NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 3, 2021

12:14 p.m.

REGULAR SESSION

SENATOR SHELLEY B. MAYER, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT MAYER: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT MAYER: Reading of the Journal.

THE SECRETARY: In Senate, Wednesday, June 2, 2021, the Senate met pursuant to adjournment. The Journal of Tuesday, June 1, 2021, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Persaud

moves to discharge, from the Committee on Alcoholism and Substance Abuse, Assembly Bill Number 5527A and substitute it for the identical Senate Bill 361A, Third Reading Calendar 89.

ACTING PRESIDENT MAYER: The substitution is so ordered.

THE SECRETARY: Senator Kaplan moves to discharge, from the Committee on Rules, Assembly Bill Number 3412A and substitute it for the identical Senate Bill 343A, Third Reading Calendar 99.

ACTING PRESIDENT MAYER: The substitution is so ordered.

THE SECRETARY: Senator Gaughran moves to discharge, from the Committee on Rules, Assembly Bill Number 894C and substitute it for the identical Senate Bill 5715A, Third Reading Calendar 757.

ACTING PRESIDENT MAYER: The substitution is so ordered.

THE SECRETARY: Senator Gaughran moves to discharge, from the Committee on Rules, Assembly Bill Number 1324A and substitute it for the identical Senate Bill 1318A, Third Reading Calendar 898.

ACTING PRESIDENT MAYER: The substitution is so ordered.

THE SECRETARY: Senator Harckham moves to discharge, from the Committee on Finance, Assembly Bill Number 336A and substitute it for the identical Senate Bill 2966A, Third Reading Calendar 904.

ACTING PRESIDENT MAYER: The substitution is so ordered.

THE SECRETARY: Senator Kaminsky moves to discharge, from the Committee on Rules, Assembly Bill Number 6360B and substitute it for the identical Senate Bill 5562A, Third Reading Calendar 1020.

ACTING PRESIDENT MAYER: The substitution is so ordered.

THE SECRETARY: Senator Kaminsky moves to discharge, from the Committee on Transportation, Assembly Bill Number 6356B and substitute it for the identical Senate Bill 5563B, Third Reading Calendar 1021.

ACTING PRESIDENT MAYER: The substitution is so ordered.

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

Finance, Assembly Bill Number 6289 and substitute it for the identical Senate Bill 5627, Third Reading Calendar 1022.

ACTING PRESIDENT MAYER: The substitution is so ordered.

THE SECRETARY: Senator Gaughran moves to discharge, from the Committee on Rules, Assembly Bill Number 2388B and substitute it for the identical Senate Bill 1016B, Third Reading Calendar 1033.

ACTING PRESIDENT MAYER: The substitution is so ordered.

THE SECRETARY: Senator Ryan moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 5374 and substitute it for the identical Senate Bill 5132, Third Reading Calendar 1141.

ACTING PRESIDENT MAYER: The substitution is so ordered.

THE SECRETARY: Senator Breslin moves to discharge, from the Committee on Rules, Assembly Bill Number 7701 and substitute it for the identical Senate Bill 5668A, Third Reading Calendar 1162.

ACTING PRESIDENT MAYER: The substitution is so ordered.

THE SECRETARY: Senator Hinchey moves to discharge, from the Committee on Rules, Assembly Bill Number 7417A and substitute it for the identical Senate Bill 6332A, Third Reading Calendar 1245.

ACTING PRESIDENT MAYER: The substitution is so ordered.

THE SECRETARY: Senator Brooks moves to discharge, from the Committee on Rules, Assembly Bill Number 1414A and substitute it for the identical Senate Bill 4719A, Third Reading Calendar 1248.

ACTING PRESIDENT MAYER: The substitution is so ordered.

THE SECRETARY: Senator Kennedy moves to discharge, from the Committee on Veterans, Homeland Security and Military Affairs, Assembly Bill Number 2203 and substitute it for the identical Senate Bill 4971, Third Reading Calendar 1249.

ACTING PRESIDENT MAYER: The substitution is so ordered.

THE SECRETARY: Senator Addabbo

moves to discharge, from the Committee on Rules, Assembly Bill Number 453 and substitute it for the identical Senate Bill 2205, Third Reading Calendar 1271.

ACTING PRESIDENT MAYER: The substitution is so ordered.

THE SECRETARY: Senator Harckham moves to discharge, from the Committee on Finance, Assembly Bill Number 2030 and substitute it for the identical Senate Bill 649A, Third Reading Calendar 1294.

ACTING PRESIDENT MAYER: Substitution so ordered.

THE SECRETARY: Senator Ramos moves to discharge, from the Committee on Labor, Assembly Bill Number 386 and substitute it for the identical Senate Bill 829, Third Reading Calendar 1367.

ACTING PRESIDENT MAYER: Substitution so ordered.

THE SECRETARY: Senator Hinchey moves to discharge, from the Committee on Finance, Assembly Bill Number 5386A and substitute it for the identical Senate Bill 4722A, Third Reading Calendar 1382.

ACTING PRESIDENT MAYER:

Substitution so ordered.

THE SECRETARY: Senator Bailey moves to discharge, from the Committee on Rules, Assembly Bill Number 7207A and substitute it for the identical Senate Bill 5083A, Third Reading Calendar 1386.

ACTING PRESIDENT MAYER:

Substitution so ordered.

THE SECRETARY: Senator Skoufis moves to discharge, from the Committee on Labor, Assembly Bill Number 359A and substitute it for the identical Senate Bill 6628A, Third Reading Calendar 1401.

ACTING PRESIDENT MAYER:

Substitution so ordered.

THE SECRETARY: Senator Reichlin-Melnick moves to discharge, from the Committee on Rules, Assembly Bill Number 7327 and substitute it for the identical Senate Bill 6998, Third Reading Calendar 1414.

ACTING PRESIDENT MAYER:

Substitution so ordered.

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

Environmental Conservation, Assembly Bill Number 7397 and substitute it for the identical Senate Bill 7056, Third Reading Calendar 1421.

ACTING PRESIDENT MAYER: Substitution so ordered.

THE SECRETARY: Senator Harckham moves to discharge, from the Committee on Rules, Assembly Bill Number 7179 and substitute it for the identical Senate Bill 7057, Third Reading Calendar 1422.

ACTING PRESIDENT MAYER: Substitution so ordered.

THE SECRETARY: Senator Thomas moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 7392 and substitute it for the identical Senate Bill 7058, Third Reading Calendar 1423.

ACTING PRESIDENT MAYER: The substitution is so ordered.

THE SECRETARY: Senator Hoylman moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 3112B and substitute it for the identical Senate Bill 427A, Third Reading Calendar 1431.

ACTING PRESIDENT MAYER:

Substitution so ordered.

THE SECRETARY: Senator Brooks moves to discharge, from the Committee on Cultural Affairs, Tourism, Parks and Recreation, Assembly Bill Number 5565 and substitute it for the identical Senate Bill 1270, Third Reading Calendar 1436.

ACTING PRESIDENT MAYER:

Substitution so ordered.

THE SECRETARY: Senator Bailey moves to discharge, from the Committee on Finance, Assembly Bill Number 5689 and substitute it for the identical Senate Bill 1279, Third Reading Calendar 1437.

ACTING PRESIDENT MAYER:

Substitution so ordered.

THE SECRETARY: Senator Comrie moves to discharge, from the Committee on Consumer Protection, Assembly Bill Number 6040 and substitute it for the identical Senate Bill 3941, Third Reading Calendar 1442.

ACTING PRESIDENT MAYER:

Substitution so ordered.

THE SECRETARY: Senator Parker

moves to discharge, from the Committee on Children and Families, Assembly Bill Number 2113 and substitute it for the identical Senate Bill 4407, Third Reading Calendar 1444.

ACTING PRESIDENT MAYER: Substitution so ordered.

THE SECRETARY: Senator Skoufis moves to discharge, from the Committee on Education, Assembly Bill Number 6528A and substitute it for the identical Senate Bill 5743A, Third Reading Calendar 1454.

ACTING PRESIDENT MAYER: Substitution so ordered.

THE SECRETARY: Senator Hinchey moves to discharge, from the Committee on Rules, Assembly Bill Number 7403A and substitute it for the identical Senate Bill 6330A, Third Reading Calendar 1458.

ACTING PRESIDENT MAYER: Substitution so ordered.

THE SECRETARY: Senator Sanders moves to discharge, from the Committee on Rules, Assembly Bill Number 6429B and substitute it for the identical Senate Bill 5606B, Third Reading Calendar 1452.

ACTING PRESIDENT MAYER:

Substitution so ordered.

THE SECRETARY: And Senator O'Mara moves to discharge, from the Committee on Rules, Assembly Bill Number 4877 and substitute it for the identical Senate Bill 6671, Third Reading Calendar 1301.

ACTING PRESIDENT MAYER:

Substitution so ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Madam President.

Amendments are offered to the following Third Reading Calendar bills:

Senator Comrie, page 14, Calendar 549, Senate Print 3799;

Senator Kaminsky, page 29, Calendar 984, Senate Print 6532;

Senator Kavanagh, page 38, Calendar

1151, Senate Print 3121B;

Senator Gaughran, page 51, Calendar 1440, Senate Print 3437B;

Senator Kaminsky, page 39, Calendar 1179, Senate Print 6455B;

Senator Savino, page 53, Calendar 1460, Senate Print 6373A;

And Senator Thomas, page 30, Calendar Number 1003, Senate Print 5724.

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

Senator Gianaris.

SENATOR GIANARIS: I also wish to call up the following bills, which were recalled from the Assembly and are now at the desk: Senate Bills 2986, 5785, and 1184.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 65, Senate Print 1184, by Senator Gianaris, an act to amend the Criminal Procedure Law and the Civil Practice Law and Rules.

Calendar Number 514, Senate Print 2986, by Senator Brouk, an act to amend the

Penal Law.

Calendar Number 919, Senate Print 5785, by Senator Comrie, an act to amend the Real Property Actions and Proceedings Law.

SENATOR GIANARIS: Move to reconsider the vote by which these bills were passed.

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT MAYER: The bills are restored to their place on the Third Reading Calendar.

SENATOR GIANARIS: I offer the following amendments.

ACTING PRESIDENT MAYER: The amendments are received.

SENATOR GIANARIS: Please recognize Senator Lanza.

ACTING PRESIDENT MAYER: Senator Lanza.

SENATOR LANZA: Thank you, Madam President.

On behalf of Senator Martucci, on

page 53 I offer the following amendments to Calendar Number 1465, Senate Print Number 6772, and ask that said bill retain its place on Third Reading Calendar.

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

Senator Gianaris.

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

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

SENATOR GIANARIS: The Senate stands at ease.

ACTING PRESIDENT MAYER: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 12:23 p.m.)

(Whereupon, the Senate reconvened at 12:33 p.m.)

ACTING PRESIDENT MAYER: The Senate will return to order.

Senator Gianaris.

SENATOR GIANARIS: Madam President, please take up the report of the Rules Committee which is at the desk.

ACTING PRESIDENT MAYER: The Secretary will read.

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

Senate Print 311, by Senator Liu, an act to amend Chapter 802 of the Laws of 1947;

Senate Print 483A, by Senator Myrie, an act to amend the Election Law;

Senate Print 933A, by Senator Gianaris, an act to amend the General Business Law;

Senate Print 951, by Senator Gaughran, an act to amend the Navigation Law;

Senate Print 966A, by Senator Gaughran, an act to direct the Department of Health and other state departments and agencies to conduct a study on the quality of life and human health impacts;

Senate Print 1085, by Senator Gaughran, an act to amend the Public Service Law;

Senate Print 2523, by Senator Rivera, an act to amend the Penal Law;

Senate Print 3434, by Senator Comrie, an act to amend the Public Authorities Law;

Senate Print 3587B, by Senator Comrie, an act to amend the Public Authorities Law;

Senate Print 4051A, by Senator Bailey, an act to amend the Family Court Act;

Senate Print 4981, by Senator Lanza, an act directing the Port Authority of New York to study the alignment of the Outerbridge Crossing;

Senate Print 5027A, by Senator Kavanagh, an act to amend the Environmental Conservation Law and the State Finance Law;

Senate Print 5236, by Senator Kennedy, an act to amend the Executive Law;

Senate Print 5300, by Senator Serino, an act to amend the General City Law;

Senate Print 5363, by Senator Oberacker, an act to amend the State Law;

Senate Print 5406, by Senator Reichlin-Melnick, an act in relation to authorizing Harvey Eilbaum to file a request for change of beneficiary with the New York State and Local Employees' Retirement System;

Senate Print 6086, by Senator Comrie, an act to extend the deadline for the filing of applications and renewal applications;

Senate Print 6223, by Senator Reichlin-Melnick, an act in relation to authorizing Thomas Collins to file a request for change of benefit coverage with the New York State Teachers' Retirement System;

Senate Print 6224, by Senator Reichlin-Melnick, an act to authorize Jodi Manne to receive a refund from the New York State Teachers' Retirement System;

Senate Print 6331, by Senator Palumbo, an act to amend Chapter 1001 of the Laws of 1966;

Senate Print 6350A, by Senator Benjamin, an act to amend the Real Property Tax Law;

Senate Print 6421, by Senator Hinchey, an act to amend the Environmental Conservation Law;

Senate Print 6517, by Senator Stavisky, an act to amend the Education Law;

Senate Print 6531, by Senator Stewart-Cousins, an act to amend Chapter 62 of the Laws of 2015;

Senate Print 6745, by Senator May, an act to amend Chapter 109 of the Laws of 2020;

Senate Print 6758, by Senator Griffo, an act to establish an energy system tax stabilization reserve fund;

Senate Print 6828A, by Senator Mayer, an act to amend the Labor Law;

Senate Print 6871, by Senator Harckham, an act to amend the Tax Law and the State Finance Law;

Senate Print 6903, by Senator Kavanagh, an act to amend the Real Property Tax Law;

Senate Print 6963, by Senator Mannion, an act to repeal Sections 3, 4, 5 and 6 of Chapter 160 of the Laws of 2013;

Senate Print 7018A, by Senator Hinchey, an act authorizing the City of Schenectady to alienate certain parcels of land;

Senate Print 7071, by Senator Hinchey, an act to amend the Environmental Conservation Law and the Economic Development Law;

Senate Print 7107, by Senator Mannion, an act to amend the Mental Hygiene Law;

Senate Print 7108, by Senator Mannion, an act to amend the Executive Law;

Senate Print 7111, by Senator Hinchey, an act to amend the Agriculture and Markets Law and the Real Property Tax Law;

Senate Print 7114, by Senator Harckham, an act to amend the Highway Law;

Senate Print 7116, by Senator Ryan, an act to incorporate the Kenilworth Volunteer Fire Company Benevolent Association;

Senate Print 7119, by Senator Palumbo, an act to amend Chapter 387 of the Laws of 2013;

Senate Print 7126, by Senator Stavisky, an act to amend Chapter 381 of the Laws of 2012;

Senate Print 7128, by Senator Brisport, an act to amend the Social Services Law;

Senate Print 7148, by Senator Ramos, an act to amend the Labor Law.

All bills reported direct to third reading.

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

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

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed, nay.

(No response.)

ACTING PRESIDENT MAYER: The Rules Committee report is accepted.

Senator Gianaris.

SENATOR GIANARIS: Madam President, we're going to go to the calendar, but we're going to go a little bit out of order today.

So we're going to start, on the noncontroversial calendar, with Calendar Number 1323, please.

ACTING PRESIDENT MAYER: Without objection, so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1323, Senate Print 1126A, by Senator Gianaris, an act to amend the Election Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

SENATOR GIANARIS: Madam President, we're going to suspend the reading of the noncontroversial calendar and take up Calendar 1323 on the controversial calendar.

ACTING PRESIDENT MAYER: Without objection, so ordered.

The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 1323, Senate Print 1126A, by Senator Gianaris, an act to amend the Election Law.

ACTING PRESIDENT MAYER: Senator Borrello.

SENATOR BORRELLO: Yes, thank you, Madam President. Would the sponsor yield for a question?

ACTING PRESIDENT MAYER: Senator Gianaris, do you yield?

SENATOR GIANARIS: Yes, I do.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: Thank you, Senator Gianaris.

Let me start off by saying that I'm actually in favor of this bill and I'll be supporting it. But I do have some concerns about how we're going to determine this.

First of all, 1 percent of a company is relatively small in the scheme of things. But my concern is, how are you going to determine 1 percent ownership by a foreign entity?

SENATOR GIANARIS: First of all, I would say whether it's small or not, it depends on the size of the company. One percent of some of our larger companies is a very large amount.

And the process would be self-certifying. So if an entity is desirous of making a contribution and believe they qualify,

they would certify that they do not have an individual with -- above the threshold that's permitted in terms of foreign ownership.

SENATOR BORRELLO: Thank you. Madam President, through you, will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Senator Gianaris, do you continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: So it's a self-attestation. So someone just has to say that we don't indeed have any foreign ownership.

So how is that going to be followed up on? In other words, who's going to be checking that? You know, there's a pretty hefty fine and a criminal penalty here. So who's going to be confirming that and under what circumstances will they be confirming it?

SENATOR GIANARIS: The enforcement is going to be in the hands of the enforcement counsel at the State Board of Elections. The way that much enforcement of existing contribution limits are handled.

SENATOR BORRELLO: Madam President, will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Senator, do you continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR BORRELLO: Thank you.

So in the language of the bill, it speaks to unions being excluded. But if you have a union who has foreign nationals working for them and those foreign nationals comprise more than 1 percent of the union dues, why would they be excluded from this law?

SENATOR GIANARIS: Will you refer me to the part of the bill you're talking about, Senator?

SENATOR BORRELLO: Ben, do you happen to have that?

SENATOR GIANARIS: I don't believe that the bill specifically excludes labor organizations.

SENATOR BORRELLO: May I clarify?

SENATOR GIANARIS: Yes.

SENATOR BORRELLO: Yeah. So the

interpretation of the fact that it only includes business entities would by nature exclude a union.

SENATOR GIANARIS: Oh, I see what you're saying. What the bill covers.

SENATOR BORRELLO: Yes, I'm sorry, I should have asked it that way.

SENATOR GIANARIS: Yes. And your question was why is that the case?

SENATOR BORRELLO: Yes.

SENATOR GIANARIS: Well, this is something that is part of a discussion that's going on nationally. There have been Supreme Court decisions that have made it clear that foreign nationals are not permitted to make donations to campaigns.

However, a lot of corporations specifically have foreign ownership. And if we're not going to allow individuals to participate in that way because they are foreign, the argument is we should not allow corporations, which have been deemed by the Supreme Court to be functionally persons, as we all know -- unfortunately, that's the case. So they should be treated the same way.

SENATOR BORRELLO: Madam President, will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Senator Gianaris, do you continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR BORRELLO: Yes, thank you very much.

So if, say, a parent company of a corporation is foreign-owned, how would that be impacted in this law?

SENATOR GIANARIS: One second.

SENATOR BORRELLO: Sure.

SENATOR GIANARIS: Just to clarify, Senator Borrello, your question is if a parent company has foreign ownership but the subsidiary does not, is that --

SENATOR BORRELLO: Correct.

SENATOR GIANARIS: Well, I suppose it would depend on the corporation structure and the relationship between the parent and the subsidiary.

But if the subsidiary is a distinct entity that has its own assets and revenues that

are not foreign-owned, I think that would be permissible. Though I should point out that the bill contemplates that the certification we talked about would be made by the owner of the company, so presumably that would be the owner of the parent.

SENATOR BORRELLO: Thank you.

Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator Borrello on the bill.

SENATOR BORRELLO: Thank you, Senator Gianaris, for the engagement again today.

So, you know, I understand the -- I guess the spirit of this bill, if you will. And I am supporting it. But I will point out that there are some real issues with how this is going to be determined. First of all, I've spoken out numerous times about self-attestation, that we just allow people to tell us whether they're, you know, engaged in something or not. We've done that with folks asking for unemployment insurance, all the way up to corporations that might have foreign ownership, and everything in between.

I have an issue with

self-attestation. You know, I think it's the old Ronald Reagan quote, "Trust but verify." Nobody's actually verifying anything, that's the problem.

But let me also speak to something when it comes to corporations. Now, there's something under investment law in the United States called the 13-D Law. Once you own 5 percent of a corporation, a publicly traded corporation, you have to file a 13-D, which declares you as a substantial owner. So if we said 5 percent, at least you could somehow say we have a way to verify it through the investment laws. But 1 percent, we really don't know how we're going to do that.

So the question is, how are people going to really self-attest to something in the case of a public corporation that they don't have foreign ownership? Because in the secondary market for stocks, there's no way for them to really know who's owning it. Especially when you start talking about mutual funds, retirement accounts, so on and so forth.

We have a lot of renewable energy projects in this state in particular. Most of

those are companies that are foreign-owned. The companies that manufacture wind turbines and solar panels are in countries like China. How do we know if somebody from China who's, you know, somewhere down the line donating to either party, whether or not that's a 1 percent ownership and a foreign influence?

Let me also point out -- just to give you some specifics, there's a company called Brookfield Developers. They gave $100,000 to the New York State Democratic Committee. Their parent company, Brookfield Property Owners, is headquartered in Bermuda. Do we know whether or not that would be a legal contribution? That $100,000, would that have to be given back?

And let me give a list of corporations that have donated to the Democratic Conference: AIG, Northwest Mutual, Pfizer, Sunoco, Hilton, Paychex, Enterprise, Mobil Oil Corporation, Rite-Aid, CenturyLink and JPMorgan. All with foreign subsidiaries, all with foreign ownership.

So I realize this is a nice idea, we're going to take another shot politically at someone. But the reality is that you're setting

yourselves up, I think, for -- unless this is fixed, unless there's a way to really address this in a more responsible manner, this is setting yourselves up for being targeted by folks unnecessarily.

I'm going to support this today because I agree with it in principle. But I would highly recommend looking at actually cleaning this up and ensuring that you're not setting yourselves up for failure.

So thank you, Madam President.

ACTING PRESIDENT MAYER: Are there any other Senators wishing to be heard?

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

Read the last section.

THE SECRETARY: Section 6. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Gianaris to explain his vote.

SENATOR GIANARIS: Thank you,

Madam President.

Let me thank Senator Borrello for his thoughtful questions and remarks.

I'm really proud of this bill. We are at the forefront of a national conversation about limiting and prohibiting foreign influence in our elections. There are two localities in the country that have done this, but we would be the first state, if we were to enact this, to impose a rule like this.

And it makes total sense. We have very clear rules prohibiting foreign nationals from contributing and participating in our electoral process. That has been verified by the U.S. Supreme Court. There's no doubt about that. And yet corporations who are influenced or even controlled by foreign entities have free rein to do so.

And so today we are striking a blow for democracy, for actual people to have greater influence over their elections, as opposed to the fictional personhood that our courts have determined corporations have. And so by enacting this rule, by enacting the Democracy Preservation Act, we are actually taking great steps to

preserve our democracy. We have a lot more to do, but this is a very important and big first step.

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

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

Announce the results.

THE SECRETARY: In relation to Calendar 1323, those Senators voting in the negative are Senators Akshar, Boyle, Gallivan, Griffo, Helming, Jordan, Mattera, Oberacker, O'Mara, Ortt, Rath, Ritchie, Stec and Weik.

Ayes, 48. Nays, 14.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Madam President.

At this time let's return back to the normal order of business and take up the noncontroversial calendar, starting with Calendar 89.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 89, Assembly Bill 5527A, substituted earlier by Assemblymember Williams, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 99, Assembly Bill 3412A, substituted earlier by Assemblymember Solages, an act to amend the Penal Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 30th day after it

shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 99, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt, Rath, Ritchie, Serino, Stec and Tedisco.

Ayes, 47. Nays, 15.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 184, Senate Print 1543A, by Senator Kaminsky, an act to amend the Public Officers Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 184, those Senators voting in the negative are Senators Gallivan, Griffo, Jordan, Lanza, Oberacker, O'Mara, Rath, Stec and Tedisco.

Ayes, 53. Nays, 9.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 212, Senate Print 1667, by Senator Skoufis, an act to amend the Public Officers Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 212, voting in the negative: Senator O'Mara.

Ayes, 61. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 287, Senate Print 2629, by Senator Sanders, an act to amend the General Municipal Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 318, Senate Print 235A, by Senator Mayer, an act to amend the General Municipal Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 415, Senate Print 4610, by Senator Comrie, an act to amend the Public Authorities Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 416, Senate Print 4611, by Senator Comrie, an act to amend the Public Authorities Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 571, Senate Print 3566, by Senator Breslin, an act to amend the Insurance Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

THE SECRETARY: Calendar Number 707, Senate Print 2740B, by Senator Kavanagh, an act to amend the Vehicle and Traffic Law and the Public Officers Law.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 707, those Senators voting in the negative are Senators Jordan, Oberacker, O'Mara, Rath and Serino.

Ayes, 57. Nays, 5.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 731, Senate Print 4640, by Senator Rivera, an act to amend the Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 731, voting in the negative: Senator Ryan.

Ayes, 61. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 757, Assembly Bill 894C, substituted earlier by Assemblymember Zebrowski, an act to amend the Real Property Tax Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

THE SECRETARY: Calendar Number 810, Senate Print 4468A, by Senator Mannion, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 820, Senate Print 6199, by Senator Skoufis, an act to amend the Real Property Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 820, those Senators voting in the negative are Senators Akshar, Borrello, Griffo, Helming, Lanza, Oberacker, O'Mara, Rath and Tedisco.

Ayes, 53. Nays, 9.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 898, Assembly Bill 1324A, substituted earlier by Assemblymember Magnarelli, an act to amend the Volunteer Firefighters' Benefit Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 904, Assembly Bill 336A, substituted earlier by Assemblymember Braunstein, an act to amend the Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 904, those Senators voting in the negative are Senators Gallivan, Griffo, Helming, Jordan, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ryan, Stec and Tedisco.

Ayes, 50. Nays, 12.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 940, Senate Print 1656A, by Senator Skoufis, an act to amend the General Municipal Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 940, those Senators voting in the negative are Senators Gallivan, Griffo, Jordan, Martucci, Oberacker, O'Mara, Ortt, Rath, Ritchie, Serino and Tedisco.

Ayes, 51. Nays, 11.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 941, Senate Print 1769, by Senator Skoufis, an act to amend the General Municipal Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 941, those Senators voting in the negative are Senators May, Oberacker, O'Mara,

Rath, Ritchie and Ryan.

Ayes, 56. Nays, 6.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 943, Senate Print 3256, by Senator Comrie, an act to amend the General Municipal Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 7. This act shall take effect on the first of January.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 943, those Senators voting in the negative are Senators Akshar, Borrello, Griffo, Jordan, Oberacker, O'Mara, Ortt, Rath, Ritchie and Serino.

Ayes, 52. Nays, 10.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

950, Senate Print 5671A, by Senator Breslin, an act to amend the General Municipal Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 953, Senate Print 6035, by Senator Brooks, an act in relation to authorizing the Bellmore Fire District to file an application for exemption from real property taxes.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 953, voting in the negative: Senator Akshar.

Ayes, 61. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 956, Senate Print 6317, by Senator Gaughran, an act authorizing the Faith Evangelical Lutheran Church to retroactively apply for a real property tax exemption.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 956, voting in the negative:

Senator Akshar.

Ayes, 61. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1009, Senate Print 1798, by Senator Borrello, an act to legalize, validate, ratify and confirm the actions of the Panama Central School District.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1016, Senate Print 4963A, by Senator Reichlin-Melnick, an act related to validating certain acts by the Pearl River Union Free School District.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1020, Assembly Bill 6360B, substituted earlier by Assemblymember Griffin, an act relating to legalizing, validating, ratifying and confirming transportation contracts for the West Hempstead Union Free School District.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1021, Assembly Bill 6356B, substituted earlier by Assemblymember Griffin, an act related to legalizing, validating, ratifying and confirming transportation contracts for the Baldwin Union Free School District.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1022, Assembly Bill 6289, substituted earlier by

Assemblymember Gunther, an act to legalize, validate, ratify and confirm the actions of the Monticello Central School District.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1024, Senate Print 6188A, by Senator Boyle, an act related to legalizing, validating, ratifying and confirming a certain contract of the West Islip Union Free School District.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1033, Assembly Bill 2388B, substituted earlier by Assemblymember Aubry, an act to amend the Public Health Law and the Education Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1065, Senate Print 5870, by Senator Gounardes, an

act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1071, Senate Print 1207, by Senator Kaminsky, an act to amend the Public Authorities Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1108, Senate Print 6675, by Senator Gaughran, an act to amend the Municipal Home Rule Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1118, Senate Print 6239, by Senator Thomas, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1118, those Senators voting in the negative are Senators Felder, Gounardes, Helming, Lanza, Martucci, Oberacker and O'Mara.

Ayes, 55. Nays, 7.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1140, Senate Print 4609, by Senator Hoylman, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1141, Assembly Bill 5374, substituted earlier by Assemblymember McMahon, an act to amend the Tax Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1162, Assembly Bill 7701, substituted earlier by Assemblymember Hunter, an act to amend the Insurance Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1175, Senate Print 5945A, by Senator Reichlin-Melnick, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1181, Senate Print 5940, by Senator Parker, an act to require the Office for the Prevention of Domestic Violence to conduct a study on domestic violence in the transgender community.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1185, Senate Print 6682, by Senator Liu, an act to amend the Education Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1188, Senate Print 1504, by Senator Hoylman, an act to amend the Business Corporation Law and the Not-For-Profit Corporation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1197, Senate Print 4869, by Senator Gaughran, an act granting retroactive membership with Tier 2 status in the New York State Teachers' Retirement System to Lori Cohen.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1200, Senate Print 5543A, by Senator Brooks, an act to amend the Education Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1205, Senate Print 6042, by Senator Hinchey, an act to amend the Tax Law and the Real Property Tax Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1207, Senate Print 6233, by Senator Kennedy, an act to amend the New York State Urban Development Corporation Act.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the first of April.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1207, those Senators voting in the negative are Senators Akshar, Griffo and Skoufis.

Ayes, 59. Nays, 3.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1208, Senate Print 6292, by Senator Mannion, an act to amend the State Finance Law.

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1234, Senate Print 3150, by Senator Comrie, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 1234, voting in the negative: Senator Akshar.

Ayes, 61. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1240, Senate Print 5607A, by Senator Kennedy, an act to amend the Transportation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1245, Assembly Bill 7417A, substituted earlier by

Assemblymember Santabarbara, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1248, Assembly Bill 1414A, substituted earlier by Assemblymember Lupardo, an act to amend the Civil Service Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1249, Assembly Bill 2203, substituted earlier by Assemblymember Barrett, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1252, Senate Print 5772, by Senator Brooks, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1253, Senate Print 5869A, by Senator Brooks, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

SENATOR GAUGHRAN: Madam President, please lay it aside for the day.

ACTING PRESIDENT MAYER: The bill is laid aside for the day.

THE SECRETARY: Calendar Number 1259, Senate Print 5091, by Senator Kennedy, an act to amend the General Municipal Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1259, those Senators voting in the negative are Senators May and Ryan.

Ayes, 60. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1270, Senate Print 2201, by Senator Sepúlveda, an act to repeal subdivision 9 of Section 201 of the Correction Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1270, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 42. Nays, 20.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1271, Assembly Bill 453, substituted earlier by Assemblymember Pheffer Amato, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1280, Senate Print 4231, by Senator Stavisky, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1286, Senate Print 5981, by Senator Myrie, an act to repeal subdivision 2 of Section 189 of the Correction Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1286, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 42. Nays, 20.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1291, Senate Print 66, by Senator Hoylman, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Biaggi to explain her vote.

SENATOR BIAGGI: Thank you, Madam President.

I rise today very proudly in favor and in support of the Adult Survivors Act, which will give survivors of sexual assault who have aged out of the statute of limitations a chance to pursue justice in our civil courts.

As a child sexual abuse survivor, this is probably one of the most significant, important and meaningful bills that I will get to vote for this year, and I am very proud of my colleague Senator Hoylman for putting this bill forward, for charging ahead and for not stopping no matter what.

It takes years -- years -- for survivors of abuse to come forward, and many will never actually use their voices and be able to even speak about the trauma that they have experienced. And so because of that, we know that trauma is a complex issue and that healing is not linear. And this bill accounts for that.

Survivors live with their assault for the rest of their lives, and our laws should not put a time limit on survivors to process their experience and to come forward. In 2019 we stood in this chamber and we passed the historic Child Victims Act to make sure that our laws finally reflected the reality of trauma for child survivors of sexual abuse. It was one of the most proud moments of the year for me. And crucially, we created this look-back window to give survivors who never had the chance another opportunity to pursue justice if they so chose. If they so chose.

Our laws failed child survivors for years before that time, and it was only right to give survivors that chance.

Today, now, it is time for our work to continue. We owe adult survivors an opportunity to hold their abusers and the institutions that protected them accountable too. The Adult Survivors Act reflects the reality of trauma and abuse, and it gives survivors a meaningful chance to bring a case if they so choose.

In New York State we stand today to

vote in favor of the Adult Survivors Act because we are a state that knows that we must protect those who have been traumatized and abused, and we will make sure that survivors have a meaningful chance to bring a case.

Again, I vote in favor of this bill. I look forward to our colleagues across this legislative body and in the Assembly also doing the same.

Thank you very much, Madam President.

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

Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Madam President.

My colleagues, I rise to support S66, by Senator Hoylman, my colleague. This legislation, the Adult Survivors Act, gives the many survivors of sexual offenses as adults an opportunity to seek civil action against their abusers and abusers' enablers in a court of law.

We see child abuse survivors, young adults and older survivors, often either suppressing memories of their abuse or they are

afraid to come forward right away. By the time adult survivors get the help they need and finally can take action against their abusers, it's too late to do anything about it legally.

It is a time to enact commonsense legislation that will do away with New York's vague statute of limitations which denies many of them justice.

I want to thank Senator Hoylman and all the cosponsors for standing up for adult survivors. With our vote today, our state acknowledges that all survivors of sexual assault deserve justice.

And I proudly vote aye, Madam President.

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

Senator Hoylman to explain his vote.

SENATOR HOYLMAN: Thank you, Madam President.

I'm proud to stand here today in support of adult survivors of sexual assault, building off the important work this chamber did two years ago for survivors of child sexual abuse when we passed the Child Victims Act.

Until 2019 most adult survivors of sex crimes had no more than one to three years to file a civil lawsuit against their abuser. And as you have heard, for many survivors it takes years to come to terms with the abuses committed against them, let alone to summon the courage to come forward to report the abuse or engage in a protracted court fight.

There are many reasons an adult survivor may take years to come forward -- shame, trauma, religious beliefs, family dynamics, or an inability to remove oneself from a harmful or unsafe situation. Those reasons are why, in 2019, thanks to the leadership of our colleague Senator Biaggi, we passed legislation to prospectively increase the civil and criminal statutes of limitations for a host of sex offenses.

Our pre-2019 statutes of limitations were inadequately, punitively short to provide many survivors with a shot at justice. And that's why we changed them going forward.

With the legislation we're voting on today, the Adult Survivors Act, we're giving that shot at justice to the countless adult survivors

of sex offenses who were previously denied an opportunity because they didn't come forward in time.

Survivors like the 200-plus women who were sexually assaulted by an OB-GYN, Robert Hadden, over the course of decades, from age 15 -- young women just in puberty -- to 70 years old.

Survivors of serial predators like Harvey Weinstein and Jeffrey Epstein.

Survivors with disabilities who were abused by the only specialty physician in their area.

A survivor who was a single mother being sexually abused by her boss.

And a survivor who was abused by a coach at age 18, just a few months older than a teammate who was abused at age 17 and therefore was able to file a civil claim under the Child Victims Act.

This legislation, like the Child Victims Act, is not about guaranteeing outcomes. It's about providing survivors with the chance to seek justice. To date, over 6,000 New Yorkers and counting have taken advantage of the window

of opportunity provided by the Child Victims Act. Not a single false claim has been recorded. We can and should provide adult survivors with the same opportunity.

I want to thank all of the survivor advocates who helped make this vote a reality. For many survivors, engaging in advocacy on this issue means reliving trauma, triggering and reopening old wounds, and we should all acknowledge how difficult that is.

Thanks as well to Safe Horizon, Child USA and Marci Hamilton, the Center for Independence of the Disabled, the New York State Coalition against Sexual Assault, the Model Alliance, SNAP, the Junior League, and many other wonderful organizations who advocate on behalf of survivors.

I also want to thank my colleagues for supporting this bill; Assemblymember Linda Rosenthal, for her tireless leadership and partnership in the fight for survivors; and Senate Majority Leader Andrea Stewart-Cousins for her path-breaking leadership in this area, making New York State a catalyst for change for survivors.

Let it be known, be advised, to Hadden, Epstein, Weinstein, Trump and others, the courthouse doors will be flung open to your accusers.

It has been the honor of my career as a legislator to fight side by side with survivors, and it's a fight I'll never give up on with my colleagues. Thank you very much.

I vote aye.

ACTING PRESIDENT MAYER: Senator Hoylman to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1292, Senate Print 6357, by Senator Savino, an act to amend the Family Court Act and the Social Services Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1292, those Senators voting in the negative are Senators Gallivan, Griffo, Oberacker, O'Mara, Ortt, Palumbo and Serino.

Ayes, 55. Nays, 7.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1294, Assembly Bill 2030, substituted earlier by Assemblymember Rosenthal, an act to amend the Social Services Law and the Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1294, those Senators voting in the negative are Senators Griffo, Jordan, Oberacker, Ortt, Rath and Serino.

Ayes, 56. Nays, 6.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1301, Assembly Bill 4877, substituted earlier by Assemblymember Palmesano, an act in relation to legalizing, validating, ratifying and confirming certain transportation contracts of the Corning City School District.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1309, Senate Print 6801, by Senator Rivera, an act to amend Chapter 451 of the Laws of 2007.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1313, Senate Print 6890, by Senator Martucci, an act authorizing the conveyance of real property at the State University of New York College at Delhi.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1325, Senate Print 1867, by Senator Ritchie, an act relating to legalizing, validating, ratifying and confirming a transportation contract of the Fulton City School District.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

1326, Senate Print 2728, by Senator Kaminsky, an act to amend the General Municipal Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1326, those Senators voting in the negative are Senators Borrello, Gallivan, Jordan, Martucci, Oberacker, O'Mara, Ortt, Rath, Ritchie, Serino and Weik.

Ayes, 51. Nays, 11.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1336, Senate Print 4516B, by Senator Kaplan, an act to amend the Penal Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1336, those Senators voting in the negative are Senators Biaggi, Borrello, Brisport, Gallivan, Griffo, Helming, Lanza, Myrie, Oberacker, O'Mara, Ortt, Ritchie, Rivera, Salazar, Serino and Weik.

Ayes, 46. Nays, 16.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1337, Senate Print 4540A, by Senator Rivera, an act to amend the Social Services Law and the Civil Practice Law and Rules.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 7. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1337, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 43. Nays, 19.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1343, Senate Print 5035, by Senator Parker, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1344, Senate Print 5151A, by Senator May, an act to amend the Education Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1367, Assembly Bill 386, substituted earlier by Assemblymember Jacobson, an act to amend the Workers' Compensation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1369, Senate Print 1607, by Senator Martucci, an act to authorize Susan Gillinder, the widow of Robert C. Ritchie, to file a new service retirement application and an option election form.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1370, Senate Print 1751, by Senator Borrello, an act to amend the Uniform City Court Act.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1372, Senate Print 3100, by Senator Kaplan, an act to amend the Retirement and Social Security Law.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1376, Senate Print 4261, by Senator Griffo, an act to amend the Public Authorities Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill

is passed.

THE SECRETARY: Calendar Number 1377, Senate Print 4408, by Senator Skoufis, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1380, Senate Print 4471A, by Senator Mannion, an act to amend the General Municipal Law and the Public Authorities Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 60th day after it

shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1381, Senate Print 4542A, by Senator Mayer, an act to amend the Election Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1381, those Senators voting in the negative are Senators Borrello, Boyle, Helming, Jordan, Martucci, Oberacker, O'Mara, Ortt, Rath

and Ritchie.

Ayes, 52. Nays, 10.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1382, Assembly Bill 5386A, substituted earlier by Assemblymember Lupardo, an act to amend the Agriculture and Markets Law.

SENATOR GAUGHRAN: Madam President, please lay the bill aside for the day.

ACTING PRESIDENT MAYER: The bill is laid aside for the day.

THE SECRETARY: Calendar Number 1384, Senate Print 4860, by Senator Kennedy, an act to authorize the widow of William James Middlebrooks to file a retirement option election form.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1386, Assembly Bill 7207A, substituted earlier by Assemblymember Jackson, an act to authorize and direct the Commissioner of Agriculture and Markets to conduct a study on urban agriculture.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1390, Senate Print 6229A, by Senator Sanders, an act authorizing the City of New York to alienate and discontinue the use of certain portions of

parkland.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1398, Senate Print 6585, by Senator Rath, an act granting retroactive Tier 4 membership in the New York State and Local Employees' Retirement System.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1399, Senate Print 6616, by Senator Skoufis, an act to amend the State Finance Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 4. This act shall take effect one year after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1401, Assembly Bill 359A, substituted earlier by Assemblymember Jacobson, an act to amend the

Workers' Compensation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1401, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Mattera, Oberacker, O'Mara, Ortt, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 45. Nays, 17.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1411, Senate Print 6916A, by Senator Kavanagh, an act to amend the Local Emergency Housing Rent Control Act.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill

is laid aside.

THE SECRETARY: Calendar Number 1414, Assembly Number 7327, substituted earlier by Assemblymember Zebrowski, an act to amend the State Finance Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1414, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Serino, Stec, Tedisco and Weik.

Ayes, 44. Nays, 18.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1421, Assembly Bill 7397, substituted earlier by

Assemblymember Sillitti, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1422, Assembly Bill 7179, substituted earlier by Assemblymember Weinstein, an act to amend Chapter 20 of the Laws of 2015.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 1422, voting in the negative: Senator Helming.

Ayes, 61. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1423, Assembly Bill 7392, substituted earlier by Assemblymember Englebright, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

1430, Senate Print 7090, by Senator Thomas, an act to amend the Financial Services Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1431, Assembly Print 3112B, substituted earlier by Assemblymember Epstein, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1432, Senate Print 485A, by Senator Krueger, an act to amend the Education Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect January 1, 2023.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1433, Senate Print 741, by Senator Biaggi, an act to amend the Election Law.

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Biaggi to explain her vote.

SENATOR BIAGGI: Thank you, Madam President.

I rise today to proudly vote in favor of my bill, S741, which prohibits elected officials from using their campaign donations and contributions towards fees that are associated with claims of sexual harassment. It seems very commonsense.

Under current New York law, elected officials and candidates are prohibited from using their donated funds to pay for fees that are associated with criminal convictions, or ethical violations from JCOPE, but the law fails to mention fees that are associated with sexual harassment.

Campaign donations are given by

donors with the expectation that their contributions will be used for the candidate's election efforts, not to fund the cost of their bad conduct and behavior. This omission is a breach of the public's trust that their contributions are appropriately used to support honest campaigns.

By passing this bill, what we do today is take another step forward in holding elected officials who abuse others, and their campaign coffers, accountable. And we can add further disincentive for elected officials who all too often believe they can get away with sexual harassment.

I am proud to vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 1433, voting in the negative: Senator Jordan.

Ayes, 61. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

1434, Senate Print 946B, by Senator Gaughran, an act to amend the Workers' Compensation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1434, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec and Weik.

Ayes, 44. Nays, 18.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1435, Senate Print 1102A, by Senator Kaminsky, an act to amend the Town Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1436, Assembly Bill 5565, substituted earlier by Assemblymember Jean-Pierre, an act to amend the Navigation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1437, Assembly Bill 5689, substituted earlier by Assemblymember Cruz, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1437, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Martucci and Stec.

Ayes, 57. Nays, 5.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1439, Senate Print 2542A, by Senator Rivera, an

act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1442, Assembly Print 6040, substituted earlier by Assemblymember Burgos, an act to amend the General Business Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1444, Assembly Print 2113, substituted earlier by Assemblymember Simon, an act to amend the Domestic Relations Law and the Family Court Act.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 1444, voting in the negative: Senator Helming.

Ayes, 61. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1445, Senate Print 4723, by Senator Kaminsky, an act to amend the Election Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1445, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 43. Nays, 20.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1446, Senate Print 4864, by Senator Gaughran, an act to amend the Public Authorities Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1447, Senate Print 5023A, by Senator Gianaris, an act to amend the Education Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 1447, voting in the negative: Senator Oberacker.

Ayes, 62. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1449, Senate Print 5356, by Senator Breslin, an act to amend the State Finance Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1451, Senate Print 5453A, by Senator Helming, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1452, Assembly Bill 6429B, substituted earlier by Assemblymember Hyndman, an act to amend the Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1453, Senate Print 5691, by Senator Griffo, an act granting retroactive Tier 4 membership in the New York State and Local Employees' Retirement System.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1454, Assembly Bill 6528A, substituted earlier by Assemblymember Braunstein, an act to amend the

Education Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 1454, voting in the negative: Senator Gallivan.

Ayes, 62. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1455, Senate Print 6079A, by Senator Gounardes, an act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 1455, voting in the negative: Senator Helming.

Ayes, 62. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1458, Assembly Bill 7403A, substituted earlier by Assemblymember Septimo, an act to amend the Agriculture and Markets Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

THE SECRETARY: Calendar Number 1459, Senate Print 6353A, by Senator Persaud, an act in relation to permitting the use of municipal space for outdoor dining.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1461, Senate Print 6405, by Senator Gounardes, an act to amend the Retirement and Social Security Law.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Ryan moves to discharge, from the Committee on Rules, Assembly Bill Number 7021 and substitute it for the identical Senate Bill 6511, Third Reading Calendar 1462.

ACTING PRESIDENT MAYER: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1462, Assembly Print 7021, by Assemblymember Jean-Pierre, an act to amend the Education Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 4. This act shall take effect April 1, 2021.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1463, Senate Print 6657, by Senator Boyle, an act in relation to authorizing the assessor of the Town of Islip, County of Suffolk, to accept from the Community Services Support Corporation an application for exemption from real property taxes.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 1463, voting in the negative: Senator Akshar.

Ayes, 62. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1464, Senate Print 6707, by Senator Gaughran, an act to amend the Public Authorities Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

Calendar 1465 is high and will be laid aside for the day.

THE SECRETARY: Calendar Number 1467, Senate Print 6811, by Senator Harckham, an act to amend the Real Property Tax Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1468, Senate Print 6921, by Senator Breslin, an act to amend the Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1469, Senate Print 7013, by Senator Addabbo, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law.

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

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

SENATOR GAUGHRAN: Madam President, can we now go to the reading of the controversial calendar, beginning with Calendar 757.

ACTING PRESIDENT MAYER: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 757, Assembly Bill Number 894C, by Assemblymember Zebrowski, an act to amend the Real Property Tax Law.

ACTING PRESIDENT MAYER: Senator Boyle.

SENATOR BOYLE: Madam President, would the sponsor yield for a couple of questions.

ACTING PRESIDENT MAYER: Senator Gaughran, do you yield?

SENATOR GAUGHRAN: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BOYLE: Madam President, through you.

Senator, this legislation would require assessors using the comparable sales method for assessments to consider certain comparable properties in formulating the assessment -- in essence, ask them to look at the sales and rentals of properties exhibiting similar current use or use at the time of the sale and in the same real estate market.

My question to you is, is this not akin to basically assessing occupied houses at a higher assessment than vacant houses? The Real Property Tax Law says that we're supposed to value the real -- tax at the real value of the real estate, not the value of the activity occurring on the property.

So please explain to me how this is not taxing a business rather than the inherent value of the real property.

SENATOR GAUGHRAN: Through you, Madam President, this exempts residential property. So it does not apply to residential properties and, you know, vacant homes as you described.

SENATOR BOYLE: So we're not looking at -- through you, Madam President, one more question.

ACTING PRESIDENT MAYER: Would the sponsor yield?

SENATOR GAUGHRAN: Yes.

SENATOR BOYLE: We are not looking at commercial activity, we're going on purely assessment of the value of the property as the Real Property Tax Law requires?

SENATOR GAUGHRAN: Well, I think your illustration was talking about an empty residential home versus an occupied residential home. So this does not impact that.

In fact, there was an earlier version of the legislation where there was some ambiguity, so we amended the legislation to make

it clear that it does not impact residential homes. It's commercial and mixed-use properties.

SENATOR BOYLE: Thank you, Madam President.

ACTING PRESIDENT MAYER: Are there any other Senators wishing to be heard?

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gaughran.

SENATOR GAUGHRAN: Madam President, please take up Calendar Number 1411 now.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number

1411, Senate Print 6916A, by Senator Kavanagh, an act to amend the Local Emergency Housing Rent Control Act.

ACTING PRESIDENT MAYER: Senator Boyle.

SENATOR BOYLE: Madam President, will the sponsor yield.

ACTING PRESIDENT MAYER: Give me one minute.

SENATOR BOYLE: I'm sorry, yes.

ACTING PRESIDENT MAYER: Senator Boyle.

SENATOR BOYLE: Thank you, Madam President. Would the sponsor yield.

ACTING PRESIDENT MAYER: Senator Kavanagh, do you yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR KAVANAGH: Sorry, I'm late to yield.

SENATOR BOYLE: That's okay. Thank you. Madam President, through you.

So Senator, this bill would extend

the deadline for the emergency in New York in relation to the date of the calendar year 2022 when the local legislative body of the city having over a million residents -- New York City -- may determine the continuation of the emergency.

My question to you is, this bill would extend it from April until July 1st, is that correct?

SENATOR KAVANAGH: Yes.

SENATOR BOYLE: Is this extension really necessary?

SENATOR KAVANAGH: Through you, Madam President. This is -- so the Housing and Vacancy Survey is -- has been done every few years since 1965. The range of time between the surveys has varied somewhat, but the purpose of the study is to gather data that is necessary for the local government to continue to find that there's a continuing emergency that justifies the rent laws of New York City.

The survey, though, is not done by the local government itself. It has been done under contract for many, many years now with the Census Bureau, because they have this sort of

expertise. The Census Bureau scientifically selects 12,000 addresses throughout the City of New York, so that is a thoroughly representative sample. They then hire lots of people who go and do a direct survey of all of those households and try to get to as many of them as they can.

The Census Bureau began hiring for that process in February of this year. They had to complete their work from, you know, the prior year census.

They have found, not surprisingly, given the public health crisis and the restrictions on people's movements, that the hiring process was much slower than it normally is, so they were still hiring -- as of April, they got to a full staffing level.

But the Census Bureau has informed New York City that in order to do the study properly and thoroughly, they need some additional time, and so the City of New York has requested, by putting in this program bill, three additional months to complete the survey portion, then do the necessary analysis and publish the study as they always do.

SENATOR BOYLE: Madam Speaker, will

the sponsor continue to yield.

ACTING PRESIDENT MAYER: Senator Kavanagh, do you continue to yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BOYLE: Through you, Madam -- Madam President. I spent too much time in the Assembly, I'm sorry.

I understand, Senator, during COVID we would have extended this and not required the survey to be done. But New York City is opening up. Vaccination rates are down, and things are looking good. The positive rates are 1 percent, approximately. So why are we extending this now through July 1st?

SENATOR KAVANAGH: Through you, Madam President. Again, the survey happens over the course of many months. And in order to get the survey done by the current deadline, absent this bill, the Census Bureau had begun in February.

And again, this is a very laborious process, trying to make actual contact with

12,000 households and make sure that the sample is representative, and then do the data analysis.

So although things are looking better -- although, you know, the rates of community transmission in New York City were still considered high by the CDC even as of a few weeks ago. So during the first phase of this study, we were still under very significant restrictions and, you know, some challenge, presumably, hiring people whose job it is to go interact with strangers who answer their door.

So the Census Bureau, which of course has an extraordinary track record of hiring people to do this work and supervising them and gathering data in a scientifically valid way and then processing it, has found that the challenge of COVID for this kind of work persisted into 2021. And as a result, they are behind on their field survey work and are requesting an additional three months.

SENATOR BOYLE: Madam President, will the sponsor yield for one more question.

ACTING PRESIDENT MAYER: Will you continue to yield?

SENATOR KAVANAGH: I'm happy to,

Madam President.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR BOYLE: Through you, Madam President. Senator, you obviously represent part of New York City. You're chairperson of the Housing Committee, you have a lot of information on this, and you just laid out the process by which the surveyors are being hired.

Do you see any reason why this should be extended beyond the July 1, 2022, date?

SENATOR KAVANAGH: Through you, Madam President. I think one thing we've learned during COVID is that predictions about the future are somewhat difficult. But I -- it does seem, as my colleague has said, that we are moving in the right direction and vaccinations are increasing and the COVID emergency that has caused severe disruptions of our daily lives does seem to be subsidizing.

Assuming that we continue to move in that direction, I believe that the Census Bureau ought to be able to complete the survey work this year, do the necessary analysis, and publish the

report on time with this additional three-month extension.

SENATOR BOYLE: I'd like to thank the sponsor. And thank you, Madam President.

SENATOR KAVANAGH: Thank you.

ACTING PRESIDENT MAYER: Are there any other Senators wishing to be heard?

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1411, those Senators voting in the negative are Senators Akshar, Gallivan, Griffo, Helming, Lanza, Martucci, O'Mara, Ortt, Rath, Ritchie, Serino and Weik.

Ayes, 51. Nays, 12.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gaughran.

SENATOR GAUGHRAN: Madam President, may we please take up Calendar Number 571.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 571, Senate Print 3566, by Senator Breslin, an act to amend the Insurance Law.

ACTING PRESIDENT MAYER: Senator Palumbo.

SENATOR PALUMBO: Thank you, Madam President. Would the sponsor yield for a few questions, please.

ACTING PRESIDENT MAYER: Senator Breslin, do you yield?

SENATOR BRESLIN: Yes, Madam President, I will yield.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you, Senator. Good afternoon, how are you?

SENATOR BRESLIN: Good afternoon to you too.

SENATOR PALUMBO: Actually, that was my first question -- no, I'm kidding.

Senator, this bill essentially modifies some language from 2011 bill that ultimately -- I guess that language was a result of a chapter amendment that the Governor insisted upon. Is that accurate?

SENATOR BRESLIN: That may well be so. I don't recall exactly.

SENATOR PALUMBO: Would the sponsor yield for another question, please.

ACTING PRESIDENT MAYER: Do you continue to yield, Senator Breslin?

SENATOR BRESLIN: I continue to yield, thank you.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you, Senator.

And as far as that language is concerned, at the time Governor Cuomo indicated that there needed to be a level playing field between the mail order pharmacies as well as the retail pharmacies.

So my question to you is, Senator, why are we making this distinction now, and why is this bill necessary today?

SENATOR BRESLIN: Well, because of the advent of what we call PBMs, pharmacy benefit managers, who are generally connected with those mail order pharmacies, who are connected to three of the major pharmacies in the United States. Local pharmacies compete with those mail order pharmacies.

And if you know the legislation, it talks about creating rules and regulations to make them more equal, which in fact has made them more unequal. The mail order houses, the PBMs have imposed things like having 24-hour nursing available at the pharmacy. They've also done things to increase the computer operation of the pharmacy, and on and on and on, which makes -- which are unnecessary for the pharmacy.

SENATOR PALUMBO: Will you continue to yield, please, Senator.

ACTING PRESIDENT MAYER: Senator Breslin, do you continue to yield?

SENATOR BRESLIN: I continue to yield.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you,

Senator. And through you, Madam President.

The way I read this, Senator Breslin, is that this bill actually doesn't only regulate pharmacies that are linked to PBMs, this regulates all pharmacies. Is that true?

SENATOR BRESLIN: It does regulate all pharmacies, certainly.

SENATOR PALUMBO: Okay. So in that regard, then, we do have -- would you yield for another question, please, Senator.

ACTING PRESIDENT MAYER: Senator Breslin, do you yield?

SENATOR BRESLIN: Yes, I continue to yield.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR PALUMBO: Thank you. And through you, Madam President.

In that regard, now, this regulation or this lifting of regulations, the striking of this language and the requirement that pharmacies belong to a contractual network agreement and have to abide by the same terms and conditions as a mail order company, can we agree, then, that

the rules are now going to be different for a mail order pharmacy versus a retail pharmacy?

SENATOR BRESLIN: No, I would -- excuse me. It's recognizing that a mail order house and a local pharmacy are totally different.

The local pharmacy is able to talk to a cancer patient and confirm what the prescription is. He's able to talk to people with other kinds of diseases. No one goes into a pharmacy in good health. So a lot of people depend upon that local pharmacist to add an added benefit.

A lot of the things that mail order houses send might be to an oncology patient, and it might need refrigeration. It might need a specified delivery date. And we have memos in the file from oncologists who said they're often late, they don't appear, they're damaged, and there's specific handling that only a local pharmacy can do.

So that makes the distinction between the mail order house and the local pharmacy.

In addition, the construct of those rules to put the local pharmacy at a competitive

disadvantage to the mail order pharmacy are created by exactly the part of the system that controls the mail order pharmacies. That's the PBMs.

SENATOR PALUMBO: Will the sponsor yield for another question, please.

ACTING PRESIDENT MAYER: Senator Breslin, do you continue to yield?

SENATOR BRESLIN: Yes, I continue to yield.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you, Senator.

Well, isn't that choice whether or not to use a mail order pharmacy or a retail pharmacy up to the consumer? If you're concerned even whether they're valid or not, shouldn't that option be given to the consumer to make under their own volition?

SENATOR BRESLIN: The consumer always has the final decision. But he might be forced into a situation to make a decision because of the law as it existed, not the law that I hope will be.

SENATOR PALUMBO: Will the sponsor continue to yield, please.

ACTING PRESIDENT MAYER: Senator Breslin, do you yield?

SENATOR BRESLIN: Yes, I continue to yield.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you, Senator.

So my understanding is that when a plan or a pharmacy joins a network, then of course there are contractual terms, which include price, quality and access data. And I did see a study from 2016, the QuintilesIMS Institute's Review of U.S. Medicine Use and Spending for --

SENATOR BRESLIN: Can you repeat that --

SENATOR PALUMBO: I'm sorry?

SENATOR BRESLIN: I can't hear you.

SENATOR PALUMBO: Sure. It's a study from -- it's pronounced, I believe, QuintilesIMS Institute's Review of U.S. Medicines Use and Spending for 2016. And that study found that 95.4 percent of U.S. customers buy their

prescription drugs over the counter, either from an independent pharmacy chain, drugstore or grocery store.

So I'd expect that the 4.6 percent of prescriptions that were dispensed via mail order has possibly gone up during the pandemic. That since these retail pharmacies essentially dispense the majority of medications, that the costs associated with the mail order -- essentially this is the expenses that would ultimately be passed down to the consumer will now be borne in greater -- in greater -- for those that choose mail order, that the costs will be higher for the consumer.

Can you tell me how you would address that and how this doesn't, in effect --

SENATOR BRESLIN: Well, as you know --

SENATOR PALUMBO: -- result in that situation?

SENATOR BRESLIN: -- both mail order and the local pharmacy and their pricing equal.

SENATOR PALUMBO: Will the Senator yield for another question, please.

SENATOR BRESLIN: -- refer to paragraph 23 {sic} of the proposed legislation, which says there will be the same reimbursement amount, in very clear terms.

SENATOR PALUMBO: Would you yield for another question, please, Senator.

SENATOR BRESLIN: Sure, you bet. I yield.

ACTING PRESIDENT MAYER: Senator Breslin yields.

SENATOR PALUMBO: Thank you. And that was going to be my next question, that you specifically define, in this bill, "same reimbursement amount" shall mean that any coverage described under subparagraph B shall provide the same benchmark index, including the same average wholesale price, maximum allowable cost, and national prescription drug codes to reimburse all pharmacies participating in the insurance network, regardless of whether a pharmacy is mail order or non-mail order.

So "same" is not actually same. "Same" is under this particular formula. So why -- what was the need for that?

SENATOR BRESLIN: They're not the

same, because the PBMs impose additional directions on the part of the local pharmacy which increases the price to them and makes it less profitable, if profitable at all.

SENATOR PALUMBO: Would the Senator yield for one more question, please.

ACTING PRESIDENT MAYER: Senator Breslin, do you yield?

SENATOR BRESLIN: I yield.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Senator, I was also -- through you, Madam President, there were some other concerns that were presented to me regarding the fact that now a retail pharmacy does not in fact have to play by the same rules as the mail order pharmacy, so they don't have to abide by or be part of a network.

Are there any protocols in here to ensure patient safety regarding the managing and handling that would typically be required when a health -- when someone's part of a health plan network?

SENATOR BRESLIN: If you could repeat the question, again.

SENATOR PALUMBO: Certainly. These concerns are essentially patient safety concerns, that now the playing field is not level for all pharmacies, regardless of mail order or retail. And when I mean retail, obviously I mean brick and mortar.

So in those situations, there don't seem to be any protocols within this bill that would require these retail pharmacies to otherwise be part of that network which has all of the safety protocols and so forth that are required in order for them to ultimately get reimbursed under those plans.

SENATOR BRESLIN: I would react to that question that the local pharmacist is still required to follow all the protocols of a local pharmacy.

SENATOR PALUMBO: Thank you, Senator Breslin.

On the bill, please, Madam President.

ACTING PRESIDENT MAYER: Senator Palumbo on the bill.

SENATOR PALUMBO: Thank you, Madam President. And Senator Breslin, thank you

for your indulgence.

These are some concerns that I have here, because of course -- fortunately, it's still America. We have competitive pricing, we have competitive business, we have a capitalist market. When we're now taking certain businesses and giving them unfair advantages over the other, that's very problematic. That's a slippery slope that I have a huge concern with. I think less government is more. And I think many of us may also agree with that notion.

So when you have a bill such as this that strikes specific language requiring everyone in a particular field -- a very significant and important field, that being distribution of controlled substances and medications that if improperly distributed can kill people -- obviously there need to be some regulations. And I'm an anti-regulation guy. New York is quite possibly the best -- we're the gold standard when it comes to regulating businesses. And I've had a problem with that for many years.

But the bottom line is now we're reducing regulations for some and not others. And quite frankly, it creates an unfair

advantage, number one. And secondly, for those individuals who choose to obtain their pharmaceuticals through mail order, the problem is now those costs will be -- obviously they still have these additional regulations that apply only to mail order. Those costs are going to go up.

So I understand the intent of this. And I know we've had other PBM legislation here that has passed this floor and passed the Assembly. And it's a laudable goal. I just don't think this is the way to achieve it. I'm very concerned that we're now interfering, is what -- the word I'm going to use, my word, with private business and creating regulations for some and not regulations for others, simply because of the manner in which they engage in the exact same business.

So Madam President, I'm going to vote in the negative, and I urge my colleagues to do the same. Thank you.

SENATOR GAUGHRAN: Madam President --

ACTING PRESIDENT MAYER: One minute, excuse me.

Are there any other Senators wishing to be heard? Seeing and hearing none, debate is closed. The Secretary will ring the bell.

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Breslin to explain his vote.

SENATOR BRESLIN: Thank you, Madam President. Thank you for the debate, Senator Palumbo.

This is really a very simple bill. It's about fairness. It's about equality. Pharmacy benefit managers have interjected themselves into the pharmacy stream. And pharmacy benefit managers are traditionally guided by major pharmacies. And most mail order houses are major pharmacies.

In the legislation that exists now, it gives that PBM some latitude to develop rules and regulations that prejudice the local pharmacy. They prejudice it in a way that isn't

necessary for a local pharmacy, like 24-hour nursing care or enhanced computer operations, and on and on and on.

That local pharmacy is very, very important insofar as the patient. And as I said before, no healthy person goes to a pharmacy. The patient is able to develop that relationship with the pharmacist, as many of us have.

Also, if it's a particularly difficult problem -- like an oncology problem, which I discussed before, where you need drugs shipped, they need to be shipped on time, they might need to be shipped undamaged. In cases they need to be frozen. And the local pharmacy has the ability to get that product to give to his patient, to discuss with him unbridled by all these regulations that have been placed on him by the current legislation.

Accordingly, I believe this is about fairness. This does level the playing field. And I ask that this become the new law.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Senator Breslin to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 571, those Senators voting in the negative are Senators Gallivan, Jordan, Lanza and Palumbo.

Ayes, 59. Nays, 4.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gaughran.

SENATOR GAUGHRAN: Madam President, may we now take up 1458 on today's calendar.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 1458, Assembly Bill Number 7403A, by Assemblymember Septimo, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT MAYER: Senator Oberacker.

SENATOR OBERACKER: Yes. Through you, Madam President, would the sponsor yield for a couple of questions, please.

ACTING PRESIDENT MAYER: Senator Hinchey, do you yield?

SENATOR HINCHEY: Yes. Through you, Madam President, yes, I yield.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR OBERACKER: Thank you. And thank you, Senator Hinchey, for indulging me in just a couple of quick questions on this bill.

Through you, Madam President, I would ask the sponsor: Just how many farms do we have in New York State?

SENATOR HINCHEY: There are thousands of farms across this state. Through you, Madam President, there are, you know, tens of thousands of farms across this state, all with different classifications.

SENATOR OBERACKER: Thank you.

Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Senator Hinchey, do you yield?

SENATOR HINCHEY: Yes, I continue to yield.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR OBERACKER: Thank you.

And I would like it noted that many of those thousands are through the 51st Senate

District, which I represent.

And so for the purposes of this bill, being that there are thousands of farms out there, how is Ag & Markets going to reach out to all of those farmers here in the state?

SENATOR HINCHEY: So I can't speculate on how Ag & Markets will do that. But we do know that Ag & Markets has a relationship with the farms across this state. They're here to represent and to help farmers.

I will say, as the chair of the Agriculture Committee, the number-one -- through you, Madam President -- the number-one issue I hear is the need to expand markets for farmers. And what this will do is allow a database for people to find the farms that they would be able to purchase from. Ag & Markets has a relationship with many of those farms, and we know that they'll use the contacts that they have to put it together.

SENATOR OBERACKER: Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Senator Hinchey, do you continue to yield?

SENATOR HINCHEY: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR OBERACKER: Thank you. Through you, Madam President.

How long could we think that it would take Ag & Markets, again, to reach out to these farms and to build that database? Has there been any talk about a time frame?

SENATOR HINCHEY: Through you, Madam President. Again, I can't speculate on the plans from Ag & Markets. What I will say is there's already the beginnings of a list from the Nourish New York program. Those were farms that had surplus goods that opted into the plan or were connected by Ag & Markets to create a database that people could purchase from through this pandemic.

So there's already the makings of a list. So I would imagine that that would be a place to start. But again, I can't speculate on how long it will take for them to do that.

SENATOR OBERACKER: Thank you.

Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Senator Hinchey, do you continue to yield?

SENATOR HINCHEY: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR OBERACKER: Thank you.

So under the bill, do farms have the ability to opt in or opt out of participating in the database?

SENATOR JORDAN: Through you, Madam President. Farms are in the -- will be in the list, but they have the ability to opt out.

We want to make sure -- again, the number-one issue that I hear is to expand markets. These are also farm businesses who are looking to sell their products, so many of them already have a social media presence, many of them have websites, they have farm stands where they drive traffic to. So we believe this is something that many of these farms will want to participate in.

So to your earlier point, there are thousands of farms across the state, including both of our districts, and it would be easier to count all those farms in, but to make sure that

as Ag & Markets talks to farmers, they know that there's an opt-out ability.

SENATOR OBERACKER: Thank you.

Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Senator Hinchey, do you continue to yield?

SENATOR HINCHEY: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR OBERACKER: Thank you.

You've hit on a couple of points from some of my other questions, so thank you, Senator.

Will the database detail the quality of the products that these farms would be looking to sell or what kind of a buyer they're looking for -- say, individuals, restaurants or businesses?

SENATOR HINCHEY: Through you, Madam President, the database will include what kinds of products the farms are able to sell and are available for people to buy.

SENATOR OBERACKER: Thank you.

Through you, Madam President, would

the sponsor continue to yield.

ACTING PRESIDENT MAYER: Senator Hinchey, do you continue to yield?

SENATOR HINCHEY: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR OBERACKER: Thank you.

And again, these questions just form out from my business side of my brain, so I beg your indulgence on this.

So it's my understanding that the database is to be updated every two years. And many of the farms, as I'm sure you know, they rotate their crops from season to season. And so my question is, how will the database account for that type of a cycle?

SENATOR HINCHEY: Through you, Madam President. We see this bill and this database as a starting point. Right now most people don't know how to find farms. Most restaurants, restaurant associations, institutions, school districts don't even know where to go if they want to buy local, and we know that they do.

So we see this as a starting point.

That right now is not in the bill, but there's nothing to say that that wouldn't be able to be added or that wouldn't be a part of it moving forward.

SENATOR OBERACKER: Thank you.

Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Senator Hinchey, do you continue to yield?

SENATOR HINCHEY: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR OBERACKER: Thank you.

The portal for the Nourish New York program, which you alluded to earlier -- and you're well aware, because you've carried that legislation, you know, making it permanent, is an opt-in system for farms looking to sell their products, essentially creating a marketplace.

Would it be your -- would it be more efficient to follow that system for the bill, having the farms that want to participate and come to Ag & Markets, instead of Ag & Markets reaching out to possibly thousands of farms?

SENATOR HINCHEY: Through you,

Madam President. As I know you know, Senator, our farmers are entirely overburdened already. Many of them are working full-time jobs just to be able to have health insurance or to make the money they need to survive in our communities to be able to do the trade and the job that they love, which is farming.

What we're working here to do is to expand those markets so more of these farmers can become the full-time farmers that they want to be. Because they are so overburdened already, working one, maybe two other jobs and being a full-time farmer, we felt that putting a burden on them to find out about the program, to contact Ag & Markets to get involved, was going to be too much of a burden, when we know that many of these ag businesses want to be a part of this.

They are looking for ways to expand their markets, they are looking for ways to reach more people. There's going to be many fewer farms and farm businesses who opt out than choose to opt in. And so we imagined that it was much easier to include those farms, put the onus on the few farms that don't want to be a part of it -- and, to your point, instead of having

thousands of farms call Ag & Markets, be able to manage the fewer calls that they'll take to opt out of the list.

SENATOR OBERACKER: Thank you.

Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator Oberacker on the bill.

SENATOR OBERACKER: I want to thank Senator Hinchey for her answers and for her insight.

I stand with our farmers and will support any measures to help them reach more customers. More and more people want to know where their food is coming from, and a farm-to-table concept is something that I embrace and many are embracing here in upstate New York and New York in general. So connecting with farms and consumers can and would certainly help.

But not every farm markets to the same population. And this one-size-fits-all approach to me could be problematic, in that it doesn't take into account some of those other factors.

I'm also concerned about the mechanics of the database, ensuring that it is

accurate. I would feel that our farmers have gone through enough stress coming out of COVID, so for us to make sure that we have these processes and these programs in place to make sure it would be a seamless process would be very encouraging.

I would also offer to see this as an opt-in program like the Nourish New York program, so that the farmers know what to expect.

And conceptually, this could be a positive program, and I will be voting in favor of this legislation. I hope that my questions will maybe have the sponsor consider some amendments to ensure that this will be successful and meet the needs of our farmers.

And, Madam President, I will be voting in the affirmative on this bill today. Thank you, and thank you to the sponsor.

ACTING PRESIDENT MAYER: Are there any other Senators wishing to be heard?

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

Read the last section.

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

shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Hinchey to explain her vote.

SENATOR HINCHEY: Thank you, Madam President.

As chair of the Agriculture Committee, my primary job is to support our farmers, hear their concerns and find ways to solve those problems. This farm database bill is a starting point to make sure that we can expand markets for our farmers. With increasing costs, we have to make sure that they are able to make more money and to stay in business, because the last thing we want is to have a failing agriculture community and business across our state. It is a cornerstone of our economy, and it is central to many of our upstate communities.

This bill is, as I said, a starting point to make sure that we can do that. It's also supported by the Farm Bureau, because we know that one of the best ways that we can support farm-to-table and that we can make sure

that more institutions, more school districts, and more people are eating healthy, locally sourced food is to connect them directly with our farms. We want to make sure that all of that money is staying here in New York State and that we're supporting the ag businesses that are here.

So I'm incredibly excited about this bill, about the farm database bill. I'm incredibly excited about the opportunities that we have to build it forward to make sure that it does exactly what we say, to connect people to the food that they should be eating that is grown here in New York State.

For that reason, I'm incredibly proud to sponsor this bill and will be voting aye. Thank you, Madam President.

ACTING PRESIDENT MAYER: Senator Hinchey to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

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

SENATOR GAUGHRAN: Madam President,

let's return to motions and resolutions.

And on behalf of Senator Kavanagh, on page 29 I offer the following amendments to Calendar Number 999, Senate Print 2142, and ask that said bill retain its place on the Third Reading Calendar.

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

SENATOR GAUGHRAN: Madam President, I offer the following amendments to my legislation, Calendar Number 1482, Senate Print Number 966A, and ask that said bill retain its place on the Third Reading Calendar.

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

SENATOR GAUGHRAN: Madam President, I move to amend Senate Bill Number 3467A by striking out the amendments made on June 2nd and restoring it to its previous print number, 3467B, on behalf of Senator Mayer.

ACTING PRESIDENT MAYER: It is so ordered.

SENATOR GAUGHRAN: Is there any

further business at the desk, Madam President?

ACTING PRESIDENT MAYER: Senator Gaughran, there is no further business at the desk.

SENATOR GAUGHRAN: Hearing none, I move to adjourn until Monday, June 7th, at 3:00 p.m., intervening days being legislative days.

ACTING PRESIDENT MAYER: On motion, the Senate stands adjourned until Monday, June 7th, at 3:00 p.m., intervening days being legislative days.

(Whereupon, at 2:24 p.m., the Senate adjourned.)