

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 24, 2021

11 3:16 p.m.

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13  
14 REGULAR SESSION

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18 SENATOR ROXANNE J. PERSAUD, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

2 ACTING PRESIDENT PERSAUD: The  
3 Senate 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 PERSAUD: 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 PERSAUD: Reading  
14 of the Journal.

15 THE SECRETARY: In Senate, Sunday,  
16 May 23, 2021, the Senate met pursuant to  
17 adjournment. The Journal of Saturday, May 22,  
18 2021, was read and approved. On motion, the  
19 Senate adjourned.

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

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: Senator Hoylman

1 moves to discharge, from the Committee on Codes,  
2 Assembly Bill Number 4319 and substitute it for  
3 the identical Senate Bill 689, Third Reading  
4 Calendar 101.

5 ACTING PRESIDENT PERSAUD: The  
6 substitution is so ordered.

7 THE SECRETARY: Senator Kaminsky  
8 moves to discharge, from the Committee on  
9 Environmental Conservation, Assembly Bill Number  
10 7290 and substitute it for the identical Senate  
11 Bill 3321A, Third Reading Calendar 338.

12 ACTING PRESIDENT PERSAUD:  
13 Substitution so ordered.

14 THE SECRETARY: Senator Kennedy  
15 moves to discharge, from the Committee on  
16 Transportation, Assembly Bill Number 6155A and  
17 substitute it for the identical Senate Bill  
18 Number 5060A, Third Reading Calendar 639.

19 ACTING PRESIDENT PERSAUD:  
20 Substitution so ordered.

21 THE SECRETARY: Senator Kennedy  
22 moves to discharge, from the Committee on  
23 Corporations, Authorities and Commissions,  
24 Assembly Bill Number 6158A and substitute it for  
25 the identical Senate Bill 6003A, Third Reading

1 Calendar 701.

2 ACTING PRESIDENT PERSAUD:

3 Substitution so ordered.

4 THE SECRETARY: Senator Rivera  
5 moves to discharge, from the Committee on  
6 Finance, Assembly Bill Number 4572 and substitute  
7 it for the identical Senate Bill 4316, Third  
8 Reading Calendar 722.

9 ACTING PRESIDENT PERSAUD:

10 Substitution so ordered.

11 THE SECRETARY: Senator May moves  
12 to discharge, from the Committee on Environmental  
13 Conservation, Assembly Bill Number 5605 and  
14 substitute it for the identical Senate Bill 6334,  
15 Third Reading Calendar 983.

16 ACTING PRESIDENT PERSAUD:

17 Substitution so ordered.

18 Messages from the Governor.

19 Reports of standing committees.

20 Reports of select committees.

21 Communications and reports from  
22 state officers.

23 Motions and resolutions.

24 Senator Gianaris.

25 SENATOR GIANARIS: Good afternoon,

1 Madam President.

2 Amendments are offered to the  
3 following Third Reading Calendar bills:

4 By Senator Addabbo, page 26,  
5 Calendar 87, Senate Print 1442A;

6 By Senator Sanders, page 28,  
7 Calendar 216, Senate Print 1788;

8 By Senator Brouk, page 32, Calendar  
9 378, Senate Print 4345;

10 By Senator Krueger, page 35,  
11 Calendar 454, Senate Print 511;

12 By Senator Benjamin, page 39,  
13 Calendar 544, Senate Print 4335;

14 By Senator Kavanagh, page 46,  
15 Calendar 707, Senate Print 2740A;

16 By Senator Brooks, page 48,  
17 Calendar 752, Senate Print 4562;

18 By Senator May, page 51,  
19 Calendar 804, Senate Print 4435;

20 By Senator Mannion, page 51,  
21 Calendar 810, Senate Print 4468;

22 By Senator Brooks, page 59,  
23 Calendar 942, Senate Print 1964;

24 By Senator Krueger, page 65,  
25 Calendar 1014, Senate Print 4817;

1 By Senator Kaminsky, page 49,  
2 Calendar 775, Senate Print 542;

3 By Senator Harckham, page 44,  
4 Calendar 682, Senate Print 2977;

5 By Senator Kaminsky, page 62,  
6 Calendar 978, Senate Print 4630A;

7 And by Senator Brooks, page 48,  
8 Calendar 758, Senate Print 5758A.

9 ACTING PRESIDENT PERSAUD: The  
10 amendments are received, and the bills shall  
11 retain their place on the Third Reading Calendar.

12 Senator Gianaris.

13 SENATOR GIANARIS: I also wish to  
14 call up the following bills, which were recalled  
15 from the Assembly and are now at the desk:

16 Senate Bill Numbers 1172, 2884, 113,  
17 1780B, 5753, 133, 5434, 6293, 1353, 13, 14, 5066  
18 and 4670.

19 ACTING PRESIDENT PERSAUD: The  
20 Secretary will read.

21 THE SECRETARY: Calendar Number  
22 107, Senate Print 1172, by Senator Rivera, an act  
23 to amend the Public Health Law.

24 Calendar Number 199, Senate Print  
25 2884, by Senator May, an act to amend the

1 Executive Law.

2 Calendar Number 317, Senate Print  
3 113, by Senator Kaplan, an act to amend the  
4 Business Corporation Law and the Limited  
5 Liability Company Law.

6 Calendar Number 458, Senate Print  
7 1780B, by Senator Skoufis, an act to amend the  
8 Executive Law.

9 Calendar Number 806, Senate Print  
10 5753, by Senator Ryan, an act to amend the  
11 Education Law.

12 Calendar Number 769, Senate Print  
13 133, by Senator Mayer, an act to amend the  
14 General Business Law.

15 Calendar Number 844, Senate Print  
16 5434, by Senator Harckham, an act to amend the  
17 Mental Hygiene Law.

18 Calendar Number 888, Senate Print  
19 6293, by Senator Mannion, an act to amend the  
20 Mental Hygiene Law.

21 Calendar Number 112, Senate Print  
22 1353, by Senator Kavanagh, an act to amend the  
23 Public Housing Law.

24 Calendar Number 311, Senate  
25 Print 13, by Senator Kaplan, an act to amend the

1 Penal Law.

2 Calendar Number 312, Senate Print  
3 14, by Senator Hoylman, an act to amend the  
4 Penal Law.

5 Calendar Number 441, Senate Print  
6 5066, by Senator Harckham, an act to amend the  
7 Mental Hygiene Law.

8 And Calendar Number 521, Senate  
9 Print 4670, by Senator Parker, an act to amend  
10 the Tax Law.

11 SENATOR GIANARIS: Move to  
12 reconsider the vote by which all these bills were  
13 passed.

14 ACTING PRESIDENT PERSAUD: The  
15 Secretary will call the roll on reconsideration.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 60.

18 ACTING PRESIDENT PERSAUD: The  
19 bills are restored to their place on the  
20 Third Reading Calendar.

21 SENATOR GIANARIS: I offer the  
22 following amendments to the aforementioned bills.

23 ACTING PRESIDENT PERSAUD: The  
24 amendments are received.

25 SENATOR GIANARIS: Please recognize



1 Senator Lanza.

2 ACTING PRESIDENT PERSAUD: Senator  
3 Lanza.

4 SENATOR LANZA: Madam President, on  
5 behalf of Senator Boyle, on page 66 I offer the  
6 following amendments to Calendar Number 1024,  
7 Senate Print Number 6188, and ask that said bill  
8 retain its place on the Third Reading Calendar.

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

12 SENATOR LANZA: Thank you.

13 ACTING PRESIDENT PERSAUD: Senator  
14 Gianaris.

15 SENATOR GIANARIS: At this time,  
16 Madam President, let's take up previously adopted  
17 Resolution 854, by Senator Serrano, read that  
18 resolution's title, and recognize Senator Serrano  
19 on the resolution.

20 ACTING PRESIDENT PERSAUD: The  
21 Secretary will read.

22 THE SECRETARY: Senate Resolution  
23 854, by Senator Serrano, mourning the death of  
24 former Assemblymember and Bronx Deputy Borough  
25 President Aurelia Greene, renowned public servant

1 and devoted member of her community.

2 ACTING PRESIDENT PERSAUD: Senator  
3 Serrano on the resolution.

4 SENATOR SERRANO: Thank you very  
5 much, Madam President.

6 It's such a pleasure to be here with  
7 you and to pay honor and memorialize such a  
8 tremendous leader for the Bronx and throughout  
9 the State of New York, former Assemblymember and  
10 Bronx Deputy Borough President Aurelia Greene.

11 She passed away recently on  
12 Saturday, May 8th, at the age of 86. And I would  
13 like to express my sincere condolences to her  
14 family and loved ones.

15 She was born in the Bronx, and she  
16 dedicated her life to community service. In 1982  
17 she was elected to the New York State Assembly,  
18 and she served with distinction for 27 years,  
19 becoming the first African-American Speaker  
20 Pro Tem for the New York State Assembly.

21 In 2009 she left the Assembly to  
22 serve as deputy bureau president under  
23 Ruben Díaz, Jr.

24 And she has been, to so many of us,  
25 a mentor, a friend, someone with tremendous

1 kindness and grace. And she was a true pillar of  
2 leadership in our community, always with a ready  
3 smile, with good advice, and there to help  
4 others.

5 And those of us who are in elected  
6 office in the Bronx, we owe her such a tremendous  
7 debt of gratitude, and we stand on the shoulders  
8 of such a great individual.

9 And she did truly dedicate all of  
10 her life to the betterment of her community, to  
11 ensuring that seniors and children had access to  
12 the resources that they need.

13 And she was also one of the most  
14 effective and truest coalition builders that I've  
15 ever seen before. And at a time like today,  
16 where we often find ourselves so stratified, it's  
17 so refreshing to have known someone who really  
18 found common ground on so many important issues  
19 and was able to build upon that for the  
20 betterment of our society.

21 So it's with a very heavy heart that  
22 I'm here today to memorialize such a dear friend  
23 of myself and of my father, who recently retired  
24 from Congress, José Serrano. And we're all here  
25 to offer our gratitude and our sincerest

1       condolences to her family. And I'm grateful to  
2       all of my colleagues in government here in this  
3       chamber for supporting this resolution.

4                 Thank you, Madam President.

5                 ACTING PRESIDENT PERSAUD:    The  
6       resolution was previously adopted on May 20th.

7                 Senator Gianaris.

8                 SENATOR GIANARIS:    Thank you,  
9       Madam President.

10                Now let's move to previously adopted  
11       Resolution 181, by Senator Hinchey, read that  
12       resolution's title, and recognize  
13       Senator Hinchey.

14                ACTING PRESIDENT PERSAUD:    The  
15       Secretary will read.

16                THE SECRETARY:    Senate Resolution  
17       181, by Senator Hinchey, memorializing Governor  
18       Andrew M. Cuomo to proclaim May 2021 as Lyme  
19       Disease Awareness Month in the State of New York.

20                ACTING PRESIDENT PERSAUD:    Senator  
21       Hinchey on the resolution.

22                SENATOR HINCHEY:    Thank you,  
23       Madam President.

24                I rise today to sponsor a resolution  
25       proclaiming the month of May as Lyme Disease

1 Awareness Month here in New York.

2           We are so profoundly lucky to have  
3 such a beautiful host of natural resources and  
4 many incredible outdoor activities. But with  
5 that comes the real danger of Lyme disease and  
6 tick-borne illnesses. If you live in upstate  
7 New York or really anywhere across the state, we  
8 all know someone who has been touched by  
9 Lyme disease and has their lives changed  
10 dramatically forever.

11           This is something that we need to  
12 raise more awareness for, especially as we have  
13 more and more people discovering our incredible  
14 outdoor areas and our natural resources. As we  
15 have more in-state tourism and more people coming  
16 to our outdoor areas, we have to make sure that  
17 we keep each other safe and we keep ourselves  
18 safe.

19           A real danger with Lyme disease is  
20 that an average of nearly half a million  
21 Americans is estimated to have received a  
22 diagnosis of Lyme disease each year from 2010 to  
23 2018. That's a huge number, and I believe only  
24 growing.

25           And so I am incredibly proud today

1 to stand here to raise awareness so that we can  
2 keep more and more people safe across New York.  
3 And I thank this body and this house for letting  
4 this resolution come to the floor.

5 Thank you.

6 ACTING PRESIDENT PERSAUD: Senator  
7 Serino on the resolution.

8 SENATOR SERINO: Thank you,  
9 Madam President.

10 And thank you, Senator Hinchey, for  
11 bringing this resolution to the floor today.

12 The more champions that we have  
13 committed to tackling ticks, the better for all  
14 New Yorkers. Since I first brought this  
15 resolution to the floor -- it was five years  
16 ago -- awareness for Lyme and tick-borne diseases  
17 has risen tremendously. And I'm sure we can all  
18 agree; we see it in our interactions, we see it  
19 on social media, TV, and we see it even in the  
20 press. And it's really been fantastic to see how  
21 far we've come.

22 But I attended an event recently  
23 that reminded me of just how far we still need to  
24 go to better protect New Yorkers and to fund  
25 research initiatives that would help improve

1 testing and treatment options for thousands that  
2 have been impacted.

3           So the event I went to was called  
4 Live for Lyme, and it was at a local gym. It was  
5 about a young man, he was a husband and a father,  
6 who died by suicide this February after living  
7 with neurological Lyme. And his wife is a  
8 licensed clinical social worker. She was not  
9 familiar, as were a lot of other people that are  
10 in the mental health field, with neurological  
11 Lyme.

12           He was diagnosed in November of  
13 2019, and by February 2020 he had to take a leave  
14 from work. He couldn't remember how to drive to  
15 his job. He couldn't verbalize words that he was  
16 thinking in his mind. So by February of 2021, he  
17 decided to take his life and he died by suicide,  
18 sadly.

19           So to hear stories like this just  
20 absolutely breaks your heart. And there's so  
21 much of a disconnect still that we really need  
22 the money for research and education and, like I  
23 said, testing and treatment.

24           So May is Lyme Disease Awareness  
25 Month, but it's also Mental Health Awareness

1 Month. And many may not even know that this  
2 connection exists, as I just talked about. We  
3 have a duty to ensure that no family has to  
4 suffer the way this family has. And that starts  
5 by ensuring that our state is leading the way  
6 when it comes to the funding for research,  
7 education and prevention initiatives.

8               For too long now Lyme and tick-borne  
9 disease has taken a back seat to other  
10 priorities. As we work to rebuild and recover  
11 from the COVID-19 pandemic, there has never been  
12 a more perfect time to give Lyme the attention  
13 that it truly deserves.

14              And when you think about this, too,  
15 the symptoms that are associated with COVID and  
16 those associated with Lyme and tick-borne  
17 diseases are incredibly similar. And with  
18 New Yorkers taking to the outdoors like never  
19 before, we cannot afford to take any steps back  
20 in this fight.

21              So while May may be the official  
22 Lyme Disease Awareness Month, I hope all of us  
23 will redouble our efforts and do everything we  
24 can to raise awareness not just today, but every  
25 day.



1                   Thank you, Madam President.

2                   ACTING PRESIDENT PERSAUD:    The  
3 resolution was previously adopted on  
4 January 20th.

5                   Senator Gianaris.

6                   SENATOR GIANARIS:    At the request  
7 of the sponsors, these resolutions are open for  
8 cosponsorship.

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

13                  Senator Gianaris.

14                  SENATOR GIANARIS:    There will now  
15 be an immediate meeting of the Rules Committee in  
16 Room 332.

17                  ACTING PRESIDENT PERSAUD:    There  
18 will be an immediate meeting of the  
19 Rules Committee in Room 332.

20                  SENATOR GIANARIS:    The Senate  
21 stands at ease.

22                  ACTING PRESIDENT PERSAUD:    The  
23 Senate stands at ease.

24                  (Whereupon, the Senate stood at ease  
25 at 3:29 p.m.)

1                   (Whereupon, the Senate reconvened at  
2   3:45 p.m.)

3                   ACTING PRESIDENT PERSAUD:    The  
4   Senate will return to order.

5                   Senator Gianaris.

6                   SENATOR GIANARIS:    Madam President,  
7   there's a report of the Rules Committee at the  
8   desk.

9                   Can we take that up, please.

10                  ACTING PRESIDENT PERSAUD:    The  
11   Secretary will read.

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

15                  Senate Print 293, by Senator Myrie,  
16   an act to amend the Tax Law;

17                  Senate Print 396, by  
18   Senator Oberacker, an act relating to legalizing,  
19   validating, ratifying and confirming a  
20   transportation contract;

21                  Senate Print 448, by  
22   Senator Hoylman, an act to amend the  
23   Executive Law;

24                  Senate Print 1275, by  
25   Senator Krueger, an act to amend the

1 Business Corporation Law;  
2 Senate Print 1761C, by  
3 Senator Cooney, an act to amend Chapter 416 of  
4 the Laws of 2007;  
5 Senate Print 1810, by  
6 Senator Skoufis, an act to amend the Town Law;  
7 Senate Print 2193, by Senator  
8 Kavanagh, an act to amend the Public Housing Law;  
9 Senate Print 2201, by Senator  
10 Sepúlveda, an action to repeal subdivision 9 of  
11 Section 201 of the Correction Law;  
12 Senate Print 2205, by  
13 Senator Addabbo, an act to amend the  
14 Environmental Conservation Law;  
15 Senate Print 2689, by  
16 Senator Martucci, an act to amend Chapter 262 of  
17 the Laws of 2005;  
18 Senate Print 2700, by Senator Ortt,  
19 an act to amend the Vehicle and Traffic Law;  
20 Senate Print 2789, by Senator  
21 Sepúlveda, an act to amend the Executive Law;  
22 Senate Print 2811A, by Senator  
23 Kavanagh, an act to amend the Executive Law;  
24 Senate Print 3009, by  
25 Senator Sepúlveda, an act to amend the

1 General Business Law;

2 Senate Print 3594, by  
3 Senator Gallivan, an act granting retroactive  
4 membership in the New York State and Local  
5 Employees' Retirement System;

6 Senate Print 3694, by  
7 Senator Felder, an act to amend the  
8 Administrative Code of the City of New York;

9 Senate Print 4117, by  
10 Senator Akshar, an act to authorize the Village  
11 of Endicott to offer an optional 20-year  
12 retirement plan;

13 Senate Print 4231, by Senator  
14 Stavisky, an act to amend the Executive Law;

15 Senate Print 4686, by  
16 Senator Helming, an act granting retroactive  
17 membership in the New York State and Local  
18 Employees' Retirement System;

19 Senate Print 5399, by Senator Ortt,  
20 an act to amend the Highway Law;

21 Senate Print 5419, by  
22 Senator Brisport, an act to amend the  
23 Social Services Law;

24 Senate Print 5556, by  
25 Senator Palumbo, an act to amend the

1 General Municipal Law;

2 Senate Print 5603A, by Senator May,  
3 an act to amend Part A-4 of Chapter 58 of the  
4 Laws of 2006;

5 Senate Print 5981, by Senator Myrie,  
6 an act to repeal subdivision 2 of Section 189 of  
7 the Correction Law;

8 Senate Print 6018A, by  
9 Senator Harckham, an act to amend Chapter 63 of  
10 the Laws of 2021;

11 Senate Print 6054, by Senator Lanza,  
12 an act to amend Chapter 759 of the Laws of 1973;

13 Senate Print 6074, by Senator  
14 Salazar, an act to amend the Family Court Act;

15 Senate Print 6336, by  
16 Senator Gallivan, an act in relation to granting  
17 Blake Russell additional service credit with the  
18 New York State and Local Police and Fire  
19 Retirement System;

20 Senate Print 6357, by  
21 Senator Savino, an act to amend the Family Court  
22 Act and the Social Services Law;

23 Senate Print 6430, by Senator Stec,  
24 an act to amend Chapter 327 of the Laws of 2006;

25 Senate Print 6483, by Senator

1 Gounardes, an act to amend the General Municipal  
2 Law and the Retirement and Social Security Law;

3 Senate Print 6487, by  
4 Senator Stavisky, an act to amend the  
5 Real Property Tax Law;

6 Senate Print 6510, by  
7 Senator Mannion, an act to amend the  
8 Environmental Conservation Law;

9 Senate Print 6572, by Senator  
10 Hinchey, an act to amend the Social Services Law;

11 Senate Print 6619A, by  
12 Senator Gounardes, an act to amend the Retirement  
13 and Social Security Law;

14 Senate Print 6642A, by  
15 Senator Kaplan, an act to amend the  
16 Executive Law;

17 Senate Print 6671, by  
18 Senator O'Mara, an act in relation to legalizing,  
19 validating, ratifying and confirming certain  
20 transportation contracts;

21 Senate Print 6686, by Senator Brouk,  
22 an act to amend Section 4 of Part M of Chapter 56  
23 of the Laws of 2012;

24 Senate Print 6703, by Senator Rath,  
25 an act to amend the Not-For-Profit Corporation

1 Law;

2 Senate Print 6767, by Senator  
3 Rivera, an act to amend the Public Health Law;

4 Senate Print 6768, by Senator  
5 Gianaris, an act to amend the Labor Law;

6 Senate Print 6779, by  
7 Senator Mannion, an act to amend Chapter 448 of  
8 the Laws of 2017;

9 Senate Print 6783, by  
10 Senator Cooney, an act to amend the  
11 Education Law;

12 Senate Print 6797, by  
13 Senator Stewart-Cousins, an act to amend the  
14 Tax Law and Chapter 535 of the Laws of 1987;

15 Senate Print 6801, by  
16 Senator Rivera, an act to amend Chapter 451 of  
17 the Laws of 2007;

18 Senate Print 6818, by  
19 Senator Serrano, an act to amend Chapter 192 of  
20 the Laws of 2011;

21 Senate Print 6826, by Senator Ryan,  
22 an act to amend Chapter 122 of the Laws of 2000;

23 Senate Print 6832, by  
24 Senator Addabbo, an act to amend Part 1 of  
25 Chapter 61 of the Laws of 2017;

1                   Senate Print 6890, by  
2   Senator Martucci, an act authorizing the  
3   conveyance of real property at the State  
4   University of New York College at Delhi;

5                   Senate Print 6896, by  
6   Senator Rivera, an act to amend Chapter 2 of the  
7   Laws of 1998;

8                   Senate Print 6917, by  
9   Senator Kavanagh, an act to amend the  
10   Private Housing Finance Law;

11                  Senate Print 6951, by  
12   Senator Kavanagh, an act to amend Chapter 514 of  
13   the Laws of 1983;

14                  Senate Print 6964A, by Senator  
15   Biaggi, an act to amend the Executive Law;

16                  Senate Print 6975, by  
17   Senator Kavanagh, an act to amend the Private  
18   Housing Finance Law;

19                  Senate Print 7007, by Senator  
20   Persaud, an act to amend the Social Services Law;

21                  Senate Print 7008, by  
22   Senator Benjamin, an act to amend the  
23   Social Services Law.

24                  All bills reported direct to third  
25   reading.



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

3                   ACTING PRESIDENT PERSAUD:   All  
4   those in favor of accepting the Rules Committee  
5   report signify by saying aye.

6                   (Response of "Aye.")

7                   ACTING PRESIDENT PERSAUD:   Opposed,  
8   nay.

9                   (No response.)

10                  ACTING PRESIDENT PERSAUD:   The  
11   Rules Committee report is accepted.

12                  Senator Gianaris.

13                  SENATOR GIANARIS:    Please take up  
14   the reading of the calendar.

15                  ACTING PRESIDENT PERSAUD:   The  
16   Secretary will read.

17                  THE SECRETARY:    Calendar Number  
18   101, Assembly Bill 4319, substituted earlier by  
19   Assemblymember Dinowitz, an act to amend the  
20   Criminal Procedure Law.

21                  ACTING PRESIDENT PERSAUD:   Read the  
22   last section.

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

25                  ACTING PRESIDENT PERSAUD:   Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce  
4 the results.

5 THE SECRETARY: Ayes, 62.

6 ACTING PRESIDENT PERSAUD: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 125, Senate Print 123, by Senator Kaplan, an act  
10 to amend the Executive Law.

11 ACTING PRESIDENT PERSAUD: Read the  
12 last section.

13 THE SECRETARY: Section 2. This  
14 act shall take effect on the 90th day after it  
15 shall have become a law.

16 ACTING PRESIDENT PERSAUD: Call the  
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT PERSAUD: Announce  
20 the results.

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT PERSAUD: The bill  
23 is passed.

24 THE SECRETARY: Calendar Number  
25 220, Senate Print 498A, by Senator Breslin, an

1 act to amend the Insurance Law.

2 ACTING PRESIDENT PERSAUD: Read the  
3 last section.

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

6 ACTING PRESIDENT PERSAUD: Call the  
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT PERSAUD: Announce  
10 the results.

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT PERSAUD: The bill  
13 is passed.

14 THE SECRETARY: Calendar Number  
15 338, Assembly Bill Number 7290, substituted  
16 earlier by Assemblymember Englebright, an act to  
17 amend the Environmental Conservation Law.

18 ACTING PRESIDENT PERSAUD: Read the  
19 last section.

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

22 ACTING PRESIDENT PERSAUD: Call the  
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT PERSAUD: Announce

1 the results.

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT PERSAUD: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number  
6 381, Senate Print 210B, by Senator Persaud, an  
7 act to amend the Public Health Law.

8 ACTING PRESIDENT PERSAUD: Read the  
9 last section.

10 THE SECRETARY: Section 2. This  
11 act shall take effect on the 100th day after it  
12 shall have become a law.

13 ACTING PRESIDENT PERSAUD: Call the  
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT PERSAUD: Announce  
17 the results.

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT PERSAUD: The bill  
20 is passed.

21 THE SECRETARY: Calendar Number  
22 406, Senate Print 523A, by Senator Hoylman, an  
23 act to amend the Civil Practice Law and Rules.

24 ACTING PRESIDENT PERSAUD: Read the  
25 last section.

1           THE SECRETARY:    Section 10.  This  
2   act shall take effect immediately.

3           ACTING PRESIDENT PERSAUD:   Call the  
4   roll.

5           (The Secretary called the roll.)

6           ACTING PRESIDENT PERSAUD:   Announce  
7   the results.

8           THE SECRETARY:    Ayes, 62.

9           ACTING PRESIDENT PERSAUD:   The bill  
10   is passed.

11          THE SECRETARY:    Calendar Number  
12   412, Senate Print 3262A, by Senator Comrie, an  
13   act directing the Metropolitan Transportation  
14   Authority to study the feasibility of commingling  
15   public transit.

16          ACTING PRESIDENT PERSAUD:   Read the  
17   last section.

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

20          ACTING PRESIDENT PERSAUD:   Call the  
21   roll.

22          (The Secretary called the roll.)

23          ACTING PRESIDENT PERSAUD:   Announce  
24   the results.

25          THE SECRETARY:    Ayes, 62.

1                   ACTING PRESIDENT PERSAUD:    The bill  
2   is passed.

3                   THE SECRETARY:    Calendar Number  
4   438, Senate Print 412A, by Senator Biaggi, an act  
5   to amend the Mental Hygiene Law and the Racing,  
6   Pari-Mutuel Wagering and Breeding Law.

7                   ACTING PRESIDENT PERSAUD:    Read the  
8   last section.

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

11                  ACTING PRESIDENT PERSAUD:    Call the  
12  roll.

13                  (The Secretary called the roll.)

14                  ACTING PRESIDENT PERSAUD:    Announce  
15  the results.

16                  THE SECRETARY:    Ayes, 63.

17                  ACTING PRESIDENT PERSAUD:    The bill  
18  is passed.

19                  THE SECRETARY:    Calendar Number  
20  443, Senate Print 1343B, by Senator Brooks, an  
21  act relating to the acquisition of real property  
22  by eminent domain.

23                  ACTING PRESIDENT PERSAUD:    Read the  
24  last section.

25                  THE SECRETARY:    Section 2.   This

1 act shall take effect immediately.

2 ACTING PRESIDENT PERSAUD: Call the  
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT PERSAUD: Announce  
6 the results.

7 THE SECRETARY: In relation to  
8 Calendar 443, voting in the negative:  
9 Senator Helming.

10 Ayes, 62. Nays, 1.

11 ACTING PRESIDENT PERSAUD: The bill  
12 is passed.

13 THE SECRETARY: Calendar Number  
14 528, Senate Print 4777A, by Senator Mannion, an  
15 act to amend the General Construction Law.

16 ACTING PRESIDENT PERSAUD: Read the  
17 last section.

18 THE SECRETARY: Section 27. This  
19 act shall take effect immediately.

20 ACTING PRESIDENT PERSAUD: Call the  
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT PERSAUD: Senator  
24 Mannion to explain his vote.

25 SENATOR MANNION: Thank you,

1 Madam President.

2 As of May 24, 2021, there are still  
3 sections of New York State law that use language  
4 that infers that people with mental disabilities  
5 are somehow inferior. This is a notion that all  
6 Senators and all New Yorkers should completely  
7 reject.

8 Today the Senate is rejecting the  
9 use of the following words in our laws:  
10 "Lunatic," "lunacy" and "idiocy."

11 While this may seem a small and  
12 symbolic gesture to some, I believe it's a  
13 massive step forward in recognizing the  
14 contributions of all New Yorkers. We know from  
15 the science and research that mental health is  
16 your physical health. And mental illness is a  
17 physical illness that requires medical  
18 intervention and treatment.

19 If you're suffering from a medical  
20 condition, you are not a lunatic or an idiot or  
21 inferior. If you are disabled, you are not a  
22 lunatic or an idiot or inferior. This language  
23 needed to go a long time ago.

24 Madam President, this year the  
25 Senate established a new committee dedicated to



1 protecting and supporting disabled New Yorkers.  
2 Today we send a powerful message, but it also  
3 comes with a moral obligation to deliver real and  
4 lasting change for individuals, families,  
5 caregivers and stakeholders.

6 Under the leadership of Andrea  
7 Stewart-Cousins, the State Senate is meeting  
8 these obligations. We are improving the lives of  
9 disabled New Yorkers in ways large and small,  
10 continuing the Senate's renewed commitment to the  
11 I/DD community.

12 I never want to let the disabilities  
13 community down. Ensuring we have the policies,  
14 funding, and proper supports in place to  
15 facilitate meaningful and productive lives for  
16 all I/DD New Yorkers is one of my guideposts. I  
17 proudly cast my vote in the affirmative, and I am  
18 proud to sponsor this legislation.

19 Thank you, Madam President.

20 ACTING PRESIDENT PERSAUD: Senator  
21 Mannion to be recorded in the affirmative.

22 Announce the results.

23 THE SECRETARY: Ayes, 63.

24 ACTING PRESIDENT PERSAUD: The bill  
25 is passed.

1                   THE SECRETARY:    Calendar Number  
2   564, Senate Print Number 5010, by  
3   Senator Reichlin-Melnick, an act to amend the  
4   Real Property Tax Law.

5                   ACTING PRESIDENT PERSAUD:   Read the  
6   last section.

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

9                   ACTING PRESIDENT PERSAUD:   Call the  
10   roll.

11                   (The Secretary called the roll.)

12                   ACTING PRESIDENT PERSAUD:   Announce  
13   the results.

14                   THE SECRETARY:    Ayes, 63.

15                   ACTING PRESIDENT PERSAUD:   The bill  
16   is passed.

17                   THE SECRETARY:    Calendar Number  
18   623, Senate Print 4350A, by Senator Gounardes, an  
19   act relating to establishing Angelina Liu as the  
20   genetic child and distributee of Wenjian Liu.

21                   ACTING PRESIDENT PERSAUD:   Read the  
22   last section.

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

25                   ACTING PRESIDENT PERSAUD:   Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce  
4 the results.

5 THE SECRETARY: Ayes, 63.

6 ACTING PRESIDENT PERSAUD: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 639, Assembly Print 6155A, substituted earlier by  
10 Assemblymember Magnarelli, an act to amend the  
11 Vehicle and Traffic Law.

12 ACTING PRESIDENT PERSAUD: Read the  
13 last section.

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

16 ACTING PRESIDENT PERSAUD: Call the  
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT PERSAUD: Announce  
20 the results.

21 THE SECRETARY: Ayes, 63.

22 ACTING PRESIDENT PERSAUD: The bill  
23 is passed.

24 THE SECRETARY: Calendar Number  
25 664, Senate Print 4085A, by Senator Hinchey, an

1 act to amend the Public Health Law.

2 ACTING PRESIDENT PERSAUD: Read the  
3 last section.

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

6 ACTING PRESIDENT PERSAUD: Call the  
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT PERSAUD: Senator  
10 Hinchey to explain her vote.

11 SENATOR HINCHEY: Thank you,  
12 Madam President.

13 Healthcare, especially in our more  
14 rural communities, depends on our first  
15 responders, especially in districts like mine,  
16 with some counties that don't even have a  
17 hospital.

18 In a medical emergency that requires  
19 air transport, access to a blood transfusion can  
20 mean the difference between life and death --  
21 again, especially for residents in our more rural  
22 and upstate communities, where the nearest trauma  
23 center may be hours away.

24 New York is currently the only state  
25 in the country that does not allow medical

1     helicopters to carry and transfuse blood, despite  
2     the fact that our air ambulance crews are trained  
3     to perform this lifesaving care. This bill  
4     finally reverses this outdated and dangerous  
5     statute and gives our first responders the tools  
6     they need to continue to save lives across our  
7     state.

8                     And in the district I represent, it  
9     will ensure that every New Yorker gets the  
10    immediate medical attention and care that they  
11    need and deserve.

12                    Whether you're a farmer, a hiker, or  
13    traveling along our country roads, this bill  
14    could save your life, and it has never been more  
15    important. I am proud to sponsor this bill, and  
16    for that reason I vote aye.

17                    ACTING PRESIDENT PERSAUD:     Senator  
18    Hinchey to be recorded in the affirmative.

19                    Senator Akshar to explain his vote.

20                    SENATOR AKSHAR:     Madam President,  
21    thank you very much.

22                    Today is certainly a bittersweet day  
23    for a constituent of mine back at home. I want  
24    to tell a very quick story of Travis Flanagan. A  
25    30-year-old father of two, he is the husband to

1 Lindsay, the father to Dylan and Madilyn.

2 Lindsay is pregnant with their third child.

3           On March 13th, Travis was working in  
4 a cornfield, and the machine that he was  
5 operating had a mechanical issue. He got off the  
6 tractor, he went to try and address that  
7 mechanical issue, and with his leg he was pushing  
8 on some cornstalks and that machine then sucked  
9 the lower portion of his body into the machine.

10           Travis, with his legs caught in this  
11 machine, laid in that field for more than  
12 45 minutes screaming for help until his father,  
13 Mike, came and tried to help. Travis, because  
14 his father was so distraught, called 911 himself  
15 and asked the dispatcher to ensure that they sent  
16 a four-wheel-drive vehicle because he was in the  
17 middle of a cornfield, but also asked them to  
18 send a medical helicopter.

19           And I think much to everyone's  
20 surprise in the State of New York, that medical  
21 helicopter couldn't in fact transfuse blood. And  
22 Travis knew that he had been bleeding so bad for  
23 45 minutes that he needed a blood transfusion.

24           And by the grace of God, a New York  
25 helicopter was not available, and they sent

1 Guthrie Air from Pennsylvania to help Travis.  
2 And Travis attributes that blood transfusion with  
3 the fact that he is still here today. Had he not  
4 gotten that transfusion from the medics on that  
5 helicopter, he recognized and understood that he  
6 probably wouldn't be here with us today.

7 Ken Whitmore is the fire chief in  
8 Smithville Flats. He said: "In my 20 years of  
9 service, it was the worst call that I've ever  
10 been on."

11 When I spoke to Travis about this  
12 particular issue and learned about his accident,  
13 he said to me, "Fred, I still have both of my  
14 arms. I'm still able to hug my children. I'm  
15 still able to hug my wife. Use my tragedy so  
16 that we can save lives in the State of New York."

17 Just as I close, I want to thank a  
18 couple of people. I want to thank the Farm  
19 Bureau. I want to thank the Association of  
20 Counties for their support of this particular  
21 bill. I want to thank a very close friend of  
22 mine back in my district, Judi Whittaker, who has  
23 been a strong advocate of this particular issue  
24 for us.

25 But I especially want to thank the

1 sponsor for her fierce advocacy on this issue. I  
2 want to thank Senator Rivera for his willingness  
3 to listen as the chairman on the Health  
4 Committee. When I called Senator Hinchey and  
5 explained Travis's plight, we discussed about how  
6 busy we are in Albany and all the things that we  
7 have to do, especially towards the end of  
8 session. Same conversation with Senator Rivera.  
9 But to a person, both of them were committed to  
10 moving this bill as quickly and as expeditiously  
11 as we possibly could through this house.

12 So this is the way government is  
13 supposed to work. It doesn't much matter if  
14 you're a Republican or a Democrat. This  
15 particular bill will in fact save lives.

16 So Senator Hinchey, on behalf of  
17 Travis and Lindsay and Dylan and Madilyn, I  
18 really thank you, I truly do, from the bottom of  
19 my heart. Because I know undoubtedly that the  
20 work that we have done here today will in fact  
21 save lives.

22 Madam President, I very proudly vote  
23 aye.

24 ACTING PRESIDENT PERSAUD: Senator  
25 Akshar to be recorded in the affirmative.



1                   Senator Oberacker to explain his  
2     vote.

3                   SENATOR OBERACKER:     Thank you,  
4     Madam President.

5                   I remember it like it was yesterday.  
6     It was a cool fall morning. It was October 4,  
7     2018. I remember it because it was my 32nd  
8     wedding anniversary. I walked into my kitchen,  
9     and my scanner went off, and as we would say in  
10    our service, the tones were dropped for an  
11    accident. What came across the scanner was  
12    catastrophic farm accident, 25-year-old male, and  
13    it gave the name of the farm. At that point I  
14    knew it was my son.

15                  I call his cellphone, I don't get an  
16    answer. I call a friend of his who he worked  
17    with, I got his cellphone. I said, "Is it  
18    Derek?" He said "Yes, it is." I said, "Is it  
19    bad?" He said, "Yes, it is."

20                  And I literally then took the father  
21    part of my brain and had to go to my emergency  
22    services side, and I actually started to triage  
23    this over the phone.

24                  As I'm listening to the tones  
25    continually drop to get an ambulance out to the

1 site, I'm also saying that we need to get an air  
2 ambulance up in the air in case that was needed,  
3 knowing full well that in this case he would not  
4 be able to get a transfusion.

5 Time seemed to kind of just drag on  
6 as I remember, you know, the incident. We were  
7 finally able to get an ambulance there. He was  
8 transported. I am absolutely proud and honored  
9 to say that he is fine, much to the grace of God.

10 You know, in my short tenure here in  
11 the Senate, this is a bill that I think is just  
12 absolutely an amazing piece of legislation. I  
13 want to thank Senator Hinchey for bringing this  
14 together. You know, we mirror up in the lower  
15 half of my district and with hers. More  
16 importantly, we mirror up in our conviction for  
17 those that are in the agricultural realm.

18 Had this been available, I have no  
19 doubt that I would have called for air service  
20 and we wouldn't have had half of the amount of  
21 stress and anxiety that went in with my son.

22 Again, Derek is doing well. In  
23 fact, he is continuing to be the most  
24 ever-pleasant pain for a child I've ever had. So  
25 I want to thank everybody, you know, for that.

1 (Laughter.)

2 SENATOR OBERACKER: And it is my  
3 extreme honor and my extreme pleasure to vote in  
4 the affirmative.

5 Thank you, Madam President.

6 ACTING PRESIDENT PERSAUD: Senator  
7 Oberacker to be recorded in the affirmative.

8 Announce the results.

9 THE SECRETARY: Ayes, 63.

10 ACTING PRESIDENT PERSAUD: The bill  
11 is passed.

12 THE SECRETARY: Calendar Number  
13 701, Assembly Print Number 6158A, substituted  
14 earlier by Assemblymember Wallace, an act to  
15 amend Chapter 698 of the Laws of 1991.

16 ACTING PRESIDENT PERSAUD: Read the  
17 last section.

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

20 ACTING PRESIDENT PERSAUD: Call the  
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT PERSAUD: Announce  
24 the results.

25 THE SECRETARY: Ayes, 63.

1                   ACTING PRESIDENT PERSAUD:    The bill  
2   is passed.

3                   THE SECRETARY:    Calendar Number  
4   704, Senate Print 5666, by Senator Stavisky, an  
5   act to amend the Education Law.

6                   ACTING PRESIDENT PERSAUD:    Read the  
7   last section.

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

10                  ACTING PRESIDENT PERSAUD:    Call the  
11   roll.

12                   (The Secretary called the roll.)

13                  ACTING PRESIDENT PERSAUD:    Announce  
14   the results.

15                  THE SECRETARY:    In relation to  
16   Calendar Number 704, voting in the negative:  
17   Senator Lanza.

18                   Ayes, 62.   Nays, 1.

19                  ACTING PRESIDENT PERSAUD:    The bill  
20   is passed.

21                  THE SECRETARY:    Calendar Number  
22   708, Senate Print 3959A, by Senator Kennedy, an  
23   act to amend the Public Authorities Law.

24                  ACTING PRESIDENT PERSAUD:    Read the  
25   last section.

1           THE SECRETARY:    Section 9.  This  
2   act shall take effect on the 90th day after it  
3   shall have become a law.

4           ACTING PRESIDENT PERSAUD:   Call the  
5   roll.

6           (The Secretary called the roll.)

7           ACTING PRESIDENT PERSAUD:   Announce  
8   the results.

9           THE SECRETARY:    In relation to  
10   Calendar Number 708, voting in the negative:  
11   Senator Helming.

12           Ayes, 62.  Nays, 1.

13           ACTING PRESIDENT PERSAUD:   The bill  
14   is passed.

15           THE SECRETARY:    Calendar Number  
16   709, Senate Print 4299A, by Senator Lanza, an act  
17   to amend the Vehicle and Traffic Law.

18           ACTING PRESIDENT PERSAUD:   Read the  
19   last section.

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

22           ACTING PRESIDENT PERSAUD:   Call the  
23   roll.

24           (The Secretary called the roll.)

25           ACTING PRESIDENT PERSAUD:   Announce

1 the results.

2 THE SECRETARY: Ayes, 63.

3 ACTING PRESIDENT PERSAUD: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number  
6 713, Senate Print 6091A, by Senator Gallivan, an  
7 act to amend the Highway Law.

8 ACTING PRESIDENT PERSAUD: Read the  
9 last section.

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

12 ACTING PRESIDENT PERSAUD: Call the  
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT PERSAUD: Announce  
16 the results.

17 THE SECRETARY: Ayes, 63.

18 ACTING PRESIDENT PERSAUD: The bill  
19 is passed.

20 There is a substitution at the desk.

21 The Secretary will read.

22 THE SECRETARY: Senator Mannion  
23 moves to discharge, from the Committee on  
24 Finance, Assembly Bill Number 1153A and  
25 substitute it for the identical Senate Bill

1 1766A, Third Reading Calendar 719.

2 ACTING PRESIDENT PERSAUD: The  
3 substitution is so ordered.

4 The Secretary will read.

5 THE SECRETARY: Calendar Number  
6 719, Assembly Print Number 1153A, by  
7 Assemblymember Buttenschon, an act to amend the  
8 Mental Hygiene Law.

9 ACTING PRESIDENT PERSAUD: Read the  
10 last section.

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

13 ACTING PRESIDENT PERSAUD: Call the  
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT PERSAUD: Announce  
17 the results.

18 THE SECRETARY: Ayes, 63.

19 ACTING PRESIDENT PERSAUD: The bill  
20 is passed.

21 THE SECRETARY: Calendar Number  
22 722, Assembly Print Number 4572, substituted  
23 earlier by Assemblymember Gottfried, an act to  
24 amend the Public Health Law.

25 ACTING PRESIDENT PERSAUD: Read the

1 last section.

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

5 ACTING PRESIDENT PERSAUD: Call the  
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT PERSAUD: Announce  
9 the results.

10 THE SECRETARY: Ayes, 63.

11 ACTING PRESIDENT PERSAUD: The bill  
12 is passed.

13 THE SECRETARY: Calendar Number  
14 742, Senate Print 5581A, by Senator Breslin, an  
15 act to amend Chapter 589 of the Laws of 2015.

16 ACTING PRESIDENT PERSAUD: Read the  
17 last section.

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

20 ACTING PRESIDENT PERSAUD: Call the  
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT PERSAUD: Announce  
24 the results.

25 THE SECRETARY: Ayes, 63.



1                   ACTING PRESIDENT PERSAUD:    The bill  
2   is passed.

3                   Calendar 758 is high and will be  
4   laid aside for the day.

5                   THE SECRETARY:    Calendar Number  
6   780, Senate Print 1363, by Senator Serrano, an  
7   act to create a temporary state commission to  
8   study and make recommendations concerning the  
9   incidence of asthma.

10                  ACTING PRESIDENT PERSAUD:   Read the  
11   last section.

12                  THE SECRETARY:    Section 6.  This  
13   act shall take effect immediately.

14                  ACTING PRESIDENT PERSAUD:   Call the  
15   roll.

16                               (The Secretary called the roll.)

17                  ACTING PRESIDENT PERSAUD:   Announce  
18   the results.

19                  THE SECRETARY:    Ayes, 63.

20                  ACTING PRESIDENT PERSAUD:   The bill  
21   is passed.

22                  THE SECRETARY:    Calendar Number  
23   781, Senate Print 1409, by Senator Rivera, an act  
24   to amend the Public Health Law.

25                  SENATOR LANZA:    Lay it aside.

1                   ACTING PRESIDENT PERSAUD:   Lay it  
2   aside.

3                   THE SECRETARY:   Calendar Number  
4   789, Senate Print 5438, by Senator Hinchey, an  
5   act to amend the Alcoholic Beverage Control Law.

6                   ACTING PRESIDENT PERSAUD:   Read the  
7   last section.

8                   THE SECRETARY:   Section 5.   This  
9   act shall take effect immediately.

10                  ACTING PRESIDENT PERSAUD:   Call the  
11   roll.

12                  (The Secretary called the roll.)

13                  ACTING PRESIDENT PERSAUD:   Announce  
14   the results.

15                  THE SECRETARY:   Ayes, 63.

16                  ACTING PRESIDENT PERSAUD:   The bill  
17   is passed.

18                  THE SECRETARY:   Calendar Number  
19   808, Senate Print 6195, by Senator Persaud, an  
20   act to amend the Social Services Law.

21                  ACTING PRESIDENT PERSAUD:   Read the  
22   last section.

23                  THE SECRETARY:   Section 10.   This  
24   act shall take effect immediately.

25                  ACTING PRESIDENT PERSAUD:   Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce  
4 the results.

5 THE SECRETARY: Ayes, 63.

6 ACTING PRESIDENT PERSAUD: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 809, Senate Print 1035A, by Senator Addabbo, an  
10 act to amend the Public Health Law.

11 ACTING PRESIDENT PERSAUD: Read the  
12 last section.

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

15 ACTING PRESIDENT PERSAUD: Call the  
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT PERSAUD: Announce  
19 the results.

20 THE SECRETARY: Ayes, 63.

21 ACTING PRESIDENT PERSAUD: The bill  
22 is passed.

23 THE SECRETARY: Calendar Number  
24 812, Senate Print 4998, by Senator Mannion, an  
25 act to require the Office for People with

1     Developmental Disabilities to establish the care  
2     demonstration program.

3                 ACTING PRESIDENT PERSAUD:     Read the  
4     last section.

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

7                 ACTING PRESIDENT PERSAUD:     Call the  
8     roll.

9                 (The Secretary called the roll.)

10                ACTING PRESIDENT PERSAUD:     Announce  
11     the results.

12                THE SECRETARY:     Ayes, 63.

13                ACTING PRESIDENT PERSAUD:     The bill  
14     is passed.

15                THE SECRETARY:     Calendar Number  
16     815, Senate Print Number 1104, by  
17     Senator Stewart-Cousins, an act to amend the  
18     Executive Law.

19                ACTING PRESIDENT PERSAUD:     Read the  
20     last section.

21                THE SECRETARY:     Section 2.   This  
22     act shall take effect on the 90th day after it  
23     shall have become a law.

24                ACTING PRESIDENT PERSAUD:     Call the  
25     roll.

1 (The Secretary called the roll.)  
2 ACTING PRESIDENT PERSAUD: Announce  
3 the results.  
4 THE SECRETARY: Ayes, 63.  
5 ACTING PRESIDENT PERSAUD: The bill  
6 is passed.  
7 THE SECRETARY: Calendar Number  
8 816, Senate Print 3920, by Senator Sanders, an  
9 act to amend the Administrative Code of the  
10 City of New York.  
11 ACTING PRESIDENT PERSAUD: Read the  
12 last section.  
13 THE SECRETARY: Section 2. This  
14 act shall take effect immediately.  
15 ACTING PRESIDENT PERSAUD: Call the  
16 roll.  
17 (The Secretary called the roll.)  
18 ACTING PRESIDENT PERSAUD: Announce  
19 the results.  
20 THE SECRETARY: Ayes, 63.  
21 ACTING PRESIDENT PERSAUD: The bill  
22 is passed.  
23 THE SECRETARY: Calendar Number  
24 817, Senate Print 4485A, by Senator Harckham, an  
25 act to amend the Private Housing Finance Law.

1                   ACTING PRESIDENT PERSAUD:    Read the  
2   last section.

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

5                   ACTING PRESIDENT PERSAUD:    Call the  
6   roll.

7                   (The Secretary called the roll.)

8                   ACTING PRESIDENT PERSAUD:    Announce  
9   the results.

10                  THE SECRETARY:    In relation to  
11   Calendar Number 817, those Senators voting in the  
12   negative are Senators Borrello, Boyle, Gallivan,  
13   Griffo, Helming, Jordan, Lanza, Martucci,  
14   Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath,  
15   Ritchie, Serino, Stec, Tedisco and Weik.

16                  Ayes, 44.   Nays, 19.

17                  ACTING PRESIDENT PERSAUD:    The bill  
18   is passed.

19                  THE SECRETARY:    Calendar Number  
20   830, Senate Print 975, by Senator Gaughran, an  
21   act to amend the Labor Law.

22                  ACTING PRESIDENT PERSAUD:    Read the  
23   last section.

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

1                   ACTING PRESIDENT PERSAUD:    Call the  
2   roll.

3                   (The Secretary called the roll.)

4                   ACTING PRESIDENT PERSAUD:    Announce  
5   the results.

6                   THE SECRETARY:    In relation to  
7   Calendar 830, those Senators voting in the  
8   negative are Senators Akshar, Borrello, Boyle,  
9   Gallivan, Griffio, Helming, Jordan, Lanza,  
10   Martucci, Mattera, Oberacker, O'Mara, Ortt,  
11   Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and  
12   Weik.

13                   Ayes, 43.   Nays, 20.

14                   ACTING PRESIDENT PERSAUD:    The bill  
15   is passed.

16                   THE SECRETARY:    Calendar Number  
17   856, Senate Print 5346, by Senator Stec, an act  
18   to amend the General Municipal Law.

19                   ACTING PRESIDENT PERSAUD:    Read the  
20   last section.

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

23                   ACTING PRESIDENT PERSAUD:    Call the  
24   roll.

25                   (The Secretary called the roll.)

1                   ACTING PRESIDENT PERSAUD:    Announce  
2   the results.

3                   THE SECRETARY:    Ayes, 63.

4                   ACTING PRESIDENT PERSAUD:    The bill  
5   is passed.

6                   THE SECRETARY:    Calendar Number  
7   871, Senate Print 557, by Senator May, an act to  
8   amend the Election Law.

9                   ACTING PRESIDENT PERSAUD:    Read the  
10   last section.

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

13                   ACTING PRESIDENT PERSAUD:    Call the  
14   roll.

15                   (The Secretary called the roll.)

16                   ACTING PRESIDENT PERSAUD:    Senator  
17   May to explain her vote.

18                   SENATOR MAY:    Thank you,  
19   Madam President.

20                   In the two years since early voting  
21   has been a thing in New York State, we've seen  
22   people flock to the polls for early voting.  
23   We've seen New Yorkers of all walks of life --  
24   young and old, upstate and downstate, urban and  
25   rural, Democratic, Republican and other.   We've



1 also seen, with the electronic poll books that it  
2 has worked extremely smoothly at sites all across  
3 the state.

4 Now we have the opportunity to bring  
5 early voting to more New Yorkers with pop-up  
6 polling sites. For three days they could set up  
7 at the mall on the weekend or set up at a  
8 community college on weekdays, and make voting  
9 accessible to more New Yorkers.

10 So I'm excited that we have been  
11 able to bring this bill forward. I'm grateful to  
12 the leadership and my colleagues. And I proudly  
13 vote aye.

14 ACTING PRESIDENT PERSAUD: Senator  
15 May to be recorded in the affirmative.

16 Announce the results.

17 THE SECRETARY: In relation to  
18 Calendar 871, those Senators voting in the  
19 negative are Senators Akshar, Borrello, Boyle,  
20 Gallivan, Griffo, Helming, Jordan, Lanza,  
21 Martucci, Mattera, Oberacker, O'Mara, Ortt,  
22 Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and  
23 Weik.

24 Ayes, 43. Nays, 20.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number  
3 895, Senate Print 552, by Senator Mayer, an act  
4 to amend the Education Law.

5 ACTING PRESIDENT PERSAUD: Read the  
6 last section.

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

9 ACTING PRESIDENT PERSAUD: Call the  
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Announce  
13 the results.

14 THE SECRETARY: Ayes, 63.

15 ACTING PRESIDENT PERSAUD: The bill  
16 is passed.

17 THE SECRETARY: Calendar Number  
18 913, Senate Print 5557, by Senator Mayer, an act  
19 to amend the Retirement and Social Security Law.

20 ACTING PRESIDENT PERSAUD: Read the  
21 last section.

22 THE SECRETARY: Section 2. This  
23 act shall take effect on the 60th day after it  
24 shall have become a law.

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce  
4 the results.

5 THE SECRETARY: Ayes, 63.

6 ACTING PRESIDENT PERSAUD: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 926, Senate Print 6410, by Senator Kennedy, an  
10 act to amend Chapter 108 of the Laws of 2016.

11 ACTING PRESIDENT PERSAUD: Read the  
12 last section.

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

15 ACTING PRESIDENT PERSAUD: Call the  
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT PERSAUD: Announce  
19 the results.

20 THE SECRETARY: Ayes, 63.

21 ACTING PRESIDENT PERSAUD: The bill  
22 is passed.

23 THE SECRETARY: Calendar Number  
24 954, Senate Print 6046B, by Senator Harckham, an  
25 act to authorize the Town of New Castle, County

1 of Westchester, to alienate and discontinue the  
2 use of certain parklands.

3 ACTING PRESIDENT PERSAUD: There is  
4 a home-rule message at the desk.

5 Read the last section.

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

8 ACTING PRESIDENT PERSAUD: Call the  
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT PERSAUD: Announce  
12 the results.

13 THE SECRETARY: Ayes, 63.

14 ACTING PRESIDENT PERSAUD: The bill  
15 is passed.

16 THE SECRETARY: Calendar Number  
17 973, Senate Print 1093A, by Senator Gaughran, an  
18 act to amend the Environmental Conservation Law.

19 ACTING PRESIDENT PERSAUD: Read the  
20 last section.

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

23 ACTING PRESIDENT PERSAUD: Call the  
24 roll.

25 (The Secretary called the roll.)

1                   ACTING PRESIDENT PERSAUD:    Announce  
2   the results.

3                   THE SECRETARY:    In relation to  
4   Calendar 973, those Senators voting in the  
5   negative are Senators Biaggi, Boyle, Brisport and  
6   Salazar.

7                   Ayes, 59.   Nays, 4.

8                   ACTING PRESIDENT PERSAUD:    The bill  
9   is passed.

10                  THE SECRETARY:    Calendar Number  
11   983, Assembly Print 5605, substituted earlier by  
12   Assemblymember Epstein, an act to amend the  
13   Environmental Conservation Law.

14                  ACTING PRESIDENT PERSAUD:    Read the  
15   last section.

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

18                  ACTING PRESIDENT PERSAUD:    Call the  
19   roll.

20                  (The Secretary called the roll.)

21                  ACTING PRESIDENT PERSAUD:    Announce  
22   the results.

23                  THE SECRETARY:    Ayes, 63.

24                  ACTING PRESIDENT PERSAUD:    The bill  
25   is passed.

1                   THE SECRETARY:    Calendar Number  
2   998, Senate Print 271, by Senator Myrie, an act  
3   to amend the Real Property Actions and  
4   Proceedings Law.

5                   ACTING PRESIDENT PERSAUD:   Read the  
6   last section.

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

10                  ACTING PRESIDENT PERSAUD:   Call the  
11   roll.

12                  (The Secretary called the roll.)

13                  ACTING PRESIDENT PERSAUD:   Announce  
14   the results.

15                  THE SECRETARY:    In relation to  
16   Calendar 998, those Senators voting in the  
17   negative are Senators Akshar, Borrello, Boyle,  
18   Gallivan, Griffio, Helming, Jordan, Lanza,  
19   Martucci, Mattera, Oberacker, O'Mara, Ortt,  
20   Palumbo, Rath, Serino, Stec, Tedisco and Weik.

21                  Ayes, 44.  Nays, 19.

22                  ACTING PRESIDENT PERSAUD:   The bill  
23   is passed.

24                  There is a substitution at the desk.

25                  The Secretary will read.

1                   THE SECRETARY:    Senator Skoufis  
2   moves to discharge, from the Committee on  
3   Finance, Assembly Bill Number 3130 and substitute  
4   it for the identical Senate Bill 1836, Third  
5   Reading Calendar 1010.

6                   ACTING PRESIDENT PERSAUD:    The  
7   substitution is so ordered.

8                   The Secretary will read.

9                   THE SECRETARY:    Calendar Number  
10   1010, Assembly Print Number 3130, by  
11   Assemblymember Steck, an act to amend the  
12   Executive Law.

13                   ACTING PRESIDENT PERSAUD:    Read the  
14   last section.

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

17                   ACTING PRESIDENT PERSAUD:    Call the  
18   roll.

19                   (The Secretary called the roll.)

20                   ACTING PRESIDENT PERSAUD:    Announce  
21   the results.

22                   THE SECRETARY:    Ayes, 63.

23                   ACTING PRESIDENT PERSAUD:    The bill  
24   is passed.

25                   THE SECRETARY:    Calendar Number

1 1011, Senate Print 3852, by Senator Serino, an  
2 act to amend the Executive Law.

3 ACTING PRESIDENT PERSAUD: Read the  
4 last section.

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

7 ACTING PRESIDENT PERSAUD: Call the  
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Announce  
11 the results.

12 THE SECRETARY: Ayes, 63.

13 ACTING PRESIDENT PERSAUD: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 1015, Senate Print 4859, by Senator Skoufis, an  
17 act to amend the Retirement and Social Security  
18 Law.

19 ACTING PRESIDENT PERSAUD: Read the  
20 last section.

21 THE SECRETARY: Section 5. This  
22 act shall take effect January 1, 2022.

23 ACTING PRESIDENT PERSAUD: Call the  
24 roll.

25 (The Secretary called the roll.)



1                   ACTING PRESIDENT PERSAUD:    Announce  
2   the results.

3                   THE SECRETARY:    Ayes, 63.

4                   ACTING PRESIDENT PERSAUD:    The bill  
5   is passed.

6                   THE SECRETARY:    Calendar Number  
7   1028, Senate Print 4221, by Senator Stavisky, an  
8   act to amend the Business Corporation Law.

9                   ACTING PRESIDENT PERSAUD:    Read the  
10   last section.

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

13                   ACTING PRESIDENT PERSAUD:    Call the  
14   roll.

15                   (The Secretary called the roll.)

16                   ACTING PRESIDENT PERSAUD:    Announce  
17   the results.

18                   THE SECRETARY:    In relation to  
19   Calendar 1028, those Senators voting in the  
20   negative are Senators Lanza and Weik.

21                   Ayes, 61.  Nays, 2.

22                   ACTING PRESIDENT PERSAUD:    The bill  
23   is passed.

24                   THE SECRETARY:    Calendar Number  
25   1042, Senate Print 1405, by Senator Serrano, an

1 act to amend the Parks, Recreation and Historic  
2 Preservation Law.

3 ACTING PRESIDENT PERSAUD: Read the  
4 last section.

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

7 ACTING PRESIDENT PERSAUD: Call the  
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Announce  
11 the results.

12 THE SECRETARY: Ayes, 63.

13 ACTING PRESIDENT PERSAUD: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 1056, Senate Print 5800, by Senator Comrie, an  
17 act to amend the Election Law.

18 ACTING PRESIDENT PERSAUD: Read the  
19 last section.

20 THE SECRETARY: Section 3. This  
21 act shall take effect on the 180th day after it  
22 shall have become a law.

23 ACTING PRESIDENT PERSAUD: Call the  
24 roll.

25 (The Secretary called the roll.)

1                   ACTING PRESIDENT PERSAUD:    Announce  
2   the results.

3                   THE SECRETARY:    In relation to  
4   Calendar 1056, those Senators voting in the  
5   negative are Senators Akshar, Borrello, Helming,  
6   Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt,  
7   Rath, Ritchie, Stec, Tedisco and Weik.

8                   Ayes, 49.   Nays, 14.

9                   ACTING PRESIDENT PERSAUD:    The bill  
10   is passed.

11                  THE SECRETARY:    Calendar Number  
12   1058, Senate Print 607A, by Senator Benjamin, an  
13   act to amend the Public Authorities Law.

14                  SENATOR LANZA:    Lay it aside.

15                  ACTING PRESIDENT PERSAUD:    Lay it  
16   aside.

17                  THE SECRETARY:    Calendar Number  
18   1064, Senate Print 4715A, by Senator Tedisco, an  
19   act to amend the Village Law and the Public  
20   Officers Law.

21                  ACTING PRESIDENT PERSAUD:    Read the  
22   last section.

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

25                  ACTING PRESIDENT PERSAUD:    Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce  
4 the results.

5 THE SECRETARY: Ayes, 63.

6 ACTING PRESIDENT PERSAUD: The bill  
7 is passed.

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

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

12 ACTING PRESIDENT PERSAUD: The  
13 Secretary will ring the bell.

14 The Secretary will read.

15 THE SECRETARY: Calendar Number  
16 781, Senate Print 1409, by Senator Rivera, an act  
17 to amend the Public Health Law.

18 ACTING PRESIDENT PERSAUD: Senator  
19 Lanza, why do you rise?

20 SENATOR LANZA: Madam President, I  
21 believe there's an amendment at the desk. I  
22 waive the reading of that amendment and ask that  
23 Senator Martucci be recognized and heard.

24 ACTING PRESIDENT PERSAUD: Thank  
25 you, Senator Lanza.

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

4                   SENATOR LANZA:   Accordingly,  
5                   Madam President, I appeal the ruling of the chair  
6                   and ask that Senator Martucci be recognized.

7                   ACTING PRESIDENT PERSAUD:   The  
8                   appeal has been made and recognized, and  
9                   Senator Martucci may be heard.

10                  SENATOR MARTUCCI:   Madam President,  
11                  I rise to appeal the ruling of the chair.

12                  The proposed amendment is germane to  
13                  the bill in front of the house because the bill  
14                  in front of the house amends the Public Health  
15                  Law.  And for more than a year now, our Governor  
16                  has been using executive orders to amend  
17                  New York's Public Health Law.

18                  Frankly, Madam President, it's sad  
19                  that we're here today still discussing arbitrary  
20                  orders from Governor Cuomo.  As many of my  
21                  colleagues on this side of the aisle have pointed  
22                  out -- and I will once again today -- we wouldn't  
23                  be here if the Majority had done a straight  
24                  repeal of the Governor's powers rather than the  
25                  sham repeal that was brought to the floor here

1 months ago.

2           If real repeal had been passed, we  
3 wouldn't be having this conversation today. In  
4 fact, the reason we're having this conversation  
5 today exposes that that bill was nothing more  
6 than a fraud to our public.

7           If anyone here has a two-year-old  
8 toddler, you'll know what I'm talking about. I'm  
9 the proud father of a 5-year-old, a 4-year-old,  
10 and an 18-month-old, so I've been through this  
11 and I know a lot about 2-year-olds. And what's  
12 clear to me is the Governor's latest order that  
13 requires 2-year-olds to wear masks at summer  
14 camps and in daycare was written by someone who  
15 has no clue what it's like to care for a  
16 2-year-old.

17           This is utterly nonsensical and an  
18 unreasonable demand that's made on our childcare  
19 providers -- and parents -- who have already had  
20 a tremendously hard job this year and continue to  
21 struggle. Now our childcare providers in our  
22 camps and so many others are going to spend  
23 tremendous portions of their day fighting to put  
24 masks back on little kids who already have a  
25 very, very low risk to begin with.

1                   Worse is that this policy  
2       contradicts one that the Office of Children and  
3       Family Services right here in New York announced  
4       last June, on June 26th. That policy recommended  
5       but did not require masks to be worn by children  
6       in daycare and day camp settings.

7                   That's very interesting to me,  
8       because what's happened since that June 26th  
9       order? Well, providers and employers have been  
10      vaccinated, parents and caregivers have been  
11      vaccinated, and infection rates are steadily on  
12      the decline. We got the latest infection rates  
13      from the Governor just today in a press  
14      conference that he held talking about just how  
15      low they are.

16                  Large entertainment venues,  
17      restaurants, amusement parks and everything else  
18      has reopened. The CDC has rescinded mask  
19      mandates for vaccinated individuals. And  
20      finally, after some pressure, our Governor has  
21      accepted those standards.

22                  In short, things are way better than  
23      they were on last June 26th when that order was  
24      originally issued. And I remind you that masks  
25      were not required for children in childcare

1 settings back then in June.

2 Why would Governor Cuomo choose now  
3 to mandate masks on our toddlers? It makes  
4 absolutely no sense, Madam President. It's not  
5 about public health, it's about control.

6 And why would this body give this  
7 type of control to someone like our Governor,  
8 who's under investigation for every form of  
9 corruption and by every imaginable law  
10 enforcement source.

11 Last week, in fact, when our  
12 Governor was asked at a press conference about  
13 the outrage people feel about him taking a  
14 \$5 million payment for writing a book about the  
15 pandemic that killed 50,000 New Yorkers, his  
16 reply was: "That's stupid. Next question."

17 Well, when someone asks me about  
18 this mask mandate for 2-year-olds, my reply is  
19 the same: That's stupid. Next question.

20 For these reasons, Madam President,  
21 I strongly urge you to reconsider the ruling, and  
22 I urge my colleagues to support this commonsense  
23 amendment. Our kids are counting on us.

24 Thank you, Madam President.

25 ACTING PRESIDENT PERSAUD: Thank



1       you, Senator Martucci.

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

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

7                   SENATOR LANZA:     Request a show of  
8       hands.

9                   SENATOR GIANARIS:   Madam President,  
10      we've agreed to waive the showing of hands and  
11      record each member of the Minority in the  
12      affirmative.

13                  ACTING PRESIDENT PERSAUD:   Without  
14      objection, so ordered.

15                  Announce the results.

16                  THE SECRETARY:     Ayes, 20.

17                  ACTING PRESIDENT PERSAUD:   The  
18      ruling of the chair stands, and the bill-in-chief  
19      is before the house.

20                  Are there any other Senators wishing  
21      to be heard?

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

24                  Read the last section.

25                  THE SECRETARY:     Section 2.   This

1 act shall take effect immediately.

2 ACTING PRESIDENT PERSAUD: Call the  
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT PERSAUD: Announce  
6 the results.

7 THE SECRETARY: Ayes, 63.

8 ACTING PRESIDENT PERSAUD: The bill  
9 is passed.

10 The Secretary will read.

11 THE SECRETARY: Calendar Number  
12 1058, Senate Print 607A, by Senator Benjamin, an  
13 act to amend the Public Authorities Law.

14 ACTING PRESIDENT PERSAUD: Senator  
15 Lanza, why do you rise?

16 SENATOR LANZA: Madam President, I  
17 believe there's an amendment at the desk. I  
18 waive the reading of that amendment and ask that  
19 Senator Griffo be recognized and heard.

20 ACTING PRESIDENT PERSAUD: Thank  
21 you, Senator Lanza.

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

25 SENATOR LANZA: Accordingly,

1 Madam President, I appeal the ruling of the chair  
2 and ask that Senator Griffo be recognized.

3 ACTING PRESIDENT PERSAUD: The  
4 appeal has been made and recognized, and Senator  
5 Griffo may be heard.

6 SENATOR GRIFFO: Thank you,  
7 Madam Chair.

8 I believe that the amendment before  
9 the house is germane, as it deals with the  
10 subject at hand of antibias and human rights.

11 For over 2,000 years the Jewish  
12 people have been the targets of hatred. The  
13 horrors and tragedy that history has shown us  
14 over the last century show how we must condemn  
15 this antisemitic behavior. It must be denounced,  
16 confronted and combated.

17 Sadly, we continue to see  
18 antisemitic threats, attacks and vandalism not  
19 only here in New York State, but across our  
20 country and throughout the world. Just recently  
21 the New York City Police Department's Hate Crimes  
22 Task Force is investigating a Jewish man  
23 reportedly assaulted in Times Square. At the  
24 same time, in Los Angeles, police are  
25 investigating several Jewish people, simply

1 dining at a restaurant, who had bottles thrown at  
2 them. Synagogues in Arizona, Illinois and  
3 New York have been vandalized.

4 And we've seen this increase  
5 significantly in just recent weeks. The  
6 Anti-Defamation League, a Jewish civil rights  
7 group, received over 193 reports of antisemitic  
8 incidents in just the last week. And between  
9 May 7th and the 14th of May, there were 17,000  
10 tweets that used a variation of the phrase  
11 "Hitler was right."

12 These deplorable threats and actions  
13 that we continue to witness are reprehensible.  
14 They're unacceptable. They're inexcusable. And  
15 they continue to spread fear throughout the  
16 Jewish community. Those who commit such acts  
17 should be held accountable for their actions.

18 The human rights statute that we  
19 have in our state prohibits discrimination of  
20 New Yorkers for the purposes of age, race, color,  
21 creed, national origin, sex, gender identity,  
22 sexual orientation, marital status, military  
23 status and disability. This amendment would  
24 ensure that we have additional provisions that we  
25 can protect those, particularly of the Jewish

1 faith, by codification and by clarification of  
2 terminology. It would ensure that all who  
3 participate in antisemitic acts, activities or  
4 attacks of any type will face real and  
5 significant consequences for their action.

6 These acts have no place anytime or  
7 anywhere. And I believe that this issue and the  
8 amendment accordingly are germane, based on the  
9 discussion of human rights before us.

10 Thank you, Madam Chair.

11 ACTING PRESIDENT PERSAUD: Thank  
12 you, Senator Griffo.

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

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

18 SENATOR LANZA: Request a show of  
19 hands.

20 SENATOR GIANARIS: Madam President,  
21 we've again agreed to waive the showing of hands  
22 and record each member of the Minority in the  
23 affirmative.

24 ACTING PRESIDENT PERSAUD: Without  
25 objection, so ordered.

1                   Announce the results.

2                   THE SECRETARY:    Ayes, 20.

3                   ACTING PRESIDENT PERSAUD:    The  
4   ruling of the chair stands, and the bill-in-chief  
5   is before the house.

6                   Are there any other Senators wishing  
7   to be heard?

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

10                  Read the last section.

11                  THE SECRETARY:    Section 2.   This  
12   act shall take effect on the 60th day after it  
13   shall have become a law.

14                  ACTING PRESIDENT PERSAUD:    Call the  
15   roll.

16                  (The Secretary called the roll.)

17                  ACTING PRESIDENT PERSAUD:    Announce  
18   the results.

19                  THE SECRETARY:    In relation to  
20   Calendar 1058, those Senators voting in the  
21   negative are Senators Akshar, Borrello, Boyle,  
22   Gallivan, Griffio, Helming, Jordan, Lanza,  
23   Martucci, Mattera, Oberacker, O'Mara, Ortt, Rath,  
24   Ritchie, Stec, Tedisco and Weik.

25                  Ayes, 45.   Nays, 18.

1                   ACTING PRESIDENT PERSAUD:    The bill  
2   is passed.

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

5                   SENATOR GIANARIS:    Thank you,  
6   Madam President.

7                   Is there any further business at the  
8   desk?

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

11                  SENATOR GIANARIS:    I move to  
12   adjourn until tomorrow, Tuesday, May 25th, at  
13   3:00 p.m.

14                  ACTING PRESIDENT PERSAUD:    On  
15   motion, the Senate stands adjourned until  
16   Tuesday, May 25th, at 3:00 p.m.

17                  (Whereupon, at 4:32 p.m., the Senate  
18   adjourned.)

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