NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 9, 2021

3:05 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, Monday, February 8, 2021, the Senate met pursuant to adjournment. The Journal of Friday, February 5, 2021, 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 Sepúlveda

moves to discharge, from the Committee on Rules, Assembly Bill Number 1941 and substitute it for the identical Senate Bill 861, Third Reading Calendar 14.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Sepúlveda moves to discharge, from the Committee on Rules, Assembly Bill Number 1249 and substitute it for the identical Senate Bill 875, Third Reading Calendar 28.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

THE SECRETARY: Senator Brisport moves to discharge, from the Committee on Rules, Assembly Bill Number 1255 and substitute it for the identical Senate Bill 2075, Third Reading Calendar 138.

ACTING PRESIDENT BENJAMIN: The substitution is so ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, I move to adopt the Resolution Calendar, with the exception of Resolution 357.

ACTING PRESIDENT BENJAMIN: All in favor of adopting the Resolution Calendar, with the exception of Resolution 357, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BENJAMIN: Opposed, nay.

(No response.)

ACTING PRESIDENT BENJAMIN: The Resolution Calendar is adopted.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, at this time, while we're waiting for members to get here to speak on some resolutions, we're going to call a meeting of the Rules Committee immediately in Room 332.

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

SENATOR GIANARIS: The Senate will

stand at ease.

ACTING PRESIDENT BENJAMIN: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 3:07 p.m.)

(Whereupon, the Senate reconvened at 3:19 p.m.)

ACTING PRESIDENT BENJAMIN: The Senate will return to order.

Senator Gianaris.

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 13, by Senator Kaplan, an act to amend the Penal Law;

Senate Print 14, by Senator Hoylman, an act to amend the Penal Law;

Senate Print 4380, by Senator Mannion, an act to amend the Election Law;

Senate Print 4381, by Senator Ramos, an act in relation to removing the option to file an opportunity to ballot petition in the June 2021 primary election;

Senate Print 4382, by Senator Savino, an act relating to the election of county committee members; and

Senate Print 4430, by Senator Ryan, an act to amend the Education Law.

All bills reported direct to third reading.

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

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

(Response of "Aye.")

ACTING PRESIDENT BENJAMIN: Opposed, nay.

(No response.)

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

SENATOR GIANARIS: Mr. President, if we can now go back to motions and resolutions, can we take up previously adopted Resolution 339,

by Senator Gounardes, read that resolution's title, and recognize Senator Gounardes.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Senate Resolution 339, by Senator Gounardes, mourning the death of Dr. Ahmed Jaber, distinguished citizen and devoted member of his community.

ACTING PRESIDENT BENJAMIN: Senator Gounardes on the resolution.

SENATOR GOUNARDES: Thank you, Mr. President.

I am here today to speak on this previously adopted resolution to honor the life and legacy of someone who I consider a good friend and a giant in the Arab-American community that I'm proud to represent, Dr. Ahmed Jaber.

Dr. Jaber was a renowned doctor. He was founder of the Arab American Association and a leader, statewide and national leader, in the fight for Arab-American civil rights.

We lost Dr. Jaber late last year, on December 10th, at the age of 73, after a long bout of illness. And what's most remarkable abut him -- and I can go on for hours and days about

all of his accomplishments -- was the warmth of personality that Dr. Jaber exhibited to anyone that he met.

And as someone who was raised to always respect their elders, I would always make it a point to -- every time I saw him, to go up to him and make sure I saw that I said hi to him right away. But he was such an incredible individual that he would always beat me to it and run up to me. Because he didn't care whether you were the top of a pyramid or the lowest of the low. To him, everyone was equal, and he treated everyone with incredible dignity and caring and respect.

And his loss is a tremendous loss not just for my district, not just for my community, but for the entire Arab-American community here in New York State, and all of New York State at large. He is someone that I'm going to deeply miss, whose passing I mourn, but who I am very proud to say that I knew and still know. And his memory will always be eternal to me, to my constituents, to my family, and to the people that I'm proud to represent.

And I'm very thankful to my

colleagues for allowing us to pass this resolution today to honor his life.

Thank you.

ACTING PRESIDENT BENJAMIN: The resolution was previously adopted on February 2nd.

Senator Gianaris.

SENATOR GIANARIS: Can we now move to Resolution 357, by Senator Savino, read that resolution's title, and recognize Senator Savino.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Senate Resolution 357, by Senator Savino, mourning the death of John J. Sweeney, renowned President Emeritus of the National AFL-CIO, distinguished citizen and devoted member of his community.

ACTING PRESIDENT BENJAMIN: Senator Savino on the resolution.

SENATOR SAVINO: Thank you, Mr. President.

I rise in support of this resolution and in recognition of a great New Yorker, a great American, and an icon of the labor movement, John Sweeney.

John Sweeney was born in the Bronx, a New Yorker through and through. He led an era of transformative change in America's labor movement, and he passed away on February 1st at the age of 86.

He was one of four children born to Irish immigrants in a working-class Bronx neighborhood shortly after the Great Depression. His parents, James and Agnes Sweeney, worked as a bus driver and a domestic worker respectively.

John Sweeney always understood the struggles and the pride of working people. He was interested in politics from childhood. His mother took him to see Franklin Delano Roosevelt's funeral train. He often spoke about his father's loyalty to his union, the Transport Workers Union, and its colorful president Mike Quill.

He ran for and was elected Democratic district leader, and volunteered for John Kennedy's presidential campaign, but it was the labor movement where everything came together for him. As a young man, John Sweeney held a lot of jobs. He was a gravedigger and a building porter while studying economics at Iona College

in New Rochelle, where he joined a union for the first time.

He was exposed to Catholic social teaching from an early age and driven by his Catholic faith and commitment to solidarity. He took a position as a researcher with the International Ladies Garment Workers Union, a predecessor to UNITE HERE.

It was during this time that John Sweeney was connected with the Building Service Employees International Union, known today as SEIU, Service Employees International Union. He worked his way up through the ranks of Local 32B, winning election as president in 1976. He merged Local 32B, the union for male janitors, with local 32J, the union for female janitors, and in 1977 formed the powerful local 32BJ, which we know well here in New York. It now represents hundreds of thousands of building service workers throughout the East Coast.

Sweeney transformed the SEIU, dedicating one-third of the union's budget to new-worker organizing and doubling its membership over the next decade. He focused on winning collective bargaining for low-wage workers and

was a champion for immigrants' rights, forcing that conversation in the labor movement at a time when far too many leaders in the labor movement did not want to talk about undocumented Americans. He made that a part of the discussion, focusing on bringing them in.

In 1995, John Sweeny led an insurgent campaign to capture the presidency of America's labor federation, the AFL-CIO. Running on a "New Voice" ticket with United Mine Workers of America President Richie Trumka, who leads the AFL today, and AFSCME International Vice President Linda Chavez-Thompson in the newly created position of executive vice president, he paved the way for the first person of color in the federation's highest ranks. He was swept into office on a promise of bold change and a recommitment to worker organizing.

As president, Sweeney founded the union's summer campaign to recruit young people. I was one of those young people. In 1995 I attended that convention, where we elected John Sweeney and his slate.

He helped transform the labor movement, bringing in young people. Forcing

change in the labor movement, he was deliberate about recruiting and supporting strong women and senior staff members, modeling diversity in the labor movement and changing leadership at every rank. He invested in education, encouraging people like myself to enroll in labor education at the Cornell ILR School, and his commitment to young people and labor is renowned across the movement.

He has inspired hard work and loyalty from everybody that he's ever touched, from his staff, from people that followed him. The one thing about John Sweeny is he was always more comfortable with his members than he was with people at the highest levels of the labor movement, or in fact with the office of the presidency. You would find John Sweeney more comfortable in a union t-shirt than a three-piece suit.

He was a simple man who was born and raised in the Bronx. His policies and his decisions and the directions he took the labor movement in has improved the lives of millions of Americans. He was a tough Irishman. I was proud to have known him, and I am proud to stand here

on the floor of the Senate and recognize him and his work and his family.

And I thank you, Mr. President, for allowing me this moment.

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: Okay, Mr. President, can we now take up previously adopted Resolution 319, by Senator Brouk, read that resolution's title, and recognize Senator Brouk on the resolution.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Senate Resolution 319, by Senator Brouk, mourning the death of Chief Warrant Officers Steven Skoda, Christian Koch and Daniel Prial, distinguished citizens and

devoted members of their communities.

ACTING PRESIDENT BENJAMIN: Senator Brouk on the resolution.

SENATOR BROUK: Thank you. I rise today to speak on this resolution in honor of these great men.

Throughout the Greater Rochester region and across the state, our hearts have been heavy. On January 20th, a New York Army National Guard medical evacuation helicopter crashed in a field while on training mission. Killed in this accident were all three soldiers on board: Chief Warrant Officers Steven Skoda and Daniel Prial, both of Rochester, and Christian Koch, of Honeoye Falls.

Officers Skoda, Prial and Koch were members of an air ambulance company based out of Rochester. They trained to perform medical evacuations, and that night the crew was conducting night vision goggle proficiency training, a training that would further prepare them to save lives.

But their heroism did not start that night. I'm honored to tell you all about these brave men from our community.

U.S. Chief Warrant Officer 5 Steven Skoda was a 35-year veteran of the U.S. Army and a 20-year veteran of the New York Army National Guard. He deployed to Afghanistan twice in the past decade and was an experienced helicopter pilot and instructor.

A senior instructor pilot, an instrument flight instructor, and a maintenance test pilot, Officer Skoda had almost 5,000 flying hours. He worked as a full-time National Guard technician at the Army Aviation Support Facility at the Rochester International Airport, as well as serving as a member of the C Company of the 171st General Support Aviation Battalion.

Officer Skoda was known for his love of classic cars and his ability to be a friend and mentor to all the soldiers in his unit, supporting the training and career progressions of hundreds of air crews throughout his career.

U.S. Chief Warrant Officer 2 Daniel Prial was motivated by the attacks on 9/11 to protect our nation through military service. His hard work led him to the U.S. Military Academy at West Point and a career as a Black Hawk helicopter pilot.

Chief Officer Prial served in the Army since 2012, after earning a commission at the United States Military Academy at West Point. He served as a medical evacuation platoon leader with the 82nd Airborne Division's 82nd Combat Aviation Brigade. He deployed to Afghanistan in 2014 and 2015 with the 82nd Airborne Division and served as an instructor pilot for students at Fort Rucker, Alabama, where the Army trains helicopter pilots.

Officer Prial was extremely humble and family-oriented. According to soldiers in his unit, he had an ability to fit in quickly and to make an immediate impact.

Finally, U.S. Chief Warrant Officer 4 Christian Koch followed in the footsteps of his grandfather and his older brother, joining the U.S. Army shortly after 9/11. He was a veteran of the war in Afghanistan, where he served in 2012 and 2013, and the war in Iraq in 2008 and 2009.

Officer Koch was a 20-year veteran of the New York Army National Guard. He became a helicopter pilot in 2006, flying from the Army Aviation Support Facility at Rochester

International Airport. His hard work and drive led him to become the senior instructor pilot for the unit. Officer Koch's fellow unit members remarked upon his strong work ethic and infectious personality, and he is described as a great soldier, leader, and father.

The loss of these brave men, men who were described by their peers as kind, trustworthy, incredibly loving and dedicated, is immeasurable. My heart aches for their families and our communities. The best way I can think to honor them is to ensure their families get the care and support they need during this difficult time, and to support the brave soldiers of the National Guard who serve our communities, our state, and our nation.

May we never forget the sacrifices made by these officers. Thank you.

ACTING PRESIDENT BENJAMIN: Senator Martucci on the resolution.

SENATOR MARTUCCI: Mr. President, I rise today to honor the life of three brave soldiers that died on January 20th in a tragic helicopter crash. All three of these soldiers were a credit to our state and heroes to our

nation.

The crash took place in the Town of Mendon in Monroe County. And while it's true that all three men were from the Rochester area, as they were based at the airport there, one, Warrant Officer Daniel Prial, grew up in my district in Warwick. In fact, his mom, Anne Prial, told me that even though Danny traveled around a lot and moved often because of his work, that his heart was always home in Warwick.

Danny was born on Long Island, but his family quickly moved to Orange County, where he attended St. Stephen's School and Warwick High School. There he was a member of both the track and cross-country teams, and he helped to secure the state title in cross-country in 2007 for his high school team. His mom recalled that he always treasured his legacy as a "Purple Ghost."

From there, he was nominated to the prestigious military academy at West Point, and upon graduation joined the famed 82nd Airborne Division as a helicopter pilot, where he proudly served our country in Afghanistan. Just last year, he joined the New York National Guard.

Danny Prial believed in teamwork.

He loved his family, he valued his community, and he revered our country. He also loved the New York Mets, where sadly, just like me, he usually found more disappointment than joy -- and many of us can certainly identify with that.

He was also proud of West Point and loved the Army-Navy games, especially when Army won.

And like so many, it was the tragic events of September 11, 2001, that inspired Danny toward a career in the United States military. His dad Greg was a lieutenant in the New York City Fire Department and, like so many, his father served on the front lines in the recovery following those terrible attacks. Danny's path was set on September 11th. He wanted to serve our country and stand up to the enemies that threatened our safety.

Daniel's life touched so many. In fact, the director of constituent relations in my Middletown office knows Danny's family very well. Her daughter attended an annual ball at West Point with Danny some years back.

And I have had the pleasure of personally working with Danny's mother, Anne

Prial, who is an associate vice president at SUNY Orange. This loss hits very close to home for me and so many others.

I was honored to have been invited to Danny's funeral, and I've never been more moved than when I watched his casket leave the church, and the streets that were lined with veterans, active men and women of our law enforcement, and firemen, saluting as he made his final journey to the cemetery at West Point.

Danny deserves this honor here today. In fact, he deserves even more. My heart goes out to his parents, Anne and Greg. My heart goes out to his siblings, Becky, Terence, Brigid and Jennie; his brother-in-law, Joe; and his beloved nephew and niece, Sam and Ada, as well as his grandparents, Thomas and Florence Leavy and Philip and Helen Prial.

I spoke with Danny's mother Anne just this morning, in preparation for coming here, and she asked that I share just two brief things that really illustrate what Danny was all about. She called these his quiet acts of kindness. First, when Danny was stationed in Fort Rucker in Alabama, he spent his free time

volunteering at an orphanage. Danny went there because his heart broke for young people that didn't have the benefits of family supports. In the same way, Danny supported his neighbors. During COVID, he began cooking dinner on Sundays and sharing the food with his neighbors so they had home-cooked meals.

These sorts of things we don't often see. We certainly don't often see them from young people. And these acts of kindness define Danny and will forever define his legacy.

There are no words to bring comfort to the Prial family, but I hope that the outpouring of praise for Danny will at least provide some solace that his life was well-lived, was significant, and will be one that will continue to serve and inspire others for years to come.

I want to thank Senator Brouk for joining me in bringing this resolution forward, and all of my colleagues for supporting it.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Ortt on the resolution.

SENATOR ORTT: Thank you,

Mr. President.

I would like to thank Senator Brouk for bringing forward this resolution. I'd like to thank my colleague, Senator Martucci, for his comments.

I will be brief, as I don't want to be overly redundant, but I think it bears repeating, given the stories of these three men. Three heroes, three brave New Yorkers. And it really is a New York story, and it's a New York tragedy. 9/11. West Point. Rochester, New York. The New York Army National Guard. There's so many things in here, in each of these men's lives, that led them to this point, that should resonate with everybody in this chamber and every New Yorker.

I think about when we have West Point Day, which obviously this year may look much different, or may not look at all. But we have the cadets sitting here in this chamber. Mr. President, you know and our colleagues know, those are young people from different -- all over the country. There's usually a handful that are from New York in the class; we usually identify them and have them stand up and be recognized.

And it's a good day. It's a proud day.

But I think today is a reminder that those young people, when they leave, when they leave West Point and go into service and they wear that uniform -- not the West Point uniform, but the United States Army uniform -- whether here at home or whether it's abroad {snapping fingers}, like that, they can be gone.

And I don't want to lose sight that these were -- sometimes they can get lost in the uniform. You know, you can get lost in chief warrant officer, lieutenant, sergeant, served in Afghanistan, combat infantry, Bronze Star. But they were also somebody's son, they were somebody's father, they were somebody's husband, they were somebody's friend. And for them, every time on Memorial Day, going forward, they'll have a name and a face and a personal story to go on that day.

I just think it is so important that we recognize these three New Yorkers, three heroes, three brave Americans, all of whom -- all of whom -- survived combat overseas only to perish in their home state. Now, maybe that's ironic, maybe that's tragic, but it's a reminder

to all of us that wearing the uniform, protecting our communities, always carries a risk.

And that's why we honor our veterans. That's why we have Memorial Day parades, that's why we have Veteran's Day ceremonies, that's why we have West Point Day and Fort Drum Day here in this chamber, because I think on some level -- I know on a lot of levels -- we all understand that risk. And unfortunately, this is just a very real human reminder of that risk and of the price of freedom.

And so my prayers are with their families. And I hope, as Senator Martucci said and as Senator Brouk said, I hope that at some point they will, through the tears and the pain and the feeling of being maybe cheated on what they hoped was a longer life, I hope they will be able to find some solemn pride that is exclusively theirs and other families' who have lost loved ones in combat or in the line of duty, that they laid the ultimate sacrifice on the altar of freedom.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: The

resolution was previously adopted on February 2nd.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, at the request of the various sponsors, the resolutions we took up today are open for cosponsorship.

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: Can we now take up the reading of the calendar, please.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Calendar Number 14, Assembly Print Number 1941, substituted earlier by Assemblymember Walker, an act to amend the Mental Hygiene Law and the Public Health Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BENJAMIN: Lay it aside.

THE SECRETARY: Calendar Number 28, Assembly Print Number 1249, substituted earlier

by Assemblymember Weprin, an act to amend the Correction 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 28, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Skoufis, Stec, Tedisco and Weik.

Ayes, 42. Nays, 21.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 85, Senate Print 1057, by Senator Mayer, an act to amend the Election Law.

ACTING PRESIDENT BENJAMIN: 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, 63.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 89, Senate Print 361, by Senator Persaud, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 120th day after it shall have become a law.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 138, Assembly Print Number 1255, substituted earlier by Assemblymember Hevesi, an act to amend the Family Court Act and a chapter of the Laws of 2020.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 141, Senate Print 2557, by Senator Harckham, an act to amend the Public Service Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 7. This

act shall take effect on the same date and in the same manner as a chapter of the Laws of 2020.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 141, those Senators voting in the negative are Senators O'Mara, Palumbo, Rath and Stec.

Ayes, 59. Nays, 4.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 142, Senate Print 2558, by Senator Kennedy, an act to amend the Vehicle and Traffic Law.

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: Senator

Kennedy to explain his vote.

SENATOR KENNEDY: Thank you, Mr. President.

In July we passed the Driver's License Suspension Reform Act. This bill ends the unjust and counterproductive practice of suspending driver's licenses for traffic debt and allows people with traffic debt to pay it off over time.

After months of negotiations with the Governor, we came to an agreement to end driver's license suspensions for unpaid traffic fines and to authorize payment of traffic fines and fees by an installment plan. We also agreed that people who did not answer their traffic tickets, often because they could not afford it, would have their license reinstated and be able to enter into that payment plan.

Together, these changes mean that New York will no longer punish drivers just because they can't afford to pay. Courts and agencies will stop suspending driver's licenses for unpaid traffic fines 30 days after the Governor signs this chapter amendment. Payment plans will be made available June 29th of this

year.

On that same day, driver's licenses that are currently suspended for unpaid traffic fines will be reinstated. This will allow families who have been up-ended by these archaic laws to reestablish their financial security and regain footing economically, professionally and personally.

This means so many New Yorkers will finally be able to make it to a job, or schedule a medical appointment, or pick up the groceries, because they now have a means to get there and to get there responsibly.

I'm speaking on the floor today because I want to be clear about the amendments and what they mean for drivers across New York State. First, under Section 1 of the bill, a suspension for failure to respond to a summons is terminated by answering a summons at any time before the Traffic Violation Bureau. This is true whether they answer before or after a default judgment has been issued, and whether they choose to answer by entering into a payment plan.

No payment of any kind is required

to answer or clear suspension for failure to respond to a summons. Simply entering into a payment plan will be enough.

Second, under Section 4, if someone's license has been suspended for failure to appear, it will be reinstated when they do appear at any time and in any manner before the traffic court or agency. This is true whether they appear in person or by phone, as permitted by the specific court or agency, whether they appear before or after the default judgment has been issued, or whether they choose to appear by entering into a payment plan.

No payment of any kind is required to appear or clear a failure-to-appear suspension. Again, simply appearing and entering into a payment plan is enough.

I believe these clarifications are needed to ensure that the DMV and the court system implement this law the way that we here in the Legislature intended it.

I want to thank all of the advocates and organizations who worked so hard on getting this bill to the finish line; the Assembly sponsor, Pam Hunter; our Majority Leader, Andrea

Stewart-Cousins, for her leadership in bringing this legislation to the floor and making social justice and criminal justice reform a priority for this body.

New Yorkers shouldn't have to live in fear of losing a job, missing a rent payment, or forfeiting an education simply because they couldn't afford a traffic ticket. Today we begin the important work of implementing this law, and together we stop criminalizing poverty in New York State.

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 142, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 44. Nays, 19.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 147, Senate Print 677A, by Senator Harckham, 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 90th day after it shall have become a law.

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.

This is a law that was out of the 2017 Lyme Task Force that the Senate had, and other tick-borne diseases. I want to thank my colleague and neighboring Senator, Senator Serino, for all of her work on this issue, on the task force, and for originally carrying this bill.

Tick-borne diseases -- Lyme, Ehrlichia, Babesia, Bartonella -- ravage our suburban and our rural communities, and our urban

communities are no longer immune. And these are diseases that oftentimes hide and mimic other diseases. Is it Lyme, or is it Parkinson's? Is it Lyme or is it dementia? Is it a tick-borne disease or is it meningitis? And at one of the hearings during their task force process, the health commissioner testified that they just simply didn't have enough data.

So this law will require attending physicians at a fatality who are qualified to do an examination, that if it is the result of a tick-borne illness, to put that on the death certificate so the Health Department can begin to quantify the scope of the toll tick-borne diseases are taking, so we can direct research money on this issue.

So for those reasons, I will be voting aye. And again, I want to thank all of the colleagues who served on that task force back in 2017.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to

Calendar Number 147, voting in the negative: Senator Serino.

Ayes, 62. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 177, Senate Print 1289, by Senator Brooks, an act to amend the Agriculture and Markets 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, 63.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 206, Senate Print 739, by Senator Biaggi, an act to amend the Domestic Relations Law and the Executive 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 206, those Senators voting in the negative are Senators Akshar, Borrello, Griffo, Helming, Jordan, O'Mara, Ortt, Rath, Skoufis and Tedisco.

Ayes, 53. Nays, 10.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 218, Senate Print 2291, by Senator Sanders, an act requiring the State University of New York and the City University of New York to examine and conduct a study on the availability of campus services.

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, 63.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 219, Senate Print 2680A, by Senator Addabbo, an act to amend the Education Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT BENJAMIN: The

bill is passed.

THE SECRETARY: Calendar Number 235, Senate Print 4000, by Senator Rivera, an act to amend the Education Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 6. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2020.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 236, Senate Print 4001, by Senator Biaggi, an act to amend the Labor Law in relation to removing certain provisions relating to covered airport workers.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 18. This

act shall take effect on the same date and in the same manner as a chapter of the Laws of 2020.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 236, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Skoufis, Stec, Tedisco and Weik.

Ayes, 45. Nays, 18.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 244, Senate Print 2114, 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.

And thank you, Madam Leader, for allowing this bill to come to the floor.

When we think about caregivers, we tend not necessarily to think about children. We tend to think of individuals who are providing care to our seniors, providing care to individuals who may have disabilities. But we don't think about children that are providing these very services to members of their own family.

And a lot of the times these children are providing caregiving services to people in their family. And as they're doing this, what's happening is that they are not able to focus on their job, so to speak, which is being a student.

So an organization in my district, Caregivers Outreach Ministries, they've done

studies. And the majority of the children in that study were providing some sort of care to a family member, whether that be having to run errands for their parents or having to get medicine for their grandpa. And especially now, in the era of COVID-19, when so many things are changing the way that we do things in our society, people are leaning on children more.

And so this is really important and critical, and I'm grateful for this opportunity that we have this bill, so that we can start thinking about who's giving care to individuals and what caregivers are -- the care that they're providing.

And so I thank my colleagues for voting for this piece of legislation, and I'll be voting in the affirmative, Mr. President.

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

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 258, Senate Print 2764, by Senator Stavisky, 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: Ayes, 63.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 259, Senate Print 2765, by Senator Stavisky, 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: Ayes, 63.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 260, Senate Print 2767, by Senator Kennedy, an act to establish a private student loan refinance task force.

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: Senator Kennedy to explain his vote.

SENATOR KENNEDY: Thank you, Mr. President.

I rise to support this bill that will create a private student loan task force.

Most attention these days is focused on federally backed student loans, which make up a majority of the student loan debt by Americans. And the federal government has targeted relief to those with federal student loan debt, offering

items like income-based repayment, deferment and, under the federal CARES Act, the ability to not make payments during the pandemic.

Unfortunately, these requirements don't apply to private student loans. Private borrowers often have limited payment and forgiveness options and experience higher interest rates. When a crisis like the pandemic hits, these private loans and their inflexible terms can become a crushing financial burden.

This is a major problem. Nearly 8 percent of the nation's student loan debt is in private student loans, amounting to over $135 billion in debt. And with current private student loan interest rates going as high as nearly 15 percent, that debt can follow a borrower around for a lifetime.

For New Yorkers with all types of loans, the average student loan debt is over $35,000, an amount that is all too often unaffordable, and one that can lead to delayed milestones like purchasing a new home.

That's why this bill today will reexamine all of the problems facing borrowers with private student loans and come up with

solutions on how New York can tackle such a large and pervasive problem. The task force will issue recommendations on items like how to reduce monthly payments, how to establish student loan refinancing programs, and how to offer income-based repayment plans.

In setting an aggressive date by which a report must be issued by the end of this year, we can examine and implement solutions quickly.

I want to thank the Majority Leader, Andrea Stewart-Cousins, for prioritizing this bill and all these bills that we pass here today dealing with higher education.

With that, Mr. President, I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 261, Senate Print 2778, by Senator Stavisky, an act to amend the Education 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: Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Mr. President.

My colleagues, I rise this afternoon to speak on proposed Bill S2778. This legislation would make it unlawful for any employee or officer of the City or State University to request the specific details of a student's immigration status, except when required by federal law pursuant to a court order or as required in connection with tuition or financial aid eligibility.

And so I rise in support of this legislation. We live in a nation composed mostly of immigrants, and our state, which is the Empire State, prides itself as a progressive leader in protecting human rights of all. And as we start

to undo all of the harm caused by the previous administration, we cannot overlook our immigrant students, who come to this nation to contribute to our state, and the path to that for them is higher education.

For four years, these students lived under great fear, and it's now our duty as legislators to provide them with peace of mind. No student in our public universities, wherever they come from or regardless of their immigration status, should have to live under the fear that they might end up on a deportation list developed in part by the university where they studied.

Today, with this legislation, we can take one significant step towards ensuring that our public institutions of higher education are spaces where all people, regardless of their immigration status, can learn inside.

Mr. President, I say this to you, that I've heard people talk about -- that we are all immigrants. And I used to say to myself, thinking in my mind, Oh, no, we are not. Because some of my relatives came across on slave ships, and they didn't immigrate here, they came here under chattel slavery. So that's a big

difference.

But, Mr. President, I vote aye on this legislation, and I appreciate the opportunity to speak.

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

Announce the results.

THE SECRETARY: In relation to Calendar 261, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec and Tedisco.

Ayes, 44. Nays, 19.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 267, Senate Print 2737, 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 267, those Senators voting in the negative are Senators Akshar, Borrello, Griffo, Lanza, Martucci, Oberacker, O'Mara, Palumbo, Rath and Weik.

Ayes, 53. Nays, 10.

ACTING PRESIDENT BENJAMIN: The bill is passed.

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

SENATOR GIANARIS: Can we now move to the controversial calendar, please.

ACTING PRESIDENT BENJAMIN: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 14, Assembly Number 1941, by Assemblymember Walker, an act to amend the Mental Hygiene Law and the Public Health Law.

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

SENATOR LANZA: Mr. President, I

believe there's an amendment at the desk. I waive the reading of that amendment and ask that you recognize Senator Serino to be heard.

ACTING PRESIDENT BENJAMIN: Thank you, Senator Lanza.

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

SENATOR LANZA: Accordingly, Mr. President, I appeal the ruling of the chair and ask that Senator Serino be recognized.

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

SENATOR SERINO: Thank you, Mr. President.

Mr. President, I rise to appeal the ruling of the chair. The proposed amendment is germane to the bill because the bill at hand deals with obtaining records about deceased inmates, and the Governor has been withholding records on COVID-19-related deaths at nursing home facilities throughout this state of emergency.

The bill before this body,

Mr. President, is a chapter amendment to a piece of legislation that last year gave an oversight board authority to review the medical records of those incarcerated under the New York City Department of Corrections, to ensure that they conduct timely investigations into any deaths that occur on their watch.

The bill's justification reads, in part, and I quote: "Reviewing health records as part of a death investigation is critical to determining whether the Department of Correction and the Correctional Health Authority have complied with the board's minimum standards; what policies and practices, if any, contributed to the death of a person in custody; and whether any policy or practice changes could prevent other deaths."

That bill passed this house and the Assembly unanimously. It has an incredibly important goal, to provide oversight of a government authority to ensure that those within its care are afforded certain protections -- protections that, to date, this body and our Governor have failed to extend to our most vulnerable citizens, residents of New York's

nursing homes and adult care facilities.

We've brought this amendment to the floor every single day since session began, but never has it been more important than it is now. Last week a nonpartisan report by the New York State Attorney General revealed what many of us have suspected for months: The state drastically underreported the number of COVID-19 deaths in New York's nursing homes.

This revelation has severely eroded the public's trust in their state government, at a time when trust in our system has never been more critical. As lawmakers, we have a duty to do all that we can to help restore that trust, and that starts by taking power from those who put so many New Yorkers directly in harm's way.

It's time for the people's representatives to do the job they were elected to do, and that starts by putting an end to the dictatorship that jeopardized the health and safety of thousands of vulnerable New Yorkers.

The bill we're passing here today is about accountability. It's about assessing where actions may have gone wrong, and taking real steps to improve. If we can do it for those in

our criminal justice system, we have to be able to do it for the residents of New York's nursing homes, who are vulnerable victims of bad state policy.

We all know that the Governor doesn't care about how these New Yorkers died. But if you really care about getting to the bottom of this cover-up, if you really care about New Yorkers and the answers they deserve, now is the time to set politics aside and vote to do the right thing by bringing balance back to state government and joining our fight for accountability, transparency, and a better state policy.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: Thank you, Senator Serino.

I want to remind the house that the vote is on the procedures of the house and the ruling of the chair.

Those in favor of overruling the chair signify by saying aye.

SENATOR LANZA: Request a show of hands.

SENATOR GIANARIS: Mr. President,

we've agreed to waive the showing of hands and record each member of the Minority in the affirmative.

ACTING PRESIDENT BENJAMIN: Without objection, so ordered.

Announce the results.

THE SECRETARY: Ayes, 20.

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

Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed. The Secretary will ring the bell.

Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2020.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT BENJAMIN: The

bill is passed.

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

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

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

SENATOR GIANARIS: I move to adjourn until tomorrow, Wednesday, February 10th, at 11:00 a.m.

ACTING PRESIDENT BENJAMIN: On motion, the Senate stands adjourned until Wednesday, February 10th, at 11:00 a.m.

(Whereupon, at 4:07 p.m., the Senate adjourned.)