print Number 8767A, by Assemblymember Jones, an act to establish the Adirondack Road Salt Reduction Task Force.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Kennedy to explain his vote.

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

I rise as the sponsor of this legislation to support this bill creating the Adirondack Road Salt Reduction Task Force, a

badly needed solution to a major problem in our 6.2 million-square-acre Adirondack Park.

Despite New York's attempts to protect the pristine environment of the Adirondacks, the use of salt over the years has been found in study after study to negatively impact the lakes and watersheds in the area, specifically downslope from roads. The ecological damage that has already been made is extraordinarily significant, and it's predicted to only get worse if we don't act immediately.

Salt in surface and groundwater release, heavy metals and other toxic substances threatening the welfare of humans and animals alike -- not only is this in the watershed, found in the lakes and streams of the Adirondacks, but we've heard of catastrophic data coming out of individuals' wells that they use for their homes.

The single biggest culprit is the overuse of road salt during winter months, which we all know oftentimes can last up to six months throughout the year, especially in the higher altitudes of the Adirondacks. A task force with representation from a wide range of partners will take all sides into consideration on this issue,

study and examine the problem in detail, and issue mandatory recommendations as to how to address the use of salt on roadways.

We have other options that we can use, whether it's a different substance to treat this ice and snow, different types of road plows, or less harmful de-icing material. We just need to convene everyone together to figure out how best to set new standards and practices. That time is now.

This bill was moved forward in partnership with many strong advocates across New York who are committed to protecting our environment and our wildlife. There's so many individuals to thank. First and foremost, I want to mention Majority Leader Senator Andrea Stewart-Cousins for making sure that this legislation got to the floor this legislative session.

I want to recognize Assemblymember Billy Jones, who carried this legislation to passage in the Assembly. I also want to recognize our partner in the Senate, Senator Betty Little, who is the coprime sponsor of this bill and has worked diligently for many years in

her district with the environmental advocates and the Department of Transportation to come to a solution on this problem.

I also want to recognize the organizations that worked so hard over many years to drive this agenda forward: The Adirondack Council, the Sierra Club, the Citizens Campaign for the Environment, the Environmental Advocates, the New York League of Conservation Voters, the Adirondack Recreational Trail Advocates, ADKAction.org, and so many others.

And I also want to recognize our colleague Senator Todd Kaminsky, who brought this to my attention as chair of the Transportation Committee, as he is the chair of Environmental Conservation. This is dealing with so many different partners that it takes all of us working together to find that final solution.

But because of the dedication of so many, we're taking a step forward and prioritizing the preservation of New York's great outdoors, and I'm proud to join as an ally in this fight.

With that, Mr. President, I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 942, voting in the negative: Senator Lanza.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Seward moves to discharge, from the Committee on Rules, Assembly Bill Number 10774 and substitute it for the identical Senate Bill Number 8664, Third Reading Calendar 943.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 943, Assembly Print Number 10774, by the Assembly Committee on Rules, an act to amend the General City Law.

ACTING PRESIDENT BENJAMIN: 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 BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Brooks moves to discharge, from the Committee on Rules, Assembly Bill Number 10077 and substitute it for the identical Senate Bill 8702, Third Reading Calendar 946.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 946, Assembly Print Number 10077, by Assemblymember McDonough, an act authorizing Community Mainstreaming Associates, Inc., to

receive retroactive real property tax exempt status.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Brooks moves to discharge, from the Committee on Rules, Assembly Bill Number 8283A and substitute it for the identical Senate Bill Number 8711, Third Reading Calendar 947.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number

947, Assembly Print Number 8283A, by Assemblymember Darling, an act in relation to permitting Roosevelt Fire District to file an application for a retroactive real property tax exemption.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Helming moves to discharge, from the Committee on Rules, Assembly Bill Number 10222B and substitute it for the identical Senate Bill Number 8737, Third Reading Calendar 953.

ACTING PRESIDENT BENJAMIN: The

substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 953, Assembly 10222B, by Assemblymember Bronson, an act to amend the Alcoholic Beverage Control 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

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

SENATOR GIANARIS: Mr. President, I believe there's 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 982, by Senator Breslin, an act to amend the Banking Law;

Senate Print 5719, by Senator Jackson, an act to amend the Education Law;

Senate Print 6308A, by Senator Metzger, an act to amend the Environmental Conservation Law;

Senate Print 7072A, by Senator Ritchie, an act authorizing the Village of Canton to reduce the speed limit;

Senate Print 7155, by Senator Comrie, an act to amend the Not-for-Profit Corporation Law;

Senate Print 7302A, by Senator Skoufis, an act to amend the Tax Law;

Senate Print 7531, by Senator Gallivan, an act to authorize Patrick Humiston to receive certain service credit under Section 384-d of the Retirement and Social Security Law;

Senate Print 7532, by

Senator Gallivan, an act to authorize William J. Cooley to receive certain service credit under Section 384-d of the Retirement and Social Security Law;

Senate Print 7703, by Senator Hoylman, an act to amend the Judiciary Law;

Senate Print 7730, by Senator Seward, an act to amend the Tax Law;

Senate Print 7731, by Senator Seward, an act to amend the Tax Law;

Senate Print 7741, by Senator Harckham, an act to amend the Tax Law;

Senate Print 7778, by Senator Seward, an act to amend the Tax Law;

Senate Print 7789, by Senator May, an act to amend the Tax Law;

Senate Print 7945, by Senator Seward, an act to amend the Tax Law;

Senate Print 8064, by Senator Metzger, an act to amend the Tax Law;

Senate Print 8127, by Senator Carlucci, an act in relation to authorizing Bais Malka HASC LLC to file an application for certain real property tax

exemptions;

Senate Print 8247A, by Senator Kaminsky, an act to amend the Social Services Law;

Senate Print 8255, by Senator Rivera, an act to amend the Insurance Law;

Senate Print 8298B, by Senator Biaggi, an act to amend the Public Buildings Law and the Agriculture and Markets Law;

Senate Print 8331, by Senator O'Mara, an act to amend the Tax Law;

Senate Print 8345, by Senator O'Mara, an act to amend the Tax Law;

Senate Print 8494, by Senator Skoufis, an act to amend the Town Law;

Senate Print 8649, by Senator Skoufis, an act to amend the Town Law;

Senate Print 8662, by Senator Kennedy, an act to amend the Alcoholic Beverage Control Law;

Senate Print 8714, by Senator Felder, an act to authorize Rickly Dear, the widow of Noach Dear, to file a new service

retirement application and option election form with the New York State and Local Employees' Retirement System;

Senate Print 8719, by Senator Savino, an act in relation to directing the Commissioner of Health to conduct a study of the delivery of ambulatory care on Staten Island;

Senate Print 8734, by Senator Stavisky, an act to amend the Education Law;

Senate Print 8739, by Senator Persaud, an act to amend the Social Services Law;

Senate Print 8742, by Senator Kaminsky, an act to authorize the Village of Malverne, in the County of Nassau, to offer a twenty-year retirement plan to Police Officer Thomas Smith;

Senate Print 8753, by Senator Persaud, an act to authorize Jolie Louise Baynes, the daughter of Johnny Baynes, to file a new service retirement application;

Senate Print 8787, by Senator Thomas, an act to amend the County Law and the New York City Charter;

Senate Print 8793, by Senator Martinez, an act in relation to authorizing the Town of Brookhaven to accept an application for a real property tax exemption.

All bills ordered direct to third reading.

SENATOR GIANARIS: Mr. President, at this time, as we await the printing of Supplemental Calendar C -- oh, I'm sorry.

Before we do that, 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: Now, Mr. President, as we await the printing of Supplemental Calendar C, let us stand at ease just for a few minutes until that arrives.

ACTING PRESIDENT BENJAMIN: The

Senate will stand at ease.

(Whereupon, the Senate stood at ease at 8:13 p.m.)

(Whereupon, the Senate reconvened at 8:30 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 Supplemental Calendar C.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Calendar Number 971, Senate Print 982, by Senator Breslin, an act to amend the Banking Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 971, those Senators voting in the negative are Senators Jordan and Seward.

Ayes, 58. Nays, 2.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 972, Senate Print 5719, by Senator Jackson, an act to amend the Education 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: Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Mr. President.

And to my colleagues here and at home, I thank you for the opportunity to talk on this bill.

There are thousands of children and parents that will be positively impacted as a

result of if this bill is signed into law by the Governor.

And as you know, too many children in our state have to walk to school past many vacant and abandoned buildings or through areas that have been scarred by scenes of crime and violence, and too many parents have to worry every day about their child's journey. And this kind of stress on a youngster creates an adult who may be saddled with trauma.

It is up to us as a state, and as responsible adults, to stop that from happening. Adding neighborhood decay and the ravage of crime to the list of factors that would allow a child to be eligible to take a school bus instead of walking to school is praiseworthy.

And I say to all of you that safety and security is number one for our children. And allowing this to happen will make sure that they are safe by a bus driver and/or a matron, depending on the conditions that they have, in order to get to school safely and return home safely. And that's the primary responsibility of us as parents and as representatives, to make sure our families are safe.

So, Mr. President, I vote aye on this. Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 973, Senate Print 6308A, by Senator Metzger, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT BENJAMIN: 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: Announce the results.

THE SECRETARY: In relation to Calendar Number 973, those Senators voting in the negative are Senators Jordan, Ortt, Ritchie, Robach, Serino and Seward.

Ayes, 54. Nays, 6.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 975, Senate Print 7072A, by Senator Ritchie, an act relating to authorizing the Village of Canton to reduce the speed limit on certain public roadways.

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

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Comrie moves to discharge, from the Committee on Finance, Assembly Bill Number 9089 and substitute

it for the identical Senate Bill 7155, Third Reading Calendar 976.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 976, Assembly Print Number 9089, by Assemblymember Paulin, an act to amend the Not-for-Profit Corporation 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 977, Senate Print 7302A, by Senator Skoufis, an act to amend the Tax Law.

ACTING PRESIDENT BENJAMIN: There

is a home-rule message at the desk.

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 977, those Senators voting in the negative are Senators Akshar, Brooks, Gaughran, Harckham, Helming, Jordan, Kaplan, Kennedy, Martinez, Metzger, O'Mara, Ortt, Ritchie, Serino, Seward and Thomas.

Ayes, 44. Nays, 16.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Gallivan moves to discharge, from the Committee on Rules, Assembly Bill Number 9682 and substitute it for the identical Senate Bill 7531, Third Reading Calendar 978.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 978, Assembly Print Number 9682, by Assemblymember Byrne, an act to authorize Patrick Humiston to receive certain service credit under Section 384-d of the Retirement and Social Security 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There's a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Gallivan moves to discharge, from the Committee on Rules,

Assembly Bill Number 9663 and substitute it for the identical Senate Bill Number 7532, Third Reading Calendar 979.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 979, Assembly Print Number 9663, by Assemblymember Ryan, an act to authorize William J. Cooley to receive certain service credit under Section 384-d.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 980, Senate Print 7703, by Senator Hoylman, an

act to amend the Judiciary 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Seward moves to discharge, from the Committee on Rules, Assembly Bill Number 10016 and substitute it for the identical Senate Bill Number 7730, Third Reading Calendar 981.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 981, Assembly Print Number 10016, by

Assemblymember Salka, an act to amend the Tax Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first of the month next succeeding the date on which it shall have become a law.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 981, those Senators voting in the negative are Senators Brooks, Gaughran, Harckham, Jordan, Kaplan, Kennedy, Martinez, Metzger, Skoufis and Thomas.

Ayes, 50. Nays, 10.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 982, Senate Print 7731, by Senator Seward, an act to amend the Tax Law.

ACTING PRESIDENT BENJAMIN: There

is a home-rule message at the desk.

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 982, those Senators voting in the negative are Senators Brooks, Gaughran, Kennedy and Thomas.

Ayes, 56. Nays, 4.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 983, Senate Print 7741, by Senator Harckham, an act to amend the Tax Law.

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

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 983, those Senators voting in the negative are Senators Brooks, Gaughran, Kennedy and Thomas.

Ayes, 56. Nays, 4.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Seward moves to discharge, from the Committee on Rules, Assembly Bill Number 9816 and substitute it for the identical Senate Bill Number 7778, Third Reading Calendar 984.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 984, Assembly Print Number 9816, by Assemblymember Lifton, an act to amend the Tax 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 984, those Senators voting in the negative are Senators Brooks, Gaughran, Harckham, Kaplan, Kennedy, Martinez, Metzger, Skoufis and Thomas.

Ayes, 51. Nays, 9.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator May moves to discharge, from the Committee on Rules, Assembly Bill Number 9738 and substitute it for the identical Senate Bill Number 7789, Third Reading Calendar 985.

ACTING PRESIDENT BENJAMIN: The

substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 985, Assembly Print Number 9738, by Assemblymember Hunter, an act to amend the Tax Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first day of the month next succeeding the date on which it shall have become a law.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 985, those Senators voting in the negative are Senators Brooks, Gaughran, Harckham, Kaplan, Martinez, Metzger, Skoufis and Thomas.

Ayes, 52. Nays, 8.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number

986, Senate Print 7945, by Senator Seward, an act to amend the Tax Law.

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

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 986, those Senators voting in the negative are Senators Brooks, Gaughran, Kennedy and Thomas.

Ayes, 56. Nays, 4.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 987, Senate Print 8064, by Senator Metzger, an act to amend the Tax 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 987, those Senators voting in the negative are Senators Akshar, Brooks, Gaughran, Harckham, Helming, Jordan, Kaplan, Martinez, O'Mara, Ortt, Ritchie, Serino, Seward, Skoufis and Thomas.

Ayes, 45. Nays, 15.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 988, Senate Print 8127, by Senator Carlucci, an act in relation to authorizing Bais Malka HASC LLC to file an application for certain real property tax exemptions.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 989, Senate Print 8247A, by Senator Kaminsky, an act to amend the Social Services 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 990, Senate Print 8255, by Senator Rivera, an act to amend the Insurance 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 Number 990, those Senators voting in the negative are Senators Borrello, Jordan, Robach and Seward.

Ayes, 56. Nays, 4.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 991, Senate Print 8298B, by Senator Biaggi, an act to amend the Public Buildings Law and the Agriculture and Markets Law.

ACTING PRESIDENT BENJAMIN: 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: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator O'Mara moves to discharge, from the Committee on Rules, Assembly Bill Number 10415 and substitute it for the identical Senate Bill Number 8331, Third Reading Calendar 992.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 992, Assembly Print Number 10415, by the Assembly Committee on Rules, an act to amend the Tax 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 992, those Senators voting in the negative are Senators Akshar, Brooks, Gaughran, Harckham, Helming, Jordan, Kaplan, Kennedy, Martinez, Metzger, Serino, Skoufis and Thomas.

Ayes, 47. Nays, 13.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator O'Mara moves to discharge, from the Committee on Rules, Assembly Bill Number 10416 and substitute it for the identical Senate Bill Number 8345, Third Reading Calendar 993.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 993, Assembly Print Number 10416, by the Assembly Committee on Rules, an act to amend the Tax 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 993, those Senators voting in the negative are Senators Brooks, Gaughran, Harckham, Kaplan, Kennedy, Serino and Skoufis.

Ayes, 53. Nays, 7.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Skoufis moves to discharge, from the Committee on Rules, Assembly Bill Number 9154A and substitute it for the identical Senate Bill Number 8494, Third Reading Calendar 995.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 995, Assembly 9154A, by Assemblymember Jacobson, an act to amend the Town 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 995, those Senators voting in the negative are Senators Brooks, Gaughran and Martinez.

Ayes, 57. Nays, 3.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 997, Senate Print 8649, by Senator Skoufis, an act to amend the Town 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 Number 997, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Brooks, Felder, Gaughran, Helming, Jordan, Kennedy, Martinez, O'Mara, Ortt, Ritchie, Robach, Serino, Seward and Thomas.

Ayes, 43. Nays, 17.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Kennedy moves to discharge, from the Committee on Rules, Assembly Bill Number 10707 and substitute it for the identical Senate Bill Number 8662, Third Reading Calendar 998.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 998, Assembly Bill Number 10707, by the Assembly Committee on Rules, an act to amend the Alcoholic Beverage Control 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 999, Senate Print 8714, by Senator Felder, an act to authorize Rickly Dear, the widow of Noach Dear, to file a new service retirement application and option election form with the New York State and Local Employees' Retirement System.

ACTING PRESIDENT BENJAMIN: 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: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Savino moves to discharge, from the Committee on Rules, Assembly Bill Number 10470A and substitute it for the identical Senate Bill Number 8719, Third Reading Calendar 1000.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1000, Assembly Print Number 10470A, by the Assembly Committee on Rules, an act in relation to directing the Commissioner of Health to

conduct a study of the delivery of ambulatory care on Staten Island.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Stavisky moves to discharge, from the Committee on Rules, Assembly Bill Number 10793 and substitute it for the identical Senate Bill Number 8734, Third Reading Calendar 1001.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number

1001, Assembly Print 10793, by the Assembly Committee on Rules, an act to amend the Education 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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 1002, Senate Print 8739, by Senator Persaud, an act to amend the Social Services Law.

ACTING PRESIDENT BENJAMIN: 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: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Kaminsky moves to discharge, from the Committee on Rules, Assembly Bill Number 10796 and substitute it for the identical Senate Bill 8742, Third Reading Calendar 1003.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1003, Assembly Bill 10796, by the Assembly Committee on Rules, an act to authorize the Village of Malverne, in the County of Nassau, to offer a twenty-year retirement plan to Police Officer Thomas Smith.

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

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 1004, Senate Print 8753, by Senator Persaud, an act to authorize Jolie Louise Baynes, the daughter of Johnny Baynes, to file a new service retirement application.

ACTING PRESIDENT BENJAMIN: 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:

Announce the results.

THE SECRETARY: In relation to Calendar Number 1004, those Senators voting in the negative are Senators Borrello, Helming, Jordan, Ortt, Ritchie, Serino and Seward.

Ayes, 53. Nays, 7.

ACTING PRESIDENT BENJAMIN: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Thomas moves to discharge, from the Committee on Rules, Assembly Bill Number 8511A and substitute it for the identical Senate Bill 8787, Third Reading Calendar 1005.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1005, Assembly Print Number 8511A, by Assemblymember Epstein, an act to amend the County Law and the New York City Charter.

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 1005, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Funke, Gallivan, Griffo, Helming, Jordan, Lanza, Little, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach, Serino, Seward and Tedisco.

Ayes, 42. Nays, 18.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 1006, Senate Print 8793, by Senator Martinez, an act in relation to authorizing the Town of Brookhaven to accept an application for a real property tax exemption.

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: Ayes, 60.

ACTING PRESIDENT BENJAMIN: The bill is passed.

Senator Gianaris, that completes the reading of today's 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: Move to adjourn until tomorrow, Thursday, July 23rd, at 12:00 noon.

ACTING PRESIDENT BENJAMIN: On motion, the Senate stands adjourned until Thursday, July 23rd, at 12:00 noon.

(Whereupon, at 9:01 p.m., the Senate adjourned.)