

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 May 11, 2021

11 3:10 p.m.

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13
14 REGULAR SESSION

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17
18 SENATOR SHELLEY B. MAYER, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

1 P R O C E E D I N G S

2 ACTING PRESIDENT MAYER: The Senate
3 will come to order.

4 I ask everyone present to please
5 rise and recite the Pledge of Allegiance.

6 (Whereupon, the assemblage recited
7 the Pledge of Allegiance to the Flag.)

8 ACTING PRESIDENT MAYER: In the
9 absence of clergy, let us bow our heads in a
10 moment of silent reflection or prayer.

11 (Whereupon, the assemblage respected
12 a moment of silence.)

13 ACTING PRESIDENT MAYER: The
14 reading of the Journal.

15 THE SECRETARY: In Senate, Monday,
16 May 10, 2021, the Senate met pursuant to
17 adjournment. The Journal of Sunday, May 9, 2021,
18 was read and approved. On motion, Senate
19 adjourned.

20 ACTING PRESIDENT MAYER: Without
21 objection, the Journal stands approved as read.

22 Presentation of petitions.

23 Messages from the Assembly.

24 Messages from the Governor.

25 Reports of standing committees.

1 Reports of select committees.

2 Communications and reports from
3 state officers.

4 Motions and resolutions.

5 Senator Gianaris.

6 SENATOR GIANARIS: Good afternoon,
7 Madam President.

8 Amendments are offered to the
9 following Third Reading Calendar bills:

10 By Senator Myrie, page 24, Calendar
11 522, Senate Print 294;

12 By Senator Rivera, page 26, Calendar
13 550, Senate Print 4257;

14 By Senator Sanders, page 28,
15 Calendar 613, Senate Print 5096;

16 By Senator Kaplan, page 35, Calendar
17 744, Senate Print 52;

18 And by Senator Brooks, page 36,
19 Calendar 762, Senate Print 1391.

20 ACTING PRESIDENT MAYER: The
21 amendments are received, and the bills shall
22 retain their place on the Third Reading Calendar.

23 Senator Gianaris.

24 SENATOR GIANARIS: On behalf of
25 Senator Kennedy, I wish to call up Senate Print

1 5060, recalled from the Assembly, which is now at
2 the desk.

3 ACTING PRESIDENT MAYER: The
4 Secretary will read.

5 THE SECRETARY: Calendar Number
6 639, Senate Print 5060, by Senator Kennedy, an
7 act to amend the Vehicle and Traffic Law.

8 SENATOR GIANARIS: Move to
9 reconsider the vote by which the bill was passed.

10 ACTING PRESIDENT MAYER: The
11 Secretary will call the roll on reconsideration.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 63.

14 ACTING PRESIDENT MAYER: The bill
15 is restored to its place on the Third Reading
16 Calendar.

17 SENATOR GIANARIS: I offer the
18 following amendments.

19 ACTING PRESIDENT MAYER: The
20 amendments are received.

21 SENATOR GIANARIS: Also on behalf
22 of Senator Kennedy, I wish to call up
23 Senate Print 6003, recalled from the Assembly,
24 which is now at the desk.

25 ACTING PRESIDENT MAYER: The

1 Secretary will read.

2 THE SECRETARY: Calendar Number
3 701, Senate Print 6003, by Senator Kennedy, an
4 act to amend the Public Authorities Law.

5 SENATOR GIANARIS: Move to
6 reconsider the vote by which the bill was passed.

7 ACTING PRESIDENT MAYER: The
8 Secretary will call the roll on reconsideration.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 63.

11 ACTING PRESIDENT MAYER: The bill
12 is restored to its place on the Third Reading
13 Calendar.

14 SENATOR GIANARIS: I offer the
15 following amendments.

16 ACTING PRESIDENT MAYER: The
17 amendments are received.

18 SENATOR GIANARIS: Please recognize
19 Senator Lanza.

20 ACTING PRESIDENT MAYER: Senator
21 Lanza.

22 SENATOR LANZA: Thank you. Thank
23 you, Madam President.

24 On motion by Senator Gallivan, on
25 page 36 I offer the following amendments to

1 Calendar Number 759, Senate Print Number 5877A,
2 and ask that said bill retain its place on Third
3 Reading Calendar.

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

7 Senator Gianaris.

8 SENATOR GIANARIS: At this time I
9 move to adopt the Resolution Calendar, with the
10 exception of Resolutions 738, 753, 761 and 762.

11 ACTING PRESIDENT MAYER: All in
12 favor of adopting the Resolution Calendar, with
13 the exception of Resolutions 738, 753, 761 and
14 762, please signify by saying aye.

15 (Response of "Aye.")

16 ACTING PRESIDENT MAYER: Opposed,
17 nay.

18 (No response.)

19 ACTING PRESIDENT MAYER: The
20 Resolution Calendar is adopted.

21 Senator Gianaris.

22 SENATOR GIANARIS: Can we now take
23 up Resolution 738, by Senator Ryan, read the
24 resolution's title, and recognize Senator Ryan.

25 ACTING PRESIDENT MAYER: The

1 Secretary will read.

2 THE SECRETARY: Senate Resolution
3 738, by Senator Ryan, mourning the death of
4 Madeline Davis, trailblazing gay and lesbian
5 activist, historian, distinguished citizen and
6 devoted member of her community.

7 ACTING PRESIDENT MAYER: Senator
8 Ryan on the resolution.

9 SENATOR RYAN: Thank you,
10 Madam President.

11 It's been a difficult couple of
12 weeks for the LGBTQ community in Buffalo and
13 Western New York. Last week I spoke of the loss
14 of long-time activist Bruce Kogan, and today I
15 rise to honor the life of another leading
16 activist who was born in the City of Buffalo.

17 Her name was Madeline Davis. She
18 was Dr. Madeline Davis, as she was a Ph.D. She
19 was an active and accomplished woman, and saying
20 that is an understatement. She spent her whole
21 adult life fighting as an activist for equality.
22 She was a teacher, an author, an historian, an
23 accomplished actor, on top of being a trailblazer
24 in so many different ways.

25 She founded the first gay liberation

1 organization in Western New York. It was called
2 the Matachine Society of the Niagara Frontier.
3 How far we've come since those days.

4 She was also very involved in
5 politics, and she became the first openly gay
6 delegate to any political convention in America.

7 She taught at the University of
8 Buffalo. She formed the first all-lesbian
9 theater company in the United States. This is
10 one person I'm talking about here, not several
11 people.

12 She was inducted into the Advocate
13 Magazine's Hall of Fame in 2012.

14 But what she really ended up doing,
15 as she went decades into advocacy, was realizing
16 that she was part of a historic moment. So she
17 became somebody who started writing down the
18 history of the lesbian community, and she
19 collected oral histories of people throughout
20 Buffalo and Western New York. Her whole body of
21 work eventually went to the University of
22 Buffalo, and they have the Dr. Madeline Davis
23 LGBTQ Archive of Western New York at the
24 University of Buffalo.

25 So she truly made a difference

1 during her lifetime to so many people. Madeline
2 Davis's legacy will continue for countless years
3 to come. And I offer my condolences to her wife,
4 Wendy, to all her friends and her family.

5 Thank you, Madam President, for
6 allowing me to speak on this resolution.

7 ACTING PRESIDENT MAYER: The
8 question is on the resolution. All in favor
9 signify by saying aye.

10 (Response of "Aye.")

11 ACTING PRESIDENT MAYER: Opposed?

12 (No response.)

13 ACTING PRESIDENT MAYER: The
14 resolution is adopted.

15 Senator Gianaris.

16 SENATOR GIANARIS: Thank you,
17 Madam President.

18 Now can we move on to Resolution
19 753, by Senator Gaughran, read the title of that
20 resolution, and recognize Senator Gaughran.

21 ACTING PRESIDENT MAYER: The
22 Secretary will read.

23 THE SECRETARY: Senate Resolution
24 753, by Senator Gaughran, mourning the tragic and
25 untimely death of NYPD Police Officer Anastasios

1 Tsakos on Tuesday, April 27, 2021.

2 ACTING PRESIDENT MAYER: Senator
3 Gaughran on the resolution.

4 SENATOR GAUGHRAN: Thank you,
5 Madam President.

6 I rise today to mourn the very
7 tragic loss of NYPD Officer Anastasios Tsakos,
8 who made the ultimate sacrifice on April 27th,
9 2021, bravely protecting the citizens of
10 New York.

11 On that day Officer Tsakos was
12 performing duties that he often did, just making
13 sure that all New Yorkers and anybody visiting
14 our state could go about their daily lives
15 safely.

16 This resolution and many accounts of
17 the tragedy and the details that happened to this
18 brave hero have -- are in the resolution, and
19 there are various accounts of what happened that
20 awful day. And I'm not going to repeat them,
21 because I want to really talk about the life of
22 this wonderful human being and brave police
23 officer.

24 He was the proud son of immigrants
25 who came to the country from Laconia, from

1 Greece, came to this country. And he grew up in
2 Astoria, Queens, and actually for a brief time he
3 went to Greece and during this time he actually
4 joined, briefly, the Greek military.

5 He served as a member of the NYPD
6 proudly for 14 years. His tenure included
7 service in the 75th and 93rd Precincts and also
8 Highway 3.

9 He was active in a whole bunch of
10 important fraternal and charitable organizations
11 because he always gave back to his community.

12 But most importantly, he was a
13 loving husband and father, leaving behind his
14 wife Irene and two very young children, Jenny and
15 Stavros.

16 And being assigned to work nights,
17 Officer Tsakos enjoyed playing with his children
18 during the day and teaching them the values of
19 life. So we mourn this very tragic loss for
20 their family.

21 Recently the Tsakos family bought a
22 home on Long Island, in East Northport. He
23 immediately became involved with his neighbors in
24 his new community. And during this difficult
25 COVID period, he actually volunteered countless

1 hours and he delivered food to many of his
2 neighbors who couldn't leave their houses -- some
3 of them had COVID, some of them were older. And
4 he just wanted to do his part on his own time.
5 He even did some home improvements for some
6 neighbors that were in need.

7 So Officer Tsakos's exemplary life
8 makes this tragedy just so much more profound,
9 because we know he would have accomplished so
10 much more good for his community and for this
11 state.

12 We will forever honor the heroic
13 service of Police Officer Anastasios Tsakos to
14 New York and once again express our deepest
15 condolences to the Tsakos family and to the NYPD.

16 I vote in the affirmative,
17 Madam President. Thank you.

18 ACTING PRESIDENT MAYER: Thank you,
19 Senator Gaughran.

20 Senator Mattera on the resolution.

21 SENATOR MATTERA: Thank you. Thank
22 you, Madam President.

23 Last week the family of Detective
24 Tsakos, the Long Island community, along with his
25 fellow police officers and the New York Police

1 Department, laid to rest Detective Tsakos. A
2 hero was taken from his family and our state in a
3 senseless tragedy.

4 Today, led by Senator Jim Gaughran,
5 we stand together to honor his life and to let
6 his family know that we will never forget his
7 life. Detective Tsakos was a 14-year veteran who
8 gave his life protecting our state's residents,
9 and we owe him an unpayable debt.

10 Throughout his career he was a
11 member of the New York Police Department who had
12 been called the best of the best by his fellow
13 police officers, a mentor to all. He was a
14 shining example of how important our police are
15 and how much we owe all of them for their
16 service. Sixty-seven-thousand New York State
17 police officers protect all of us from harm's way
18 every day.

19 Most importantly, he was a husband,
20 a son, a brother, and a father, a neighbor and a
21 friend. We hope his entire family knows that
22 their state is with them during this difficult
23 time and that we share in their loss.

24 To his wife, Irene, we stand with
25 you in this trying time. We will continue to be

1 there for you as you deal with this tragedy.

2 To his young son, Stavros, and his
3 young daughter, Jenny, we hope you know that your
4 daddy was and is a hero, both in how we serve our
5 residents and who was in his community.

6 We will never forget his selfless
7 service to our residents to serve and to protect.
8 We will never forget the impact he had on our
9 community. And we will never forget his
10 sacrifice. Rest in peace, Detective Tsakos.

11 Thank you.

12 ACTING PRESIDENT MAYER: Thank you.

13 The question is on the resolution.

14 All in favor signify by saying aye.

15 (Response of "Aye.")

16 ACTING PRESIDENT MAYER: Opposed?

17 (No response.)

18 ACTING PRESIDENT MAYER: The
19 resolution is adopted.

20 Senator Gianaris.

21 SENATOR GIANARIS: Now,
22 Madam President, Resolution 761, by Senator Rath,
23 read the title of that resolution, and recognize
24 Senator Rath.

25 ACTING PRESIDENT MAYER: The

1 Secretary will read.

2 THE SECRETARY: Senate Resolution
3 761, by Senator Rath, congratulating Joan
4 Fishburn upon the occasion of her designation as
5 recipient of the "Unsung Hero" SPARK Award by
6 Arts Services Inc.

7 ACTING PRESIDENT MAYER: Senator
8 Rath on the resolution.

9 SENATOR RATH: Thank you,
10 Madam President.

11 I am happy to honor Joan Fishburn
12 today as an Amherst resident who has been
13 recognized as a recipient of the "Unsung Hero"
14 Award by the Arts Services Inc. at their annual
15 SPARK Awards. The SPARK Awards identify
16 outstanding individuals and organizations from
17 across Western New York for their dedication,
18 talent and impact on the arts and the cultural
19 sectors of our community.

20 Joan has dedicated her time and her
21 talents to the Western New York community for
22 over six decades, and as a member of the Amherst
23 Symphony Orchestra since 1959. She has committed
24 herself to the arts, and that has been an
25 impressive set of accomplishments in our

1 hometown.

2 She has dedicated her time as the
3 president of both the Women's and the Friends
4 Committees of the Amherst Symphony, as well as
5 the Amherst Symphony Association's board of
6 directors.

7 Joan has expanded many programs,
8 brought hundreds of young people to participate
9 in symphony concerts, and has brought symphony
10 members into our schools in Amherst for
11 educational presentations.

12 She has been an advocate for the
13 positive impact of music and what it can have on
14 the lives of the children and adults alike in our
15 community.

16 So I would like to say thank you and
17 congratulations to Joan Fishburn and thank her
18 for all the incredible and outstanding impact she
19 has had in our Amherst community.

20 Madam President, thank you for the
21 opportunity to speak on this resolution.

22 ACTING PRESIDENT MAYER: Thank you.

23 The question is on the resolution.

24 All in favor signify by saying aye.

25 (Response of "Aye.")

1 ACTING PRESIDENT MAYER: Opposed?

2 (No response.)

3 ACTING PRESIDENT MAYER: The
4 resolution is adopted.

5 Senator Gianaris.

6 SENATOR GIANARIS: And finally,
7 Madam President, let's move to Resolution 762,
8 also by Senator Rath, read the title of that
9 resolution, and recognize Senator Rath.

10 ACTING PRESIDENT MAYER: The
11 Secretary will read.

12 THE SECRETARY: Senate Resolution
13 762, by Senator Rath, congratulating
14 Williamsville North wrestler Cameron Catrabone
15 upon the occasion of winning the Freshman
16 Division Title at the National High School
17 Coaches Association Tournament.

18 ACTING PRESIDENT MAYER: Senator
19 Rath on the resolution.

20 SENATOR RATH: Thank you,
21 Madam President.

22 I am honored to recognize an
23 outstanding student athlete from my district,
24 Cameron Catrabone.

25 Cameron Catrabone is a freshman at

1 Williamsville North High School and a wrestler on
2 the Wrestling Team. And as a wrestler, Cameron
3 recently won the Freshman Division Title at the
4 National High School Coaches Association
5 Tournament held on Sunday, April 25th, in
6 Virginia. This marks his sixth victory of the
7 tournament, and he conducted all of that without
8 a loss over the three-day tournament.

9 Adding to the impressive feat, this
10 was Cameron's first time at this national
11 tournament. It is also believed that he is the
12 first winner from Western New York since 2015 for
13 this esteemed title.

14 His dedication to his sport and
15 studies is extremely remarkable. Cameron is
16 actually a neighbor of mine, living one street
17 over, and I've watched him grow up and become the
18 remarkable young man that he is.

19 And I wish him all the best in his
20 future matches and look forward to following his
21 future success.

22 Thank you, Madam Chair. I
23 appreciate the opportunity to speak on this
24 resolution.

25 ACTING PRESIDENT MAYER: Thank you.

1 The question is on the resolution.

2 All in favor signify by saying aye.

3 (Response of "Aye.")

4 ACTING PRESIDENT MAYER: Opposed?

5 (No response.)

6 ACTING PRESIDENT MAYER: The
7 resolution is adopted.

8 Senator Gianaris.

9 SENATOR GIANARIS: At the request
10 of the various sponsors, these resolutions are
11 all open for cosponsorship.

12 ACTING PRESIDENT MAYER: The
13 resolutions are open for cosponsorship. Should
14 you choose not to be a cosponsor of any of the
15 resolutions, please notify the desk.

16 Senator Gianaris.

17 SENATOR GIANARIS: Let's take up
18 the calendar, Madam President.

19 ACTING PRESIDENT MAYER: The
20 Secretary will read.

21 THE SECRETARY: Calendar Number
22 118, Senate Print 1557A, by Senator Parker, an
23 act to amend the Public Service Law and the
24 General Business Law.

25 ACTING PRESIDENT MAYER: Read the

1 last section.

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

4 ACTING PRESIDENT MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MAYER: Senator
8 Parker to explain his vote.

9 SENATOR PARKER: Thank you,
10 Madam President.

11 I rise to vote aye on this bill.
12 It's an important issue around domestic violence
13 and how there are issues related to people who
14 are trying to get out of these circumstances and
15 their utility bills.

16 In the U.S. there are more than
17 10 million people who are abused by their
18 intimate partners annually. One particular
19 difficult challenge for many survivors of
20 domestic violence is utility debt. A victim of
21 abuse may be held responsible for debt accrued by
22 their abusers, and oftentimes utility companies
23 try to hold survivors responsible for these
24 delinquent utility payments, and this further
25 limits their ability to flee their abusive

1 partners. The utility does not only prevent
2 survivors from leaving their abusers, but it also
3 makes it difficult for survivors to obtain new
4 utility service if they do manage to escape.

5 This bill requires the release of
6 those individuals from the utility
7 corporations' telephone, cable TV, wireless
8 contracts in the instances of domestic violence.
9 As written, this bill allows a person who is
10 under a shared contract to opt out of such
11 contract without fee, penalty or charge when such
12 a person is a victim of domestic violence or
13 intimate partner violence, and provides an
14 attestation in writing to their eligibility as a
15 victim.

16 A service provider may not require
17 such a person to disclose confidential
18 information or details in these cases as well.

19 Also, it waives the otherwise
20 applicable charges for non-published telephone
21 listings where a customer requests protection of
22 their identity in connection with consumer
23 purchases by telephone service and a customer
24 provides an attestation in writing for their
25 eligibility as a victim, again.

1 The bill also allows a person that
2 is under contract, including but not limited to a
3 multiyear account, or bundled contract, to opt
4 out of such a contract without fee, penalty or
5 charge when such a person, again, finds
6 themselves in one of these horrible conditions.

7 This legislation, again, provides an
8 escape clause of these contracts. You know, we
9 think that people who are, you know, survivors of
10 this kind of violence should not have to then
11 again go through a whole new battle with their
12 utilities.

13 Thank you very much for bringing
14 this bill to the floor, and I vote aye.

15 ACTING PRESIDENT MAYER: Senator
16 Parker to be recorded in the affirmative.

17 Announce the results.

18 THE SECRETARY: Ayes, 63.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 266, Senate Print 2586, by Senator Brisport, an
23 act to amend the Social Services Law.

24 ACTING PRESIDENT MAYER: Read the
25 last section.

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

3 ACTING PRESIDENT MAYER: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT MAYER: Announce
7 the results.

8 THE SECRETARY: In relation to
9 Calendar 266, those Senators voting in the
10 negative are Senators Akshar, Borrello, Boyle,
11 Griffo, Helming, Jordan, Lanza, Martucci,
12 Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath,
13 Ritchie, Stec, Tedisco and Weik.

14 Ayes, 45. Nays, 18.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 300, Senate Print 1216, by Senator Benjamin, an
19 act to amend the State Finance Law.

20 ACTING PRESIDENT MAYER: Read the
21 last section.

22 THE SECRETARY: Section 3. This
23 act shall take effect on the 90th day after it
24 shall have become a law.

25 ACTING PRESIDENT MAYER: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT MAYER: Announce
4 the results.

5 THE SECRETARY: Ayes, 63.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 401, Senate Print 672, by Senator Sanders, an act
10 to amend the Social Services Law and the Civil
11 Practice Law and Rules.

12 ACTING PRESIDENT MAYER: Read the
13 last section.

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

16 ACTING PRESIDENT MAYER: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MAYER: Announce
20 the results.

21 THE SECRETARY: Ayes, 63.

22 ACTING PRESIDENT MAYER: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 440, Senate Print 3374, by Senator Bailey, an act

1 to amend the Alcoholic Beverage Control Law.

2 ACTING PRESIDENT MAYER: Read the
3 last section.

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

6 ACTING PRESIDENT MAYER: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MAYER: Announce
10 the results.

11 THE SECRETARY: Ayes, 63.

12 ACTING PRESIDENT MAYER: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 485, Senate Print 244A, by Senator Mayer, an act
16 to amend the General Business Law.

17 ACTING PRESIDENT MAYER: Read the
18 last section.

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

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

2 THE SECRETARY: Ayes, 63.

3 ACTING PRESIDENT MAYER: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 486, Senate Print 748, by Senator Biaggi, an act
7 to amend the General Business Law and the Tax
8 Law.

9 ACTING PRESIDENT MAYER: Read the
10 last section.

11 THE SECRETARY: Section 5. This
12 act shall take effect immediately.

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Announce
17 the results.

18 THE SECRETARY: Ayes, 63.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 493, Senate Print 3826, by Senator Griffo, an act
23 to amend the Education Law.

24 ACTING PRESIDENT MAYER: Read the
25 last section.

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

3 ACTING PRESIDENT MAYER: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT MAYER: Announce
7 the results.

8 THE SECRETARY: In relation to
9 Calendar 493, those Senators voting in the
10 negative are Senators Brooks and Thomas.

11 Ayes, 61. Nays, 2.

12 ACTING PRESIDENT MAYER: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 527, Senate Print 3086, by Senator Salazar, an
16 act to amend the Domestic Relations Law.

17 ACTING PRESIDENT MAYER: Read the
18 last section.

19 THE SECRETARY: Section 8. This
20 act shall take effect on the 30th day after it
21 shall have become a law.

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar 527, those Senators voting in the
4 negative are Senators Felder and Lanza.

5 Ayes, 61. Nays, 2.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 662, Senate Print 3010, by Senator Ramos, an act
10 to amend the Public Health Law and the Insurance
11 Law.

12 ACTING PRESIDENT MAYER: Read the
13 last section.

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

17 ACTING PRESIDENT MAYER: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MAYER: Announce
21 the results.

22 THE SECRETARY: Ayes, 63.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 689, Senate Print 536, by Senator Kaplan, an act
2 to amend the Real Property Law.

3 ACTING PRESIDENT MAYER: Read the
4 last section.

5 THE SECRETARY: Section 19. This
6 act shall take effect immediately.

7 ACTING PRESIDENT MAYER: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT MAYER: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar 689, voting in the negative:
14 Senator Lanza.

15 Ayes, 62. Nays, 1.

16 ACTING PRESIDENT MAYER: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 698, Senate Print 5137, by Senator Mattera, an
20 act to amend the Public Authorities Law.

21 ACTING PRESIDENT MAYER: Read the
22 last section.

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

25 ACTING PRESIDENT MAYER: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT MAYER: Senator
4 Mattera to explain his vote.

5 SENATOR MATTERA: Thank you,
6 Madam President.

7 The formation of a subsidiary by a
8 public authority which itself must be
9 constitutionally created by the Legislature
10 should not be allowed to be created by the parent
11 public authority.

12 This bill seeks to accomplish an
13 important and major reform by prohibiting the
14 formation of a subsidiary of public authority
15 without prior permission of the Legislature.
16 Several public authorities have gotten themselves
17 into trouble due to the lack of oversight and an
18 express set of guidelines of their subsidiaries.

19 Accountability and operational
20 soundness must be clearly demonstrated by these
21 entities through public disclosure and access,
22 with ultimate oversight resting with the people's
23 representatives in the State Senate and Assembly.

24 I am happy to be the sponsor of this
25 bill and will be voting yes on S5137. Thank you.

1 Thank you, Madam President.

2 ACTING PRESIDENT MAYER: Thank you.

3 Senator Mattera to be recorded in
4 the affirmative.

5 Announce the results.

6 THE SECRETARY: Ayes, 63.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 Senator Lanza.

10 SENATOR LANZA: Madam President,
11 please join me in congratulating Senator Mattera
12 on the passage of his first bill in this chamber.

13 (Applause.)

14 THE SECRETARY: Calendar Number
15 755, Senate Print 5381, by Senator Akshar, an act
16 to amend the General Municipal Law.

17 ACTING PRESIDENT MAYER: Read the
18 last section.

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

21 ACTING PRESIDENT MAYER: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT MAYER: Announce
25 the results.

1 THE SECRETARY: Ayes, 63.

2 ACTING PRESIDENT MAYER: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 771, Senate Print 1735, by Senator Skoufis, an
6 act to amend the General Business Law.

7 ACTING PRESIDENT MAYER: Read the
8 last section.

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

12 ACTING PRESIDENT MAYER: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT MAYER: Announce
16 the results.

17 THE SECRETARY: Ayes, 63.

18 ACTING PRESIDENT MAYER: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 828, Senate Print 1399, by Senator Hoylman, an
22 act to amend the Social Services Law.

23 SENATOR GIANARIS: Lay it aside for
24 the day.

25 ACTING PRESIDENT MAYER: The bill

1 is laid aside for the day.

2 THE SECRETARY: Calendar Number
3 835, Senate Print 6244A, by Senator Krueger, an
4 act to amend the Labor Law.

5 ACTING PRESIDENT MAYER: Read the
6 last section.

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

9 ACTING PRESIDENT MAYER: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT MAYER: Announce
13 the results.

14 THE SECRETARY: Ayes, 63.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 844, Senate Print 5434, by Senator Harckham, an
19 act to amend the Mental Hygiene Law.

20 ACTING PRESIDENT MAYER: Read the
21 last section.

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

24 ACTING PRESIDENT MAYER: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT MAYER: Senator
3 Harckham to explain his vote.

4 SENATOR HARCKHAM: Thank you,
5 Madam President.

6 First I just want to thank our
7 Majority Leader for bringing this measure to the
8 floor. I want to thank Chairwoman Brouk for
9 passing this out of the Committee on Mental
10 Health. And certainly I want to commend
11 Assemblywoman Amy Paulin, who originated this
12 legislation.

13 You'll recall, Madam President, in
14 2019 we passed the Red Flag Bill, or Extreme Risk
15 Protection Order Bill. And what that bill
16 allowed was that family members, police,
17 educators can petition a court to remove firearms
18 from someone who they -- the judge might deem to
19 be at risk to themselves or to others.

20 So sadly, in Westchester we had a
21 case where a woman voluntarily committed herself
22 for mental health treatment and, upon her
23 release, purchased firearms and subsequently and
24 tragically committed suicide.

25 And after the fact her family was

1 distraught, wondering why she was allowed to
2 purchase firearms, not knowing about ERPO or the
3 Red Flag Bill.

4 So this law would simply provide
5 information in the discharge planning, the
6 discharge information for both patients and
7 families about ERPO and where they can access
8 that process should they feel that that is
9 necessary.

10 So this bill will save lives in the
11 long run, and I am voting yes.

12 Thank you, Madam President.

13 ACTING PRESIDENT MAYER: Senator
14 Harckham to be recorded in the affirmative.

15 Announce the results.

16 THE SECRETARY: In relation to
17 Calendar 844, those Senators voting in the
18 negative are Senators Akshar, Borrello, Gallivan,
19 Griffo, Helming, Jordan, Lanza, Oberacker,
20 O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino,
21 Stec and Tedisco.

22 Ayes, 47. Nays, 16.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 857, Senate Print 5723, by Senator Addabbo, an
2 act to amend the Racing, Pari-Mutuel Wagering and
3 Breeding Law.

4 ACTING PRESIDENT MAYER: Read the
5 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

13 THE SECRETARY: Ayes, 63.

14 ACTING PRESIDENT MAYER: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 859, Senate Print 404, by Senator Biaggi, an act
18 to amend the Criminal Procedure Law.

19 ACTING PRESIDENT MAYER: Read the
20 last section.

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

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER: Announce
2 the results.

3 THE SECRETARY: Ayes, 63.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 863, Senate Print 3020A, by Senator Parker, an
8 act to amend the Criminal Procedure Law and the
9 Executive Law.

10 ACTING PRESIDENT MAYER: Read the
11 last section.

12 THE SECRETARY: Section 2. This
13 act shall take effect on the first of January.

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MAYER: Senator
18 Parker to explain his vote.

19 SENATOR PARKER: Thank you,
20 Madam President. I rise to proudly vote aye on
21 the Phoenix Act.

22 More than one in three women and
23 more than one in four men in the United States
24 have experienced domestic violence by intimate
25 partner. And when that domestic violence occurs,

1 the statute of limitations varies on the specific
2 crime. The trauma and the impact of domestic
3 violence can take years to overcome.

4 And in addition, it's not uncommon
5 for survivors of domestic violence to be
6 reluctant to report their abusers. Studies have
7 shown that 50 percent of domestic violence cases
8 go unreported, and in many cases it is not until
9 years after a violent relationship ends that a
10 survivor may feel safe enough to report the
11 crime.

12 The current statute of limitations
13 is restrictive and does not take into account the
14 complicated nature of these circumstances.
15 Survivors of domestic violence may not report a
16 crime for myriad reasons, including their age at
17 the time of abuse, ongoing trauma, threats from a
18 perpetrator, or the lack of evidence.

19 The Phoenix Act extends the statute
20 of limitations for domestic violence offenses.
21 For all offenses with a statute of limitations of
22 less than 10 years, the bill creates a 10-year
23 limit. And for offenses with a statute of
24 limitations of less than five years, the bill
25 creates a five-year limit.

1 This legislation will provide
2 domestic violence survivors with time to come
3 forward and ensure that their perpetrators are
4 held accountable.

5 In addition, the bill strengthens
6 policy and training requirements for police
7 officers. Training would include techniques for
8 handling of domestic violence situations and how
9 to spot signs of domestic violence.

10 It is time that we stand up and we
11 protect people in our state. I vote aye.

12 Thank you.

13 ACTING PRESIDENT MAYER: Senator
14 Parker to be recorded in the affirmative.

15 Announce the results.

16 THE SECRETARY: Ayes, 63.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 867, Senate Print 6363, by Senator Mayer, an act
21 to amend the Criminal Procedure Law and the
22 Family Court Act.

23 ACTING PRESIDENT MAYER: Read the
24 last section.

25 THE SECRETARY: Section 7. This

1 act shall take effect immediately.

2 ACTING PRESIDENT MAYER: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MAYER: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Calendar 867, those Senators voting in the
9 negative are Senators Akshar, Borrello, Gallivan,
10 Griffo, Helming, Jordan, Lanza, Martucci,
11 Oberacker, O'Mara, Ortt, Rath, Ritchie, Stec and
12 Tedisco.

13 Ayes, 48. Nays, 15.

14 ACTING PRESIDENT MAYER: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 875, Senate Print 1555, by Senator Myrie, an act
18 to amend the Election Law.

19 ACTING PRESIDENT MAYER: Read the
20 last section.

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

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER: Announce
2 the results.

3 THE SECRETARY: Ayes, 63.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 876, Senate Print 3855, by Senator Kennedy, an
8 act to amend the Election Law.

9 ACTING PRESIDENT MAYER: Read the
10 last section.

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

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MAYER: Announce
18 the results.

19 THE SECRETARY: Ayes, 63.

20 ACTING PRESIDENT MAYER: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 885, Senate Print 6015, by Senator Gounardes, an
24 act to amend the Civil Service Law.

25 ACTING PRESIDENT MAYER: Read the

1 last section.

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

4 ACTING PRESIDENT MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MAYER: Announce
8 the results.

9 THE SECRETARY: Ayes, 63.

10 ACTING PRESIDENT MAYER: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 897, Senate Print 1267, by Senator Gianaris, an
14 act to amend the Public Authorities Law.

15 ACTING PRESIDENT MAYER: Read the
16 last section.

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

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar 897, those Senators voting in the

1 negative are Senators Akshar, Borrello, Boyle,
2 Gallivan, Griffo, Helming, Jordan, Martucci,
3 Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath,
4 Ritchie, Serino, Stec, Tedisco and Weik.

5 Ayes, 44. Nays, 19.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

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

10 SENATOR GIANARIS: Returning to
11 motions for a moment, on behalf of
12 Senator Breslin, I wish to call up Senate 5581,
13 recalled from the Assembly, which is at the desk.

14 ACTING PRESIDENT MAYER: The
15 Secretary will read.

16 THE SECRETARY: Calendar Number
17 742, Senate Print 5581, by Senator Breslin, an
18 act to amend Chapter 589 of the Laws of 2015.

19 SENATOR GIANARIS: Move to
20 reconsider the vote by which the bill was passed.

21 ACTING PRESIDENT MAYER: The
22 Secretary will call the roll on reconsideration.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 63.

25 ACTING PRESIDENT MAYER: The bill

1 is restored to its place on the Third Reading
2 Calendar.

3 SENATOR GIANARIS: I offer the
4 following amendments.

5 ACTING PRESIDENT MAYER: The
6 amendments are received.

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

9 ACTING PRESIDENT MAYER: There is
10 no further business at the desk.

11 SENATOR GIANARIS: Move to adjourn
12 until tomorrow, Wednesday, May 12th, at
13 11:00 a.m.

14 ACTING PRESIDENT MAYER: On motion,
15 the Senate stands adjourned until Wednesday,
16 May 12th, at 11:00 a.m.

17 (Whereupon, at 3:46 p.m., the Senate
18 adjourned.)

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