NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 9, 2021

12:59 p.m.

REGULAR SESSION

SENATOR ROXANNE J. PERSAUD, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT PERSAUD: 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 PERSAUD: 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 PERSAUD: Reading of the Journal.

THE SECRETARY: In Senate, Tuesday, June 8, 2021, the Senate met pursuant to adjournment. The Journal of Monday, June 7, 2021, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Skoufis

moves to discharge, from the Committee on Rules, Assembly Bill Number 4913A and substitute it for the identical Senate Bill 1878B, Third Reading Calendar 301.

Senator Kaplan moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 1108A and substitute it for the identical Senate Bill 4704A, Third Reading Calendar 473.

Senator Hoylman moves to discharge, from the Committee on Judiciary, Assembly Bill Number 2199 and substitute it for the identical Senate Bill 473, Third Reading Calendar 524.

Senator Brooks moves to discharge, from the Committee on Rules, Assembly Bill Number 6767A and substitute it for the identical Senate Bill 4562A, Third Reading Calendar 752.

Senator Kaminsky moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 585A and substitute it for the identical Senate Bill 4281A, Third Reading Calendar 849.

Senator Parker moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 6436 and

substitute it for the identical Senate Bill 5062, Third Reading Calendar 850.

Senator Sanders moves to discharge, from the Committee on Rules, Assembly Bill Number 430 and substitute it for the identical Senate Bill 2628, Third Reading Calendar 965.

Senator Sepúlveda moves to discharge, from the Committee on Health, Assembly Bill Number 1523 and substitute it for the identical Senate Bill 2212, Third Reading Calendar 1035.

Senator Comrie moves to discharge, from the Committee on Corporations, Authorities and Commissions, Assembly Bill Number 6971 and substitute it for the identical Senate Bill 6257A, Third Reading Calendar 1074.

Senator Cooney moves to discharge, from the Committee on Rules, Assembly Bill Number 268A and substitute it for the identical Senate Bill 6267A, Third Reading Calendar 1079.

Senator Skoufis moves to discharge, from the Committee on Higher Education, Assembly Bill Number 3523A and substitute it for the identical Senate Bill 1662B, Third Reading Calendar 1130.

Senator Myrie moves to discharge, from the Committee on Rules, Assembly Bill Number 6769 and substitute it for the identical Senate Bill 282, Third Reading Calendar 1213.

Senator Jackson moves to discharge, from the Committee on Elections, Assembly Bill Number 6046 and substitute it for the identical Senate Bill 6379, Third Reading Calendar 1352.

Senator Comrie moves to discharge, from the Committee on Rules, Assembly Bill Number 4186B and substitute it for the identical Senate Bill 6395A, Third Reading Calendar 1353.

Senator Gianaris moves to discharge, from the Committee on Elections, Assembly Bill Number 6047A and substitute it for the identical Senate Bill 6429, Third Reading Calendar 1354.

Senator Myrie moves to discharge, from the Committee on Rules, Assembly Bill Number 6970A and substitute it for the identical Senate Bill 6482B, Third Reading Calendar 1356.

Senator Skoufis moves to discharge, from the Committee on Rules, Assembly Bill Number 2296 and substitute it for the identical Senate Bill 5160B, Third Reading Calendar 1448.

Senator Brisport moves to discharge,

from the Committee on Rules, Assembly Bill Number 7713 and substitute it for the identical Senate Bill 7033, Third Reading Calendar 1587.

Senator Ortt moves to discharge, from the Committee on Rules, Assembly Bill Number 7816 and substitute it for the identical Senate Bill 7060, Third Reading Calendar 1588.

Senator Bailey moves to discharge, from the Committee on Rules, Assembly Bill Number 7601 and substitute it for the identical Senate Bill 7172, Third Reading Calendar 1603.

Senator Cooney moves to discharge, from the Committee on Rules, Assembly Bill Number 8012 and substitute it for the identical Senate Bill 7187, Third Reading Calendar 1610.

Senator Ramos moves to discharge, from the Committee on Social Services, Assembly Bill Number 3331 and substitute it for the identical Senate Bill 924, Third Reading Calendar 1619.

Senator Comrie moves to discharge, from the Committee on Agriculture, Assembly Bill Number 735 and substitute it for the identical Senate Bill 3152A, Third Reading Calendar 1630.

Senator Comrie moves to discharge,

from the Committee on Consumer Protection, Assembly Bill Number 3173 and substitute it for the identical Senate Bill 3764, Third Reading Calendar 1632.

Senator Comrie moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 949 and substitute it for the identical Senate Bill 3789, Third Reading Calendar 1633.

Senator Comrie moves to discharge, from the Committee on Rules, Assembly Bill Number 2202 and substitute it for the identical Senate Bill 4060, Third Reading Calendar 1634.

Senator May moves to discharge, from the Committee on Local Government, Assembly Bill Number 3034 and substitute it for the identical Senate Bill 4432, Third Reading Calendar 1637.

Senator Mannion moves to discharge, from the Committee on Rules, Assembly Bill Number 898B and substitute it for the identical Senate Bill 4467B, Third Reading Calendar 1638.

Senator Reichlin-Melnick moves to discharge, from the Committee on Rules, Assembly Bill Number 6014A and substitute it for the identical Senate Bill 4849A, Third Reading

Calendar 1641.

Senator Palumbo moves to discharge, from the Committee on Rules, Assembly Bill Number 6426 and substitute it for the identical Senate Bill 5750, Third Reading Calendar 1647.

Senator Sanders moves to discharge, from the Committee on Rules, Assembly Bill Number 3967 and substitute it for the identical Senate Bill 6230, Third Reading Calendar 1650.

Senator Kennedy moves to discharge, from the Committee on Finance, Assembly Bill Number 6968 and substitute it for the identical Senate Bill 6234, Third Reading Calendar 1651.

Senator Gaughran moves to discharge, from the Committee on Rules, Assembly Bill Number 7209 and substitute it for the identical Senate Bill 6323, Third Reading Calendar 1652.

Senator Breslin moves to discharge, from the Committee on Rules, Assembly Bill Number 7237 and substitute it for the identical Senate Bill 6441, Third Reading Calendar 1653.

Senator Kaplan moves to discharge, from the Committee on Rules, Assembly Bill Number 7240 and substitute it for the identical Senate Bill 6542, Third Reading Calendar 1656.

Senator Breslin moves to discharge, from the Committee on Rules, Assembly Bill Number 7520A and substitute it for the identical Senate Bill 6555A, Third Reading Calendar 1657.

Senator Harckham moves to discharge, from the Committee on Local Government, Assembly Bill Number 7038A and substitute it for the identical Senate Bill 6654B, Third Reading Calendar 1660.

Senator Kavanagh moves to discharge, from the Committee on Rules, Assembly Bill Number 7564 and substitute it for the identical Senate Bill 6815, Third Reading Calendar 1665.

Senator Kennedy moves to discharge, from the Committee on Rules, Assembly Bill Number 7567A and substitute it for the identical Senate Bill 6850A, Third Reading Calendar 1667.

Senator Kavanagh moves to discharge, from the Committee on Rules, Assembly Bill Number 4587A and substitute it for the identical Senate Bill 6877, Third Reading Calendar 1669.

Senator Breslin moves to discharge, from the Committee on Insurance, Assembly Bill Number 3516 and substitute it for the identical Senate Bill 7075, Third Reading Calendar 1672.

And Senator Hinchey moves to discharge, from the Committee on Rules, Assembly Bill Number 7870A and substitute it for the identical Senate Bill Number 7083A, Third Reading Calendar 1673.

ACTING PRESIDENT PERSAUD: All substitutions 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: Good afternoon, Madam President.

We're going to simultaneously have a Rules Committee meeting and take up some of the resolutions that were previously adopted.

So let's begin with Resolution 998, by Senator Bailey, read its title only and recognize Senator Bailey, after you call an immediate meeting of the Committee on Rules in Room 332.

ACTING PRESIDENT PERSAUD: There

will be an immediate meeting of the Rules Committee in Room 332.

The Secretary will read.

THE SECRETARY: Senate Resolution 998, by Senator Bailey, memorializing Governor Andrew M. Cuomo to proclaim June 2021 as African-American Music Appreciation Month in the State of New York.

ACTING PRESIDENT PERSAUD: Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Madam President.

And thank the leader for permitting us to once again do what I believe is an incredibly important resolution.

And, Madam President, it's great when you preside, but usually you'd be down here, you'd be able to contribute to our conversation about African-American music and how critically important it is and how we celebrate it in the month of June.

President Jimmy Carter, on June 7, 1979, initially made it Black Music Month, and it has evolved into African-American Music Appreciation Month. And much like the day itself

has evolved, Black music continues to evolve. We know about jazz and the importance that that had in the Harlem Renaissance. We know about gospel and its importance in the Black church. We know about hip-hop, and I'll get more about hip-hop.

And as we all know, Madam President, other boroughs and places say that they think that they've perfected it, but we know where hip-hop started, and that's in God's country, the Boogie-Down Bronx.

But, you know, when I think about Black culture and I think about Black music, it's part of our story. It is part of what has been able to push us through tough times. In periods of enslavement, in periods of civil rights, in periods of civil discourse and strife, music was there for Black folks to be motivated by. And it has helped us shape, music has helped shape culture, and not just Black culture.

Now, if you think about rap, the late great Notorious B.I.G. once said: "You never thought that hip-hop would take it this far." And that's accurate. We never thought that we'd see hip-hop in mainstream TV commercials. We never thought that we'd see a

Snoop Dogg and a Bad Bunny in a commercial promoting mainstream goods.

Hip-hop has done amazing things. And hip-hop is going to be doing something even more amazing. Madam President, as I mentioned, the birthplace of hip-hop -- and I was lucky enough to go to the groundbreaking of the Universal Hip-Hop Museum. And for something that is a great art form, for something that was born and raised in America, born and raised in New York State, born and raised in the Bronx, we finally have a museum opening on or about -- in 2025, which will be incredibly interactive.

It will be a destination point so people will not only just come to the City of New York, they'll come to the Borough of the Bronx, and they'll learn about hip-hop. They'll learn about its foundations at 1520 Sedgwick Avenue, the beginning, in my good colleague Senator Serrano's district. They'll learn about Kool Herc and Grandmaster Flash and Afrika Bambaataa and KRS-One.

And they'll learn about the hip-hop legends from my district: The great Slick Rick, Slick Rick "The Ruler," as it would be, one of my

constituents. One of my late great constituents, the great Dwight Myers, Heavy D, an incredible artist in his own right. Mount Vernon's own Pete Rock and C.L. Smooth. Jeff Redd. Al B. Sure! The list goes on and on about people who are from my district who have contributed greatly to Black culture and Black music.

Chuck Chillout, DJ Chuck Chillout and DJ Funkmaster Flex, and so many other people who are, again, from the neighborhood who are making impacts on a global business of hip-hop, on the global business of hip-hop music.

And I think about, when it comes to African-American culture, the ingenuity of being able to take something old and make it new again. And that's something that we've been able to do in hip-hop culture. You've been able to take soul music and either speed it up or slow it down and sample the music so that the next generation can hear some of the music, so that it continues to live on.

And you think about the Isley Brothers and you think about Earth, Wind and Fire, and you think about all of these incredible groups. So many of the folks my age

who were not born when they were in their heyday, we hear the music not just in its original form but in its sampled form via hip-hop.

And that takes me to something that's been happening as a result of the pandemic, but it is one of these situations where we take tragedy and turn it into triumph. The series of Verzuz, which was created by Swizz Beatz and Timbaland, an online platform where musical legends are able to appear now in the same room or via virtual video chats, and they're able to play some of their catalogs virtually for their fans. We know about the Teddy Riley vs. Babyface sound debacle. It was one of the most interesting things that happened with Babyface. We know about the Beenie Man Verzuz, live from Jamaica. We know about the Patti LaBelle Verzuz.

And the most recent Verzuz that was on my mind was Earth, Wind and Fire vs. The Isley Brothers, and when you got to hear, and hear some of the stories about the culture and about how they arrived at these moments. And there's something endearing about that culture and where music takes you.

Madam President, as I close, I think about what music does for all of us. When we're listening to music, we're not necessarily in a partisan spirit. We're not talking about Democrats versus Republicans. When we all hear a good song, we all sing a good song.

And the unifying purpose, the unifying point of Black music is something that is incredibly critical, and it's been really important in part of my evolution as an African-American man. So I am grateful once again to the leader for permitting this resolution to come to the floor. And every year, as long as I'm able, I will extol the virtues of African-American Music Month.

And I invite everybody within the sound of my voice, as soon as the Hip-Hop Museum is started, you've got to come on down to the Boogie-Down Bronx and check us out, Madam President.

Thank you.

ACTING PRESIDENT PERSAUD: Thank you.

The resolution was previously adopted on June 2nd.

Senator Serrano.

SENATOR SERRANO: Thank you, Madam President.

Now I'd like us to take up previously adopted Resolution 1119, by Senator Harckham, read the resolution title only, and recognize Senator Harckham on the resolution.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Senate Resolution 1119, by Senator Harckham, congratulating Paul Gallay upon the occasion of his retirement after 11 years of dedicated service as President of Riverkeeper, New York's Clean Water Advocate.

ACTING PRESIDENT PERSAUD: Senator Harckham on the resolution.

SENATOR HARCKHAM: Thank you, Madam President. It's a pleasure to see you up there.

I'd like to thank the Majority Leader, first of all, for bringing this resolution to the floor, and thank all of our colleagues for supporting this resolution congratulating a very important environmental figure in New York State and in the Hudson

Valley, Paul Gallay, upon his retirement as the president of Riverkeeper, which is New York's clean water advocate.

Paul has been an advocate for the environment, he's been an enforcement official for nearly 30 years, and has been a dedicated public servant to the people of New York State and to the Hudson Valley.

So Paul earned his bachelor's degree from Williams College and his law degree from Columbia Law School. He then worked in private practice for a number of years. But his focused environmental work really began when he went to work for the New York State Attorney General in 1987, where he served for four years.

And then for the next decade Paul worked with the New York State Department of Environmental Conservation. And it was there that he held hundreds of corporate and government polluters accountable and spent the next 10 years in land conservation. And that's originally where our paths intersected. I was a Westchester County legislator, and Paul was the head of the Westchester Land Trust.

But it was then in 2010 when Paul

was hired by Riverkeeper to be its president. And in this capacity, this was really where Paul stood out and made his mark on New York State environmental policy. He continually strived to fulfill Riverkeeper's mission of protecting and restoring the Hudson River from source to sea, and safeguarded drinking water supplies for over 10 million New Yorkers.

And as somebody whose district encompasses the East of Hudson New York City watershed, that was such vital work, such smart policy work, and I was really proud to have worked with him over those years on those issues.

Paul was especially good at bringing people together, collaboration -- stakeholders from different parts of the community, even different parts of an issue, people who were diametrically opposed in their issues. Paul was very gifted and patient at working with everybody.

Under Paul's leadership, Riverkeeper, the team of more than 90 environmental leaders, expanded their groundbreaking water quality testing program to include hundreds of new sites, and they developed

New York's largest shoreline cleanup and restoration program. They established the first ever Hudson River Dam Removal Initiative and helped pass transformative legislation to protect our communities, coastal communities and ecosystems from climate change.

In 2007, Paul was at the center of the successful negotiation to close the Indian Point Nuclear Power Plant.

He lobbied for billions in infrastructure funding and fought tirelessly for the New York State landmark 2014 ban on hydrofracking.

He was also very central to the laws that we passed yesterday, our clean water wetlands bill, and last year our Class C streams protection bill, both historic measures in New York State, and both have the mark of Riverkeeper's leadership and collaboration and stakeholders coming together to pass that legislation right here in this chamber.

So we are grateful for Paul's 30-year commitment to environmental policy and environmental stewardship, but it's important to know that Mr. Gallay is not retiring

completely -- it's just not in his DNA. Academia still looms large in his future, as is his commitment to tackling climate change and resilience in our coastal communities.

So I'm pleased to say that Paul will still be around, will still be working hard. But we wanted to take this opportunity to thank him for his 30-plus-year commitment to public service and his very successful 11-year run as president of Riverkeeper.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

The resolution was previously adopted on June 8th.

Senator Serrano.

SENATOR SERRANO: Thank you, Madam President. Let's please take up previously adopted Resolution 1031, by Senator Hinchey, read that resolution title only, and recognize Senator Hinchey on the resolution.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Senate Resolution 1031, by Senator Hinchey, mourning the death of

Tommy Keegan, beloved Hudson Valley craft brewing pioneer and pillar of the community.

ACTING PRESIDENT PERSAUD: Senator Hinchey on the resolution.

SENATOR HINCHEY: Thank you, Madam President.

Tommy Keegan, an esteemed resident of Kingston, New York, and a beloved Hudson Valley brewing pioneer, died on Friday, April 30, 2021, at the age of 50. In a future dictionary, next to the phrase "community-minded," there will be a picture of Tommy Keegan.

A dedicated family man and an immediate friend to all, Tommy dedicated his life to bringing joy to those around him.

Tommy might as well have been the grandfather of craft beer, pioneering the industry in the Northeast well before it gained notoriety, and back when it was only known as microbrews. He opened Keegan Ales in the heart of Kingston in 2003, quickly turning it into a community hub and a cornerstone of the region.

His award-winning beers are known nationwide, and his entrepreneurial spirit led him to some of the most unique and interesting

partnerships, like the one with IHOP, making a pumpkin pancake stout.

Tommy was a man of many passions, but his love for the outdoors, especially when on his motorcycle, was a special one. His environmentalism, a passion sharpened by his years of service in the U.S. Coast Guard, was always at the forefront of his volunteer efforts.

He was steadfast in his advocacy for local environmental and agricultural groups like Riverkeeper and Rondout Valley Growers, both philanthropically and by donating beer for their events -- which is, we know, the best kind of support.

Always thinking of others, he was a champion for similarly community-focused organizations like Angel Food East, People's Place, the O+ Festival, and the Ulster County Chamber of Commerce. And he ensured Keegan Ales always gave back through creative ways, including his efforts to support one charity every week.

Tommy loved his community and strived to make it a better place for all, and always generously opened his door for any community need or event. He will be dearly

missed by all who knew him, but he left us with some great advice. We should all try to live by his mantra: "Have fun, play nice."

Thank you, Madam President. And I thank the chamber for bringing up this resolution. Thank you very much.

ACTING PRESIDENT PERSAUD: Senator Palumbo on the resolution.

SENATOR PALUMBO: Thank you, Madam President, for allowing me to rise and speak on this resolution.

Tommy Keegan was a childhood friend. He was a week older than me. Tommy's grandparents grew up next door to my grandparents. His father, a local lawyer down on Long Island, was our Boy Scout leader.

So you know when you have those groups of friends where you know people from school and from high school? And we went to Catholic school together, and then we went to high school together. You've got that one group, the core group of a handful of people. Well, Tommy was in my core group. We've known each other since before we were born, basically.

And I'd like to commend and thank

Senator Hinchey for bringing up this resolution, because one of the last texts I received from Tommy was during the campaign this past fall, in October, of he and Senator Hinchey, with his arm around Senator Hinchey, saying "This is going to be one of your colleagues, so be nice to her." I told him he's not supposed to be voting for Democrats but, you know, that's a different story.

And "Have fun, play nice" as his slogan emulates Tommy's life. He was on his motorcycle when he passed. We used to ride dirt bikes as kids in the woods and in the sumps, and he would call this his espresso machine. This was how he got his excitement in life, and it was something that he absolutely loved.

He would make a joke at anyone's expense during his life, including his own. And he was always a kind and philanthropic individual. So his contributions to the City of Kingston -- I didn't realize the extent of it until actually we were up for his memorial service a few weeks ago, and Senator Hinchey and I attended it. And it was really not surprising, knowing the kind of kid he was and the kind of

adult and man and father.

So I'm honored to stand here and commemorate my friend because his contributions to this state, the City of Kingston, and the people that knew him will loom large for generations to come. We miss you, buddy.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

The resolution was previously adopted on June 8th.

Senator Gianaris.

SENATOR GIANARIS: Now let's take up previously adopted Resolution 1138, by Senator Gaughran, read its title only, and recognize Senator Gaughran.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Senate Resolution 1138, by Senator Gaughran, commemorating the 25th Anniversary of the Amistad Long Island Black Bar Association.

ACTING PRESIDENT PERSAUD: Senator Gaughran on the resolution.

SENATOR GAUGHRAN: Thank you,

Madam President.

Founded in 1996, the Amistad Long Island Black Bar Association is an illustrious organization that fosters community, professional development and growth of attorneys of color throughout Long Island, and it is steadfast in its commitment to Long Island.

This includes programs at local schools, voter registration, election protection efforts, and really most importantly, membership to young students of color entering into the legal profession.

The Amistad Black Bar Association provides a supportive network and environment for law students, judges and attorneys of color. And this year, on the 25th anniversary of its establishment, I'm humbled to stand on this floor and recognize them. For it was 25 years ago Robert Cox, Jr., J. Stewart Moore and Victoria Gumbs met with Suffolk County's two lone African-American judges to form an organization dedicated to racial parity and equity within our court system and society.

Their efforts in the past 25 years have significantly led to an increase in

diversity in judges in Suffolk County and Nassau County and court personnel, which remains a goal that we all continue to strive for today.

So I am privileged today to stand here and support the accomplishments of the Amistad Long Island Black Bar Association, and I vote in the affirmative.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

The resolution was previously adopted on June 8th.

Senator Gianaris.

SENATOR GIANARIS: The various sponsors of the resolutions we just took up would like to open them for cosponsorship.

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

Senator Gianaris.

SENATOR GIANARIS: Please take up the Rules Committee report that is at the desk.

ACTING PRESIDENT PERSAUD: The Secretary will read.

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

Senate Print 577, by Senator Sanders, an act to amend the Public Health Law;

Senate Print 1144A, by Senator Benjamin, an act to amend the Executive Law and the Penal Law;

Senate Print 1277A, by Senator Krueger, an act to amend the Election Law;

Senate Print 1834A, by Senator Skoufis, an act to amend the Vehicle and Traffic Law;

Senate Print 4441, by Senator Gounardes, an act to amend the Retirement and Social Security Law;

Senate Print 4554, by Senator Bailey, an act to amend the Family Court Act and the Judiciary Law;

Senate Print 5246A, by Senator Kennedy, an act to amend the Banking Law;

Senate Print 5325, by Senator Hoylman, an act to amend the Public Service Law and the General Business Law;

Senate Print 5489, by Senator Brouk, an act to amend the Education Law;

Senate Print 5891C, by Senator Parker, an act to amend the Education Law;

Senate Print 6080, by Senator Ritchie, an act authorizing the Commissioner of General Services to convey real property at the St. Lawrence Psychiatric Center;

Senate Print 6289A, by Senator Gaughran, an act to amend the Education Law;

Senate Print 6301A, by Senator Stavisky, an act to amend the Tax Law;

Senate Print 6431, by Senator Brouk, an act to amend the Education Law;

Senate Print 6497A, by Senator Parker, an act to amend the Public Service Law;

Senate Print 6590A, by Senator Palumbo, an act in relation to authorizing the Flanders, Riverside and Northampton Community Association, Inc., to file an application for a partial exemption from real property taxes;

Senate Print 6600A, by Senator Stavisky, an act to amend the Education Law;

Senate Print 6690, by Senator Gounardes, an act to amend the Administrative Code of the City of New York;

Senate Print 6922, by Senator Breslin, an act authorizing the City of New York Bond Bank Agency to provide municipal relief to the City of Albany;

Senate Print 6957, by Senator Brouk, an act to amend the Public Health Law;

Senate Print 7011, by Senator Sepúlveda, an act to amend the Executive Law;

Senate Print 7015, by Senator Addabbo, an act to amend the Penal Law;

Senate Print 7053A, by Senator Kennedy, an act to amend the Vehicle and Traffic Law;

Senate Print 7082, by Senator Breslin, an act to amend the Public Authorities Law;

Senate Print 7110A, by Senator Thomas, an act in relation to authorizing

the Town of Oyster Bay to grant Sai Mandir USA a real property tax exemption;

Senate Print 7121, by Senator Brooks, an act defining the term "first responder in communications";

Senate Print 7125, by Senator Mayer, an act to amend the County Law;

Senate Print 7129, by Senator Kennedy, an act to create a temporary "commission to prevent childhood drowning";

Senate Print 7152, by Senator Brooks, an act to amend the Penal Law;

Senate Print 7154, by Senator Skoufis, an act to authorize Gina Kehoe of the Town of Montgomery to take the competitive civil service examination;

Senate Print 7167, by Senator Kaplan, an act to amend the Retirement and Social Security Law;

Senate Print 7169, by Senator Reichlin-Melnick, an act to authorize the Town of Orangetown to offer a certain retirement option to Orangetown police officers;

Senate Print 7175, by Senator Weik, an act to provide for the appeal and review of

certain property tax exemption applications;

Senate Print 7220, by Senator Savino, an act to amend the Judiciary Law;

Senate Print 7227, by Senator Myrie, an act to amend the Public Officers Law;

Senate Print 7228, by Senator Bailey, an act to amend the Criminal Procedure Law;

Senate Print 7230, by Senator Kaplan, an act to amend the Tax Law;

Senate Print 7231, by Senator Felder, an act to amend the Tax Law;

Senate Print 7232, by Senator Jackson, an act to amend the Civil Service Law;

Senate Print 7234, Senate Budget Bill, an act to amend Chapter 53 of the Laws of 2021;

Senate Print 7237, by Senator Stewart-Cousins, an act to amend Chapter 50 of the Laws of 2021.

All bills reported direct to third reading.

SENATOR GIANARIS: Move to accept

the report of the Rules Committee.

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

(Response of "Aye.")

ACTING PRESIDENT PERSAUD: Opposed, nay.

(No response.)

ACTING PRESIDENT PERSAUD: The Rules Committee report is accepted.

Senator Gianaris.

SENATOR GIANARIS: At this time we're going to stand at ease for just a couple of minutes while we get our affairs in order for the rest of the day.

ACTING PRESIDENT PERSAUD: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 1:32 p.m.)

(Whereupon, the Senate reconvened at 1:43 p.m.)

ACTING PRESIDENT PERSAUD: The Senate will return to order.

Senator Gianaris.

SENATOR GIANARIS: At this time,

Madam President, let's take up the reading of the calendar.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 8, Senate Print 1027A, by Senator Gianaris, an act to amend the Election Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 8. This act shall take effect January 1, 2022.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Madam President.

My colleagues, I rise this afternoon to explain my support for Bill Number S1027, sponsored by our colleague Senator Gianaris.

During last year's election we witnessed many absentee ballots cast by voters during the pandemic. Our muddled canvassing process for counting these ballots and unclear

rules for curing errors significantly delayed the election process and results in many races.

This year, once again, voters can cite COVID-19 as a reason to use an absentee ballot for elections.

As a member of this legislative body entrusted to continue finding solutions that would make our democratic process even stronger and healthier, we can all agree that this bill will help speed up the counting of absentee, military, special and affidavit ballots.

Therefore, as a legislator who values our responsibility to our constituents to ensure their votes are counted efficiently, I vote aye to prevent the lengthy delays we have experienced in the electoral results of 2020.

I vote aye, Madam President.

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

Senator Gianaris to explain his vote.

SENATOR GIANARIS: Thank you, Madam President. I want to thank my colleagues for supporting this important reform of our

electoral process.

Our Majority has taken great strides over the last three years to make voting easier and more efficient. We have early voting because we passed it. We have a process to make it easier to vote absentee because we passed a law to make it happen. And now we're improving the method by which the votes are counted so we avoid the embarrassing situations we've seen where it takes weeks on end to get results for elections.

This bill will ensure that absentee ballots are counted beginning even the night before the election -- canvassed, I should say. The actual count won't be known until after the election is concluded. But we should have results in nearly all cases on election night, or very shortly thereafter, which has not been the case to date.

So I am proud to reinstall transparency and confidence in our democracy by passing this bill today, and I thank my colleagues for joining me. I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 8, 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 PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 239, Senate Print 1103A, by Senator Kaminsky, an act to establish the bottle redemption fraud task force.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 301, Assembly Print 4913A, substituted earlier by Assemblymember Zebrowski, an act to amend the Economic Development Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 336, Senate Print 2937, by Senator Kaminsky, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 336, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Helming, Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 47. Nays, 16.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 425, Senate Print 3822, by Senator Griffo, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 473, Assembly Print 1108A, substituted earlier by Assemblymember Paulin, an act to amend the Public Officers Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 487, Senate Print 778A, by Senator Thomas, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect on the first of January.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 487, those Senators voting in the negative are Senators Borrello, Helming, Jordan, Oberacker, O'Mara, Ortt and Rath.

Ayes, 56. Nays, 7.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 520, Senate Print 4338B, by Senator Skoufis, an act to amend the Tax Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 520, 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, 44. Nays, 19.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 524, Assembly Print 2199, substituted earlier by Assemblymember Cruz, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 524, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo,

Helming, Jordan, Oberacker, O'Mara, Ortt, Rath, Ritchie, Serino, Stec and Weik.

Ayes, 50. Nays, 13.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 671, Senate Print 4097, by Senator Parker, an act directing the commissioner of the Department of Environmental Conservation to promulgate rules and regulations establishing targets for the sale of zero emissions.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 671, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Helming, Jordan, Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino,

Stec and Tedisco.

Ayes, 47. Nays, 16.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 752, Assembly Print 6767A, substituted earlier by Assemblymember Woerner, an act to amend the Volunteer Firefighters' Benefit Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 759, Senate Print 5877B, by Senator Gallivan, an act to amend the Village Law and the Public Officers Law.

ACTING PRESIDENT PERSAUD: Read the

last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Reichlin-Melnick to explain his vote.

SENATOR REICHLIN-MELNICK: Thank you very much, Madam President.

And I just wanted to sort of say for the record -- and with all respect to my colleague Senator Gallivan, who I understand has introduced this bill at the request of a community in his district -- I think it is a dangerous precedent to set for local governments, villages and towns.

Land use is one of the core reasons we have villages in this state, is to give every community that wants to establish a village the right to control what happens in their own community. I was a former village trustee member and a former member of a village planning board, and I cannot imagine having people who live outside of a community setting critical decisions

on how to implement land use policies inside a village.

And so for that reason, to avoid setting this precedent, which I think is really dangerous to the home-rule principle we have in this state, I'll be voting no on this bill.

Thank you.

ACTING PRESIDENT PERSAUD: Senator Reichlin-Melnick to be recorded in the negative.

Senator Mannion to explain his vote.

SENATOR MANNION: Madam President, I apologize, but I am here to speak on another bill.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Announce the results.

THE SECRETARY: In relation to Calendar 759, those Senators voting in the negative are Senators Brisport, Mannion, Reichlin-Melnick and Skoufis.

Ayes, 59. Nays, 4.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 788, Senate Print 4730, by Senator Krueger, an

act to amend the State Finance Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 791, Senate Print 5560A, by Senator Reichlin-Melnick, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 13 --

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 849, Assembly Bill 585A, substituted earlier by Assemblymember Paulin, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 850, Assembly Print 6436, substituted earlier by Assemblymember Paulin, an act to amend the Public Service Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 965, Assembly Print 430, substituted earlier by Assemblymember Rosenthal, an act to amend the Civil Rights Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 965, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Savino, Serino, Stec, Tedisco and Weik.

Ayes, 43. Nays, 20.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1014, Senate Print 4817A, by Senator Krueger, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1035, Assembly Print 1523, substituted earlier by Assemblymember Pretlow, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1035, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan,

Griffo, Oberacker, O'Mara, Ortt, Palumbo, Rath and Stec.

Ayes, 53. Nays, 10.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1043, Senate Print 4078, by Senator Hinchey, an act to establish a geoparks task force.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1050, Senate Print 613A, by Senator May, an act to amend the Election Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1050, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Griffo, Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath, Stec and Tedisco.

Ayes, 49. Nays, 14.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1074, Assembly Print 6971, substituted earlier by Assemblymember Paulin, an act to amend the Not-For-Profit Corporation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1079, Assembly Print 268A, substituted earlier by Assemblymember Paulin, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Cooney to explain his vote.

SENATOR COONEY: Thank you, Madam President, for the opportunity to speak on an important bill that people in my district have been asking about since I took office.

We all get too many of those calls -- you know the calls I'm talking about,

the calls that buzz in your pocket. In fact, probably during this little floor speech I'm going to have my pocket buzz, someone trying to tell me that I have to pick up a car warranty. What this bill does is it actually blocks those calls, especially those that are likely illegitimate, those calls coming perhaps from a foreign nation.

This will not only save consumers the trouble and the hassle of those annoying calls, but will also protect vulnerable populations like our seniors, who have been targeted for scams and frauds, especially coming out of the pandemic.

Let me be very clear that this legislation is aligned with the federal legislation, making sure that our telecommunications systems are not going to be overly burdened.

Ultimately what we want for New Yorkers is for them to feel safe when they actually use their phones. In fact, we want to make sure that all New Yorkers know that there is integrity in our communications systems. This bill allows us to do that.

I want to thank the Majority Leader for her leadership in protecting consumers across the State of New York. I support this bill and vote in the affirmative.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Cooney to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1130, Assembly Print 3523A, substituted earlier by Assemblymember Peoples-Stokes, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect 18 months after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Mannion to explain his vote.

SENATOR MANNION: Thank you, Madam President. I appreciate leadership's efforts to make sure that this reached the floor, and I appreciate Senator Skoufis's advocacy on this issue.

It is challenging to be a new parent and even more challenging to be the parent of a child who is exhibiting characteristics of autism. Children that fixate on the rotation of tires on a toy rather than playing with them appropriately. Children who know their letters and numbers and can read at an early age, but have challenges comprehending the words in front of them. Children who walk on their toes.

Children who are mocked by their peers and are ran away from. Children that are overwhelmed at birthday parties as their peers play and socialize and sing.

Children who walked out the door on September 12th of 2001, looked to the sky and said "No planes."

For parents of children like that, it can seem hopeless at times. But there is a therapy called applied behavioral analysis that was developed by Dr. Ivar Lovaas. Those children

have a voice, and it needs to be heard. And this therapy is not for every child or every person, but it is highly effective in many instances. And the New York State Department of Health rates it with a grade of A as a therapy.

Children receive ABA therapy, some of them as much as 40 hours a week of intensive one-to-one intervention, often because of the advocacy of their parents. And often those parents are trained in this therapy. And when providers maybe could not be there to provide that therapy, parents and other family members filled in.

Some children have tremendous challenges when they start applied behavioral analysis therapy, and there could be great resistance to it. There are situations where a child, after multiple attempts to follow a simple command -- which was "tap the table" -- that child would cry, resist, thrash. But at one point, that child looked the person providing the therapy square in the eye and said: "I tapped the table." And those words meant hope for that child and his family members.

And from that day forward, the

skills of that child increased and their atypical behaviors decreased.

On May 28th of 2021, that child walked across a stage at Le Moyne College on a cold and windy day, like the day that he was born, and received his diploma from President Linda LeMura, accepting his degree, a bachelor of science in business analytics.

Everyone is not best suited to receive ABA therapy, but everyone should have the opportunity to receive ABA therapy, as occurs in 30 other states in this country. What this bill does is expands the scope of individuals who can receive this therapy. We are losing licensed behavioral analysis because of the limited scope in this state.

I am proud to support this therapy. I am proud to vote in the affirmative for this legislation.

Thank you, Madam President.

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

Senator Skoufis to explain his vote.

SENATOR SKOUFIS: Thank you very much, Madam President.

And my colleague Senator Mannion's powerful remarks summed up the importance of this bill. And I want to thank him for sharing his story, and to the point of today for helping get this across the finish line.

And likewise I want to express my gratitude to the Majority Leader, who was instrumental in getting us to this point as well.

You know, we deal with a lot of proposals related to scope of practice in the State Legislature, and my philosophy is twofold when considering scope of practice bills. One, do they have the training. And two, is there a need. And in this case, indisputably the answer to both of these questions is yes.

On the first, we are the only state in the country that has placed, over the past many, many years, these overly restrictive, draconian measures as it relates to what ABAs can and can't do. And there's a lot more that they can't do than that they can.

And on the second, we heard from Senator Mannion the need that exists. And it's compounded by the fact that some of these treatments, some of these therapies could be

sought out by psychologists and psychiatrists. I know that they've weighed in on this proposal.

But we all know, every single one of us in this chamber knows the dearth of psychologists and psychiatrists that exists in this state and throughout this country. There are some communities that don't have a single psychologist or a psychiatrist for a child to go to.

And so the suggestion that even if you wanted to sort of game this out in parochial terms and, you know, if we're taking from here to give here, who's winning, who's losing. The need far surpasses the opportunity for any child to go and see a psychologist or a psychiatrist in this state. You have to wait months and months and months for an appointment, if you can get one at all. And so it's really unfortunate to me to see some opposition from that corner.

However, most importantly, this is about the children who desperately need this service, these treatments, these therapies. And to expand the scope of practice for ABAs to offer their expertise, which up till this point has been otherwise wasted in this state. If, by the

way, the ABA hasn't already left the state to more fully practice their profession, it's been wasted.

And now this two-house bill will head to the Governor. We hope he will sign it, and finally ABAs, yes, they'll be able to practice more fully as professionals as they should have been this entire time.

But most importantly, they will better be able to more fully be able to serve children like the one that Senator Mannion remarked on in his comments. That's what this is all about, getting kids in this state the therapy, the treatment they need to best and most fully live their lives.

Thank you, Madam President.

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

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1213, Assembly Print 6769, substituted earlier by Assemblymember Hyndman, an act to amend the

Criminal Procedure Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1213, those Senators voting in the negative are Senators Helming, Jordan, O'Mara, Palumbo, Rath, Stec and Weik.

Ayes, 56. Nays, 7.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1226, Senate Print 5024B, by Senator Rivera, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Rivera to explain his vote.

SENATOR RIVERA: Thank you, Madam President. Good afternoon, everyone.

We just heard from one of our -- from a couple of our colleagues about some things that we are changing in the State of New York to make it so that some children are -- who need to be -- who need treatment to be better can indeed be better. And I thank them for doing that.

The bill that we're passing here today, the one that I'm about to -- that I'm speaking of now, does something similar but it is about prevention. And it is a different type of prevention.

In the last couple of days we've talked about all the damage that lead causes children, Madam President. And there's a story which is a sad story -- but hopefully today it starts to have a happier ending -- of a young woman named Dakota. Dakota is the daughter of one of my constituents, Tiesha Jones, who is a very strong-minded, opinionated and fantastic

tenant leader in a New York City Housing Authority project in my district, a development in my district.

And unfortunately Dakota, her daughter, when she was at a year old and two years old, she was tested for lead and the numbers didn't give anything away. It seemed like she was fine. Because there was no requirement that she be tested all the way up to six years old, like this bill that we have in front of us does, when she was tested again at four, her blood levels had spiked from 5 micrograms to 45 micrograms per million.

The point is that unfortunately it was at a point where the damage done to her development was going to be permanent. And Tiesha, Ms. Jones, felt it was necessary to make sure that this happened to no other child.

And so she worked along with my office for the last couple of years to put a bill together -- and this is the first one of a package that we will be hopefully passing as a whole. But for the moment, this one deals with prevention. We still have to make sure that we deal with insurance coverage as well as lead-safe

residential rental properties.

But all of this from the mind of a New York mother who knew it was essential that we change the law so that the things that happened to her daughter do not happen to any other child.

So today I can tell Ms. Jones that the first part of Dakota's Law is going to be passed. And I think it is incredibly important again to just underline that this is about making sure that we can identify very early on when a child has this lead in their system. And if we identify it early enough, not only can we make sure that that child gets taken care of, but then, Madam President, we can go and check the places where they might have been exposed to make sure that other children will be spared the issues that lead in their system can cause.

So bottom line, I am extremely happy to pass this bill today. And as I said, Madam President, it is only the first of what I hope in the next couple of years will be a series of bills that will deal with this issue.

So I certainly want to make sure to thank again Ms. Tiesha Jones, who worked with us to put this bill together. And, much like I did

yesterday, recognize those hardworking staffers without whom none of this would happen, and thank my current Deputy Chief of staff Rachel Ferrari, who worked along with Ms. Jones for years to make sure that we could get this passage today.

So to Rachel, to Tiesha, but most of all to Dakota and every other young child that we will spare the damages of lead by passing this piece of legislation, I vote in the affirmative.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Rivera to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1244, Senate Print 6322A, by Senator Harckham, an act to establish the East of Hudson watershed road salt reduction task force.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1244, those Senators voting in the negative are Senators Gallivan, Lanza and Oberacker.

Ayes, 60. Nays, 3.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1352, Assembly Print 6046, substituted earlier by Assemblymember Bichotte Hermelyn, an act to amend the Election Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you,

Madam President.

And my colleagues, I rise this afternoon to explain S6379, which relates to electronic applications for absentee ballots.

In the shadows of the COVID-19 pandemic, last year's primary and general elections showed us the ongoing need to expand access to the ballot. This legislation will implement additional permanent ways that qualified voters -- and I'll mention that again, qualified voters, may request an absentee ballot through electronic means.

It would help increase voter participation, which is democracy, while promoting a level of safety as we continue to learn how to face the ongoing battle with the pandemic. In this 21st century, using technology at our disposal to request an absentee ballot just makes sense, Madam President.

Again, we were elected to make sure our constituents' right to vote is and continues to be protected. And expanding their access to a ballot is the right thing to do to accomplish that.

And so I'm proud, Madam President,

to be a part of a historic Senate that will continue to demonstrate its commitment to ensuring that all eligible New Yorkers have access to the ballot box. We can all agree that democracy is healthier when everyone can participate in its construction.

For these reasons, Madam President, I invite all of my colleagues to vote aye.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1352, 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 PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1353, Assembly Bill 4186B, substituted earlier by Assemblymember Dinowitz, an act to amend the

Election Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 3. This act shall take effect January 1, 2022.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1353, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Helming, Jordan, Lanza, Martucci, Oberacker, Palumbo, Rath, Ritchie, Serino, Stec and Weik.

Ayes, 49. Nays, 14.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1354, Assembly Print 6047A, substituted earlier by Assemblymember Bichotte Hermelyn, an act to amend the Election Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1354, 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 PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1356, Assembly Print 6970A, substituted earlier by Assemblymember Walker, an act to amend the Election Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 1441, Senate Print 3479, by Senator Comrie, an

act to amend the Public Service Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1441, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Helming, Jordan, Martucci, Oberacker, O'Mara, Palumbo, Rath, Stec and Weik.

Ayes, 51. Nays, 12.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1448, Assembly Print 229C, substituted earlier by Assemblymember Paulin, an act to amend the Municipal Home Rule Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Skoufis to explain his vote.

SENATOR SKOUFIS: Thank you very much, Madam President.

And I want to express my gratitude to Assemblywoman Paulin; Senator Gaughran, who was very instrumental in helping put this together; as well as the entire Long Island Majority delegation.

And this bill, or some version of this bill, has been around for well over a decade. And it is so important and so timely that we take this up this year, before the expiration of session tomorrow, because if we had not, and if the Governor does not sign it into law -- which I expect him to do -- then we would be waiting another decade before this bill would become relevant.

So what this does is it finally puts into place a framework by which counties who are

governed by charters must follow rules, commonsense rules, when it comes to redistricting county legislative districts.

And we've seen time after time, whether it's in the Hudson Valley or whether it's in Long Island, gerrymandering that flies in the face of decency and public input and the ideal that voters should be choosing their elected officials and not the other way around.

And so what we have in place here are commonsense provisions that will protect the public's interest and make sure there is a level playing field for both parties when redistricting takes place throughout the state. We've seen lawsuits and lawsuits and lawsuits whereby maps have been thrown out at the county level because they have defied U.S. or state constitutional requirements. This will prevent many of those lawsuits by forcing these legislatures to get it right the first time.

And so I thank all my partners in helping get this bill across the finish line. It's just in time for the early 2022 redraws that we will see in these over 20 counties governed by charters.

And I thank you for the opportunity again, Madam President. I vote yes.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1448, 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 PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1483, Senate Print 1085, by Senator Gaughran, an act to amend the Public Service Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1487, Senate Print 4051A, by Senator Bailey, an act to amend the Family Court Act.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Madam President.

Let me express my immense gratitude to Leader Andrea Stewart-Cousins for allowing us to pass this incredibly important bill that raises the lower age of juvenile responsibility from 7 to 12.

And for those who are watching and listening, yes, currently in statute in New York State, if you are 7 years old you can be arrested, you can be handcuffed, you can be processed. If you are 7 years old.

Madam President, I often speak about my daughters because that is the greatest frame of reference that I have in this universe. And my daughter will be 7 in September. One, for her to be arrested would be traumatic to me, but imagine the trauma that would take place on a 7-year-old who doesn't understand the gravity of what they do on a daily basis, much less understanding the concept of being arrested at 7.

We dig deeper about -- and we speak about mental health, and we speak about so many critical important things about our young people and how they're our future. Well, we should act like it.

And what we've done in this house and the Assembly and this Legislature in New York, we raised the age of criminal responsibility a couple of years ago. Because the science said that's what we needed to do. Because young folks don't necessarily understand

the gravity of what it is that they do at 16 or 17. Especially not 7.

So I want to thank the leader for allowing us to bring this to the floor.

I want to thank Tamara Frazier, our staff analyst, who has done incredible work in this space and in terms of helping us negotiate and craft the bill, so I really wanted to thank her.

The amazing advocates who have brought this and they've brought us the experiences of young people who have been incarcerated and arrested. And I want to thank Chair Brisport here and Chair Hevesi in the Assembly for making this a priority there.

But I really want to thank the OG, as it were, of juvenile justice, and that's Velmanette Montgomery. The great Velmanette Montgomery, who was fighting for juvenile justice and Raise the Age before it became a hashtag, before it became popular. Before it became something that we spoke about, it was Velmanette Montgomery who brought this to the consciousness of New York State.

And as she departed the New York

State Senate, she sent me a letter last year and she asked me to pick this bill up. And she said: "I hope that you can pass this, Senator Bailey."

And one of the things that we know, regardless of political affiliation, if Velmanette Montgomery tells you to do something, you better try your damndest to get it done. Because Velmanette commands that much respect, and because she was always fighting for the right things to do.

And so I stand on the shoulders of a giant. And Senator Montgomery, I am hoping that I'm making you proud by passing this legislation, amongst other pieces of legislation that you have asked us to move this year. I am grateful to have had a mentor in you to impress upon me how important the reformation of the juvenile justice system is -- and not just the criminal legal system, that they work hand in hand, making sure that young folks can finally get these community-based services that will actually help to rehabilitate them. In the event that they have committed wrongdoing, that will permit them to have a chance to move forward in their lives.

The goal of any incarceration should

be rehabilitation. But the reality is that when you're 7 years old, 8 years old, 9 years old, to incarcerate individuals for, again, things that they don't fully understand and grasp the gravity of, was something wrong that we were doing in this state.

I am incredibly proud to be a part of a body who is making steps in an extremely affirmative manner to make sure that the justice system is fair for everyone, regardless of age. I thank all my colleagues for their strong support of this legislation, and I will proudly be voting in the affirmative on this legislation.

Thank you, Madam President.

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

Senator Lanza to explain his vote.

SENATOR LANZA: Thank you, Madam President.

First I want to echo the remarks of Senator Bailey in one respect, which is to once again thank Senator Montgomery for all the work that she, throughout her career, did with respect to this issue.

I'm going to be voting in the

negative on this legislation, and I want to explain why. I also want to mention that my good friend Senator Bailey's heart is always in the right place, and I respect the work and the passion that he brings to every issue that he brings forward in this chamber.

As you might recall, Madam President, I was the sponsor of the Raise the Age bill. I was proud to bring that to the floor in this chamber. We worked long and hard -- Senator Gallivan and myself on this side, many of my colleagues on the other side. Senator Bailey, I worked with. We worked with our colleagues, Republican and Democrat, in the Assembly. We worked with the Governor. And we did that which a lot of people said could not happen.

And I think the fact that it was a bipartisan effort, a bipartisan bill -- and because of all the work that that requires when you need two parties or when you have two parties working together, it means that a lot of work happens behind the scenes. And there's a lot of effort and thought and passion and vetting that is necessary whenever a bipartisan bill is going

to come to the floor of anybody. And that's what we did.

The driving force behind that legislation was precisely what Senator Bailey mentioned, which is that when you're dealing with an offender, a young, a juvenile offender, we in society, in this community, in this state, you have an opportunity that you might not have with an older or another offender. Which is to say that if you get involved early, maybe we can help get that person on the right path. Maybe we can avoid a youthful indiscretion from becoming a lifetime scar.

We were careful to carve out -- because I think it's important to do so -- serious offenses, even murder and other violent crimes. Regardless of whether or not they're committed by a 30-year-old or a 17-year-old, that is something that needs to be seriously dealt with and appropriately dealt with.

But we recognize that with youthful offenders, there was this opportunity to make sure that we put that person on the right path.

And the other thing driving the issue, and why I think we all came together, was

that perhaps in order to seize that opportunity, criminal court, traditional criminal court, might not be the right venue. Democrats especially pushed the idea initially that Family Court was the right place. I bought into that idea. We wrote the legislation as such.

And that was really the theme of the Raise the Age legislation, that rather than have someone who has committed a crime at the age of 15 go to criminal court, that perhaps if they went to Family Court -- not that anything was being swept under the rug, but that Family Court might be better situated and would be better situated and have the resources to deal with that youthful offender in a better way.

And I think it's worked. And the idea in Raise the Age was that there would be services that would help we in this state keep ourselves safe and also to help the offender to make sure that they wouldn't commit another offense. And again, it has worked.

The legislation required additional resources to Family Court; the Executive has not come through to the extent that they should have. We need to keep pressing there. But again, the

idea first brought forth by Senator Montgomery a long time ago was that Family Court was the place to do this. And we did it. Democrats and Republicans, we did it. And it's worked. From any vantage point, it's worked.

The reason I'm voting, unfortunately, against this legislation is because I think it violates exactly that which was the major driving force behind Raise the Age, which is that Family Court is the right place. This bill, if it becomes law, will divert youthful offenders away from Family Court to down the street, to some agency or to some group or to some service that may or may not have the ability to do what is necessary for both the offender and for our community.

I still believe and maintain, Madam President, that the right place to deal with these offenses with respect to youthful offenders is in Family Court. They ought to stay there. They can best handle that which I seek to see happen and that which I think Senator Bailey wishes to see happen, which is justice.

For that reason, Madam President, I'm going to be voting in the negative.

ACTING PRESIDENT PERSAUD: Senator Lanza to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 1487, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 44. Nays, 19.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1508, Senate Print 7018A, by Senator Hinchey, an act authorizing the City of Schenectady to alienate certain parcels of land used as parkland.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1519, Senate Print 309A, by Senator Myrie, an act to amend the Election Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Madam President.

I rise in order to speak on Calendar Number 1519, which relates to the construction of voting machines and systems. And Senator Myrie is the sponsor of this bill, Senate Bill Number 309A.

Too many people in this country are

still talking about voter fraud and voter machine malfunctions as if they care about the strength of democracy, when it's clear that their concerns are about safeguarding their own political power.

The bill before us today actually walks the walk by contributing in a positive way to the security of our elections. And I thank my colleague Zellnor Myrie for his work as the chair of the Elections Committee in the New York State Senate.

Voter confidence as a measure of the quality of our elections is essential, Madam President. The threat of hacking the machines we rely on for free, fair and democratic elections is genuine. And we are required to take every reasonable precaution, Madam President, to protect the bedrock of our republic, our right to vote.

This bill will help ensure that their vote will count as cast. It is commonsense reform that sets forth some additional system requirements for improving voting machines, a no-brainer that both sides of the aisle should be able to agree upon.

And after all, we are protecting the

integrity of our electoral process. I highly doubt that any one of us here would not support the action and sense of duty in our obligation.

And for those reasons, Madam President, I vote aye. Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1519, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 44. Nays, 19.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1521, Senate Print 680, by Senator Harckham, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1521, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Hinchey, Jordan, Lanza, Mannion, Martucci, Mattera, Oberacker, O'Mara, Ortt, Rath, Ritchie, Serino, Skoufis, Tedisco, Stec and Weik.

Ayes, 41. Nays, 22.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1526, Senate Print 2521B, by Senator Rivera, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Rivera to explain his vote.

SENATOR RIVERA: Thank you, Madam President.

Now, complicated problems sometimes require complicated bills. I should say complicated problems always require complicated bills.

The bill that we passed a bit earlier, as I mentioned, was one of what I hope to be a package of bills to address the concerns around lead poisoning in children.

The bill that we have before us now is part of what I hope to be many bills, since it was a bigger and more complicated bill, but it got split up to deal with patient medical debt.

I'll take a second to actually both recognize and thank Senator Kevin Thomas, who just yesterday passed a bill, Madam President, that relates specifically to consumer debt but more broadly, because it is consumer debt, includes medical debt. And this was one of the parts of the bill, of the big bill that we thought rightly that Senator Thomas covered in

his bill and therefore we said, You go ahead with that, brother, and we'll support you on that one.

But there are a couple of other things related to medical debt that we need to deal with, and the bill that is before us deals with something called the facility fee. And simply put, this is something that sometimes slips into a bill without our knowledge, and all of a sudden we have to -- when we go for all sorts of procedures, we might be actually in a hospital, we might be just getting treated for something relatively minor, and those facility fees actually show up.

So this bill would actually change -- eliminate a loophole in state law that currently just results in surprise expenses for so many folks around the state.

And this is, as I said, one of the hopefully many bills that we will pass to deal with medical debt. So it is certainly an important bill for that reason.

There's just one more thing that I wanted to underline, Madam President. So I've spent the last couple of days thankfully coming to the floor and explaining some of the bills

that I've been passing that have been -- that a lot of folks have worked a lot of hard hours to make sure that they happen, and I've been mentioning some of my staff.

This one is particularly special because it actually was part of -- the large project of dealing with medical debt was actually something that a former staffer was working on. And it was something that she was working on before she passed away from corona in December of last year. A woman who I've spoken about on this floor before who has served the Senate for many, many years. That was Kristin Sinclair. This was the final project that she was working on, this big, beautiful and complicated bill dealing with something that is really a scourge to folks here in New York State, which is medical debt.

We will hopefully pass many more bills dealing with this issue because it is not resolved yet. But I wanted to make sure that as we pass this first bill today, Madam President, that I not only thank the Community Service Society who brought it our attention, but specifically to point out that her work and her legacy lives on and that the work that she did

consistently to serve New Yorkers is carried on, not only by myself but by the rest of my staff as well.

I will thank Michela Paniccia, who is my committee director now and who was essential in figuring out how to work all these different pieces. So I will thank her as well on the record.

So Madam President, this is something that not only deals with medical debt but, more importantly, is what I hope to be a first of many bills to continue to talk about Kristin's legacy of serving New Yorkers, and I'm incredibly happy and proud to vote in the affirmative right now.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Rivera to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1526, those Senators voting in the negative are Senators Borrello, Gallivan, Helming, Jordan, Lanza, Martucci, Ortt, Tedisco and Weik.

Ayes, 54. Nays, 9.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1546, Senate Print 5144B, by Senator Gianaris, an act to amend the Real Property Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1546, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Gaughran, Griffo, Harckham, Helming, Jordan, Lanza, Mannion, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Serino, Skoufis, Stec, Tedisco and Weik.

Ayes, 40. Nays, 23.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number

1551, Senate Print 592, by Senator May, an act to amend the State Finance Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 3. This act shall take effect June 1, 2022.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1551, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 45. Nays, 18.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1554, Senate Print 5934, by Senator Parker, an act to authorize Top Community Development Corporation to file an application for a real property tax exemption.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1554, those Senators voting in the negative are Senators Akshar, Helming and O'Mara.

Ayes, 60. Nays, 3.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1565, Senate Print 6546A, by Senator Gallivan, an act to amend the Highway Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1565, voting in the negative: Senator Brisport.

Ayes, 62. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1568, Senate Print 6694, by Senator Harckham, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1587, Assembly Print 7713, substituted earlier by

Assemblymember Jackson, an act to amend the Penal Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1588, Assembly Print 7816, substituted earlier by Assemblymember Morinello, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1602, Senate Print 7171, by Senator Brisport, an act to amend the Family Court Act.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Announce the results.

THE SECRETARY: In relation to Calendar 1602, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 44. Nays, 19.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 1603, Assembly Print 7601, substituted earlier by Assemblymember Darling, an act to amend the Family Court Act.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1604, Senate Print 7173, by Senator Bailey, an act to amend the Family Court Act.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1604, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Helming, Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 45. Nays, 18.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1610, Assembly Print 8012, substituted earlier by Assemblymember Meeks, an act making an appropriation to pay to the children of the late David F. Gantt, member of the Assembly from the 137th Assembly District.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1616, Senate Print 600, by Senator Benjamin, an act to amend the Election Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1616, those Senators voting in the negative are Senators Borrello, Helming, Jordan, Oberacker, Ortt, Palumbo, Rath, Serino, Stec and Tedisco.

Ayes, 53. Nays, 10.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1618, Senate Print 737A, by Senator Biaggi, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 30th day after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1618, those Senators voting in the negative are Senators Borrello, Gallivan, Helming, Jordan, Oberacker, O'Mara, Ritchie, Stec and Tedisco.

Ayes, 54. Nays, 9.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1619, Assembly Print 3331, substituted earlier by

Assemblymember Hevesi, an act to amend the Social Services Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1620, Senate Print 979A, by Senator Gaughran, an act to amend the Real Property Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 120th day after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1620, those Senators voting in the negative are Senators Lanza and Ortt.

Ayes, 61. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1621, Senate Print 1603, by Senator Gianaris, an act to amend the Public Housing Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1621, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath,

Stec and Weik.

Ayes, 47. Nays, 16.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1622, Senate Print 2025, by Senator May, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1623, Senate Print 2045, by Senator Tedisco, an act to amend the County Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1625, Senate Print 2630, by Senator Sanders, an act to amend the Correction Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1625, those Senators voting in the

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

Ayes, 44. Nays, 19.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1626, Senate Print 2743, by Senator Ramos, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1626, those Senators voting in the negative are Senators Boyle and Kavanagh.

Ayes, 61. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1627, Senate Print 2757B, by Senator Ramos, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1627, voting in the negative: Senator Felder.

Ayes, 62. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1628, Senate Print 2999B, by Senator Harckham, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1628, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Helming, Jordan, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Stec and Weik.

Ayes, 50. Nays, 13.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1629, Senate Print 3080A, by Senator Salazar, an act directing the New York State Energy Research and Development Authority to establish a "Ride Clean" rebate program.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1629, those Senators voting in the negative are Senators Felder, Helming and Oberacker.

Ayes, 60. Nays, 3.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1630, Assembly Print 735, substituted earlier by Assemblymember Rosenthal, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1631, Senate Print 3687A, by Senator Felder, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1631, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Jordan, O'Mara, Ritchie and Stec.

Ayes, 55. Nays, 8.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1632, Assembly Print 3173, substituted earlier by Assemblymember Cook, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1632, those Senators voting in the negative are Senators Gallivan and Lanza.

Ayes, 61. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1633, Assembly Print 949, substituted earlier by Assemblymember Zebrowski, an act to amend the Public Service Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1634, Assembly Bill 2202, substituted earlier by Assemblymember Barnwell, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1635, Senate Print 4347A, by Senator Brouk, an act to amend the Education Law and the Social

Services Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 9. This act shall take effect twelve months after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1636, Senate Print 4367A, by Senator Mayer, an act to amend the Public Officers Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce

the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1637, Assembly Print 3034, substituted earlier by Assemblymember McDonald, an act to amend the Real Property Tax Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1638, Assembly Print 898B, substituted earlier by Assemblymember Woerner, an act to amend the Domestic Relations Law.

ACTING PRESIDENT PERSAUD: Read the

last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1639, Senate Print 4486A, by Senator Harckham, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Harckham to explain his vote.

SENATOR HARCKHAM: Thank you, Madam President.

I would like to thank our Majority Leader for her focus on this issue and bringing this piece of legislation to the floor for us to discuss today.

Back in 2007 when this body created the office of the Medicaid Inspector General, it was designed to root out fraud, abuse and waste, because every dollar lost in the Medicaid system to waste, fraud and abuse was not going to patient care.

As time has gone on and staffs have been cut and the original purpose has, shall we say, gone in the rear-view mirror, what has happened is that the Office of the Inspector General has begun to focus on clerical errors and administrative errors, and then extrapolate. And sometimes the results have just defied common sense.

And we are in the midst of an opioid crisis. More people died last year from opioid overdose than at any time in recorded history. And yet last year, because of an administrative extrapolation by the Office of the Inspector General, a treatment center for Medicaid-assisted treatment was put out of business and 1500 slots

were lost.

And for an administrative error, I don't think anybody in this body envisioned that that was the purpose of the law in 2007.

So this law will rein in those procedures, and it will end the fatal practice of killing treatment providers in these fatal fines for clerical and administrative errors. Yes, go at them for waste, fraud and crime because, again, that keeps money from patients. But when there are clerical errors and administrative errors in the midst of an opioid crisis, the last thing we should do is be putting these treatment providers out of business.

I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1640, Senate Print 4539, by Senator Kaplan, an act to amend the General Municipal Law.

ACTING PRESIDENT PERSAUD: Read the

last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1640, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Rath, Serino, Stec and Weik.

Ayes, 47. Nays, 16.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1641, Assembly Print 6014A, substituted earlier by Assemblymember Magnarelli, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1641, voting in the negative: Senator Lanza.

Ayes, 62. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1642, Senate Print 5257C, by Senator Gianaris, an act to amend the Private Housing Finance Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 1643, Senate Print 5488A, by Senator Biaggi, an act to amend the Marshall Plan for Moms interagency task force.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Biaggi to explain her vote.

SENATOR BIAGGI: Thank you, Madam President.

I rise today to proudly vote in favor of this bill, which is a task force created for the Marshall Plan for Moms.

It is no surprise to anybody in this chamber or anybody who is listening in New York or really in the entire country that mothers and caregivers during the COVID-19 pandemic are one of the populations that have been the hardest hit economically. They have served as this invisible workforce, really being a key to all of the families that they care for and work with and work for, for their economic security and survival.

There have been increased demands of childcare we know about, work, remote learning, which has really been one of the challenges, I think, of this time. And it all collectively has taken a really incredible unprecedented toll on

mothers and caregivers, forcing 2.4 million women -- predominantly women of color -- to leave the workforce: 2.4 million women have left the workforce. That number is staggering.

As New York State is currently reopening and recovering, what we have to do is focus on how to get these women and caregivers back into the workforce, because we cannot afford to leave anybody behind. The Marshall Plan for Moms will create a task force to determine how the state can do that -- by providing direct payments to mothers and caregivers who are experiencing financial instability, something that President Biden actually has already committed to do; return women back to the workforce; address other various policy areas, including childcare, mental health support, paid family leave -- which I know that this state has taken on before, but there are still ways to make more progress in this category -- and other family-supportive workplaces.

This task force will also directly address state policies that fail to protect mothers and caregivers overall. 2021, this year, must be the year that the voices of mothers and

other caregivers are heard and that their needs are prioritized.

In the past decade women in the workplace made monumental advancements. In fact, this chamber has been part of some of those monumental advancements, towards pay equity and other leadership roles. But there is more we can do. And because we know that there is more that we can do, that means that we are responsible to do it.

So by creating this task force, it is dedicated to developing a multifaceted series of solutions that we can then act on as a body. And I think it is one of the most responsible things that we can do if we say that we care about mothers and caregivers during this COVID-19 pandemic who have been impacted.

I proudly vote yes. Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1643, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci,

Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Stec, Tedisco and Weik.

Ayes, 46. Nays, 17.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1645, Senate Print 5527, by Senator Brooks, an act to amend the Public Authorities Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1646, Senate Print 5722, by Senator Thomas, an act in relation to restricting certain practices from remote supervision by licensed pharmacists.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1647, Assembly Print 6426, substituted earlier by Assemblymember Thiele, an act relating to authorizing the district superintendent of the Eastport-South Manor Central School District to adjust the improper apportionment of the school tax levy.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1648, Senate Print 5988B, by Senator Mattera, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1649, Senate Print 6052B, by Senator Reichlin-Melnick, an act to amend Chapter 89 of the Laws of 2016.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Reichlin-Melnick to explain his vote.

SENATOR REICHLIN-MELNICK: Thank you, Madam President.

Every child in New York has the right to an excellent education. But for far too long, the children of the East Ramapo School District have been deprived of this right.

A district which was once among the best in Rockland County now faces huge financial and educational hurdles. The graduation rate is the lowest in the county, and students have had limited access to school counseling, arts, music, extracurricular activities, and English language learning services for the many children of immigrant families in the district.

Last year several thousand students went months without Chromebooks, totally unable

to access online learning in the midst of this pandemic. While academics have suffered, the school board has also mismanaged the district's finances so badly that they had to borrow more than $25 million this spring or else they would have run out of money before the end of this school year.

East Ramapo has unique demographics, with around 9,000 public school students, mostly children of color, and around 32,000 private school students, nearly all of whom are white. The school board has for years been controlled by members from the private school community, which has left many parents in the public school community feeling that their children's education is not being prioritized.

Five years ago my predecessor, Senator Carlucci, working with Assemblyman Ken Zebrowski and former Assemblywoman Ellen Jaffee, advanced legislation that placed monitors appointed by the State Education Department in the district. This was an important first step, but unfortunately these monitors lacked effective tools to stand up against bad decisions by the school board.

In the years since the appointment of the state monitors, the district has lost a federal voting rights lawsuit brought by the NAACP and New York Civil Liberties Union, and been the subject of several scathing reports by the State Comptroller. A new approach is clearly needed.

This bill gives the State Education Department the power to appoint monitors for the East Ramapo School District who will have the authority to overrule decisions of the school board that violate state law and regulations or the district's fiscal and academic improvement plan.

Passing this bill is a milestone for the children of this district. It will finally give the parents and students in the public schools in East Ramapo the confidence that New York State is looking out for them and is ready to act to guarantee that the education they receive will set them on the path to a brighter future.

I want to thank the Majority Leader for bringing this bill to a vote, thank my colleagues for supporting it. And I also want to

acknowledge the tremendous work done by the Assembly sponsor, Ken Zebrowski, who has been championing this issue for years and worked closely with the State Ed Department on the language of this bill. The Assembly will also be passing it before the end of session.

I want to thank former Senator Carlucci and former Assemblywoman Jaffee for their work as well. Of course our commissioner, Betty Rosa, who has been a strong supporter of this legislation. And I want to thank the Spring Valley NAACP, New York Civil Liberties Union, the Rockland Clergy for Social Justice, and the countless parents, students and families who have been fighting for this bill.

I vote aye, and I am proud to take this vote. Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Reichlin-Melnick to be recorded in the affirmative.

Senator Mayer to explain her vote.

SENATOR MAYER: Thank you, Madam President.

I'm so proud to rise and explain my vote in support of this really critical bill that

continues the fight for equity for every school district.

This bill will enhance state oversight for the operation of programs and services for students in the East Ramapo School District. As chair of the Education Committee, my commitment and our commitment is to advance and support measures designed to ensure all public school students have access to quality education and services throughout the state, regardless of where they live.

We are poised today to build upon the current statutory framework and strengthen the monitor process for the delivery of programs for East Ramapo's public school students. Local circumstances in this district, as in several others across the state, have warranted district-specific state action, working closely with the State Education Department.

This bill will prevent conflicts of interest and ensure necessary programs are funded and made available to all students. It supports the district's 9,000 public school students while ensuring all voices are heard, including those of families of nonpublic students.

The East Ramapo District will receive $7.5 million in an increase in state funding next year under the Foundation Aid formula, and is allocated more than $216 million in federal COVID relief funding.

These very substantial funding commitments are meaningful, but we must make sure they are spent well and serve the students of this district, the large majority of whom are poor and families suffering and struggling through the pandemic.

We have a responsibility to these children, whether they are public or nonpublic, and this bill addresses that need. There are times when a state has to step in to support individual districts and the students they serve. That is this time.

I want to commend my colleague Senator Reichlin-Melnick for his leadership, as well as certainly the State Education Department and our leader, Andrea Stewart-Cousins, for bringing this most important matter to a conclusion for this year.

The time is now to pass it, and I'm proud to vote in the affirmative.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Mayer to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1649, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 44. Nays, 19.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1650, Assembly Print 3967, substituted earlier by Assemblymember Pretlow, an act to amend the General Municipal Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce

the results.

THE SECRETARY: In relation to Calendar 1650, those Senators voting in the negative are Senators Helming, Jordan, Oberacker, Rath and Skoufis.

Ayes, 58. Nays, 5.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1651, Assembly Print 6968, substituted earlier by Assemblymember Magnarelli, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number

1652, Assembly Print 7209, substituted earlier by Assemblymember Thiele, an act to amend the General Municipal Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Madam President.

I rise to speak in favor of this bill. I'd like to first of all thank Senator Gaughran for his sponsorship of this bill.

This is a -- it may seem, you know, maybe a little down in the weeds, but as a former local government official, as a county executive, I can tell you how critically important this is to expand investment options for our local governments.

These actually have -- these options have been available to New York City for a long

time, and now they're being expanded to the rest of the state.

As a former county executive and someone who was in charge of the finances of our county, I can tell you that the options are extremely limited, and this becomes a real issue, especially with the variations in interest rates.

We're going to see now, likely, inflation increasing across the United States, and that's going to likely lead to higher interest rates. And local governments will likely be stuck, if you will, in investing in bonds that may in the end start to turn negative as far as their market values.

This will expand the flexibility and give those options that have been available to New York City for a long time to every local government. And I think it's critically important, especially now, as I mentioned.

So thank you again to the sponsor, and thank you to everyone else that has supported this bill that will help -- in the end, help taxpayers by getting a better return on the reserve monies that they have in their taxpayer coffers.

Thank you.

ACTING PRESIDENT PERSAUD: Senator Borrello to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar Number 1652, voting in the negative: Senator Brisport.

Ayes, 62. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1653, Assembly Print 7237, substituted earlier by Assemblymember McDonald, an act to amend the Public Authorities Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 1654, Senate Print 6516A, by Senator Mannion, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Mannion to explain his vote.

SENATOR MANNION: Thank you, Madam President.

853 schools and 4201 schools are simply that, they are schools. They are schools that serve children with disabilities. These are the appropriate schools for these kids.

These schools have struggled, like other schools have, and other institutions, with the challenges of meeting the costs attributed to facing the pandemic of COVID-19. They need our help. They need parity. They need equity. And I am proud to sponsor this legislation, which

will assure that.

These schools are often referred to as the forgotten schools. We can't forget them. We need legislation to make sure that they are supported equitably, just like every other school and school district in the state.

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

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

Senator Mayer to explain her vote.

SENATOR MAYER: Thank you, Madam President.

I proudly am voting in the affirmative on this bill. And in doing so, I stand with thousands of students and their parents across the state, students who are educated in approved private special education school programs and Special Acts school districts.

This year we adopted an unprecedented education budget with funding commitments to ensure equity, adequacy and opportunity for children without regard to where they live or who represents them in government.

Under the leadership of our Majority Leader, my colleagues and I fulfilled a legal promise made more than a decade ago to properly fund our public schools. Today we have the opportunity and in fact the responsibility to extend this commitment and make the same promise to our students with special needs in state-approved private schools and Special Acts school districts.

The legislation before us extends the same level of funding to private approved special ed schools and Special Acts school districts that we did approve for public schools every year. The measure will assure program providers that they can count on the same percentage increase in funding through the rate setting process.

In doing so, we provide the schools with financial stability and predictability, help to stabilize programs, avoid closures, and maintain their future viability. It gives parents comfort knowing their children can continue in settings that are appropriate, familiar and necessary for their development.

It makes a promise to children --

after all, that's what we're about -- those with special needs, that their education matters and they will have the opportunities to succeed.

I want to thank my colleague Senator Mannion for his leadership in sponsoring this important legislation initiated by the State Education Department. And I want to thank Commissioner Betty Rosa and Chancellor Lester Young for their steadfast commitment to children with special needs in advancing this proposal, together with our Majority Leader and my Senate colleagues.

I vote in the affirmative.

ACTING PRESIDENT PERSAUD: Senator Mayer to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1655, Senate Print Number 6537, by Senator Reichlin-Melnick, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1656, Assembly Print 7240, substituted earlier by Assemblymember Gottfried, an act relating to a review of reimbursement rates for ambulette transportation.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1657, Assembly Print 7520A, substituted earlier by Assemblymember McDonald, an act to amend the Real Property Tax Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1660, Assembly Print 7038A, substituted earlier by Assemblymember Galef, an act to amend the Village Law and the Public Officers Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1661, Senate Print 6664, by Senator May, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number

1663, Senate Print 6738, by Senator Jordan, an act to amend the Highway Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1663, voting in the negative: Senator Brisport.

Ayes, 62. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1664, Senate Print 6777, by Senator Salazar, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1664, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Helming, Jordan, Lanza, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Stec and Tedisco.

Ayes, 48. Nays, 15.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1665, Assembly Print 7564, substituted earlier by Assemblymember Burke, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1665, those Senators voting in the negative are Senators Akshar, Felder and Lanza.

Ayes, 60. Nays, 3.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1666, Senate Print 6822, by Senator Palumbo, an act in relation to granting Kevin Moriarty Tier IV status in the New York State Teachers' Retirement System.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1667, Assembly Print 7567A, substituted earlier by Assemblymember McMahon, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1668, Senate Print 6875, by Senator Persaud, an act to amend the Social Services Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 3. This act shall take effect October 1, 2022.

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1668, those Senators voting in the negative are Senators Borrello and Oberacker.

Ayes, 61. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1669, Assembly Print 4587A, substituted earlier by Assemblymember Thiele, an act to amend the General Obligations Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 1670, Senate Print 6962, by Senator Ryan, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1670, those Senators voting in the negative are Senators Lanza and Ortt.

Ayes, 61. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1672, Assembly Print 3516, substituted earlier by Assemblymember McDonald, an act to amend the Insurance Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it

aside.

THE SECRETARY: Calendar Number 1673, Assembly Print 7870A, substituted earlier by Assemblymember Santabarbara, an act to amend the Town Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1674, Senate Print 7106A, by Senator Mannion, an act to amend the Social Services Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1675, Senate Print 7136, by Senator Serino, an act to amend the Highway Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1676, Senate Print 7139, by Senator Palumbo, an act to amend the Highway Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1678, Senate Print 7150, by Senator Gianaris, an act to amend Chapter 17 of the Laws of 2012.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to

Calendar 1678, 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 PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1679, Senate Print 7163, by Senator Boyle, an act authorizing the West Babylon Church of God of Prophecy, Inc., to file an application for retroactive real property tax exemption.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1679, those Senators voting in the

negative are Senators Akshar and O'Mara.

Ayes, 61. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1680, Senate Print 7179, by Senator Persaud, an act to amend the Family Court Act and the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1680, those Senators voting in the negative are Senators Gallivan, Oberacker and Ortt.

Ayes, 60. Nays, 3.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number

1681, Senate Print 7190, by Senator Thomas, an act to amend the General Municipal Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1682, Senate Print 7191, by Senator Ryan, an act to amend the Election Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce

the results.

THE SECRETARY: In relation to Calendar 1682, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Gaughran, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 42. Nays, 21.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1683, Senate Print 7197, by Senator Skoufis, an act to amend Chapter 704 of the Laws of 1991.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill

is passed.

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

SENATOR GIANARIS: Okay, we're going to move to the controversial calendar, Madam President, beginning with -- if I can find the right calendar number -- Calendar 1642.

ACTING PRESIDENT PERSAUD: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 1642, Senate Print 5257C, by Senator Gianaris, an act to amend the Private Housing Finance Law.

ACTING PRESIDENT PERSAUD: Senator Weik.

SENATOR WEIK: Thank you, Madam President. Madam President, through you, will the sponsor yield for questions.

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor will yield.

SENATOR WEIK: Thank you very much.

This is an important topic, it's a serious matter. Homelessness is something that I see on the rise in my district as well as throughout New York State, so I'm very interested in figuring out how this program actually works.

Is it limited to cities or does it -- is it applicable to suburbs?

SENATOR GIANARIS: This bill would have statewide application.

SENATOR WEIK: I'm sorry?

SENATOR GIANARIS: It would have statewide application. It applies throughout the state.

SENATOR WEIK: Okay, so -- Madam President, through you.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor will yield.

SENATOR WEIK: Is there a limit to the number of individuals in the area, or is it applicable to rural areas and suburban areas alike?

SENATOR GIANARIS: Once again, it

has application throughout the State of New York.

SENATOR WEIK: Okay.

Madam President, through you, will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WEIK: I am very glad to hear that, because I am from a suburban area and we do have a rise in homelessness. And so I'm just curious, how does this program work? If, for example, my town wanted to convert eligible hotels into affordable housing, how would they access the program?

SENATOR GIANARIS: Well, currently the program is funded with $100 million we've had in the State Budget we passed earlier this year. There is some hope that we will also be able to access federal funds that have come through.

Now, in terms of how it works, the -- it's the Housing Trust Fund Corporation that will be administering this on behalf of the state, and they would identify properties that

qualify and then either purchase them on behalf of the state or contract with a nonprofit to operate the properties.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WEIK: Thank you, Senator Gianaris. And that was stated in your bill. However, it doesn't clarify the question I was looking for.

So if my municipality wanted to access this fund, what steps would they take in order to proceed?

SENATOR GIANARIS: This is a program administered by the state through the Housing Trust Fund Corporation. So the municipality could be in touch with the agency and collaborate with them if they have a specific property in mind.

SENATOR WEIK: Great, thank you very much.

Madam President, through you, will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WEIK: So these properties shall be owned, operated and managed by appropriate nonprofit organizations through the use of government agency funding to acquire the property. Will they be the owners on the deed?

SENATOR GIANARIS: Yeah, the nonprofit that operates the property would be the owner on the deed.

SENATOR WEIK: Thank you, sir.

Madam President, through you, will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WEIK: Thank you.

So as the nonprofit is now the owner

on the deed, will they continue to receive funding from the state in order to maintain that property, and will they be subject to property taxes?

SENATOR GIANARIS: Okay, the -- I'm informed that the nonprofits would enter into a regulatory agreement with either the state or a local agency. That often includes provisions for how they would handle property taxes. And they would also be free to access other funds, not specifically in this program, to continue to maintain the property going forward.

SENATOR WEIK: Thank you.

Madam President, through you, will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WEIK: Thank you so much. And I appreciate your time for this.

Just to clarify, so that nonprofit would still be responsible for paying property taxes on that location, is that correct?

SENATOR GIANARIS: It all depends on what agreement they reach with the appropriate agencies. Oftentimes these things are negotiated in the form of PILOTs or other agreements that don't require them to pay the full freight on property taxes.

SENATOR WEIK: Thank you, Senator, I appreciate that.

Madam President, through you, will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WEIK: I apologize for the detail of these questions, but it does affect the community. So my question to you is, if there are individuals or students who are living in these housing units and they're not paying property taxes, it does impact the community, as they would have to make up the difference if they are a tax-exempt entity or if there is a lack of funding.

Are most of these properties -- do

you anticipate that they would be tax-exempt? Or do you expect that they would be participating in paying school taxes?

SENATOR GIANARIS: It would be up to the locality whether they choose to enter into such an agreement or not. And so all of this would be with local input and approval, I would imagine, so whatever a individual case requires or is seen as an appropriate agreement by the administering agencies, that will be the case.

So in some instances a locality may decide to not require or reduce the amount of taxes required; in other cases, they may not do that. But we're not dictating that in this bill.

SENATOR WEIK: Thank you, sir, I appreciate that.

Madam President, will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WEIK: So how much funding has been dedicated for the Housing Our Neighbors

with Dignity Act? Do we have an exact number?

SENATOR GIANARIS: Yes. In the State Budget it was $100 million.

SENATOR WEIK: Thank you very much, Senator.

Madam President, will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WEIK: Thank you very much.

Under this program, do all regions of the state have parity in trying to convert vacant properties into affordable housing?

SENATOR GIANARIS: Yes. There is no preference amongst the different regions of the state.

To clarify, counsel here informs me that the $100 million that has already been allocated is specified for usage within New York City, but it is expected that that will be a tiny fraction of the total monies in the program because we're anticipating as much as $2 billion

in federal money that will end up flowing through this program.

SENATOR WEIK: Thank you.

Madam President, through you, will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WEIK: So with that federal funding, do you anticipate that that's going to be an ongoing thing, or is this going to be a one-time funding, as with most of the COVID money that we've received from the federal government? Or is this -- is it short term?

SENATOR GIANARIS: Well, we always, as we do every year, enact a State Budget that evaluates ongoing needs. But the money we're discussing currently is specifically to deal with a situation that has been exacerbated by COVID.

So there are a number of properties that are in distressed condition and up for sale or available in different ways because of the fact that hotels and other commercial properties

are in disuse through the pandemic. And the idea was to provide this funding at this time when those properties are available for purchase for affordable -- permanent affordable housing and supportive housing.

If you're talking about not the purchase but just the ongoing operation and maintenance of these programs, then that's something that will be subject to appropriation in future budget years.

SENATOR WEIK: Thank you, sir.

Madam President, through you, will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WEIK: So that brings me to my next question. Of course taking these properties, some of them being commercial real estate, changing them into a livable space is going to be quite costly.

Out of the funds that have been allocated, how many housing units do you

anticipate being able to have after renovating and making these properties suitable for living?

SENATOR GIANARIS: So it's about 280 units, we anticipate, with the $100 million that was already allocated. But if you multiply that by 20, if we think $2 billion in federal money will be available, then what would that be? Twenty-eight hundred times two, about 5600 units.

But that obviously depends on where the property's located, what the cost of purchasing it is, et cetera.

SENATOR WEIK: Thank you, sir.

Madam President, through you, will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WEIK: Thank you very much, sir. And I appreciate your time. I do expect this will probably be my last question.

But are these provisions that ensure that distressed hotels and commercial property are actually converted into affordable housing as

opposed to luxury housing?

SENATOR GIANARIS: I'm sorry, can you repeat that? I missed --

SENATOR WEIK: Sure. Are there provisions that ensure that the distressed hotels and commercial property are actually converted into affordable housing as opposed to luxury housing?

SENATOR GIANARIS: Yes, there are specific conditions and requirements in the legislation that ensures it cannot and will not be used for luxury housing. The AMI percentage that is required is 80 percent or lower, which is certainly not luxury housing.

SENATOR WEIK: Thank you very much.

Madam President, through you, will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WEIK: Thank you, Senator. I'm sorry, I faked you out, that was not my last question.

(Laughter.)

SENATOR WEIK: I actually -- how much community input will be permitted in the allowing of these housing units? How much community input is going to be permitted?

SENATOR GIANARIS: First of all, let me just say I appreciate the Senator's politeness, but we are here to answer questions and engage in debate, so feel free to ask away.

There was much discussion in the drafting of this bill about what we would do relative to local zoning ordinances. And left intact was the local zoning regulations. So a locality, if the zoning is nonconforming to the current zoning, it would have to approve any changes.

SENATOR WEIK: Okay.

Madam President, through you, will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WEIK: So does that -- is

that to imply that communities would not have the opportunity to have an input whether or not a property that pops up in their community is now going to be turned into affordable housing or homelessness -- a shelter for homelessness? Or will they have the opportunity to have a say in that?

SENATOR GIANARIS: Yes. No, it's not meant to imply that at all.

The point I was trying to make, and maybe I was inarticulate in doing so, is that there are local zoning ordinances in place that regulate these properties. So if a place is zoned commercial, then you have a commercial building there.

If you wanted to purchase that building and turn it into residential use, you would need a change in zoning, and the locality government and the residents of that locality would have the opportunity for their input at that point.

SENATOR WEIK: Thank you very much.

Madam President, through you, will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the

sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WEIK: I faked you out again; that was my last question. I apologize.

(Laughter.)

SENATOR WEIK: Thank you so much for your help today.

SENATOR GIANARIS: No problem. Thank you.

ACTING PRESIDENT PERSAUD: Thank you.

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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Madam President.

I rise in support of this bill by Senator Gianaris, Bill Number S5257C, which is called the Housing Our Neighbors with Dignity Act, or HONDA.

We have a unique opportunity, Madam President, to provide deeply affordable, permanent housing to our lowest-income and formerly homeless neighbors by converting distressed commercial properties like hotels.

As you heard in the discussion, there's $100 million set aside right now, and more will become available for the state to purchase these properties across New York State so that responsible nonprofits or community land trusts can give some of our most vulnerable community members a dignified home.

Make no mistake about it, there are not -- these are not like the temporary shelters that's sprung up in part of my district during COVID-19 out of necessity. These would be homes where people can live and enjoy.

The surrounding neighborhoods will have a say over the disposition and any zoning

changes to make these conversions possible. And that's a good thing, Madam President, to provide robust community evaluation to ensure that this new housing becomes part of the community.

And by focusing on people who have experienced homelessness and people with an income average of 50 percent of the area median income, we are focusing on people with the highest need for stable housing. Providing dignified housing for them will address mental health concerns, criminal justice involvement, family stability and much more.

My thanks to Housing Justice For All and Senator Gianaris for getting this important piece of legislation across the finish line. Passing HONDA today is a great move towards housing justice in New York State.

Madam President, I proudly vote aye.

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

Senator Gianaris to explain his vote.

SENATOR GIANARIS: Thank you, Madam President.

I am thrilled we are getting this

important program rolling. We have an affordable housing crisis in New York that predates the pandemic but has been made much worse. And we simultaneously have a problem with commercial and hotel properties that have been vacant for months, and many of which are available for sale as a result.

This is a commonsense solution which marries those two problems. With appropriate funding we will be able to purchase some of these properties that are on the market, turn them into residential use so that the people who are housing-stressed can have a place to go, have a place to live permanently, affordable, and in many cases with supportive services on-site, and at the same time helping these commercial properties and hotels be relieved of the burden of staying open with nobody in attendance.

And so 100 million is a start, but it is by no means enough. We are hoping to access federal monies. And as the program keeps rolling, I'm sure we'll have this conversation in next year's budget. But this is the way that housing opportunities should be created, not just thrown to the market for more luxury units to be

built, but genuine affordability.

And when we say affordable, truly affordable housing -- a lot of times we say "affordable" and the income levels are set at unaffordable levels regardless. This is truly affordable opportunities for people in need, and I'm thrilled that we're passing it today. I thank my colleagues for supporting it.

I vote yes.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1642, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Jordan, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Stec, Tedisco and Weik.

Ayes, 49. Nays, 14.

ACTING PRESIDENT PERSAUD: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Okay, thank you. Madam President, next we're going to move to Calendar 788.

ACTING PRESIDENT PERSAUD: The

Secretary will read.

THE SECRETARY: Calendar Number 788, Senate Print 4730, by Senator Krueger, an act to amend the State Finance Law.

ACTING PRESIDENT PERSAUD: Senator Palumbo. Sorry -- Senator Stec.

SENATOR STEC: That's all right, Madam President. I've been called worse.

(Laughter.)

SENATOR STEC: Good afternoon, Madam President. If the sponsor wouldn't mind yielding for a couple of questions, please, Senator Krueger.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KRUEGER: Of course I will yield to Senator Lanza.

(Laughter.)

SENATOR KRUEGER: Senator Stec.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR STEC: I hope we're not trying to say that all of us Republicans look the same.

(Laughter.)

SENATOR STEC: All right. Thank you, everybody.

Senator Krueger, if you wouldn't mind yielding for a couple of questions.

The first, the purpose of the bill, please.

SENATOR KRUEGER: Of course I will yield.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR STEC: If you wouldn't mind, Senator, the purpose of this bill, please?

SENATOR KRUEGER: Oh, sorry. Thank you. Excuse me, I didn't hear you completely.

The purpose of this bill is to fix a loophole in the existing tax law. When we put through the False Claims Act for taxes about 11 years ago, we I believe unintentionally left out the situation where if people fail to file a tax return at all, we don't have any mechanism for going after them. While if they file a false document, we can bring false claims.

So it's simply adding to the existing law a Paragraph H so that if you were knowingly and intentionally not filing taxes,

then that is also a category that we can use false claims challenges to.

SENATOR STEC: Thank you, Madam President. If the sponsor would continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR STEC: Thank you, Madam President.

Senator, has the Department of Tax and Finance identified this themselves as an issue that they want resolved, and are they supportive of this legislation?

SENATOR KRUEGER: The Department of Tax and Finance currently doesn't have a commissioner. And they rarely comment on bills until they pass both houses and are asked to do so by the Governor.

I will say that the person who worked with me to draft this legislation had a full career at Tax and Finance and then retired and has joined us in the Senate.

So I think I pretty much used the most qualified person I could find to help me draft the bill, from the perspective of New York State Tax and Finance.

SENATOR STEC: All right, thank you. Madam President, if the sponsor would continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR STEC: Thank you very much, Madam President.

So isn't Tax and Finance the party that would decide if a return is required? And assuming so, wouldn't claims -- couldn't claims be made under the False Claims Act while Tax and Finance is reviewing a return?

SENATOR KRUEGER: I apologize, I just need to ask you to repeat that. I'm having a little hearing problem with the system here.

SENATOR STEC: Sure. Shouldn't Tax and Finance be the party that decides if a return is required or not?

SENATOR KRUEGER: So the catch-22 with this situation is if you file a false tax return, Tax and Finance is looking at it and making their own evaluation of what level of investigation is required, and follow-up.

If you never file a tax return, it's exceptionally difficult for Tax and Finance to be the first entity discovering that something has gone wrong.

So the logic is if you're allowing whistleblowers to come forward and say, I believe this company has not filed their correct taxes, Tax and Finance can then start investigation and they can coordinate with the Attorney General's office on follow-up, which is pretty much exactly what's happened for the 11 years we've had the False Claims Act and cases have been brought. I don't believe the AG has handled any cases that weren't in coordination with Tax and Finance.

But again, it's very hard to picture Tax and Finance starting the process when there is no paper trail for them to be exploring.

SENATOR STEC: Madam President, if the sponsor would continue to yield.

ACTING PRESIDENT PERSAUD: Does the

sponsor yield?

SENATOR KRUEGER: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR STEC: Thank you.

Just so that I'm clear, because perhaps I wasn't, so the purpose of this bill is to go after people who have just failed to file a tax return.

SENATOR KRUEGER: Correct.

I don't know about you, Senator, it infuriates me when some people don't pay the taxes that they legally owe us, because that means somebody else is going to end up having to pay more taxes. And if it's in a corporate structure, it means the companies that are following the laws and paying their taxes are ending up at a competitive disadvantage with those companies who decide maybe they can get away without paying their taxes.

So I think this is actually a crucial, good public policy and moral issue for the State of New York. We want to make sure it's an even playing field for everyone. We want to

make sure the laws are followed by everyone. And when people aren't paying us the taxes that we are owed, trust us, we'll end up coming up with a new tax for somebody else to have to pay to get us that money.

So that is the intention of this bill.

SENATOR STEC: All right. Thank you, Madam President. Thank you for answering my questions, Senator Krueger. That's all.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to

Calendar 788, those Senators voting in the negative are Senators Akshar, Borrello, Helming, Jordan, Martucci, Oberacker, O'Mara, Serino, Stec, Tedisco and Weik.

Ayes, 52. Nays, 11.

ACTING PRESIDENT PERSAUD: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Next let's go to Calendar 791, please.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 791, Senate Print Number 5560A, by Senator Reichlin-Melnick, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Senator Palumbo.

SENATOR PALUMBO: Well, good afternoon, Madam President. Would the sponsor yield for a few questions, please.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR REICHLIN-MELNICK: Yes.

ACTING PRESIDENT PERSAUD: The

sponsor will yield.

SENATOR PALUMBO: Thank you, Senator. How are you?

SENATOR REICHLIN-MELNICK: Good, thank you.

SENATOR PALUMBO: I have a few questions, if I may, regarding what this bill does regarding changing existing law.

But first, on page 2, Section 2, it makes reference to Section 2807-s of the Public Health Law. And can you tell me what that reference means or what that section is? Is that something commonly referred to as the covered lives assessment? And can you explain to us what that is, please?

SENATOR REICHLIN-MELNICK: Through you, Madam President, the covered lives assessment is a program which is essentially a tax on health insurance companies around the state that already exists. It funds a number of services. And we are proposing in this bill to make sure that there is an additional $40 million appropriated -- or not appropriated, but through this covered lives assessment, which will be used to pay these critical early intervention claims

that are so important for families to make sure that their kids get the services they need in a timely way.

SENATOR PALUMBO: Thank you.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR REICHLIN-MELNICK: Yes, I do.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR PALUMBO: Thank you, Senator.

So you indicate it's a tax on health insurance companies. So this will be an additional $40 million in taxes that would be implemented by this bill?

SENATOR REICHLIN-MELNICK: Through you, Madam President, my understanding is that the covered lives is currently about $1.1 billion that is being paid by insurance companies in this state, and has been for a number of years.

So this would add less than 3 percent to that total in order to make sure

that families of children who need these services to avoid significant developmental delays are able to get them covered as soon as they possibly can, and without the long delays that could have far worse outcomes and then cost far more both for the families and the insurance companies down the line.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR REICHLIN-MELNICK: Yes, I do.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR PALUMBO: So if I'm understanding it right, Senator, because of course these individuals with disabilities -- not that we should fund this, we must. And I think we're absolutely in agreement.

So this bill just shifts those expenses and costs from municipalities to the insurance carriers? Am I accurate in saying that?

SENATOR REICHLIN-MELNICK: Through

you, Madam President, that's my understanding, is that we think the current system is not working, it's not working for families.

It's not really working for the insurance companies either, because they are having to deny and process a lot of these claims.

The data we have show that less than 20 percent of claims are accepted, which then leaves families having to find other ways to get their expenses paid for.

It's a huge fiscal burden on counties. That's why the New York Association of Counties has made this one of their top-priority bills, with an estimated $20 million savings to counties and county property taxpayers around the state.

So I think that this is a bill that will I think more appropriately put the costs where they belong, and not leave it to our local governments to pick up the costs for these critical services.

SENATOR PALUMBO: Will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR REICHLIN-MELNICK: Yes, gladly.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR PALUMBO: Thank you, Senator.

So I'm clear -- and I think that you've outlined it so that I get it pretty specifically. These claims are always ultimately paid either by the carriers if they accept the claim. If they reject it and say, for example, it's not medically necessary, then the counties would have to bear the burden.

They would still pay the claim; it's not as if they weren't getting the services. This is just a matter of who pays, and now the pendulum, so to speak, is swinging toward the health insurance plans, is that accurate?

SENATOR REICHLIN-MELNICK: Through you, Madam President, that is basically accurate, except that although it is the case that claims are ultimately paid, in the meantime there can be long delays in getting the services.

And because of the delays in paying practitioners, we've seen the number of

practitioners who perform these services drop over the last several years in this state because they face delays getting reimbursement, and it's harder and harder for them to stay in business.

And so what we hear is that more and more families are waiting to get these services. And again, the longer they wait, the more complications there may be for the children.

And so just to cite a couple of things here, in Franklin County, up by the Canadian border, agencies have shut down in 2016 because of inadequate reimbursement rates, leaving dozens of children and families without services. Two years later, approximately half the children eligible for EI services in Franklin County were on a waitlist for services.

In Monroe County, 319 children, representing 20 percent of county children identified as needing EI services, were on a waitlist for at least 30 days between January and July, 2017. And in the past year, two of the largest providers of these services in Monroe County, who served more than 400 children, have stopped providing service coordination.

And similar statistics from around

the state. So the delay in payment really does have consequences.

And we think this is a more streamlined system to get payment to practitioners quickly and make sure that there's no delays for families who need service.

SENATOR PALUMBO: Thank you, Senator. Would you continue to yield, please.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR REICHLIN-MELNICK: Yes, gladly.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR PALUMBO: Thank you.

Through you, Madam President, is the sponsor at all concerned about -- in light of the fact now that insurance carriers will be paying these additional costs, that that will just simply be passed through premiums down to the insured individuals? So the insureds now obviously would have to pay an increase in premium because of this additional $40 million in tax that this bill would implement.

SENATOR REICHLIN-MELNICK: Through

you, Madam President. Of course it is the case with insurance generally that all of us pay in some ways for services we may not use. You know, if we pay -- and we hope never to use insurance services. And so every service that we cover would in some small sense perhaps be trickled down through a premium.

We think the actual increase on this would be extremely small, because we're talking over the entire state, $40 million. And keep in mind that insurers are currently paying about $13 million on these claims each year in the state, which they no longer will be required to do. So we're actually looking at only about $26 million to $27 million, spread out over every policyholder in the state.

Even if they really did try to pass 100 percent on, which we certainly hope and expect they would not do, we are not talking about a significant increase, and we are talking about something that is going to make a meaningful difference in the lives of thousands of kids around New York, and their families, in getting them services they need in a quick and timely manner.

SENATOR PALUMBO: Thank you again, Senator. Would you continue to yield, please.

SENATOR REICHLIN-MELNICK: Yes, gladly.

SENATOR PALUMBO: Thank you.

So does this bill also completely eliminate claims-based type of coverage and reimbursement? Is this done basically, now that it's covered lives, everyone under the plan is covered, the primary payer will always be the health plan, and now they can't even evaluate whether or not a particular service is necessarily medically necessary and fits within the criteria under the plan contract?

SENATOR REICHLIN-MELNICK: Through you, Madam President, the insurers would no longer be reviewing the claims at all. They are simply -- they are out of the business of having to process these claims.

These claims will be reviewed and processed by the state fiscal agent, who already has a role, but now we will make sure that that's where they're going specifically. And the insurers no longer need to use their manpower to review the claims for these services.

SENATOR PALUMBO: Through you, Madam President, will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR REICHLIN-MELNICK: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR PALUMBO: So in that regard, there basically is no claims evaluation process, they just have to pay all claims that come through, is that accurate?

SENATOR REICHLIN-MELNICK: Through you, Madam President. Currently, as Senator Palumbo noted earlier, all of the claims for these services ultimately do get paid. The only question is whether it's the insurers that are paying or the state and local governments.

So that will not change. Claims will continue to be paid. The only question is whether we continue to waste people's time and drive down reimbursement rates by submitting them to insurance companies who then will deny 85 or so percent of these claims and kick them back to the state and the county.

And I think by cutting insurance companies out of this and simply having the claims directly reviewed by the fiscal agent, we're going to get these -- we're going to get reimbursement sooner to the practitioners and we're going to get services sooner to the families that need them.

SENATOR PALUMBO: Thank you, Senator. And one last topic. I won't say one last question. But would you continue to yield?

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR REICHLIN-MELNICK: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR PALUMBO: Thank you. And I see that you have another bill, S7996, on this same issue. And just very briefly, that involves, to my understanding, the surplus from the claimed lives assessment.

Is there any reason why you wanted to bring this one forward instead of that one, instead of adding a new tax to the health plans?

SENATOR REICHLIN-MELNICK: Through

you, Madam President, I believe the approach that we are taking in the bill on the floor is a better approach.

I'm always open to different approaches to solve a problem. That's one reason I was willing to introduce a second bill as well, which takes a different approach.

But I think this is a better approach. The State Association of Counties thinks this is a better approach. And many of the practitioners in the field feel that this is going to more effectively help them get the money that they need in order to stay in business and keep providing these services.

SENATOR PALUMBO: Terrific. Thank you, Senator.

On the bill, please, Madam President.

ACTING PRESIDENT PERSAUD: Senator Palumbo on the bill.

SENATOR PALUMBO: Thank you, Senator. That -- and I do appreciate your time and that exchange.

And this is a tough -- this is a tough situation here, because obviously I have

been and always will be all for removing mandates on counties and municipalities, reducing the costs. However, these claims will get paid. This has nothing to do with the extent of the payments, because these individuals with developmental disabilities, they absolutely need these services. We're all in agreement. So this is just a bill regarding who pays what.

And when it comes down to it, my concern is that we have a pool that is better suited to pay for our developmentally disabled; individuals' care in a larger municipality, versus just those who are paying premiums into a plan. Because that plan, as it becomes more expensive, those families who have young children with these disabilities that need the services have no choice. They are going to have that insurance regardless of cost. They'll forgo food on their table to make sure that they can get proper services for their beloved child.

So that's the dichotomy here. That's the wrinkle that I'm dealing with. And I originally was yea on this, and on my sheet it may be that way. But, Madam President, I'm going to go down on this, I'm going to be nay just for

that reason, because those services are paid for either way.

And this is a laudable goal, and I get it. And Senator Reichlin-Melnick certainly is addressing this issue head-on, and that's very much appreciated, because this needs to be dealt with. However, simply taking the cost, adding -- and as we've said it, on consent, it's a tax. It's another $40 million in taxes. In the overall scheme of things, it's not a huge percentage of that entire plan, but these are numbers that are always just eventually going to be passed off to the consumer.

So my concern is for the insureds and to striking that proper balance. So this is a laudable goal, and I'm glad to hear that the Senator is willing to continue to discuss this. I just don't know if this is the means or the way that we can achieve it.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

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 13. This act shall take effect January 1, 2022.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Reichlin-Melnick to explain his vote.

SENATOR REICHLIN-MELNICK: Thank you, Madam President.

Let's just all imagine for a second being a new parent and experiencing this incredible joy holding your newborn child. You get back from the hospital and after a few months, you begin to notice that your child isn't hitting milestones or doing the same tasks as other similarly aged children.

Imagine the questions that would race through your mind. The fear that you've done something wrong or that you're a bad parent. Scared and anxious, you take a trip to the pediatrician and you find out that your child has a delay.

Thankfully, there are therapies that

can help, and your doctor gives a referral for early intervention services. Early intervention services can have a massive impact on the long-term learning capabilities of children because the first three years of a child's life is when the brain is growing the fastest. And research has shown that high-quality early intervention programs can reduce the incidence of future problems in learning.

Armed with this knowledge, filled with hope, you sit down at your computer and you begin researching early intervention service providers. You call up an office and you're told that unfortunately they're not taking any new patients. You call a second office, and a third, even one that's located an hour away, but nothing is available.

Imagine this fear and this hopelessness that parents in our state are finding and that comes with knowing that there's a therapy that can help your child, but you can't find anywhere to get it. Knowing that each passing moment your child doesn't receive this therapy could have dire implications on their brain function and their performance for the rest

of their life.

And now imagine one more thing. Imagine that the reason you can't find a provider is because the state government has failed to hold the health insurance industry accountable and has passed the buck on to local counties, and in the shuffle the therapists who once provided these services in your community have shut their doors because they couldn't get paid.

This is a problem created by the state, and we have a responsibility to solve it. My bill will create a statewide early intervention pool that will use the covered lives assessment to contribute to the state and county costs of the early intervention program. This bill will provide savings to state and county governments who currently pay the costs of denied service reimbursement by third-party payers.

Of the $20 million in savings to counties, Rockland County is expected to save over $214,000 and Westchester County would save close to $2 million. Those are counties that I represent.

And more importantly, this bill will help support the Early Intervention Program and

its providers by addressing significant changes made back in 2013 to the manner in which early intervention providers were paid, requiring that they directly bill third-party insurers and then, after denied claims, submitting them to the state fiscal agent for them to collect from commercial insurers.

Nine years later, however, commercial payers still deny claims at incredibly high rates, more than 85 percent, which leaves county and state governments paying higher costs for these services, and has resulted in a steady decline in the number of early intervention providers across the state.

This bill is a step in the right direction to bolstering the Early Intervention Program while providing relief for our county governments. I want to thank the Majority Leader for bringing it to a vote, thank our cosponsor Senator Brouk for her leadership in the Mental Health Committee, and so many others who have supported this bill.

I proudly vote aye.

ACTING PRESIDENT PERSAUD: Senator Reichlin-Melnick to be recorded in the

affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 791, those Senators voting in the negative are Senators Akshar, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Ortt, Palumbo and Stec.

Ayes, 53. Nays, 10.

ACTING PRESIDENT PERSAUD: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Next we're going to move to Calendar 1356, please.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 1356, Assembly Print 6970A, by Assemblymember Walker, an act to amend the Election Law.

ACTING PRESIDENT PERSAUD: Senator Borrello.

SENATOR BORRELLO: Madam President, would the sponsor yield for a question.

ACTING PRESIDENT PERSAUD: Senator Myrie, do you yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: Yes, thank you, Senator Myrie. Appreciate it. Good to see you.

So this bill deals with someone being able to file an electronic application for an absentee ballot, but it's not required for them to have a signature with that application that's coming through -- I'm assuming email or through a Board of Elections portal.

So with that in mind, how will the Board of Elections know that the request is actually coming from the registered voter?

SENATOR MYRIE: Through you, Madam President, I would note that through COVID-19 we actually passed legislation that would allow for these sorts of applications for an absentee ballot without a signature. We did that throughout the 2020 election without incident.

But I would also note that the bill doesn't require that there not be a signature. In most instances, you can provide an electronic signature. But voters who apply for absentee ballots also have their signatures stored either

in the DMV or the Board of Elections or another state agency. This bill calls for the State Board of Elections to access the signature already on file should they not be able to provide it.

Now, if they still do not have a signature present, the bill calls for that individual to, at the time of signing their absentee ballot -- which is the signature that is incredibly important. I'll remind folks that this is just for the application -- that they would then have to provide their signature along with that.

And so there are many available opportunities for individuals to provide the signature.

There has been no reports here in the State of New York of people falsely providing signatures. And the bill also states that individuals would do so at the penalty of perjury. You know, I've said this before on the floor -- we like to think that our constituents love us, but not enough for them to go to jail for. And so I think it's important for us to recognize those penalties in the bill.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So I guess I'm unclear. You're saying that we have signatures on file, like at the DMV or Social Services. And I understand that. But there is no signature required to make that request via email or a web portal.

So I understand there's a signature on file, but that really doesn't matter, right? How do we know that the person that has sent that email, that the person that has submitted that application through a Board of Elections web portal, is actually the voter? That doesn't answer the question.

SENATOR MYRIE: So through you, Madam President, I want to clarify again that the bill does require a signature.

But in the instance where that is not available or where they cannot find that on

the state records, there are provisions on how you can provide that signature.

And should your signature not be available in any DMV record or any of the state agency records, under the penalty of perjury you would be required to submit that or upload that or send it via email. And there have not been -- I will remind us that this is the status quo right now, and there have not been instances of fraud where an individual is submitting a signature that does not belong to them.

But more importantly, the signature for the application is important, but the signature on the absentee ballot is the one that counts for the vote. And so, you know, I want to distinguish between the application and the absentee ballot. If you have not been able to provide a signature for the application, you certainly can provide it when you are signing the absentee ballot.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Absolutely.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: Well, first of all, Senator, I think that we certainly know that we did some extraordinary things in an extraordinary time during this pandemic, a lot of things that we did out of necessity.

But I'll point out that we really have no way to prove whether or not we had any instances of fraud, because we didn't have a signature to compare it to.

So you can say it didn't happen, but it's because we lowered the standard -- and I'll give an example later -- which basically removes the check and balance of a signature from a ballot application to the actual ballot itself.

But -- so I'll ask my question a different way, because I don't think I'm getting to the answer. What's stopping someone from requesting a ballot on behalf of someone else? If you're going to go to the Board of Elections website, you're going to fill out an application and a ballot will be sent to you because of that request, how do we know the person that's entering that information on the BOE website is

actually the voter?

SENATOR MYRIE: Through you, Madam President. So I think I understand the question correctly. The question on whether we are submitting fraudulent ballots I think is an important one, but I have to again go back to the point that for comparison purposes, the signature on the absentee ballot -- not the application, on the ballot, is what's important.

So in your hypothetical, assuming that there are scores of people that are requesting absentee ballots for other folks, you still have to sign that ballot when you submit it to the State Board of Elections. And they still have to compare it to the records.

And that again, I would emphasize, is not disturbed by this bill.

SENATOR BORRELLO: Thank you.

Madam President, will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So I'm looking at the bill and the amendments that you've made, and I draw your attention to line 19 that essentially says the voter consents to use an electronic copy of the individual's manual signature that is in the custody of the Department of Motor Vehicles, the State Board of Elections, and so on and so forth, as an individual's absentee ballot exemplar signature, or -- and that's the key word -- or provides such a signature by direct upload in a manner that complies with the New York State Electronic Signature and Records Act, and so on.

So what we're basically saying is you don't have to submit a signature. You're stating that we have to have a signature. However, because of the word "or," we don't. Why wouldn't you just have them submit and upload a wet signature so we have that security? Why would you give that option?

SENATOR MYRIE: So through you, Madam President, this process -- I would go back and say that we currently have done that, there has been no wet signature requirement for the absentee ballot applications for the 2020

elections, and there were not incidents.

I know you have said we don't know if there have been incidents, and I think it's hard for us to sort of go through that conjecture analysis trying to prove a negative.

But the current status quo does not require a wet signature. This is actually a more secure process than what we have now, because it does require some verification through that uploading of the signature or provision in person or otherwise.

If you look at the sort of statutory construction here, it comes after -- that "or" provision comes after what we are asking the voters to do. And so this is -- in most instances, voters are going to take part in that first piece and just uploading it -- I'm sorry, not uploading, filling out the application as they have for the past elections.

This is a really I think unique instance, when the individual does not have a signature on record, that we will provide them an opportunity to apply for the ballot.

Had we not done that, you can imagine a scenario in which, through no fault of

their own, it's through a clerical error by the Board of Elections, clerical error by the DMV, that their signature is not available. Now, that person, if we don't pass this, would not have the opportunity to apply for a ballot. Through no fault of their own, through a clerical error by a state agency.

This is providing -- that "or" clause is providing them an opportunity to provide a signature in the instance that none is on record.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So I guess what you're saying is is that if for some reason we don't have that person's signature on file, then they can provide it. Well, why wouldn't we just have them provide it and not have to worry about whether or not it's on file with another agency that has absolutely nothing to do and no relation

to the Board of Elections? Why wouldn't we just have them require a signature?

SENATOR MYRIE: Through you, Madam President, there is a signature requirement on the ballot. You have to submit that. This is not removing a signature requirement.

We are talking about the application for an absentee ballot. And so I hate to keep repeating that point, but it's not that we are removing a signature requirement. What is most important, that ballot submission, still requires you to sign.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Absolutely.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: And I understand we're talking about the application. I understand that.

But, I mean, let's just assume for a moment that I applied for a credit card and I gave my signature on the application. And then

when my credit card came, based on your example here, that when I go to the store to use the credit card, I shouldn't have to sign the credit card or the bill of sale because they already have my signature on file. Wouldn't that lead to fraud?

SENATOR MYRIE: Through you, Madam President, I'm not sure if I follow the analogy.

But I would note that we of course are not talking about your ability to purchase a nice tie for your father on Father's Day, we are talking about a person's ability to exercise their constitutional right and to get access to the ballot.

And this is, as has been done for the past year -- many New Yorkers have become accustomed to this absentee ballot process. In fact, it was somewhere in the order of four times the amount of people utilized this option than they did in the previous presidential election. And I would note, again, that we did not have reported instances of fraud.

And so, you know. This is a more secure version of what we've been doing to cope

with the COVID-19 emergency and is really about giving individuals the easiest access to the ballot.

SENATOR BORRELLO: Thank you.

Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So we're talking about the application and the fact that we don't have to require a signature. And you just said essentially that they shouldn't have to provide that signature on the application because it is their constitutional right to cast a vote.

With that logic, then, would you then agree then you wouldn't have to put your signature, say, on a pistol permit application to exercise your Second Amendment rights?

SENATOR MYRIE: Through you, Madam President. Respectfully, this bill does not remove a signature requirement. It still requires you to submit a signature on the

application, but provides that in the event that the signature is not on record with any of the state agencies, that you have a pathway to still receive a ballot in order to participate in your democracy.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: I know you keep saying that the signature is required on the application unless we have one on file. So the signature is not required on the application, it's just required that somewhere in the vastness of state government we have your signature. Is that what you're saying?

SENATOR MYRIE: Through you, Madam President, that is not what I'm saying.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So we know now that the ballot itself, the live ballot that the person is casting, what are your thoughts -- you know, based on what we're seeing now, we're removing -- we're kind of lowering the bar, lowering the bar, is it your intent at some point to have to remove the signature requirement on the ballot envelope itself?

SENATOR MYRIE: Through you, Madam President, that is not the intent of the legislation, neither implicitly or explicitly. There is still a signature requirement on this application, even in the instance when it's not on record.

We're not saying that you can just apply without having to verify with a signature. We're just providing an opportunity, should there not be one on record, for you to do so along with a signature on the absentee ballot. And so it is not our intent at all to remove the signature.

But, you know, I think you're perhaps suggesting that we are trying to make our

elections less secure, and that of course is just not true. We have taken many steps in this Majority to open up access to the ballot. We have seen the response from voters in the State of New York who have come out in overwhelming numbers because it has been easier to vote, and have done so without reported instances of fraud.

And I would note that we earlier today proposed a bill that would help secure our voting machines, and many folks on your side voted against that bill, one that would make our elections more secure. So it's just a curious posture to me that you would view this as somehow making our elections less secure.

SENATOR BORRELLO: Madam President Will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: Senator Myrie, my last question. Unlike my colleagues, this really is my last question, so -- I promise.

You know, I'm very concerned about

ballot harvesting, which is the unethical practice that many people engage in. So will this bill essentially encourage more ballot harvesting?

SENATOR MYRIE: Through you, Madam President, I'm not aware of current ballot harvesting that is taking place, so this will not add to that.

But, you know, I do share my colleague's concern about the integrity of our elections. That of course is paramount to us having trust in our government. And I believe that the integrity of the elections in New York have been sound, and there is no data that implicates otherwise.

And so we will continue to make it easier for folks to participate so that they can take advantage of a right that is enshrined in this Constitution.

SENATOR BORRELLO: Madam President, on the bill.

ACTING PRESIDENT PERSAUD: Senator Borrello on the bill.

SENATOR BORRELLO: Thank you, Madam President.

Senator Myrie, thank you very much for this engagement. I agree, I think we both are looking for the integrity of our elections.

But you mentioned that here in New York State we have had secure elections. Well, I would beg to differ, unfortunately.

First and foremost, I can tell you that the Heritage Foundation has done an exhaustive list of confirmed cases of election fraud, and there are thousands of them across the nation. And New York has been the victim of them as well. And in fact, the chosen tool, the number-one tool of those that are committing election fraud is actually absentee ballots.

And my concern is the fact that we are making this an easier and easier thing for criminals to engage in election fraud, which is a very serious offense, I think we can all agree. The integrity of our elections is the foundation of our democracy and our republic.

So let me point out the 2014 86th Assembly District election. Mr. Hector Ramirez, who actually committed election fraud. And what happened? Well, several people in his campaign collected absentee ballots and then

fraudulently put signatures on those ballots. Now, the only reason he got caught was because we had a signature to compare it to on the ballot application.

He initially won the election. In a city as big as New York, he initially won the election by I think it was 14 votes. And then during a recount, he lost by three. So Mr. Ramirez was four votes, four fraudulent absentee ballot votes away from being a member of the New York State Legislature.

Well, think about that. For those of you that think we don't have any documented cases, that's one. And as I said before, Madam President, although many of our colleagues have left here as criminals, this guy would have come here by becoming a criminal. That's a very serious issue.

There are many examples like this. But the bottom line is we have essentially created a situation where we are going to make our elections less and less secure. Now, you might say -- and I will disagree with you -- you might say there are not any documented cases, but there's one very serious example, one of many

thousands, in fact.

But this is about the people's confidence in our election process. If they lack confidence -- because we can sit here and we can debate, Republican versus Democrat, liberal versus conservative. But at the end of the day, the people of New York and the people of the United States of America up until recently felt that when Election Day came, they had confidence that their vote counted. And now, we are continuing to lower the bar more and more on that level of confidence. That is what concerns me.

This is about the integrity of our elections. And making it easier for someone to do ballot harvesting is going to be a major problem. I mean, think about this. With this bill, someone could go online, fill out an application on behalf of somebody else, and have it sent to that person's house. Now, that could be a parent filling it out for an adult child that no longer lives there. The ballot comes to that mailing address. It could be an elderly parent or family member who filled it out on their behalf. It could be an employer who says: Ladies and gentlemen that work for me, that I pay

you, I have just filled out applications on your behalf for ballots. I really hope that you participate in the process. And by the way, here's who I think you should vote for.

Those are the type of intimidation tactics and that borderline fraud -- and fraud straight-up -- that will be encouraged by bills like this.

The integrity of our elections is number one. I know you want to say it's about access. And it is about access, as long as people think that that is fair and that their vote truly counts. And for a guy like Hector Ramirez to be four fraudulent ballots away from being a member of this Legislature tells me that we need to strengthen these things, not weaken them.

That's why I'll be a no on this.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: 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 January 1, 2022.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Myrie to explain his vote.

SENATOR MYRIE: Thank you, Madam President.

And thank you, Senator Borrello, for our exchange.

I just wanted to put on the record that all studies on fraud in elections have said, I think unequivocally, that this is not an issue that comes up. And I want to point to one instance, specifically Oregon, that has sent over a hundred million mail-in ballots over the past 20 years and has had a .0000012 percent instance of fraud. That is a 1200-millionth of a percent of instances of fraud.

And so this is really about making it as accessible as possible for people to participate in their democracy. We've done a lot in this Majority to continue to do that, and I look forward to us doing a lot more, particularly in a climate in the nation where we are calling

into question things that we have not called into question in the past.

So I'll be voting in the affirmative, and I encourage all my colleagues to do the same. Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1356, 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 PERSAUD: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Next, Madam President, we're going to move to Senate Calendar 1672.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number

1672, Assembly Print 3516, by Assemblymember McDonald, an act to amend the Insurance Law.

ACTING PRESIDENT PERSAUD: Senator Palumbo.

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

SENATOR BRESLIN: Yes, the sponsor yields.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR PALUMBO: Thank you, Senator Breslin.

I won't keep you long because a little birdy told me that today was your birthday. So happy birthday, Senator. We wish you many, many more.

(Applause.)

SENATOR BRESLIN: The first applause I've ever received on this floor.

(Laughter.)

SENATOR PALUMBO: And now I'm going to get tough with you, so no more Mr. Nice Guy.

Senator, would you mind just telling us -- I mean, it adds two words to the Insurance

Law, right, "or pharmaceutical," this change.

Could you please tell us generally what this bill does and the reason for it to be -- the reason why it's necessary?

SENATOR BRESLIN: Sure. It's really an explanation of benefits for pharmaceuticals. If you go into a pharmacy or you have drugs sent to you from a pharmacy, you'd like to know how the pharmacy got them, how much they paid for them, how much your plan paid for them, and how much you're paying for them.

Right now it does include -- on the little bag you get, it has a little price, what you're paying for it. Which you generally know, because you know how much money you took out of your pocket.

We just want the explanation of benefits to be expanded a little bit to give the consumer, the patient, more knowledge about what he is paying for through benefits he receives from the government or benefits he receives through a paid insurance plan.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR BRESLIN: The sponsor yields.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR PALUMBO: So, Senator, under current law, then, if you receive pharmaceuticals in a facility -- a hospital, nursing home or otherwise -- that is currently outlined on your explanation of benefits, is that accurate? Am I understanding that correctly? That you get the explanation of benefits for your stay because you don't actually pay for anything, and they describe what your carrier paid and what you would pay, if anything.

SENATOR BRESLIN: I didn't hear him. I can't -- I can't -- Senator, it's not your fault, it's mine. I can't hear you. If you could speak up a little.

SENATOR PALUMBO: Oh, certainly, I'll repeat it.

Under current law, as far as explanation of benefits, when they are provided, if someone were to stay in a facility like a

hospital or nursing home, your expenses and what your carrier pays regarding pharmaceuticals administered in the facility, that's already part of your explanation of benefits, is that accurate?

SENATOR BRESLIN: That's correct.

SENATOR PALUMBO: Thank you. And would you continue to yield, please.

SENATOR BRESLIN: I continue to yield.

SENATOR SERRANO: The sponsor yields.

SENATOR PALUMBO: Thank you, Senator. So this would only apply to those real transactions where you're at a pharmacy, is that fair to say?

SENATOR BRESLIN: That's correct. Through you, Madam President.

SENATOR PALUMBO: Thank you, Senator.

And through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR BRESLIN: The sponsor

yields.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR PALUMBO: So as far as the purchase of prescriptions, would this bill apply and require an explanation of benefits for multiple prescriptions? Say I buy two or three a week. Is an EOB required for every one of those transactions to be provided to the insured?

SENATOR BRESLIN: It provides that every one of those transactions, you would have to give an accounting, which would include an explanation of the benefits. And if the pharmacy was such that they couldn't coordinate your prescriptions, then in fact there would be additional paperwork that would be supplied to the patient, the purchaser.

SENATOR PALUMBO: Would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR BRESLIN: The sponsor yields.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR PALUMBO: Thank you.

And, Senator, do you know how many commercial prescription drug claims are made in New York State a year, roughly?

SENATOR BRESLIN: Millions.

SENATOR PALUMBO: Would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR BRESLIN: The sponsor yields.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR PALUMBO: Thank you, Senator.

I have here, from the Kaiser Family Foundation from 2019: 119,867,278. So about 120 million drug prescriptions were filed at pharmacies under commercial plans in 2019.

So my question to you is, do you have any concern that these increased costs now for providing these documents, 120 million new explanations of benefits that will have to be produced by our insurance carriers? Does the sponsor have any concern regarding those costs?

Because of course those costs will just be passed along to insureds.

SENATOR BRESLIN: I certainly have a concern for any additional expense. But I also have concern for what has gone on in the pharmacy chain of pharmaceuticals. I have tremendous concern.

I want to know, as a legislator and as a patient, what the pharmacy is paying for a particular drug, what the plan is paying, and -- so I can make some conclusions on was there any degree of fraud involved or if I look to see if I'm paying less or more at a national pharmacy than I might be at an independent pharmacy.

So there's a lot of information for that short period that you can collect that is important to make sure we have more transparency.

We've just recently gone through the passage of a pharmacy benefit bill which shines light on the industry. This is another smaller bill that shines light -- and when it shines light, it's less likely to have fraud or corruption involved, which we have seen over the years in that chain.

SENATOR PALUMBO: Thank you,

Senator Breslin, for your candor. And would you please yield for just another couple of questions.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR BRESLIN: The sponsor yields.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR PALUMBO: Thank you, Senator.

So in that regard, do you think that it might be more efficient and less costly to the insureds in increased premiums, now, that will result from that extra work, to just create some sort of a discovery device or some sort of other means to require pharmacies to make those disclosures instead of getting it through an explanation of benefits?

SENATOR BRESLIN: I'm more than open to any suggestions that will make the process more efficient and also serve the needs of that consumer to have the proper information.

This bill has been around for a number of months. There has been total silence

from those people who might have had an opportunity to say isn't there a different way. We've heard none of that.

SENATOR PALUMBO: Understood. And I appreciate that candor as well.

Thank you, Senator. Happy birthday.

On the bill, please, Madam President.

ACTING PRESIDENT PERSAUD: Senator Palumbo on the bill.

SENATOR PALUMBO: Thank you, Madam President. And I think that's really the crux of my concerns, that this was going to cost money to the insureds.

And as far as the payer, you pay right there. It's a retail transaction. You go in, and as the Senator I believe admitted on debate, you know what you get. You get a receipt on your bag, you make your $6, $20 copayment right there, and you get your medication. That's the end of it. There's no need for further inquiry and investigation on the consumer side.

Maybe there is -- and I certainly understand the Senator's concerns regarding fraud or abuse or other issues that we've been dealing

with in this Legislature. But this is actually putting the burden and the costs of that information on the insured.

So that's the wrinkle here, that you get all the information you need from going up to the counter and buying your prescriptions, because this only applies to pharmacies.

As far as other medical services, those are unknown and they absolutely are appropriately on an explanation of benefits, because when you go to a hospital, you pretty much pay nothing. And you get a bill, and you need to see what services, labs, any diagnostics that were done. That is absolutely appropriate, and I think we're all in agreement.

But just adding those two words to this section of the Insurance Law is going to open a floodgate of costs: 120 million additional explanations of benefit.

So I certainly appreciate that the Senator has an open mind and is willing to listen to other means of doing this. And unfortunately, I will be no on this piece of legislation for now, and I urge my colleagues to do the same.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you.

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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1672, those Senators voting in the negative are Senators Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 45. Nays, 18.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

SENATOR GIANARIS: Thank you, Madam President.

At this point we are going to stand at ease for a while, while there are party conferences. We are going to be coming back to take up a supplemental calendar. I want to give the Minority an opportunity to brief their members on the bills that we're going to take up.

So we will encourage our members to check their emails for Zoom links for our Majority conference.

And Senator Lanza, do you have an announcement?

SENATOR LANZA: Yes, thank you, Senator Gianaris.

Madam President, there will be an immediate meeting of the Republican Conference in Room 315 of the Capitol Building.

SENATOR GIANARIS: And with that, Madam President, the Senate will stand at ease until 6:30.

ACTING PRESIDENT PERSAUD: The Senate will stand at ease until 6:30.

(Whereupon, the Senate stood at ease at 4:45 p.m.)

(Whereupon, the Senate reconvened at 6:46 p.m.)

ACTING PRESIDENT PERSAUD: The Senate will return to order.

Senator Gianaris.

SENATOR GIANARIS: Madam President, at this time let's take up the supplemental calendar in a noncontroversial fashion.

(Pause.)

ACTING PRESIDENT PERSAUD: Senator Gianaris.

SENATOR GIANARIS: I'm told we're going to take up substitutions from the Assembly first, and then proceed to the calendar from there.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Senator Weik moves to discharge, from the Committee On rules, Assembly Bill Number 7975 and substitute it for the identical Senate Bill 7175, Third Reading Calendar 1718.

Senator Sanders moves to discharge, from the Committee on Health, Assembly Bill Number 783 and substitute it for the identical

Senate Bill 577, Third Reading Calendar 1662.

Senator Krueger moves to discharge, from the Committee on Rules, Assembly Bill Number 4257A and substitute it for the identical Senate Bill 1277A, Third Reading Calendar 1686.

Senator Hoylman moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 6193 and substitute it for the identical Senate Bill 5325, Third Reading Calendar 1692.

Senator Brouk moves to discharge, from the Committee on Rules, Assembly Bill Number 7405A and substitute it for the identical Senate Bill 6431, Third Reading Calendar 1698.

Senator Palumbo moves to discharge, from the Committee on Rules, Assembly Bill Number 5461B and substitute it for the identical Senate Bill 6590A, Third Reading Calendar 1700.

Senator Stavisky moves to discharge, from the Committee on Rules, Assembly Bill Number 7491A and substitute it for the identical Senate Bill 6600A, Third Reading Calendar 1701.

Senator Gounardes moves to discharge, from the Committee on Rules, Assembly Bill Number 7464 and substitute it for

the identical Senate Bill 6690, Third Reading Calendar 1702.

Senator Breslin moves to discharge, from the Committee on Rules, Assembly Bill Number 7843 and substitute it for the identical Senate Bill 6922, Third Reading Calendar 1704.

Senator Brouk moves to discharge, from the Committee on Rules, Assembly Bill Number 5979A and substitute it for the identical Senate Bill 6957, Third Reading Calendar 1705.

Senator Thomas moves to discharge, from the Committee on Rules, Assembly Bill Number 7908A and substitute it for the identical Senate Bill 7110A, Third Reading Calendar 1710.

Senator Brooks moves to discharge, from the Committee on Rules, Assembly Bill Number 7366A and substitute it for the identical Senate Bill 7121, Third Reading Calendar 1711.

Senator Mayer moves to discharge, from the Committee on Rules, Assembly Bill Number 2658 and substitute it for the identical Senate Bill 7125, Third Reading Calendar 1712.

Senator Kennedy moves to discharge, from the Committee on Rules, Assembly Bill Number 7734 and substitute it for the identical

Senate Bill 7129, Third Reading Calendar 1713.

Senator Persaud moves to discharge, from the Committee on Rules, Assembly Bill Number 6522 and substitute it for the identical Senate Bill 7152, Third Reading Calendar 1714.

ACTING PRESIDENT PERSAUD: Substitutions so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1662, Assembly Print 783, substituted earlier by Assemblymember Cahill, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number

1686, Assembly Print 4257A, substituted earlier by Assemblymember Epstein, an act to amend the Election Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1688, Senate Print 1834A, by Senator Skoufis, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1688, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Jordan, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 47. Nays, 16.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1689, Senate Print 4441, by Senator Gounardes, an act to amend the Retirement and Social Security Law.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce

the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1690, Senate Print 4554, by Senator Bailey, an act to amend the Family Court Act and the Judiciary Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1690, 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 PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1691, Senate Print 5246A, by Senator Kennedy, an act to amend the Banking Law.

SENATOR GIANARIS: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 1692, Assembly Print 6193, substituted earlier by Assemblymember Gonzalez-Rojas, an act to amend the Public Service Law and the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 30th day after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to

Calendar 1692, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec and Tedisco.

Ayes, 46. Nays, 17.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1693, Senate Print 5489, by Senator Brouk, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1695 --

SENATOR LANZA: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 1696, Senate Print 6289A, by Senator Gaughran, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect July 1, 2022.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1698, Assembly Print 7405A, substituted earlier by Assemblymember Bronson, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Stavisky to explain her vote.

SENATOR STAVISKY: Yes. This is 6431?

ACTING PRESIDENT PERSAUD: Yes, Senator.

SENATOR STAVISKY: This is a one-year extension for employees who work at various state agencies: The Department of Mental Hygiene, SOFA, the O agencies -- quite a few agencies. And it permits them to practice a profession without a license, as mental health care practitioners, as social workers, psychologists. And that includes the contractors whom they hire to provide services.

And very briefly, Madam President, the exemption was granted in 2002 and extended six times -- six times. This is the last time I am going to vote for an extension. It is time that the O agencies and the other agencies

subscribe to the Laws of 2018, and that is the final extension.

I vote aye this time, and I want to put the agencies on notice this is time for them to fix the problem.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Stavisky to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1698, those Senators voting in the negative are Senators Akshar, Borrello, Martucci, Oberacker and Tedisco.

Ayes, 58. Nays, 5.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1699, Senate Print 6497A, by Senator Parker, an act to amend the Public Service Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1700, Assembly Print 5461B, substituted earlier by Assemblymember Thiele, an act in relation to authorizing the Flanders, Riverside and Northampton Community Association, Inc., to file an application for a partial exemption from real property taxes.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to

Calendar Number 1700, voting in the negative: Senator Akshar.

Ayes, 62. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1701, Assembly Print 7491A, substituted earlier by Assemblymember Glick, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1701, those Senators voting in the negative are Senators Borrello, Jordan, Lanza and Oberacker.

Ayes, 59. Nays, 4.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1702, Assembly Print 7464, substituted earlier by Assemblymember Abbate, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1702, voting in the negative: Senator Boyle.

Ayes, 62. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1704, Assembly Print 7843, substituted earlier by Assemblymember McDonald, an act authorizing the State of New York Bond Bank Agency to provide municipal relief to the City of Albany.

ACTING PRESIDENT PERSAUD: Read the

last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1705, Assembly Print 5979A, substituted earlier by Assemblymember Walker, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1706, Senate Print 7011, by Senator Sepúlveda, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1706, those Senators voting in the negative are Senators Jordan, Oberacker, O'Mara and Ortt.

Ayes, 59. Nays, 4.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1707, Senate Print 7015, by Senator Addabbo, an act to amend the Penal Law.

ACTING PRESIDENT PERSAUD: Read the

last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1707, voting in the negative: Senator Helming.

Ayes, 62. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1709, Senate Print 7082, by Senator Breslin, an act to amend the Public Authorities Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce

the results.

THE SECRETARY: In relation to Calendar 1709, those Senators voting in the negative are Senators Gallivan, Griffo, Helming, Martucci, Oberacker, Ortt, Palumbo and Rath.

Ayes, 55. Nays, 8.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1710, Assembly Print 7908A, substituted earlier by Assemblymember Montesano, an act in relation to authorizing the Town of Oyster Bay to grant Sai Mandir USA a real property tax exemption.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1710, those Senators voting in the negative are Senators Akshar and O'Mara.

Ayes, 61. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1711, Assembly Print 7366A, substituted earlier by Assemblymember Abbate, an act defining the term "first responder in communications."

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1712, Assembly Print 2658, substituted earlier by Assemblymember Sayegh, an act to amend the County Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1713, Assembly Print 7734, substituted earlier by Assemblymember Pheffer Amato, an act to create a temporary "commission to prevent childhood drowning."

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1714, Assembly Print 6522, substituted earlier by Assemblymember Stern, an act to amend the Penal Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1714, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt, Rath, Ritchie, Serino, Stec and Tedisco.

Ayes, 47. Nays, 16.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1715, Senate Print 7154, by Senator Skoufis, an act to authorize Gina Kehoe of the Town of Montgomery to take the competitive civil service examination.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1716, Senate Print 7167, by Senator Kaplan, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1717, Senate Print 7169, by Senator Reichlin-Melnick, an act to authorize the Town of Orangetown to offer a certain retirement option to Orangetown police officers.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1718, Assembly Print 7975, substituted earlier by Assemblymember Ramos, an act providing for the appeal and review of certain real property tax exemption applications.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1718, voting in the negative: Senator Akshar.

Ayes, 62. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

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

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

SENATOR GIANARIS: In that case, I move that we adjourn until tomorrow, June 10th, Thursday, at 11:00 a.m.

ACTING PRESIDENT PERSAUD: On motion, the Senate stands adjourned until Thursday, June 10th, at 11:00 a.m.

(Whereupon, at 7:05 p.m., the Senate adjourned.)