NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 10, 2021

12:42 p.m.

REGULAR SESSION

SENATOR SHELLEY B. MAYER, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT MAYER: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT MAYER: Reading of the Journal.

THE SECRETARY: In Senate, Wednesday, June 9, 2021, the Senate met pursuant to adjournment. The Journal of Tuesday, June 8, 2021, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Kaplan

moves to discharge, from the Committee on Rules, Assembly Bill Number 4010B and substitute it for the identical Senate Bill 199B, Third Reading Calendar 4020.

Senator Myrie moves to discharge, from the Committee on Rules, Assembly Bill Number 2573A and substitute it for the identical Senate Bill 294A, Third Reading Calendar 522.

Senator Bailey moves to discharge, from the Committee on Rules, Assembly Bill Number 5707 and substitute it for the identical Senate Bill 2803, Third Reading Calendar 606.

Senator Rivera moves to discharge, from the Committee on Rules, Assembly Bill Number 2395 and substitute it for the identical Senate Bill 3332, Third Reading Calendar 826.

Senator Hoylman moves to discharge, from the Committee on Judiciary, Assembly Bill Number 2505 and substitute it for the identical Senate Bill 997, Third Reading Calendar 838.

Senator Breslin moves to discharge, from the Committee on Local Government, Assembly Bill Number 3201B and substitute it for the identical Senate Bill 5671B, Third Reading Calendar 950.

Senator Parker moves to discharge, from the Committee on Rules, Assembly Bill Number 2530 and substitute it for the identical Senate Bill 5468, Third Reading Calendar 988.

Senator Reichlin-Melnick moves to discharge, from the Committee on Rules, Assembly Bill Number 2111 and substitute it for the identical Senate Bill 5952, Third Reading Calendar 1203.

Senator Ortt moves to discharge, from the Committee on Rules, Assembly Bill Number 7472 and substitute it for the identical Senate Bill 3638, Third Reading Calendar 1533.

Senator Oberacker moves to discharge, from the Committee on Rules, Assembly Bill Number 7088A and substitute it for the identical Senate Bill 6240A, Third Reading Calendar 1557.

Senator Kennedy moves to discharge, from the Committee on Rules, Assembly Bill Number 743A and substitute it for the identical Senate Bill 5517A, Third Reading Calendar 1644.

Senator Ryan moves to discharge, from the Committee on Corporations, Authorities and Commissions, Assembly Bill Number 476 and

substitute it for the identical Senate Bill 7145, Third Reading Calendar 1677.

And Senator Kennedy moves to discharge, from the Committee on Rules, Assembly Bill Number 6247A and substitute it for the identical Senate Bill 5246A, Third Reading Calendar 1691.

ACTING PRESIDENT MAYER: 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. I move to adopt the Resolution Calendar, with the exception of Resolution 1227.

ACTING PRESIDENT MAYER: All in favor of adopting the Resolution Calendar, with the exception of Resolution 1227, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed, nay.

(No response.)

ACTING PRESIDENT MAYER: The Resolution Calendar adopted.

Senator Gianaris.

SENATOR GIANARIS: Okay, let's begin with previously adopted Resolution 1025, by Senator Hoylman, read its title only and recognize Senator Hoylman.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Senate Resolution 1025, by Senator Hoylman, memorializing Governor Andrew M. Cuomo to proclaim June 2021 as LGBTQ Pride Month in the State of New York.

ACTING PRESIDENT MAYER: Senator Hoylman on the resolution.

SENATOR HOYLMAN: Thank you, Madam President. Happy Pride!

Pride always comes near the end of our session, so I think it brings us great joy and happiness for a multitude of reasons.

Not long ago it would be somewhat unusual to hear the words "Happy Pride" in the

Senate chamber. Between June 2011, when New York passed marriage equality, and January 2019, when this conference took the majority, the body passed zero LGBTQ-specific pieces of legislation.

That all changed under the current leadership of Majority Leader Stewart-Cousins. And here's what we've been able to get done for the LGBTQ community in just the last three years:

GENDA, the Gender Expression Non-Discrimination Act, finally giving civil rights to transgender New Yorkers and protections that they deserve.

A ban on so-called gay conversion therapy, the cruel practice of trying to convert young LGBTQ kids from gay to straight -- which is, in effect, child abuse.

Banning the gay and trans panic defense. It's hard to believe that if you murdered someone, a defense to that murder would have been because they're LGBTQ.

Adoption protections for LGBTQ parents.

LGBTQ cultural competency training for runaway and homeless youth providers, which is so important because LGBTQ youth make up a

significant proportion of our homeless youth population.

Requiring gender-neutral restrooms in state buildings.

The Restoration of Honor Act, restoring eligibility for state veteran programs for LGBTQ servicemembers who were discharged, shamefully, under the federal policy of "Don't ask, don't tell."

The Child-Parent Security Act, legalizing and regulating gestational surrogacy agreements so that LGBTQ New Yorkers and others can start families through in vitro fertilization and assisted reproductive technologies.

Repealing the so-called "walking while trans" ban, which we did this very session, which allowed law enforcement to profile, in particular, women of color just for hanging out on a certain street corner, just because they might be wearing a short skirt, cowboy boots and hoop earrings.

The Hate Crimes Analysis and Review Act, legislation we passed this session, which is going to finally take a deep dive into understanding who commits hate crimes, what is

their background, how can we get at these root causes of hate in our society. And that, of course, is not just for the benefit of the LGBTQ community, but all communities, including the AAPI community.

And, just this week, the Gender Recognition Act, legislation to give utility customers the right to be addressed and acknowledged by their preferred name and pronouns. It's so important that as individuals, we are viewed who we want to be, what is our gender affiliation -- if we have one, or if we choose to be recognized as such. And government needs to respond, and we've done that.

There's no question that as a country and as a state, we've made incredible progress. I mean, I can't imagine 25 years ago, when I first met my husband, that I would be walking with him hand-in-hand on the street and be able to witness the birth of our two daughters, things we thought unthinkable at the time.

Just this week a Gallup Poll found that 70 percent of Americans approved of same-sex marriage, including a majority of Republicans.

This wouldn't have been possible if not for the work of activists, protesters, disrupters fighting seemingly impossible fights against seemingly impossible odds, many of whom we have witnessed outside of this chamber during the most contentious debates -- for example, around marriage equality -- fighting for progress they knew they would not see, possibly, in their lifetimes.

As New Yorkers, we can be so proud of the legacy of fighters like Marsha P. Johnson, Larry Kramer, Edith Windsor, Sylvia Rivera. Our own former colleagues, like State Senator Tom Duane. Assemblymembers who still serve with us -- the first openly LGBTQ state legislator, Deborah Glick, my Assemblymember. Assemblymember Danny O'Donnell. Assemblymember Harry Bronson. Of course our newest colleague, Senator Jabari Brisport. I'm so glad he's here.

This month we honor them and the generations before them who lived and fought and worked and suffered quietly in the shadows. We remind ourselves of the rights that we enjoy today as a community that came at a great and terrible price. Because we can't forget their

protests, their activism -- that was too often met with deaf ears in halls like this one, that too often their protest, their activism was directed against institutions like our own, which failed to protect them from abuse at the hands of police, from being fired from their jobs and evicted from their homes because of who they loved, and which stood callously silent as tens of thousands, tens of thousands died from AIDS here in New York.

Yeah, I think it's fair to say few of them would have imagined that they would one day be celebrated here in the Capitol.

As we commemorate the giants who came before us, I'd be remiss to forget the quieter, personal moments of activism that have helped moved this country to a place of greater acceptance: Young people coming out to their parents and friends, sometimes risking their homes or lives, in the hope of changing hearts and minds.

Their contributions also deserve recognition and celebration. We are a living testament that their work was not in vain. They fought so that we could celebrate joyously and

openly who we are.

But as we celebrate this June, we are reminded how precious, how fragile this progress has been. Violence against transgender people, especially transgender women, is rising. In 2020 the number of trans people murdered nationally surpassed the number of trans people murdered in 2019 in just seven months. In 2019 the number of hate crimes targeting LGBTQ+ people rose 20 percent over 2018 in New York City.

And in state legislatures across the country, lawmakers are introducing bill after bill targeting trans youth, endangering the lives of young people, all in the service, it seems, of scoring cheap political points. Even now, the Supreme Court of the United States is hearing a case that could determine whether organizations can discriminate against same-sex parents seeking to foster children.

So I'll close by saying this, Madam President. This Pride, as we march, we have much to be proud of, even if we're doing it virtually. But we have still more to do -- more hearts to open and more battles to win. But I can tell you that today, I'm full of hope, thanks

to the work of our colleagues here in this chamber. I have hope that we can win those battles. I have hope that there is a future within our grasp when every New Yorker and every American can attend school, walk down the street, or apply for a job without fear of reprisal for simply sharing who they are.

Happy Pride, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Hoylman.

Senator Brisport on the resolution.

SENATOR BRISPORT: Thank you, Madam President.

And thank you to my colleague Senator Hoylman for introducing this resolution.

Good afternoon, colleagues. Happy Pride Month! It's a gay and fabulous time. I'd like to remind everyone that although Pride Month is associated now with floats and flags and the hashtag "LoveWins," the first pride was a protest, a protest against justice and discrimination. A protest led by Black and Brown trans women like Marsha P. Johnson and Sylvia Rivera. We stand on their shoulders.

And as anti-trans bills move through

state legislature after state Legislature across the country, let me say, as the first openly gay person of color ever sent to Albany: Hate has no place here in New York. Despite right wing legislative attempts to suppress the queer community, we continue to survive, we continue to thrive.

And to those who are scared, who have been harmed or who have been silenced, we have a saying: Be gay, do crime. The crime of loving who you want. The crime of expressing yourself to the fullest. The crime of recognizing the difference between what is legal and what is just.

Pride was a protest, an anti-capitalist, anti-cop protest. And as we head back to our districts after today, I encourage each of my colleagues to think about what you can do for Queer Liberation. To all of you, I say: Be gay, do crime, and stay fabulous.

Thank you.

ACTING PRESIDENT MAYER: The resolution was previously adopted on June 8th.

Senator Gianaris.

SENATOR GIANARIS: Thank you,

Madam President. Let's move on now to previously adopted Resolution 1131, by Senator Biaggi, read that resolution's title and recognize Senator Biaggi on the resolution.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Senate Resolution 1131, by Senator Biaggi, mourning the death of Jenna Ellen Melanson, distinguished educator and devoted member of her community.

ACTING PRESIDENT MAYER: Senator Biaggi on the resolution.

SENATOR BIAGGI: Thank you, Madam President.

I wish I didn't have to rise today to speak on this resolution because of the loss that is part of it. But I'm very proud to be able to speak on this resolution nonetheless, in memory of Jenna Ellen Melanson, who tragically passed away at the age of 37 just this past March 2021.

Jenna was an intern in my office and someone that all of us really, truly loved. Her lifelong dream was to save the world, and you definitely felt that every time that you met her,

with her can-do attitude and willingness, frankly, to step up and take on any challenge that came her way with a very bright and big smile.

Anybody who knew her knew that she had this sincerity and this dedication to her community that was really relentless and something to be, frankly, envied. She had a willingness to assist others. She never said no to helping or lending a helping hand. And her work is an inspiration to me today.

She, also a fellow Ram, worked in education as a teacher's aide assisting students with special needs before she attended Fordham University for her master's in social work. While she pursued her degree, she was in my office and joined my team as an intern during the fall and the spring of 2020, but she never actually left the office and continued to help us volunteer in many different capacities.

Her laugh was infectious. Her love for public service was, again, inspiring. She was armed with this spirit of humanity and this sense of compassion, of warmth, of kindness, things that I think all of us could definitely

benefit from.

Her memory leaves behind a legacy which will long endure the passage of time. I will make sure that it does. In my office, we have named the internship program after her -- it is the Jenna Melanson Internship Program -- because of just how special she was.

We hope that today, in honoring her memory, it gives her family a sense of comfort, a sense of peace, but also a sense of inspiration, because her memory will live on with all of us and all of the young people who come through the door of this beautiful government to be able to continue her memory in service of the people of the State of New York.

And so I extend my most sincere condolences to her family, to Jenna's family, to her friends, to her partner, and am very grateful to be able to have done this today.

So thank you very much.

ACTING PRESIDENT MAYER: Thank you, Senator Biaggi.

The resolution was previously adopted on June 8th.

Senator Gianaris.

SENATOR GIANARIS: And now let's take up Resolution 1227, by Senator Cooney, and read that resolution's title and recognize Senator Cooney.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Senate Resolution 1227, by Senator Cooney, mourning the death of Sandy Parker, longtime Rochester business community leader, distinguished citizen and devoted member of her community.

ACTING PRESIDENT MAYER: Senator Cooney on the resolution.

SENATOR COONEY: Thank you, Madam President.

I rise to support today's resolution which mourns the death of Sandy Parker. Sandy was a trailblazing business leader whose influence went and reached every corner of the Greater Rochester region.

As the CEO of the Rochester Business Alliance, which is now known as the Greater Rochester Chamber of Commerce, Sandy was known as a community facilitator, a diplomat, skilled at navigating a range of businesses represented in

the Rochester region, from large and small manufacturing companies to healthcare companies, educational institutions, nonprofit organizations, and the like.

She was also a fixture in our philanthropic community in the Finger Lakes region. Sandy contributed her time, her resources and expertise to many not-for-profit and economic development initiatives.

Sandy was especially passionate about ensuring that young people had access to a quality education, something that we'll continue to work on in her name and her spirit for many years to come.

Today the State of New York remembers Sandy Parker and offers our sympathy to her husband, Dutch Summers, her son Scott, and her two grandchildren. God bless you, Sandy.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Cooney.

The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed?

(No response.)

ACTING PRESIDENT MAYER: The resolution is adopted.

Senator Gianaris.

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

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

Senator Gianaris.

SENATOR GIANARIS: Let's take up the calendar at this time, Madam President.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 100, Senate Print 452A, by Senator Biaggi, an act to amend the Penal Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Biaggi to explain her vote.

SENATOR BIAGGI: Thank you, Madam President.

In 2011, two New York City police officers were acquitted of sexual assault charges where they helped an intoxicated woman back to her apartment and then returned to her apartment multiple times that night on false pretenses in order to have sex with the woman.

Although the woman was clearly intoxicated, the officers were not guilty of an offense because she chose -- she chose -- to consume the alcohol leading to her intoxication.

As our Penal Law currently reads, victims of sex crimes are treated differently in cases where the victim voluntarily consumed alcohol or drugs prior to their assault, versus a victim who was involuntarily intoxicated due to the actions of someone else. The very definition of mental incapacitation in our law only recognizes cases where a substance was administered involuntarily.

And to be very clear, an

individual's decision to drink alcohol does not lessen the seriousness of the crime or diminish the severity of their assault and the trauma that follows.

This loophole in our penal code creates a barrier for so many survivors trying to seek justice, and it perpetuates a dangerous routine of victim blaming. By closing this loophole, we can make clear that an individual's decision to voluntarily drink alcohol or consume drugs is not an invitation for sexual assault.

Critics of this bill and others have argued that perhaps this law will open the door to false accusations or give people who wake up with regret after a night out an opportunity for revenge. I want to be very clear. Our penal code addresses false accusations, and we have made every attempt in good faith, with supporters and critics, to add guardrails to this bill to account for those concerns.

Closing the voluntary intoxication loophole is about protecting survivors of rape, who purposely were preyed upon while they were intoxicated and vulnerable, which is a scenario that unfortunately happens all too often.

In New York, every New Yorker should understand that rape is rape and those who are raped should be protected regardless of whether they are voluntarily intoxicated or not.

We believe survivors in New York. We support survivors in New York unequivocally, and passing this bill today brings us one step closer to survivor justice.

I am very grateful to this Senate body and to our Majority Leader, Andrea Stewart-Cousins, for bringing this bill to the floor once again. And I am very proud to vote in favor of closing the voluntary intoxication loophole.

One final note. We are only hours away from gaveling out, and so I urge the Assembly to stand with us in solidarity so that we can make sure that survivors and victims of rape are able to bring a case if they so choose.

Thank you very much, Madam President. I vote aye.

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

Announce the results.

THE SECRETARY: In relation to

Calendar Number 100, voting in the negative: Senator Savino.

Ayes, 59. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 256, Senate Print 3126B, by Senator Parker, an act to amend the Public Service Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 256, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Jordan, Oberacker, Ortt, Rath and Ritchie.

Ayes, 55. Nays, 8.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 374, Senate Print 534A, by Senator Kaplan, an act to amend the Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 420, Assembly Print 4010B, substituted earlier by Assemblymember Thiele, an act to amend the Transportation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 499, Senate Print 991C, by Senator Hoylman, an act directing the Commissioner of the Office of Parks, Recreation and Historic Preservation to conduct a legal review for the redesignation of Donald J. Trump State Park.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Hoylman to explain his vote.

SENATOR HOYLMAN: Thank you, Madam President.

This bill would start the process of

renaming Donald Trump State Park, a 434-acre state park that straddles the borders of Westchester and Putnam counties. It's currently dilapidated, mostly undeveloped and untended.

We're passing this bill today because the names of our parks, which are dedicated to the public trust, should embody the goals of uplifting and unifying New Yorkers.

Donald Trump has been credibly accused of sexual misconduct by over two dozen women and has bragged on tape about committing sexual assault. He's used derogatory and racist language in describing the COVID-19 virus and its origins, contributing to an atmosphere spiking hate crimes against Asian-Americans. He's repeatedly sought to undermine the foundations of our free and fair elections by amplifying conspiracy theories, lying about voter fraud, and trying to strong-arm state election officials into overturning the will of the people. And he's been impeached twice, including for inciting an insurrection attempt at the U.S. Capitol that led to the death of five people, including a police officer.

With the passage of this bill we can

send a signal to all New Yorkers and all who visit New York from around the world that our state's public spaces reflect the best values of decency, acceptance and civic pride.

I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 499, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Felder, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 42. Nays, 21.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 522, Assembly Print 2573A, substituted earlier by Assemblymember Fall, an act to amend the Surrogate's Court Procedure Act.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 522 those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 43. Nays, 20.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 526, Senate Print 2929B, by Senator Parker, an act in relation to designating Kings County as a cease-and-desist zone.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 526, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Hinchey, Jordan, Kaplan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Reichlin-Melnick, Ritchie, Serino, Skoufis, Stec, Tedisco and Weik.

Ayes, 39. Nays, 24.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 606, Assembly Print 5707, substituted earlier by Assemblymember Joyner, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Madam President.

And let me thank you again, Madam President, for your great work up there this session.

Under the leadership of Andrea Stewart-Cousins, we have been a conference that has believed in second chances, that has believed in opportunity for individuals, and meaningful opportunity. A mistake that an individual makes does not define them.

So what happens to an individual when they get involved in something not so positive, but they are involved in a program of probation or terms of their release? We're in a position right now in the State of New York that if you are on a construction job, if you're looking to get your life back together, if you are a reentry worker, that based upon the conditions of your release, you may not be able to engage in meaningful work.

Well, we're going to change that today. Under this bill, now you will not be

violated for simply -- for bona fide work as a result of the terms of your parole. This is going to be a critical step to make sure that the women and men who are on our construction sites, the women and men who are working in other fields in our state are able to actually meaningfully reenter the workforce, as we indicated.

I'm grateful to the leadership of, again, Andrea Stewart-Cousins, Assemblymember Latoya Joyner, who is my Assembly sponsor, and all of our colleagues in this chamber who truly believe that one mistake does not define an individual and second chances are legitimate and real, and we should provide individuals with an opportunity to be able to engage, again, in meaningful and important work to feed their families.

And so I will proudly be casting my vote in the affirmative, Madam President. Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 606, those Senators voting in the

negative are Senators Akshar, Borrello, Jordan, Lanza, Oberacker, O'Mara, Ortt, Rath, Serino, Tedisco and Weik.

Ayes, 52. Nays, 11.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 793, Senate Print Number 5960, by Senator Reichlin-Melnick, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

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

SENATOR REICHLIN-MELNICK: Thank you, Madam President.

I can almost guarantee that everyone in this chamber has a connection to overdose. It could have been a friend, a family member, it could have been the child of a neighbor, or even

somebody might have struggled with addiction themselves. But overdose has touched so many lives around New York State.

More than 24,000 New Yorkers have died from an opioid overdose related case between 2003 and 2018. More than 24,000. And that number is certainly an undercount. That's nearly 130 New Yorkers every month for most of the past 20 years. And the problem is getting worse.

According to the CDC, New York is a state which consistently sees significant increases in emergency department visits for suspected opioid overdoses, meaning that we saw an over 100 percent increase in emergency room visits between 2019 and 2020 for these cases.

And still the stigma associated with overdose has led to victims and families and friends suffering in silence as the overdose public health crisis has continued to escalate.

International Overdose Awareness Day is recognized each year on August 31st as a way of commemorating the lives tragically lost to drug overdoses each year. On this day, events around the world are held to raise awareness of overdose and reduce the stigma of drug-related

deaths. This day also acknowledges the grief felt by family and friends remembering those who have died or had a permanent injury as a result of drug overdose.

Recognizing August 31st as Overdose Awareness Day is an important step that will help fight the stigma around overdoses. And I hope that we can continue to find better and stronger ways to fight back against the overdose epidemic and protect the health and the wellness of our constituents, including by passing my bill S3995 in the next session to create a constitutional amendment to give a right to mental health care in the State of New York.

And so in memory of the tens of thousands of New Yorkers who have lost their lives to the opioid epidemic, I vote yes on this bill and I thank Senate leadership for bringing it to a vote.

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

Announce the results.

THE SECRETARY: In relation to Calendar 793: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 807, Senate Print 5759B, by Senator Brisport, an act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 807, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath Ritchie, Serino, Stec and Weik.

Ayes, 45. Nays, 18.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

826, Assembly Print 2395, substituted earlier by Assemblymember Aubry, an act to amend the Civil Service Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 180th day.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Rivera to explain his vote.

SENATOR RIVERA: Thank you, Madam President.

Words matter. How we speak about each other matters. It matters in everyday conversation, and it certainly matters in policy.

The bill before us, which I am incredibly proud to be passing today -- and which passed in the Assembly just a few days ago -- makes certain that in state law the word "inmate" is replaced with the term "incarcerated person."

Why is this important? Because language like "inmate," language that has sadly been used by some of our colleagues on this

floor, as "illegal" or "addict" -- all of these type of words actually dehumanize people. Because ultimately we're talking about people. People who use drugs. People who don't have documents. In this case, people who are incarcerated.

So it was necessary to make this change, which is -- it's a long bill, Madam President, and it is a long bill because it changes it in every single instance. In the entire state law, where the word "inmate" appears, it will now be replaced with "incarcerated person." So in the future when we are making policy that relates to people who are incarcerated, we will stop referring to them both in law and hopefully in our everyday language as "these others." As opposed to that, we're going to talk about them as people.

And hopefully, Madam President, this is one of the things that moves us in a direction to start changing the way that we interact with those individuals, who again are people just like us. And in policy, we will make that change permanent. So I'm incredibly proud to be able to pass this today.

And the last thing, Madam President, I will thank every single person who I have met in my 11 years in the Legislature -- it was early on in my tenure when I was ranking member on the Crime Victims, Crime and Corrections Committee, and it was during those times meeting individuals, formerly incarcerated individuals, who made it very clear to me: I'm a person, I'm not an inmate, I'm not a convict, I'm not a prisoner. Not when I was inside, and not while I'm here sitting in front of you.

That education actually led to this moment. I want to thank each and every one of them for educating me on that subject. Hopefully this is something that can help us change the way we talk and the way that we deal with these individuals.

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

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

Announce the results.

THE SECRETARY: In relation to Calendar 826, those Senators voting in the negative are Senators Borrello, Griffo, Jordan,

Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath, Serino, Stec and Weik.

Ayes, 51. Nays, 12.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 838, Assembly Print 2505, substituted earlier by Assemblymember Weinstein, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 838, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Helming, Jordan, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec and Tedisco.

Ayes, 47. Nays, 16.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 896, Senate Print 784B, by Senator Gounardes, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the first of April.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Gounardes to explain his vote.

SENATOR GOUNARDES: Thank you, Madam President.

We're all familiar with this scenario; we're sitting out with our families in a park, or maybe on our stoop, or we're trying to get some sleep at night, and all of a sudden a car will drive past our house with what sounds like a jet engine attached to the back of it. Or we'll be riding our bike through a park somewhere and we'll hear a car zooming on by with a muffler

that sounds like shotgun shots.

The fact is that modifying exhaust and mufflers in this state has been illegal for a very long time, but there has been zero accountability on the use of these already illegal devices. The fines, in fact, were only $150, the cost of doing business to buy one of these things and terrorize your neighbors with these modified parts.

So with this bill today that we are passing, and thankfully in both chambers, we are going to finally take a huge crack at cracking down on the loud, obnoxious, annoying and just plain old stupid behavior of people modifying their cars and changing their vehicles to sound like they are a jet engine at Kennedy Airport on a Sunday morning.

This is a huge quality of life issue that we have heard about in every corner of this state from the moment that we introduced this legislation, because this affects every single neighborhood and every single block and every single community in New York State.

With the passage of the Sleep Act today, we are finally putting teeth into the law.

We are raising the fines on those individuals who improperly install these mufflers and exhausts in the first place. And we are holding accountable the individuals who do these installations as well, giving us finally the teeth to be able to increase enforcement and get these vehicles off the road to begin with.

This is not just about people complaining about noise, this is actually a public health concern. The World Health Organization has said that loud and excessive noise is an understated threat. And in a country like the United States, where one in four Americans suffer from some form of hearing loss, this actually has a huge impact and will have a huge impact on the public health of our communities.

And I'm so grateful that we can finally take a crack at cracking down on these loud, illegal, obnoxious and just God-awful terrible mufflers and exhausts and finally bring some peace and sanity back to our roadways, and I proudly vote aye.

Thank you.

ACTING PRESIDENT MAYER: Senator

Gounardes to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 896, those Senators voting in the negative are Senators Gallivan, Griffo, Helming, Lanza, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 48. Nays, 15.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 901, Senate Print 2926, by Senator Kennedy, an act to amend the Highway Law.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill

is passed.

THE SECRETARY: Calendar Number 902, Senate Print 2927, by Senator Kennedy, an act to amend the Highway Law.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 948, Senate Print 5115, by Senator Ryan, an act authorizing the Village of Angola and the City of Buffalo to correct a boundary line between certain properties in the Town of Evans in the County of Erie.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 950, Assembly Print 3201B, substituted earlier by Assemblymember McDonald, an act to amend the General Municipal Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to

Calendar Number 950, voting in the negative: Senator Rath.

Ayes, 62. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 951, Senate Print 5953A, by Senator Reichlin-Melnick, an act in relation to authorizing the Town of Orangetown, County of Rockland, to discontinue the use of certain parkland.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

988, Assembly Print 2530, substituted earlier by Assemblymember Barrett, an act to amend the Correction Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 988, voting in the negative: Senator Borrello.

Ayes, 62. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1088, Senate Print 2012, by Senator Jackson, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 5. This

act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1088, 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 MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1089, Senate Print 2013, by Senator Jackson, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1089, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 43. Nays, 20.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1109, Senate Print 1997, by Senator Jackson, an act to amend the Labor Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator

Jackson to explain his vote.

SENATOR JACKSON: Thank you, Madam President.

My colleagues, I rise to explain my support for Bill S1997. The passage of this bill today will be a victory for patients, families and the tens of thousands of hardworking nurses across New York State who helped so many of us survive this pandemic.

Ten years ago, the Senate did the right thing and passed a well-intentioned law to limit mandatory overtime. But there was no enforcement mechanism in it, and employers continued to work nurses far beyond their assigned hours. So every day in every county in this state, exhausted nurses are still trying to provide the highest-quality patient care they can in very trying, understaffed situations -- even more so during COVID-19.

That's wrong for the nurses and wrong for every family who has worried about their loved one's quality of care. No one benefited except healthcare tycoons who refused to properly staff their facilities.

Now, Madam President, with the

passage of this bill nurses, patients and their families will have a way to turn the situation around and to begin to address chronic understaffing in all of our health settings.

This bill, Madam President, creates fines between $1,000 and $10,000 for each employer infraction, and also allows nurses an additional 15 percent overtime pay as additional compensation.

This is justice after years of abuse to many nurses. Forced overtime is bad for all of us, Madam President. So I humbly ask my colleagues to join me in passing this bill that will mean better-quality care for patients and families and clearer, enforceable rights on the job for thousands of nurses. And I hope you'll join me in voting aye.

Thank you, Madam President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1109, those Senators voting in the negative are Senators Akshar, Gallivan, Rath and Stec.

Ayes, 59. Nays, 4.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1150, Senate Print 2143A, by Senator Kavanagh, an act to amend the Banking Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1150, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 43. Nays, 20.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1203, Assembly Print 2111, substituted earlier by Assemblymember Simon, an act to amend the Tax Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

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

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

Around the country the gun violence epidemic is on the rise, and that includes here in New York State. Over 900 New Yorkers a year are killed by guns. Shootings in major cities in New York have increased by anywhere from 70 percent to 110 percent, year over year, between 2019 and 2020, mirroring a national trend. Fifty-four percent of gun deaths in New York State are suicides.

It's time that we begin to

understand the gun violence epidemic for what it is, and that is a public health crisis, exacerbated by poverty, purposely ignored by many. It's time that we devote considerable resources to understanding the factors that have led to this increase in gun violence and consider systemic changes to our laws that will help us turn these horrifying statistics around and begin to finally solve the underlying problems that cause the gun violence epidemic.

This bill will allow for state taxpayers who are concerned about gun violence to make an optional contribution to a new Gun Violence Research Fund when they pay their state taxes each year. This fund will be maintained by the State Comptroller and managed by SUNY's Gun Violence Research Program, which will conduct research into the causes of gun violence and into effective strategies and solutions to mitigate those causes.

The Gun Violence Research Fund will also be able to receive gifts and donations from organizations and advocates or anyone who wants to support the fund, as well as from appropriations to the fund that may be included

in future state budgets, which I hope this chamber will strongly consider making in the 2022-2023 budget process.

I thank my colleagues and the leadership for helping bring this very important bill to the floor today, and I look forward to making strides towards finally solving the gun violence epidemic in New York.

I proudly vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1203, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Jordan, Lanza, Oberacker, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 49. Nays, 14.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1239, Senate Print 4943B, by Senator Biaggi, an act to amend the Public Authorities Law.

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Biaggi to explain her vote.

SENATOR BIAGGI: Thank you, Madam President.

I rise today to proudly vote in favor of this bill, which requires the MTA to develop a strategic action plan that promotes cycling and pedestrian access on all MTA bridges and at commuter rail stations, something that I hear about all of the time from my constituents in my district.

Despite the rapid growth of bicycling across all five boroughs in New York City over the last decade, which has really been incredible, unfortunately the MTA has not done enough to improve bicycle access at its stations and really make sure that we are connecting all five boroughs together.

As more New Yorkers have turned to

cycling, not only during this pandemic but really over, again, this past decade, as well as to outdoor spaces, it is really our responsibility to do everything that we can to connect -- to be the connecting force that really brings communities together, that increases accessibility for cyclists and pedestrians, and also encourages residents to use clean forms of transportation.

Passing this legislation today allows us to transform our connective pedestrian access system as well as to connect all five boroughs. I am very proud to carry this bill with my Assembly sponsor, Assemblymember Jessica González-Rojas, and I really do look forward to this bill making it to the Governor's desk.

Thank you very much.

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

Senator Gounardes to explain his vote.

SENATOR GOUNARDES: Thank you, Madam President.

I want to rise in support of this bill, and I want to thank Senator Biaggi for this

really important piece of legislation.

You know, I represent the southern tip of Brooklyn, southwest corner of Brooklyn, where you can start with your bike at the foot of the Verrazzano Bridge and ride your bike through all five boroughs into New Jersey, back down to Staten Island, to the other side of the Verrazzano Bridge, but you can't go across that bridge. It's one of the few bridges we have that you cannot get across in New York City.

So you can ride your bike a hundred miles in a circle but not be able to complete that trip, because we don't have full access to our MTA bridges.

And so I think this legislation is incredibly important. There has been a grassroots movement of support to expand pedestrian and cyclist access to this bridge for many, many years. I support that project, I support that cause.

And hopefully if we're able to pass this legislation, we'll finally be able to put together a plan to finally close that gap -- it's a two-mile distance to close that gap, close that harbor ring distance -- to finally give people

access, true five-borough access throughout New York City.

Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1257, Senate Print 1335, by Senator Krueger, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1257, those Senators voting in the negative are Senators Boyle, Mattera, O'Mara,

Ritchie, Serino and Stec.

Ayes, 57. Nays, 6.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1258, Senate Print 1443A, by Senator Addabbo, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1258, those Senators voting in the negative are Senators Griffo, Lanza, Oberacker, O'Mara, Palumbo, Serino and Stec.

Ayes, 56. Nays, 7.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

1281, Senate Print 4686, by Senator Helming, an act granting retroactive membership in the New York State and Local Employees' Retirement System to Justin Whitmore.

SENATOR LANZA: Lay it aside for the day.

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

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

and Weik.

Ayes, 48. Nays, 15.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1396, Senate Print 6565A, by Senator Borrello, an act to amend Chapter 129 of the Laws of 2020.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1443, Senate Print 4104, by Senator Breslin, an act to amend the General Business Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect on the 120th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Boyle to explain his vote.

SENATOR BOYLE: Thank you, Madam President, to explain my vote.

It's a privilege to stand here to support this legislation by Senator Breslin, the Digital Fair Repair Act.

I was privileged to sponsor this bill myself for years. I want to thank my former constituent, John Kamen, for bringing it to my attention, and to Gay Gordon-Byrne as a tireless advocate for this piece of legislation.

What does it do? It protects consumers from monopolistic practices of digital electronics manufacturers. It requires manufacturers to make non-trade-secret diagnostic and repair information available for sale to third-party repairers.

What does that mean? Well, we all have computers, laptops, tablets, smart phones

that need repair once in a while. Many times we have to ship them back to the manufacturers to get repairs, simple repairs, which cost a lot more.

There are -- this is -- very rarely do we get a bill that we have a win/win/win situation. Now, individuals can repair their own tablets and smart phones and computers -- and farm equipment. We don't have to send it back to the manufacturers.

It also stops monopolistic practices. The FTC said these practices are pure and simple monopolies. So it will allow individuals and small business people to repair these products.

Lastly, it's good for the environment. Because people like me with no technical skills at all throw our things out, our electronic equipment out, and buy a new one, creating more e-waste. Now we're going to be able to fix digital equipment.

And it also doesn't just go for computers and things like that. Anything with a chip in it -- it could be a refrigerator, it could be your television set, whatever. It's

going to stop a lot of e-waste. That's good for the environment, good for our small business, and good for New York.

I vote in the affirmative.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1443, those Senators voting in the negative are Senators Akshar, Borrello, Griffo, Lanza, Mannion, Martucci, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 49. Nays, 14.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1498, Senate Print 6350A, by Senator Benjamin, an act to amend the Real Property Tax Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1498, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec and Tedisco.

Ayes, 47. Nays, 16.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1503, Senate Print 6758A, by Senator Griffo, an act to establish a wind energy systems tax stabilization reserve fund.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1505, Senate Print 6871, by Senator Harckham, an act to amend the Tax Law and the State Finance Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Serino to explain her vote.

SENATOR SERINO: Thank you very much, Madam President.

I want to thank Senator Harckham sincerely for not only bringing this bill to the floor today, but for joining me in tackling ticks and taking the issue of Lyme disease head on.

I'm a firm believer that many of the issues we deal with in this chamber really transcend politics, and this is certainly one of them. Lyme disease alone impacts almost 500,000

Americans every year, and here in New York we are at the epicenter of the epidemic.

Combating the spread of Lyme and tick-borne diseases will take committed partners at every level, but most importantly it's really going to take real resources. This bill is an opportunity for New Yorkers themselves to play a role in supporting research, prevention and education initiatives by donating voluntarily through a tax checkoff to a new fund that would be dedicated to bolstering research in this field.

This is an issue I think we can all agree has been underfunded for far too long. But the COVID-19 pandemic and the record rates at which New Yorkers are taking to the outdoors have really shined a new light on the problem. Initiatives like this we hope will really make a real difference by ensuring New York is leading the way to protecting our residents against these devastating diseases.

I am incredibly proud to have drafted this bill and to vote in support of it today, and I thank Senator Harckham and Senator -- Leader Stewart-Cousins for bringing

the bill before the house, and all of my colleagues who are supporting this bill today.

Thank you, Madam President.

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

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1520, Senate Print 415A, by Senator Biaggi, an act to amend the Vehicle and Traffic Law.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 1520, voting in the negative: Senator Lanza.

Ayes, 62. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1533, Assembly Print 7472, substituted earlier by Assemblymember Stern, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1538, Senate Print 4271, by Senator Gallivan, an act to authorize Timothy Colling to receive certain credit under Section 384-d of the Retirement and Social Security Law.

SENATOR LANZA: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 1539, Senate Print 4323C, by Senator Comrie, an act to establish a construction industry advisory council on public contracting reform.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1545, Senate Print 4938C, by Senator Martucci, an act to authorize the Village of New Paltz, County of Ulster, to alienate and discontinue the use of certain parklands.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1557, Assembly Print 7088A, substituted earlier by Assemblymember Kelles, an act to amend the Real Property Tax Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

THE SECRETARY: In relation to Calendar Number 1557, voting in the negative: Senator Skoufis.

Ayes, 62. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1577, Senate Print 6847, by Senator Palumbo, an act to amend the Town Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1577, those Senators voting in the negative are Senators Gallivan and Skoufis.

Ayes, 61. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1594, Senate Print 7135A, by Senator Ramos, an act to amend the Labor Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1594, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Jordan, Martucci, Oberacker, O'Mara, Ortt, Rath, Stec, Tedisco and Weik.

Ayes, 50. Nays, 13.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1605, Senate Print 7176, by Senator Parker, an act to amend the Energy Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1605, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 43. Nays, 20.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1607, Senate Print 7184, by Senator Mayer, an act in relation to authorizing the City of New Rochelle, County of Westchester, to sell, convey and alienate certain land.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1615, Senate Print 7195, by Senator Stewart-Cousins, an act to amend Chapter 50 of the Laws of 2021.

SENATOR SERRANO: Lay it aside for the day, please.

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

THE SECRETARY: Calendar Number 1644, Assembly Print 743A, substituted earlier by Assemblymember Wallace, an act to amend the State Finance Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1658, Senate Print 6562A, by Senator Jordan, an act to amend the Highway Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 1658, voting in the negative: Senator Brisport.

Ayes, 62. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1659, Senate Print 6617, by Senator Gounardes, an act to amend the State Finance Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1671, Senate Print 7014, by Senator Addabbo, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1677, Assembly Print 476, substituted earlier by Assemblymember Rozic, an act to amend the Public Service Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1677, those Senators voting in the

negative are Senators Boyle, Helming, Lanza, Ortt and Serino.

Ayes, 58. Nays, 5.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1684, Senate Print 4306B, by Senator Gianaris --

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

THE SECRETARY: Calendar Number 1685, Senate Print 1144A, by Senator Benjamin, an act to amend the Executive Law and the Penal Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 10. This act shall take effect March 1, 2022.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Palumbo to explain his vote.

SENATOR PALUMBO: Thank you, Madam President.

So I rise today to express my very

serious concerns with this bill, but I'd like to preface my comments with I think some areas where we're all in agreement.

See, the criminal justice system is supposed to be about rehabilitation. I think we can all agree that crimes against people, crimes against property, crimes against society -- the so-called victimless crimes, like drug sales and so forth, driving while intoxicated if there are no injuries or accidents, those we all think are not good.

And we have a society of rules. And we need to abide by those rules, which are codified in our criminal statutes. And when you violate them, you pay a debt to society, and so you go through our criminal justice system. And it is not perfect. But that's our system of jurisprudence, is you go into a courthouse, you are adjudicated either by a plea or by a jury of your peers or a judge as a factfinder, and they mete out a fair and just sentence.

And at the time of sentence, you consider all the appropriate factors as far as what the extent of that debt to society should be: Your criminal history, the nature of the

offense. There are big differences between crimes. I mean, having been -- I've been on both sides of the aisle, as many of you know, as a prosecutor and as a defense attorney. And more as a prosecutor, where you're weighing these factors, you think about does someone have a prior felony history, was there prior violence. Was this, for example, a drug sale versus someone who's addicted, a lower-level drug sale versus a case -- ones that I've had where someone goes in to stick up a convenience store, forces the clerk into the staff room, rapes her and then finishes the robbery. That's a very different type of crime. And those factors are weighed, and the sentence is meted out.

What this bill does is has absolutely no regard for the victims and the process, quite frankly. And I'm going to tell you a few reasons why.

The standard required at a parole hearing -- there are now two separate hearings. A preliminary hearing -- the standard was modified not really that much, that the initial hearing is, instead of a -- it's now a preponderance of evidence versus just probable

cause to hold the individual. Then you go to a final hearing. The standard has gone from preponderance of evidence, like in a civil trial, 51 percent, to clear and convincing evidence.

So now there's a much higher standard. It's going to take more court resources. But ultimately, you cannot be -- you cannot violate your parole under this bill for what's called a technical violation. And when you think about that, technical violations are considered use of alcohol or drugs, unless it was relative to your specific crime, not appearing. So you show up drunk, you show up high, you don't comply with your conditions, you just basically don't follow the rules.

The logic behind rehabilitation in our system is you have rules to prove that you certainly should be -- out back into liberty, you're going to comply with the bigger rules, being the criminal statutes, and you do that by your conduct. So constantly violating any of these terms typically would have resulted in a revisiting of your incarceration. Because technically your sentence -- and I'll give an example. From 10 to 20 years, you're paroled at

10, for example, you have another 10 years where you're not on probation. This isn't probation, this is actually you're free and at liberty because you've done good things, you're on your way back to success and improvement.

And again, I understand the laudable intent of this bill, and I think we are all in agreement that there's a way to get to it. But quite frankly, Madam President, this is not the way to do it. Particularly when crime is up, violent crime is up, shootings are up, property crimes are up, hate crimes are up.

Allowing more people to violate -- because that's what they're doing here -- violate their parole and not have any ramifications is the wrong message. That is really -- and yes, it may seem strict that if you violate that, you violate your curfew, you do these other so-called technical violations under this bill, you go back in. Because you need to prove to us that you should be at liberty, because what you did was very serious.

And one last point. There is an earned time credit for every parolee. Again, let's talk about an earned time credit, day for

day. If you're good for 30 days, we take 30 days off the long end, up to two years. You're good for another 30 days, we continue to recalculate a shorter and shorter sentence -- not considering a single factor, not considering a victim or victim impact statement, not considering a single factor that you would otherwise weigh when you sentence someone many years, months or even days ago.

Usually obviously it will be years, because we're dealing primarily with parolees, meaning they served a state sentence, so it was in excess of one year.

So, Madam President and colleagues, again, I understand, I think we can agree that rehabilitation is the point of our system. Nobody likes crime. We want that to go away. But there is a balance, and the balance needs to be had the entire time that someone is involved in our system of justice. They have a debt to society that was meted out at sentencing, usually by way of plea. As we know, about 99 percent of cases are in agreement between everyone, where they all think it's fair and the subject defendant takes the plea and says, I'll take my medicine.

But when the goalposts continue to be moved -- we have higher standards of proof, we have a more onerous system now, on parole, on parole officers -- our community as a whole is -- will suffer. And we're more dangerous. Just living in New York, unfortunately, is becoming more and more dangerous.

So I urge a negative vote on this because we have enacted so many criminal justice reforms, we haven't even seen -- and even the proponents, we have no idea what those overall long-term effects are going to be. But we have seen, and it's -- I don't think it's convenience, it's just an anecdotal situation, where we now have crime, violence, all these other things. Pre-pandemic, this was happening when we enacted these reforms. So we need to slow down and see where this is going to go for society, because this is dangerous.

I vote in the negative.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Senator Palumbo to be recorded in the negative.

Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you,

Madam President.

My colleagues, I rise to explain my support for Senator Benjamin's bill, 1144B, also known as the Less is More Act.

While the primary condition imposed on people on parole in New York is that they do not commit any new crimes, people on parole also are required to abide by other conditions. These include curfews, travel restrictions -- I don't need to tell you about New York City -- drug testing and regular check-ins with their parole officer.

New York incarcerates more people on parole for missing an appointment with a parole officer, being late for curfew, or testing positive for alcohol than any other state in the country, other than Illinois. Violation of these restrictions does not constitute a new crime and is referred to as a, quote, unquote, technical violation.

And as a Black man, I find the racial disparity to be glaring. Black people are incarcerated in New York City jails for these technical violations at more than 12 times the rate of white people. There are approximately

35,000 people under active parole supervision in New York State. At almost any time, Madam President, their efforts to successfully rejoin the workforce and reintegrate into their families and communities can be disrupted by reincarceration for a technical violation.

It harms individual lives and families without commensurate public safety gains, and drives up the population in state prisons and local jails, wasting taxpayers' money. And quite frankly, it destroys communities, specifically Black and brown communities.

You have all heard me say that we are legislators of conscience. Therefore, supporting this bill, which aims to help people successfully complete community supervision and avoid further return to prison, is the right thing to do.

Therefore, Madam President, I proudly vote aye to give our fellow humans a real opportunity at a second chance at life and to contribute to society.

Thank you.

ACTING PRESIDENT MAYER: Senator

Jackson to be recorded in the affirmative.

Senator Weik to explain her vote.

SENATOR WEIK: Thank you, Madam President.

This bill would make it more difficult for parole officers to do their job and ensure parolees that are in violation, and potentially a high risk of reoffending, are put back behind bars.

I'm voting no because this bill would make our communities less safe. Right now we're in the midst of an alarming increase of violent crimes in our communities throughout this state.

Governor Cuomo continues to talk about the crime issue in this state without recognizing the role he himself has played by signing laws that have made our communities less safe. He contributed to the anti-law enforcement, pro-criminal attitude. Throughout this session, as scandals mounted against the Governor, we have seen him become increasingly out of touch and disengaged. But yet he's still the sole person ruling the state via executive order and directives.

This is why we cannot end this session without revoking the Governor's emergency powers.

Thank you.

ACTING PRESIDENT MAYER: Senator Weik to be recorded in the negative.

Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Madam President.

Let me first thank Leader Andrea Stewart-Cousins for her commitment to justice once again, and my colleague and friend Senator Brian Benjamin for pushing this bill across the -- what is called the Less is More Act.

We're entitled to our own opinions, but we are not entitled to our own versions of the facts, so let me lay out a fact pattern as related to this piece of legislation.

It was indicated that this bill was not victim-centered. The initial kick-off of this bill happened in the County of Kings, colloquially known as Brooklyn. Right next to Senator Brian Benjamin was the district attorney of Kings County, Eric Gonzalez, who's been a long-standing supporter. The Bronx's district

attorney, Darcel Clark, is a supporter. Albany County's district attorney, David Soares, is a strong supporter.

These individuals are charged with ensuring that victims' rights are taking place. And we've had conversations in many other areas related to victims. So to say that there is a lack of concern about victims is concerning.

Furthermore, when speaking about these violations, it was -- the incredibly negative ones were mentioned, but the other ones weren't mentioned such as being five minutes late for a hearing with your parole officer. Missing curfew by five minutes. Those -- those are things that people are technically violated and sent back to a life of incarceration for, because they made a mistake.

After complying with other terms of their condition, being late, in my opinion and the opinion of so many, should be no grounds to reincarcerate.

We talk about fiscal costs in this chamber often, and we're concerned about spending money in so many ways. It costs way more to incarcerate an individual than it would be to put

that individual back on a path towards prosperity.

Madam President, this isn't just a justice reform bill, this is a bill about real people. And again, if we are actually looking towards rehabilitation, as opposed to punishment, less is more.

The reality is this, Madam President. An individual should never be defined by the worst thing that they've done, especially when they are looking to get their life back on track and they have shown affirmative signs in that way.

So I'm grateful to be a member of a body who stands up for people, for humans, for individuals. And I want to thank so many people who made their voices heard on this. It is a -- it is an incredible moment for us here in New York State.

I proudly vote in the affirmative.

Thank you, Madam President.

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

Senator Benjamin to explain his vote.

SENATOR BENJAMIN: Thank you so much, Madam President.

I want to thank my colleagues, the Majority Leader, Andrea Stewart-Cousins, for allowing this bill to come to the floor.

I want to thank anyone who has made comments that have been constructive, so that we have made a variety of changes. We have listened. We've been very thoughtful on this bill.

Let me start by thanking the Katal Center, Unchained, and A Little Piece of Light, who helped to lead a massive coalition -- and my good brother Jamaal Bailey, Senator Bailey, made some of those comments -- over eight district attorneys across the state; eight sheriffs and police chiefs across the state; four former correctional, parole and probation commissioners; three former attorney generals; a former chief justice of the Court of Appeals; 19 New York County officials; and over 269 organizations across the state have come together to say Less is More is the right bill.

And why do I believe they've done so? A few quick points. You know, last year and

since we've taken over the Majority, we've done so many important pieces of legislation, particularly on the front end, dealing with issues of bail, dealing with issues of speedy trial, discovery. Senator Bailey led us in that fight.

But it's also important to think about the back end. And in this case, parole and how it is handled is a part of that process. We have about 36,000 people who are under parole.

And one of the things that we wanted to do with this bill -- and I listened very closely and intently to the comments from my colleagues on the Republican side. One of the things we wanted to do was to separate new crimes from technical violations. Our argument was very simple: There are too many people who are being reincarcerated -- possibly up to the extent of their sentence -- on issues like missing curfew, on issues like dirty urine, on issues like failure to pay surcharges. And you might be poor, you can't pay it, and you can get reincarcerated for issues like that. We thought that that was not an appropriate use for reincarceration.

And so what we've tried to do is something that we believe was very reasonable, which is to create standards and to say for technical parole violations, if someone has violated curfew -- not that they don't have to face some sort of penalty, some sort of consequence, we just don't believe it should be reincarceration, Madam President.

There's judicial -- there's diversion programs, there are any range of community service scenarios. You can possibly put more requirements where they have to be present more or they have to make written statements. There are a variety of things that you can do.

We're just saying that if someone has violated curfew, that they shouldn't be reincarcerated at their expense, at their family's expense, at the emotional expense that that has caused, the trauma that that causes, Madam President, and at the fiscal cost to the State of New York.

This bill will save us millions of dollars. This bill will save us a lot of heartbreak. Because I'm telling you, the idea

that someone could have missed curfew and then possibly spent 105 days detained, waiting to find out if they're going to get their actual sanction, it just feels to be too much. It's overincarceration.

And one of the things that we are trying to do in this society is to have more appropriate levels of incarceration. I think that's something we can all agree on. I don't think anyone here wants people to be overincarcerated.

I'm submitting to you that if someone forgot to tell their PO that they changed their employment location, that that shouldn't be a provision for them to possibly be reincarcerated for up to multiple years. That's all we're trying to do here.

So I think that it is important to note -- and I heard the comments around there's more -- crime is up, and this and that. And those are important issues, don't get me wrong. But this bill doesn't touch any of that. It doesn't at all. It says with new crimes, whether felonies or misdemeanors -- misdemeanors, by the way -- that the present process stays in place.

So I don't want there to be confusion. I don't want people to try to use this bill to make other points. Let's just be clear, we overincarcerate as is relevant for public safety and we need to do a better job.

Now, let me say, in closing, you know, one of the things that we want is a justice system that works for everyone. And I feel very strongly that people, when they're out on parole -- and I've talked to so many parolees who believe it's almost like an obstacle course, trying to deal with parole. And I don't think that's what the parole officer's job should be.

I think the parole officer's job should be rehabilitation. They should be almost like a therapist, a counselor, someone who is really trying to encourage the parolee to do the right thing, stay on the right track, get that job. You know, help them try to get their life on track. That's what we're supposed to be about here.

You know, the Parole Board, the Parole Board had decided, after they committed their crime, that they are able to serve out the rest of their sentence in public. They decided

that. So that means obviously the Parole Board, they felt very comfortable that this person would not be a threat to public safety when they were let out.

Let's try to help them grow to be something more. And there's so many great examples of people who are out on parole who have done so many things, leading great organizations, doing so much important work. I think we should have more of that, not less.

And I feel very strongly that when we think about mass supervision -- when we think about supervision, when we think about parole, our first order of business should be what can we do to help this person reintegrate into society, reconnect with their families.

And by the way, Senator Jackson made a great point. This is largely Black and brown lives who we're talking about here. These are my constituents. These are your constituents. These are people who deserve to know that the State of New York cares about their future. And we're going to do everything we can to try to help them live a productive and valuable life. That should be our intent.

And if somebody commits a new crime, then they have to pay the consequences for that new crime. I'm not saying that that doesn't need to be the case. I'm just saying it shouldn't be something that a technical -- this technical thing doesn't make me feel good. Curfew? You didn't tell your PO that you changed your job location? You know, I just think we can do better than this. We can do better than this.

And, thankfully, today we are. And so I feel good that we have this opportunity to pass an important piece of legislation that will change parole for generations to come. There are a lot of young people who are going to say "thank you" to New York State for what we're doing here right now.

And so with that, I proudly vote aye, Madam President, and I thank you for your indulgence in letting me say a few words on this bill. Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1685, those Senators voting in the

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

Ayes, 38. Nays, 25.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1691 --

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

THE SECRETARY: Calendar Number 1694, Senate Print 5891C, by Senator Parker, an act to amend the Education Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: announce the results.

THE SECRETARY: In relation to Calendar 1694, those Senators voting in the negative are Senators Borrello, Gallivan, Helming, Jordan, Lanza, Oberacker, O'Mara, Palumbo, Rath, Stec and Tedisco.

Ayes, 52. Nays, 11.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1697, Senate Print 6301A, by Senator Stavisky, an act to amend the Tax Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first day of a sales tax quarterly period.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

1708, Senate Print 7053A, by Senator Kennedy, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1708, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Serino, Stec, Tedisco and Weik.

Ayes, 46. Nays, 17.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1719, Senate Print 7220, by Senator Savino, an act to amend the Judiciary Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1719, those Senators voting in the negative are Senators Borrello, Helming, Ortt, Ritchie and Serino.

Ayes, 58. Nays, 5.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1720, Senate Print 7227, by Senator Myrie, an act to amend the Public Officers Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1721, Senate Print 7228, by Senator Bailey, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1721, those Senators voting in the negative are Senators Borrello, Boyle, Gallivan, Griffo, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Rath, Ritchie, Stec and Weik.

Ayes, 48. Nays, 15.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1722, Senate Print 7230, by Senator Kaplan, an act to amend the Tax Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Madam President.

I rise to support this bill today because it will guarantee that the Pandemic Small Business Recovery Grant Program will not be considered income for the purpose of tax.

You know, this is a small measure to help our small businesses, but certainly a necessary one, and I'm glad to support it. But really our small businesses could really benefit from a lot of other measures, primarily to finally and completely remove the ridiculous restrictions that our Governor still has in place

that have ruined our small businesses, particularly in the hospitality industry, where 20 percent of New York's restaurants have closed and will likely never reopen.

And this is primarily and almost exclusively because of the damage that has been done by the tyrannical one-man rule that we have here in Albany.

So despite the fact that we have declining rates of infection and rising vaccination rates, we've still given the Governor the ability to wield this authority to protect himself politically, and he's doing so quite masterfully. That's why it's critically important that in addition to this measure, we cannot leave here -- today being the last day of session -- cannot leave here without truly and completely repealing the Governor's authority and ending this state of emergency.

So I'll be voting aye on this, but I am still waiting for us to do the right thing and stop this ridiculous one-man rule here in New York State.

Thank you.

ACTING PRESIDENT MAYER: Senator

Borrello to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1723, Senate Print 7231, by Senator Felder, an act to amend the Tax Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1724, Senate Print 7232, by Senator Jackson, an act to amend the Civil Service Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1725, Senate Print 7234, Senate Budget Bill, an act to amend Chapter 53 of the Laws of 2021.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1725, those Senators voting in the negative are Senators Akshar, Boyle, Griffo,

Helming, Jordan, Martucci, Mattera, Oberacker, Ortt, Palumbo, Rath, Ritchie, Stec and Weik.

Ayes, 49. Nays, 14.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1726, Senate Print 7237, by Senator Stewart-Cousins, an act to amend Chapter 50 of the Laws of 2021.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Martucci to explain his vote.

SENATOR MARTUCCI: Thank you, Madam President.

So I rise in support of this bill, but I also think there's no bill on the agenda today that more clearly shows our need to repeal the Governor's emergency powers.

We sit here right now in this

chamber taking the necessary steps to impeach the Governor and encumber the funds necessary to do that, pending the results of countless -- at this point, almost countless ongoing investigations.

But what's absolutely baffling to me is that every member of the Majority seems completely content on allowing the Governor to continue his unilateral powers, his absolute death grip on nearly every aspect of the lives of New Yorkers. The Governor is almost daily touting record low infection numbers and record high vaccination rates. We're right on the cusp of hitting a 70 percent vaccination rate, at this time the Governor has pledged that he will lift the remaining restrictions on our state.

However, what the Governor hasn't done is made a single indication that he's willing to give up these expanded powers. What's given him these expanded powers is a declaration of a disaster emergency that was declared more than 15 months ago. This declaration gives him this unilateral authority to control almost every aspect of our lives. So even as we stand here today on the last day of session, hours away from gaveling out, we still haven't addressed this

really important issue.

Here my colleagues and I, my Republican colleagues, have brought an amendment here 47 times to this house to repeal these emergency powers.

And I can tell you, Madam President, the people I represent at home are sick of it. They're ready for this to be over. This is why we absolutely cannot leave this session today without revoking the Governor's emergency powers.

Thank you, Madam President.

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

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

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

SENATOR SERRANO: Thank you, Madam President.

May we now take up the controversial calendar. Let's start with Calendar 1691, Senator Kennedy's bill.

ACTING PRESIDENT MAYER: The

Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 1691, Assembly Print 6247A, by Assemblymember Peoples-Stokes, an act to amend the Banking Law.

ACTING PRESIDENT MAYER: Senator Borrello.

SENATOR BORRELLO: Will the sponsor yield for some questions.

ACTING PRESIDENT MAYER: Senator Kennedy, do you yield?

SENATOR KENNEDY: Thank you, Madam President. I'd be happy to yield to some questions.

ACTING PRESIDENT MAYER: The Senator yields.

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

First of all, nice to see you, Senator Kennedy. Fellow Western New Yorker, always good to see you.

I do have some questions on this. And I understand the intent here. But my first question is, if the premise of this community revitalization act is to make sure that the

profits off of deposits that came from communities that also benefited those communities, why are we forcing businesses that don't take deposits into that structure?

You know, especially when you've got lending institutions that are actually lending into those communities right now but actually aren't taking deposits and profiting off of those deposits.

SENATOR KENNEDY: Thank you for that question.

Through you, Madam President, I want to thank my colleague for the question because it gives us an opportunity to talk about this important bill on an issue that has ramifications statewide and nationally and quite frankly is an extraordinarily necessary bill, given the issues we've seen on the ground in Buffalo, in New York, and across the nation as it pertains to housing discrimination.

Which is not a new issue, it's an age-old issue. It's a historic issue here in the United States that has manifested and raised its ugly head to show itself in the community that not only that I represent and that I live in, but

that I love.

And what we've seen from data presented to us from the Department of Financial Services is unfortunate, sad, and needs to change. And that is that the redlining problem from decades ago that started very clearly in the 1930s when the federal government got involved with supportive housing across the nation and resulted in the Community Reinvestment Act at the federal level, and ultimately here in New York State in 1978, has done a remarkable job at shifting the numbers for those depository lenders that provide loans for mortgages in our community in Buffalo and across New York State, but the non-depository lenders haven't done so well.

And so what this bill does is it levels the playing field between non-depository lenders and depository lenders, banks, to ensure that there is transparency in the marketplace and that there are consumer protections and that the discrimination that we have seen in the unfortunate data that has been provided by DFS can be negated and bettered in the community that we are trying to serve.

SENATOR BORRELLO: Thank you.

Madam President, will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Senator Kennedy, do you yield?

SENATOR KENNEDY: Yes, I will.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: So we talked about this. And many of my concerns when it comes to -- and being the ranker on the Banks Committee is the fact that we often, you know, target certain institutions in New York State that now put them on an unlevel playing field with other institutions.

And particularly when you're talking about nondepository lending institutions that many of them could be outside of New York State, you know, I'm concerned about reducing the number of choices.

So I guess are we certain that this burden that we're putting on those institutions that don't have the ability to take deposits and get a profit from those deposits to fund this, are we really certain this is going to actually fix the redlining situation by doing this?

SENATOR KENNEDY: Through you, Madam President. Again, I appreciate my colleague's interest in this issue and his question and his concern for the community that I represent and the unfortunate discrimination practices that have happened over the decades in particularly communities of color and poorer communities that have been redlined, the illegal practice of cutting communities out based on those demographics.

And this bill, when I say it levels the playing field, it creates transparency in the marketplace for nondepository lenders for mortgages to the same level as banks, depository lenders, have to provide to the Department of Financial Services. And it is with that data that we'll be able to ensure that all of these companies, all of these lenders are held to the same standards and we're providing a level of service that is equitable regardless of your socioeconomic status, regardless of your race, and regardless of any other demographic that may have historically precluded you from getting a loan.

SENATOR BORRELLO: Thank you.

Madam President, will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KENNEDY: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

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

You know, when you start talking about lending, it's obviously a -- not only is it a supply and demand issue, oftentimes. It's also a matter of what are the costs involved.

So when you have this piece of legislation that's ultimately going to increase costs on these nondepository mortgage lenders, is this going to increase costs -- is that increased cost now going to be transferred on to these communities that we're trying to help here? So, you know, increased cost of a home loan as a result of this legislation?

SENATOR KENNEDY: Through you, Madam President. Through all of our research and all of our work, we are yet to hear any of these lending agencies bring up costs.

Now, while my colleague brings up costs, none of the agencies that he is representing here today talk about costs.

That being said, if in fact there happens to be a minuscule cost to DFS due to the fact that their documentation has to be transparent for nondepository lenders, equitable to depository lenders and banks, then, most importantly, the community will be better served for whatever minuscule costs will be necessary for that bureaucratic process to take place.

SENATOR BORRELLO: Thank you.

Madam President, will the sponsor continue to yield.

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

SENATOR KENNEDY: I will, yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: Through you, Madam President, last question. It's kind of a two-part question.

You know, the Legislature essentially is now expanding the regulatory power of the Division of Financial Services, so -- but

my concern is, do we really need to do this? You know, doesn't the superintendent already have the power to do this now? I mean, I guess I'm a little unclear on what his -- how are we expanding his authority, and isn't it already possible for him to do this without this regulation? Without this bill, excuse me.

SENATOR KENNEDY: Through you, Madam President. At this moment the Department of Financial Services is able to look at the data very holistically provided by depository lenders, banks, when they're providing that due to the Community Reinvestment Act of New York State back in 1978.

But nondepository lenders were not a part of that act in 1978. So today we close that loophole, create that level playing field, and make sure there is transparency in the process to give the superintendent of DFS the tools she needs -- or he may need in the future -- to do their job.

SENATOR BORRELLO: Thank you.

Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator Borrello on the bill.

SENATOR BORRELLO: Thank you, Madam President.

First of all, Senator Kennedy, thank you very much for the debate here to clear up some of these questions that I had. I appreciate that.

Also, thank you for your commitment to reducing housing discrimination. I agree, it's a -- especially in lending, I think it's important that we address that issue. I think we've made great strides in New York State, as you've mentioned. And I understand the idea of trying to level the playing field.

My concern with this bill is that it really isn't leveling the playing field, in the sense that we are now going to burden, you know, these independent mortgage bankers with an additional cost that their banks, the banks that also lend, have an ability to cover through the money they make on those deposits. So we're really not leveling the playing field so much as we are now giving them an additional cost which may end up being eventually transferred to the consumer. And particularly in areas of concern that we might have where there's discrimination,

now we're going to raise those costs as a result.

And I had mentioned before -- and this is the primary reason why I'm a no on this bill today, is because so much of what we do in the Banks Committee and in this Legislature is only -- only impacts those folks doing business based in New York State, state-chartered banks, for example. So I always -- and you can get a mortgage pretty much anywhere now, you know. So it's difficult for me to want to burden some of our New York businesses with this.

So while I understand the sponsor's intent, my concerns and the reason I vote no is the fact that I don't think we're really leveling the playing field.

That being said, the whole idea of trying to reduce discrimination in lending is an absolutely important priority for New York State, and I certainly support that.

So thank you.

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

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Kennedy to explain his vote.

SENATOR KENNEDY: Thank you very much, Madam President.

And I appreciate the questions from my colleague. And I would ask that my colleagues on both sides of the aisle support this in unanimous fashion, because I believe that this is the type of bill that really tells who we are as a state and where our values lie.

And if you look at the underlying issue that we are dealing with here today, the remnants of housing discrimination on a national level, but also particularly here in New York State and in the Buffalo area, the metro area that I represent and live in, we have a lot of work to do. We are digging ourselves out of the remnants of a racist, segregated society.

And what we are doing here today is providing individuals with the ability ultimately

to provide for themselves and their families and make investments into their own selves and into their future and being a part of society and gaining wealth.

You know, this bill was really manifested from a very difficult issue that was studied by the Department of Financial Services. And in February of this year, the Department of Financial Services released this report. And this report, which is just 23 pages long, is one that really pulls at your heartstrings. It talks about where we've come from nationally and again here in the state, but particularly in Buffalo. It talks about redlining in the 20th century, in the 1930s. It talks about how the federal government came around and then New York State helped to lead. It talks about the issues that are still left over, the remnants of redlining that exist today. It talks about the fact that the depository lenders, the banks that are on the ground in the community, communicating with folks on a regular basis, have lended at a proportionally higher level to majority-minority communities than those nondepository lenders have.

And there's a reason for that. And it articulates it very clearly in this report. And what it says is a main reason why the nondepository lenders aren't lending in majority-minority communities to the level that depository lenders, banks, are because they don't have the community engagement and outreach and marketing and quite frankly, apparently historically, the desire to engage in majority-minority communities, Black and brown communities, poorer communities, communities that in the past those same lenders have been told it's hazardous to do business in those communities, which is illegal and wrong.

And so the Department of Financial Services very clearly said that this simple piece of legislation that we're discussing here and ultimately passing today will help to resolve this age-old discriminatory process. This is clearly a major step in the right direction.

And it's not unprecedented. In Massachusetts and in Illinois, they have both enacted similar legislation. And what those states have proven is that the legislation that they enacted in those states actually results in

better lending practices for those nondepository lenders in those historically discriminated-against communities.

And so it also shows that this bill will work here in New York because of that. It is a data-driven analysis that will also allow for businesses not only to lend at a better rate in majority-minority communities, but give them better business. The results prove that those companies that are doing business in these communities have bettered themselves economically. It's good for business. It's good for the community. And again, it helps to resolve an age-old disgusting problem of redlining, not only that is rearing its ugly head in Buffalo but also all across New York State in very similar communities.

So with that, Madam President, I want to thank Majority Leader Andrea Stewart-Cousins for bringing this important bill to the floor here today.

I want to thank my colleague in the Assembly, Majority Leader Crystal Peoples-Stokes, for carrying and passing this legislation through the Assembly.

And we look forward to this getting to the Governor's desk for his signature and righting an age-old historic wrong in Buffalo and in New York State.

Thank you, Madam President. I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1691, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 43. Nays, 20.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Let's move on to Calendar 1684, please.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number

1684, Senate Print 4306B, by Senator Gianaris, an act to amend the Election Law.

ACTING PRESIDENT MAYER: Senator Rath.

SENATOR RATH: Thank you, Madam President. Will the sponsor yield for some questions.

ACTING PRESIDENT MAYER: Senator Gianaris, do you yield?

SENATOR GIANARIS: Definitely.

SENATOR RATH: Thank you.

This legislation would substantially alter the siting of early voting locations throughout New York State.

My first question is this. Can the sponsor elaborate on why the threshold for an early voting site was reduced from one per 50,000 votes to one per 30,000 voters for those counties with less than 500,000 registered voters?

SENATOR GIANARIS: Yes. The answer is because we saw, in our first attempt at early voting last year, that the demand was high and the lines were long. And so we thought that adding additional sites would help alleviate that. And as the title of the bill says, it

would make voting easy.

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

ACTING PRESIDENT MAYER: Senator Gianaris, do you yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RATH: Do you know, based on this legislation, how many additional sites will be required because of this mandate in New York State?

SENATOR GIANARIS: I do. I guess let me ask the question back to Senator Rath, just so I can clarify.

Are you asking what the increase is over the minimum required by law or over what was actually implemented last year? Because some counties did in excess of what was required.

SENATOR RATH: Can you repeat that question again?

SENATOR GIANARIS: Yeah. There was a minimum amount of sites required throughout the state by law. Many counties provided more sites than they were required as a minimum.

And so I can give you the answer any which way. But are you asking me how much more than is currently required will be required, or how much more than were actually in place will be required?

SENATOR RATH: How many more that were actually in place that will now be required.

SENATOR GIANARIS: Okay. So actually -- there were actually 281 sites throughout the state in place. And the minimum required under this proposed law would be 349. So it would add 68 sites.

SENATOR RATH: Thank you.

Madam President, will the sponsor continue to yield.

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

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RATH: Is the sponsor confident that funding will be made available for these additional sites in the coming fiscal year?

SENATOR GIANARIS: Yes.

SENATOR RATH: Thank you.

Madam President, will the sponsor continue to yield.

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

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RATH: Can the sponsor please elaborate on why the designated site for an early location is changed from the largest municipality to now the largest city?

SENATOR GIANARIS: That was in response to specific concerns from some localities throughout the state where people in the largest cities in particular counties did not have any sites made available to them.

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

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

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RATH: I believe you may have started to answer this next question. Is

there a definition for a large city?

SENATOR GIANARIS: I'm sorry, Senator, I was --

SENATOR RATH: Yes, I said I think you may have started to answer this next question, which is, is there a definition for a large city?

SENATOR GIANARIS: Is there a definition for a large city? Well, it's -- we know what the cities are in the state, and the largest one is the one with the most population.

SENATOR RATH: There are small cities and there are large cities. Is it geographic, is it registered population?

SENATOR GIANARIS: Oh, I see. I'm told it's by population.

SENATOR RATH: Thank you.

Madam President, will the sponsor continue to yield.

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

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RATH: In some upstate

counties the largest municipalities are not cities. Nonetheless, the language in this bill mandates that the largest city in a county needs to host an early voting location.

For those counties with municipalities where the towns or villages are larger than the cities, will the location still be required for the largest city or will it be the largest municipality within that county?

SENATOR GIANARIS: Senator Rath, the bill says that the largest city in a county will host a site. Of course there's nothing stopping the Board of Elections from adding sites in other locations.

And then in locations where there is no city in a county, the largest municipality would be required to host a site.

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

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

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RATH: For example, in the

question I just asked, in Herkimer County the City of Little Falls is the fourth largest municipality within Herkimer County, significantly smaller than many towns and villages within Herkimer County. Would you consider amending this piece of legislation to clarify this?

SENATOR GIANARIS: Certainly. I mean, we're going to pass this bill as it is, but if you're interested in subsequent legislation to add even more sites in the state, I'm all in favor of that.

SENATOR RATH: Perhaps clarification. I'm not sure about more sites, but clarification.

SENATOR GIANARIS: I'm sorry, Senator?

SENATOR RATH: Would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RATH: My comment and

question is perhaps clarification in the amendment is what I'd be considering.

Madam President, will the sponsor continue to yield.

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

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RATH: Lastly, can the sponsor please indicate whether or not stakeholders such as the New York State Election Commissioners Association or board of elections commissioners from any number of small counties were ever consulted in this legislation?

SENATOR GIANARIS: The answer is yes, we spoke to numerous elections commissioners and boards of elections throughout the state. So we certainly cast a wide net in seeking opinions on this proposal.

SENATOR RATH: Thank you.

Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator Rath on the bill.

SENATOR RATH: This legislation, I

believe, is another example of a solution in search of a problem. It is flawed. It is a one-size-fits-all approach that dismisses the practical needs of our rural and agricultural upstate counties.

The revised siting mandates present potential barriers for rural voter participation in early voting, which is counterintuitive to the democratic principles that this bill claims to champion. In fact, I have been made aware that in some counties the proposed changes would create a three-hour round trip for residents to participate in early voting.

Additionally, without funding commitments, this legislation will exacerbate already limited financial resources and staffing at upstate boards of elections.

The current model already threatens the viability of some rural boards of elections, and increasing costs is a further tone-deaf measure upon them.

For these reasons, Madam President, I will be voting in the negative on this bill and I urge my colleagues to all do the same.

Thank you.

ACTING PRESIDENT MAYER: Thank you, Senator Rath.

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 April 1, 2022.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Martucci to explain his vote.

SENATOR MARTUCCI: Thank you, Madam President.

So the bill before the house is the "Make Voting Easy Act." But the problem is voting isn't that easy -- early voting isn't that easy in Delaware County, where I represent. And unfortunately this bill, which is looking to apply New York City standards to rural counties, doesn't solve the problem.

I, however, have a bill that I brought here before the house, S6061, which does

fix this problem. This bill, which is supported by both Democrat and Republican commissioners in Delaware County, would actually make voting easier there, early voting easier specifically.

What it would do is it would allow the early voting site to move from Sidney to Delhi, which is the county seat. There's a primary just days away, and this is something that I brought here months and months ago, but the Majority has blocked my bill, despite the fact it's advanced others.

At the end of the day, Madam President, my constituents in Delaware County deserve to be treated the same as voters in New York City. Which is why I'll be voting no on the bill before us here today, and I urge the Majority, in the few hours that are left, to please bring this important bill for the voters of Delaware County to the floor.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Senator Martucci to be recorded in the negative.

Senator Gianaris to explain his vote.

SENATOR GIANARIS: Thank you,

Madam President.

This is a very simple bill. It's called "Make Voting Easy" because that's exactly what we're trying to do.

And Senator Martucci was right about one thing: Voting wasn't as easy it should have been last year. We saw lines that stretched for hours. We're glad we got early voting done, we're glad we made it easier to vote by absentee, especially during the pandemic, and yet people were willing to stand on line four or five hours at a time for early voting because there weren't enough sites made available to them.

So this bill does a simple thing. It says we need more sites for early voting to make it easier for people to go out, cast their votes, and not have to spend half their day doing it.

The whole idea of early voting was to give people options so that they wouldn't have to wait on line on Election Day itself, and then it turned into waiting on line for early voting. So with more sites, that problem will be greatly alleviated. And I'm glad we're passing this bill today, which will dramatically increase the

number of locations made available for early voting, starting with next year's elections.

And I do also want to point out, because of some of the comments from my colleagues about funding, the effective date of this legislation is intentionally slated for after next year's budget is enacted, so we will have the ability to provide additional funding as necessary to the boards of elections.

I vote yes. Thank you, Madam President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1684, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 45. Nays, 18.

ACTING PRESIDENT MAYER: The bill is passed.

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

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

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

SENATOR GIANARIS: The Senate stands at ease.

ACTING PRESIDENT MAYER: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 2:52 p.m.)

(Whereupon, the Senate reconvened at 3:09 p.m.)

ACTING PRESIDENT MAYER: The Senate will return to order.

Senator Gianaris.

SENATOR GIANARIS: Madam President, there's a report of the Rules Committee at the desk. Let's take that up, please.

ACTING PRESIDENT MAYER: The Secretary will read.

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

Senate Print 661, by Senator Sanders, an act to amend the Workers' Compensation Law;

Senate Print 922A, by Senator May, an act to amend the Highway Law;

Senate Print 1411A, by Senator Rivera, an act to amend the Social Services Law;

Senate Print 2288, by Senator Jordan, an act to amend the Public Officers Law;

Senate Print 2801A, by Senator Bailey, an act to amend the Correction Law and the Executive Law;

Senate Print 3280B, by Senator Cooney, an act in relation to enacting the Rochester Housing Court Act;

Senate Print 3926, by Senator Kennedy, an act to amend the Tax Law;

Senate Print 4106B, by Senator Breslin, an act to amend the Public Authorities Law;

Senate Print 4186A, by Senator Comrie, an act directing the Public Service Commission to study the

feasibility and the costs of burying all or most of the electrical, telephone and internet transmission lines in New York State;

Senate Print 4823, by Senator Comrie, an act to amend the Public Service Law;

Senate Print 4824A, by Senator Comrie, an act to amend the Public Service Law;

Senate Print 4868, by Senator Kennedy, an act to amend the Public Authorities Law;

Senate Print 5105C, by Senator Liu, an act to amend the General Obligations Law;

Senate Print 5486A, by Senator Kennedy, an act to amend the Vehicle and Traffic Law and the Transportation Law;

Senate Print 5882A, by Senator Persaud, an act to amend the Real Property Tax Law;

Senate Print 5979, by Senator Skoufis, an act to amend the Alcoholic Beverage Control Law;

Senate Print 6092, by Senator Gounardes, an act to amend the

Retirement and Social Security Law;

Senate Print 6375, by Senator Savino, an act in relation to directing the Commissioner of Health to conduct a study on the delivery of ambulatory and other medical care;

Senate Print 6452, by Senator Reichlin-Melnick, an act to amend the Vehicle and Traffic Law;

Senate Print 6550A, by Senator Gallivan, an act to amend the Highway Law;

Senate Print 6634, by Senator Boyle, an act in relation to permitting Brentwood Fire District to file an application for a retroactive real property tax exemption;

Senate Print 6653A, by Senator Mannion, an act to amend the Real Property Tax Law;

Senate Print 6655A, by Senator Brisport, an act to amend the Social Services Law;

Senate Print 6656A, by Senator Sanders, an act to amend the Civil Practice Law and Rules;

Senate Print 6729, by Senator Boyle,

an act authorizing the Good Samaritan Hospital Medical Center to file an application for exemption from real property taxes;

Senate Print 6950, by Senator Salazar, an act to amend the Multiple Dwelling Law;

Senate Print 6995A, by Senator Comrie, an act to amend the Public Authorities Law;

Senate Print 7024, by Senator Mannion, an act in relation to the provision of records upon the receipt of a complaint of an incident of abuse or neglect of an individual with a disability;

Senate Print 7052, by Senator Gounardes, an act to amend the Civil Practice Law and Rules;

Senate Print 7079, by Senator Kavanagh, an act to amend the Private Housing Finance Law;

Senate Print 7093, by Senator Hoylman, an act to amend the Civil Practice Law and Rules;

Senate Print 7137, by Senator Gianaris, an act to amend the

Public Health Law;

Senate Print 7153, by Senator Krueger, an act to amend the Social Services Law and the Abandoned Property Law;

Senate Print 7180, by Senator Savino, an act to amend the Penal Law;

Senate Print 7182, by Senator Palumbo, an act authorizing the County of Suffolk to alienate and discontinue the use of certain parklands;

Senate Print 7192, by Senator Harckham, an act providing that a student enrolled in an individualized education plan during certain school years may continue to receive educational services; and

Senate Print 7236, by Senator Stewart-Cousins, an act to amend the Public Authorities Law.

All bills reported direct to third reading.

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

ACTING PRESIDENT MAYER: All those in favor of accepting the report of the

Rules Committee signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed, nay.

(No response.)

ACTING PRESIDENT MAYER: The Rules Committee report is accepted.

Senator Gianaris.

SENATOR GIANARIS: Please take up the supplemental calendar.

(Pause.)

ACTING PRESIDENT MAYER: Senator Gianaris.

SENATOR GIANARIS: Thank you, Madam President. Let's do the substitutions first and then move to the calendar from there.

ACTING PRESIDENT MAYER: The Secretary will read the substitutions.

THE SECRETARY: Senator Jordan moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 2575 and substitute it for the identical Senate Bill 2288, Third Reading Calendar 1705.

Senator Kennedy moves to discharge,

from the Committee on Finance, Assembly Bill Number 5401 and substitute it for the identical Senate Bill 3926, Third Reading Calendar 1708.

Senator Comrie moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 2330A and substitute it for the identical Senate Bill 4186A, Third Reading Calendar 1710.

Senator Comrie moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 3359 and substitute it for the identical Senate Bill 4823, Third Reading Calendar 1711.

Senator Kennedy moves to discharge, from the Committee on Finance, Assembly Bill Number 333 and substitute it for the identical Senate Bill 4868, Third Reading Calendar 1715.

Senator Kennedy moves to discharge, from the Committee on Rules, Assembly Bill Number 6295A and substitute it for the identical Senate Bill 5486A, Third Reading Calendar 1715.

Senator Skoufis moves to discharge, from the Committee on Codes, Assembly Bill Number 5972 and substitute it for the identical Senate Bill 5979, Third Reading Calendar 1717.

Senator Gounardes moves to discharge, from the Committee on Rules, Assembly Bill Number 4392 and substitute it for the identical Senate Bill 6092, Third Reading Calendar 1718.

Senator Savino moves to discharge, from the Committee on Rules, Assembly Bill Number 5713 and substitute it for the identical Senate Bill 6375, Third Reading Calendar 1719.

Senator Reichlin-Melnick moves to discharge, from the Committee on Transportation, Assembly Bill Number 3920 and substitute it for the identical Senate Bill 6452, Third Reading Calendar 1720.

Senator Gallivan moves to discharge, from the Committee on Rules, Assembly Bill Number 6707A and substitute it for the identical Senate Bill 6550A, Third Reading Calendar 1721.

Senator Boyle moves to discharge, from the Committee on Rules, Assembly Bill Number 7896 and substitute it for the identical Senate Bill 6634, Third Reading Calendar 1722.

Senator Mannion moves to discharge, from the Committee on Rules, Assembly Bill Number 6489A and substitute it for the identical

Senate Bill 6653A, Third Reading Calendar 1723.

Senator Sanders moves to discharge, from the Committee on Rules, Assembly Bill Number 4474A and substitute it for the identical Senate Bill 6656A, Third Reading Calendar 1725.

Senator Boyle moves to discharge, from the Committee on Rules, Assembly Bill Number 7263 and substitute it for the identical Senate Bill 6729, Third Reading Calendar 1726.

Senator Salazar moves to discharge, from the Committee on Rules, Assembly Bill Number 7667 and substitute it for the identical Senate Bill 6950, Third Reading Calendar 1727.

Senator Comrie moves to discharge, from the Committee on Rules, Assembly Bill Number 7707A and substitute it for the identical Senate Bill 6995A, Third Reading Calendar 1728.

Senator Mannion moves to discharge, from the Committee on Rules, Assembly Bill Number 7731 and substitute it for the identical Senate Bill 7024, Third Reading Calendar 1729.

Senator Kavanagh moves to discharge, from the Committee on Rules, Assembly Bill Number 7637 and substitute it for the identical Senate Bill 7079, Third Reading Calendar 1731.

Senator Krueger moves to discharge, from the Committee on Rules, Assembly Bill Number 7942 and substitute it for the identical Senate Bill 7153, Third Reading Calendar 1734.

And Senator Harckham moves to discharge, from the Committee on Rules, Assembly Bill Number 8021 and substitute it for the identical Senate Bill 7192, Third Reading Calendar 1737.

ACTING PRESIDENT MAYER: The substitutions are so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1687, Senate Print 661, by Senator Sanders, an act to amend the Workers' Compensation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to

Calendar 1687, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Martucci, Mattera, Oberacker, O'Mara, Ortt, Rath and Stec.

Ayes, 49. Nays, 14.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1703, Senate Print 922A, by Senator May, an act to amend the Highway Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 12. This act shall take effect on the first of April.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator May to explain her vote.

SENATOR MAY: Thank you, Madam President.

This is the SIGH Act, S-I-G-H, Schools Impacted by Gross Highways.

All across this state children are attending schools in close proximity to major

roadways. We know that such exposure to air pollution and noise pollution is harmful to children's health and to their ability to learn. It drives up asthma rates, it affects brain development, it makes it harder for kids to concentrate. It even makes it hard for them to hear their teachers.

Most of these schools are in Black and brown communities, so this is an environmental justice issue.

All of our children deserve to attend healthy schools, schools that are designed to help them succeed, not to place barriers on their physical development and educational attainment.

The SIGH Act prohibits development and construction of new schools within 600 feet of a major roadway or of roadways in close proximity to existing schools, with certain limited exceptions. It requires environmental impact statements to take into account that proximity, as well as any environmental justice concerns.

SIGH, S-I-G-H. The South Side community in Syracuse sighed with discouragement

when the draft plan for replacing I-81 through the city actually included a major off-ramp very close to Dr. King School, an elementary school with 96 percent minority enrollment.

With the passage of this bill, I hope the children, teachers and parents of that school and schools across the state can *sigh* with relief. I vote aye.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1703, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Serino, Stec, Tedisco and Weik.

Ayes, 44. Nays, 19.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1704, Senate Print 1411A, by Senator Rivera, an act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Rivera to explain his vote.

SENATOR RIVERA: Thank you, Madam President.

There is a maternal mortality and morbidity crisis in the State of New York. The reality is it happens around the country, Madam President, but certainly in the State of New York and particularly among women of color, and Black women specifically, there is a great crisis.

And so we have to do, as we've done in the State of New York, a lot to make sure that we can better inform our patients, better equip our hospitals and our doctors to be able to keep birthing people alive and healthy so that they can see their children grow up.

This bill is a very basic bill, but

I think it's a very essential one. It is referred to in some instances as the "Fourth Trimester" bill. And what this bill would do, Madam President, is it will allow -- it will say to the state, Go and get some federal money so that we can extend Medicaid coverage for women or for people who give birth for an extended year after they give birth.

So we could have Medicaid patients, Madam President, who under normal circumstances would only have this extended for a period of a couple of months, for an entire year, so we can make sure that they have the access to the care that's necessary so that they can keep healthy -- and again, not only their children healthy, but be able to see them grow up.

It is a small thing, because we still have much to do in this crisis, Madam President. And there's much that we are going to be doing legislatively in the years to come. We have done so in the past. But this here is a basic tool that will allow the state -- will mandate to the state that they have to go, we have to go and get that federal money so we can secure the health and well-being of these

people who have given birth so that they can, again, be healthy, have their children be healthy, and see them growing up.

I'm incredibly proud to pass this today, Madam President. I vote in the affirmative.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 1704, voting in the negative: Senator Borrello.

Ayes, 62. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1705, Assembly Print 2575, substituted earlier by Assemblymember Woerner, an act to amend the Public Officers Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1706, Senate Print 2801A, by Senator Bailey, an act to amend the Correction Law and the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1706, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Griffo, Helming, Jordan, Lanza, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 46. Nays, 17.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1707, Senate Print 3280B, by Senator Cooney, an act in relation to enacting the Rochester Housing Court Act.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1707, those Senators voting in the negative are Senators Griffo, Jordan, Martucci and Serino.

Ayes, 59. Nays, 4.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

1708, Assembly Print 5401, substituted earlier by Assemblymember McDonald, an act to amend the Tax Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1709, Senate Print 4106B, by Senator Breslin, an act to amend the Public Authorities Law.

SENATOR GIANARIS: Lay that aside temporarily, please.

ACTING PRESIDENT MAYER: The bill is laid aside temporarily.

THE SECRETARY: Calendar Number 1710, Assembly Print 2330A, substituted earlier by Assemblymember Jacobson, an act directing the

Public Service Commission to study the feasibility and the costs of burying all or most of the electrical, telephone and internet transmission lines in New York State.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1710, those Senators voting in the negative are Senators Oberacker and Stec.

Ayes, 61. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1711, Assembly Print 3359, substituted earlier by Assemblymember Paulin, an act to amend the Public Service Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 1711, voting in the negative: Senator Borrello.

Ayes, 62. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1712, Senate Print 4824A, by Senator Comrie, an act to amend the Public Service Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

THE SECRETARY: In relation to Calendar 1712, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Jordan, Lanza, Oberacker, O'Mara, Ortt, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 48. Nays, 15.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1713, Assembly Print 333, substituted earlier by Assemblymember Rosenthal, an act to amend the Public Authorities Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1714, Senate Print 5105C, by Senator Liu, an act to amend the General Obligations Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1715, Assembly Print 6295A, substituted earlier by Assemblymember Lupardo, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1716, Senate Print 5882A, by Senator Persaud, an act to amend the Real Property Tax Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1717, Assembly Print 5972, substituted earlier by Assemblymember Bronson, an act to amend the

Alcoholic Beverage Control Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 45th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1718, Assembly Print 4392, substituted earlier by Assemblymember Abbate, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1719, Assembly Print 5713, substituted earlier by Assemblymember Fall, an act in relation to directing the Commissioner of Health to conduct a study of the delivery of ambulatory and other medical care in response to the COVID-19 pandemic.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator O'Mara to explain his vote.

SENATOR O'MARA: Thank you, Madam President.

I rise to reluctantly support this bill. While I believe we should be conducting

studies and investigations of how medical care was provided throughout the COVID pandemic and how we can improve upon that for situations in the future, this falls far short of what we should be doing in this chamber.

We should be fully investigating the actions of the Executive throughout the pandemic, including the nursing home cover-up, including terminating the Governor's executive powers that -- this is our last day of session, and it is still apparent that the Majority of this body refuses to take action to terminate the Governor's executive powers that were unilaterally extended a few months ago. They would have expired by now, yet the Governor still is issuing edicts, still complicating the process and confusing New Yorkers.

Just last weekend, with the back and forth ping-pong-style eleventh-hour decrees regarding masks in schools and summer camps. It's chaotic.

This Legislature needs to get back engaged in the oversight of government and to actually exercising our oversight powers through the Senate Investigations and Government

Operations Committee. We should be looking into the nursing home order, the nursing home numbers cover-up, the book deal that Governor Cuomo lined his pockets with $5.1 million -- that he wrote during a pandemic when he didn't have the time to respond to legislative inquiries during that period.

Yes, there's other investigations. That does not preclude us from conducting investigations and passing legislation like this. But we should be doing the study called for in this bill ourselves, through the Investigations Committee.

This is another study we're directing the Commissioner of Health to review his own practices. We've been through that before, on the nursing home order and we saw where that led us -- to cover up, to deceit, to misrepresentation to this legislative body. Yet we're doing nothing in the Legislature. The Majorities are doing nothing in the Legislature. We have moved over 50 times to terminate the Governor's executive powers, with unanimous support of the Republican side and unanimous opposition those 50 times by the Democrat side of

this house.

And yet we're going to leave here today, the last day of session, and keep the Governor's executive powers -- emergency powers in place indefinitely until he decides to end them. We need to end them, and we should be doing it today before we leave.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Senator O'Mara to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1720, Assembly Print 3920, substituted earlier by Assemblymember Dinowitz, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1721, Assembly Print 6707A, substituted earlier by Assemblymember DiPietro, an act to amend the Highway Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1722, Assembly Print 7896, substituted earlier Assemblymember Brown, an act in relation to

permitting the Brentwood Fire District to file an application for a retroactive real property tax exemption.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1722, those Senators voting in the negative are Senators Akshar and O'Mara.

Ayes, 61. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1723, Assembly Print 6489A, substituted earlier by Assemblymember Stirpe, an act to amend the Real Property Tax Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1723, those Senators voting in the negative are Senators Jordan, O'Mara and Ortt.

Ayes, 60. Nays, 3.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1724, Senate Print 6655A, by Senator Brisport, an act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to

Calendar 1724, those Senators voting in the negative are Senators Gallivan, Griffo, Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath, Stec, Tedisco and Weik.

Ayes, 50. Nays, 13.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1725, Assembly Print 4474A, substituted earlier by Assemblymember Hunter, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1726, Assembly Print 7263, substituted earlier by

Assemblymember D'Urso, an act authorizing the Good Samaritan Hospital Medical Center to file an application for exemption from real property taxes.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 1726, those Senators voting in the negative are Senators Akshar and O'Mara.

Ayes, 61. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1727, Assembly Print 7667, substituted earlier by Assemblymember Glick, an act to amend the Multiple Dwelling Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1727, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Serino, Stec, Tedisco and Weik.

Ayes, 44. Nays, 19.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1728, Assembly Print 7707A, substituted earlier by Assemblymember Paulin, an act to amend the Public Authorities Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Stec to explain his vote.

SENATOR STEC: Thank you, Madam President.

I rise in support of this bill on our last scheduled day of session here in Albany, here in June. I'm honored, this is my first session, to be part of our chamber serving in the Capitol on behalf of my constituents in the North Country.

This Capitol has been closed to all my constituents. They've been unable to visit, they've been unable to come here and advocate in person, you know, unable to come and enjoy the splendor of their Capitol that they pay for. And even as we're slowly moving back towards normalcy and a full economic reopening, the Governor is continuing to keep our Capitol on lockdown. There's chain-link fence everywhere, we're all here behind locked doors and security, and the public is not allowed to come visit the Capitol and advocate and tell us how to spend a $212 billion budget.

But people can visit crowded arenas, we can shop at the malls, we can go everywhere -- but they can't come to visit the State Capitol and their lawmakers that are deciding how to spend their tax dollars and what we're doing with their public safety.

What's resulted in that has contributed to what's been undoubtedly the least transparent and least accountable state budget process and legislative sessions in the history of our state. The closure of the Capitol is bad government. It's bad for the people of New York. It's certainly very convenient for the Governor, who continues to dodge the press and try his best to pretend that everything is business as normal, even as he faces multiple investigations and scandals.

The Capitol should be reopened. But unfortunately, you've all allowed just one man to control, to make those decisions. And that is why we absolutely cannot end the session without revoking the Governor's emergency powers.

Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1729, Assembly Print 7731, substituted earlier by Assemblymember Gunther, an act in relation to the provision of records upon the receipt of a complaint of an incident of abuse or neglect of an individual with a disability.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Palumbo to explain his vote.

SENATOR PALUMBO: Thank you, Madam President.

I rise in support of this bill. It protects some of the most vulnerable members, people with disabilities, in our communities. And it's important, obviously, to protect those

individuals.

I think it's also important to protect victims of sexual harassment. As I stand here today, we have not one, not two, not three, ten credible allegations against this Governor of sexual harassment and assault.

And yet he still has emergency powers. He still rules however he sees fit. He sets an edict saying, well, we don't need to wear masks in schools, based upon, quote, unquote, data -- and then now we have to wear them again. Because he said so.

Those allegations and investigations and everything that's circling around that man unfortunately has affected his ability to govern.

We need to get back to business as a coequal branch of government. We sit here with nothing even emergent regarding COVID, I would say, or exigent. Emergency powers are needed for just that, an emergency. But we don't have anything that's emergent, thank God, right now. Record numbers of vaccinations, record low numbers of perspective cases.

It's time to get back to work, my friends. We need to act now. This is our last

day of session. I know we've heard this several times today, but we've done this over 50 times. And unfortunately, it's been ignored by the Majorities in both houses. Let's get back to business, let's do what we've been elected to do, and that's govern as a coequal branch in the State of New York.

Thank you, Madam President.

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

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1730, Senate Print 7052, by Senator Gounardes, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

THE SECRETARY: In relation to Calendar 1730, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Helming, Jordan, Stec and Tedisco.

Ayes, 56. Nays, 7.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1731, Assembly Print 7637, substituted earlier by Assemblymember Cymbrowitz, an act to amend the Private Housing Finance Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect January 1, 2022.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1731, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza,

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

Ayes, 44. Nays, 19.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1732, Senate Print 7093, by Senator Hoylman, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1732, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Oberacker, Ortt, Rath, Serino, Stec, Tedisco and Weik. Also Senator O'Mara.

Ayes, 47. Nays, 16.

ACTING PRESIDENT MAYER: The bill

is passed.

THE SECRETARY: Calendar Number 1733, Senate Print 7137, by Senator Gianaris, an act to amend the Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1734, Assembly Print 7942, substituted earlier by Assemblymember Weinstein, an act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1734, those Senators voting in the negative are Senators Gallivan and Oberacker.

Ayes, 61. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1735, Senate Print 7180, by Senator Savino, an act to amend the Penal Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill

is passed.

THE SECRETARY: Calendar Number 1736, Senate Print 7182, by Senator Palumbo, an act authorizing the County of Suffolk to alienate and discontinue the use of certain parklands.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1737, Assembly Print 8021, substituted earlier by Assemblymember Abinanti, an act providing that a student enrolled in an individualized education plan during certain school years may continue to receive educational services.

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Harckham to explain his vote.

SENATOR HARCKHAM: Thank you, Madam President.

Since this is the last time I'll be speaking on the floor this session, I'd like to just preface my remarks first by thanking our Majority Leader Andrea Stewart-Cousins for her leadership during a really extraordinary year.

I also want to take a moment to thank all of the professional men and women from the staff of the Senate, whether they be our individual offices, whether it be here on the floor teams, or whether it be central staff, for their professionalism, their hard work and their intellect; it really makes our jobs as Senators much easier.

And with that, on the bill. I want to thank the leader, the Majority Leader, for

bringing this to the floor. I want to thank you, Madam President, for your role as Education chair and your work on this bill. We know how hard the pandemic was on all of our students, but it disproportionately impacted our students with differing needs and differing abilities who learn differently and may need enhanced services. And that those services and that structure are so critical for some students, and they lost that due to COVID.

And this bill will allow them to get that back, up until the age of 23, so that they won't lose that personalized and individualized education plan that is so critical to their success. They will have that opportunity up until the age of 23, for the next two years, to get those services back and to complete those individualized learning programs to give them the structure and the supports that they need to thrive and that they deserve.

I vote aye, Madam President. Thank you.

ACTING PRESIDENT MAYER: Thank you, Senator Harckham.

Senator Harckham to be recorded in

the affirmative.

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1738, Senate Print 7236, by Senator Stewart-Cousins, an act to amend the Public Authorities Law.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

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

SENATOR GIANARIS: Okay,

Madam President. At this time we're going to break for respective party conferences.

So please recognize Senator Lanza for an announcement.

ACTING PRESIDENT MAYER: Senator Lanza for an announcement.

SENATOR LANZA: Thank you, Senator Gianaris.

Madam President, there will be an immediate meeting of the Republican Conference in Room 315 of the Capitol.

ACTING PRESIDENT MAYER: There will be an immediate meeting of the Senate Republican Conference in Room 315 of the Capitol.

SENATOR GIANARIS: Majority members should check their emails. There is a Zoom link for a virtual conference in their inboxes, which will begin as soon as we go at ease.

And we will call a meeting of the Committee on Rules in Room 332 for 4:45, followed by session thereafter. So session at 4:46 here in the chamber.

(Laughter.)

SENATOR GIANARIS: The Senate stands at ease.

ACTING PRESIDENT MAYER: The Senate stands at ease.

(Whereupon, the Senate stood at ease at 3:48 p.m.)

(Whereupon, the Senate reconvened at 5:24 p.m.)

ACTING PRESIDENT MAYER: The Senate will come to order.

Senator Gianaris.

SENATOR GIANARIS: Madam President, I believe there's a report of the Rules Committee at the desk. Can we take that up.

ACTING PRESIDENT MAYER: The Secretary will read.

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

Senate Print 2031, by Senator Akshar, an act to amend the County Law and the Tax Law;

Senate Print 2988, by Senator Harckham, an act in relation to ordering a study and report on improvements of State Route 9A;

Senate Print 524A, by Senator

Hoylman, an act to amend the Vehicle and Traffic Law;

Senate Print 4379, by Senator Hoylman, an act to amend the Judiciary Law;

Senate Print 4523, by Senator Gounardes, an act to amend the Retirement and Social Security Law;

Senate Print 5022, by Senator Gaughran, an act to amend the Environmental Conservation Law;

Senate Print 5673, by Senator Ritchie, an act to amend the Tax Law;

Senate Print 6185A, by Senator Lanza, an act to amend the Executive Law;

Senate Print 6492, by Senator Palumbo, an act to amend the Town Law and the Tax Law;

Senate Print 6573, by Senator Kavanagh, an act to amend the Social Services Law;

Senate Print 6603, by Senator Skoufis, an act to amend the Social Services Law and the Public Health Law;

Senate Print 6706B, by

Senator Brisport, an act to amend the Social Services Law;

Senate Print 6796, by Senator Brooks, an act to amend the Retirement and Social Security Law;

Senate Print 6925, by Senator May, an act to repeal Section 5 of Chapter 254 of the Laws of 2013;

Senate Print 6927, by Senator Serino, an act to amend the Alcoholic Beverage Control Law;

Senate Print 6990, by Senator Brouk, an act to amend subpart A of Part BB of Chapter 56 of the Laws of 2021;

Senate Print 7087A, by Senator Parker, an act to amend the Insurance Law;

Senate Print 7117, by Senator Helming, an act to amend the Tax Law;

Senate Print 7142A, by Senator Kennedy, an act to amend the General Business Law;

Senate Print 7209, by Senator Kennedy, an act granting a retroactive retirement date of August 5, 2010, from the

New York State and Local Police and Fire Retirement System for Cariol Horne;

Senate Print 7225, by Senator Salazar, an act to amend the Environmental Conservation Law;

Senate Print 2890, by Senator May, an act to amend the General Business Law;

Senate Print 1634, by Senator Skoufis, an act to amend the General Municipal Law;

Senate Print 6571, by Senator Hinchey, an act to amend the Public Health Law;

Senate Print 6712A, by Senator Comrie, an act to amend the Public Authorities Law;

Senate Print 6722, by Senator Salazar, an act to amend the Social Services Law;

Senate Print 6899, by Senator Palumbo, an act authorizing the Town of East Hampton, County of Suffolk, upon the dissolution of the East Hampton Wastewater Disposal District;

Senate Print 7096A, by

Senator Cooney, an act to amend the Education Law; and

Senate Print 7253, by Senator Gianaris, an act to amend the Civil Practice Law and Rules.

All bills reported direct to third reading.

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

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

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed, nay.

(No response.)

ACTING PRESIDENT MAYER: The Rules Committee report is accepted.

Senator Gianaris.

SENATOR GIANARIS: Madam President, before we move to the supplemental calendar, can we go back to Calendar 1709, by Senator Breslin, remove the temporary lay-aside, and take that bill up.

ACTING PRESIDENT MAYER: There is a

substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Breslin moves to discharge, from the Committee on Rules, Assembly Bill Number 3370B and substitute it for the identical Senate Bill 4106B, Third Reading Calendar 1774.

ACTING PRESIDENT MAYER: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1774, Assembly Print 3370B, by Assemblymember McDonald, an act to amend the Public Authorities Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill

is passed.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Madam President. Now let's take up the supplemental calendar, Supplemental Calendar B.

(Pause.)

SENATOR GIANARIS: Madam President, can we just stand at ease for a brief moment.

ACTING PRESIDENT MAYER: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 5:28 p.m.)

(Whereupon, the Senate reconvened at 5:29 p.m.)

ACTING PRESIDENT MAYER: The Senate will come to order.

SENATOR GIANARIS: Okay, Madam President, we're going to come back to the supplemental calendar in a moment, but first we're going to take up the nominations that are pending.

There's a report of the Finance Committee at the desk with those nominations. Please take them up and recognize Senator Krueger on the Finance Committee report.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Senator Krueger, from the Committee on Finance, reports the following nominations.

As chief enforcement counsel of the State Board of Elections: Michael L. Johnson.

As members of the New York State Energy Research and Development Authority: Richard L. Kauffman; Sarah McKeown Singman; Sherburne B. Abbott; Frances Ann Resheske; Arturo Garcia-Costas; Jay L. Koh.

As commissioners of the Public Service Commission: James E. Alesi; Roy M. Christian; David J. Valesky; and John Maggiore.

ACTING PRESIDENT MAYER: Senator Krueger.

SENATOR KRUEGER: Good afternoon, Madam President. Nice to see you up there.

On behalf of the Senate Finance Committee, and on behalf of now the entire Senate, I would just like to applaud each person being confirmed today.

These are very important jobs for

the State of New York. One will be joining the Board of Elections to be ensuring the legitimacy of the campaign funds system.

Then six will be joining the New York State Energy Research and Development Authority, NYSERDA, responsible for so much of what happens in energy and sustainability and our future.

And then four who will join the Public Service Commission, which of course has regulatory authority over our utilities, our phones, our wifi, our electricity, and in fact the challenges for the 21st century of seeing how quickly we can move New York State into the leader in the country, as our legislation instructs, so that we have met the highest standards of energy efficiency and green energy and conversion of an antiquated system, including an improved electric grid.

So these candidates that we are nominating to positions today have an enormous amount of work to do on the behalf of 20 million New Yorkers. And on behalf of our leader, Andrea Stewart-Cousins, and my colleagues in the Senate, I wish them all well. I wish them all enormous

luck in accomplishing the very challenging positions they are taking on. And I do urge my colleagues to support them through votes this afternoon.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Krueger.

Senator Ryan on the nominations.

SENATOR RYAN: Good evening, Madam President. Great to see you today.

Senator Krueger, thanks for all the work you've done getting these items through these committees. A lot of work over the last few days.

I rise to speak on behalf of John Maggiore, who's in front of us as a nominee to the Public Service Commission.

I've known John for over 25 years. Before he moved his residence to Albany, he was a constituent of mine. His mom and dad, Sal and Susan Maggiore, still live in the same house in the neighborhood.

And John is a professional in government and public policy. He's not new to it. He actually interned here while he was in

college, went on to work for Governor Mario Cuomo right after college. He spent almost a decade as the chief of staff for an Assemblymember. He was also the chief of staff for the president of Buffalo State College. He's got a really broad background. He's really a skilled professional in the field of government and public policy.

And one of the highlights that I had working with John Maggiore when he was a representative on the Public Bridge Authority -- it's the Peace Bridge Authority in Buffalo. And they had this plan to build a new bridge which also would have knocked down hundreds of low-income houses on the West Side of Buffalo.

And that plan was trying to be jammed through until John got on the board, and he did a data analysis of will this bridge really even be able to pay for itself without even having to balance the harm to the neighborhoods? And the data showed the bridge could not pay for itself.

So we still have our lovely 100-year-old bridge, we still have an intact neighborhood of 100 people, and it was because of the professional and the analytical skills that

John Maggiore brought to his position as a board member.

As you know, New York State has adopted an ambitious climate change policy and plan, but now is the hard part, and the hard part is executing it. But I am confident that John Maggiore has the skills to get it done. He's got the experience, he's got the brain power, he's got the analytical ability.

And I look forward to working with him in his new role at the Public Service Commission. And it's my pleasure to support his nomination and to cast my vote in the affirmative.

Thank you so much.

ACTING PRESIDENT MAYER: Thank you, Senator Ryan.

Senator Jackson on the nominations.

SENATOR JACKSON: Thank you, Madam President.

Good afternoon, my colleagues. I rise to explain my vote on the nomination of David Valesky as a Public Service commissioner.

The Public Service Commission regulates and oversees the electric, gas, water

and telecommunication industries in New York State. Indeed, it is a body that demands great integrity to lead. And it directly affects many lives daily.

Integrity is a quality I find lacking in this nominee, a registered Democrat who was one of the founding members of the so-called Independent Democratic Conference, a group of turncoat Democrats. The fundamental lack of integrity that the IDC members demonstrated in betraying their constituents should be of deep concern to us and should weigh heavily in our decision to vote on this nomination.

While I may disagree with my colleagues on the other side of the aisle, we know where the others stand, and there is value in that honesty and transparency. Based on this nominee's decision to run repeatedly as a Democrat but caucus with the Republicans, I do not see the firm adherence to a moral code that should be baseline for public service.

And as a member of the IDC, Mr. Valesky participated in blocking numerous bills that would have improved the lives of

millions of New Yorkers -- millions.

Fortunately, today, we count on a Senate Majority that has upheld our mandate to legislate with the interests of our constituents' well-being. As a legislator of conscience, I cannot ignore Mr. Valesky's record of harm to communities like those I represent, nor can I condone his lack of integrity as a founding IDC member.

Therefore, Madam President, I vote no on Mr. Valesky's nomination. I do not believe he is fit to serve as a Public Service commissioner.

Thank you.

ACTING PRESIDENT MAYER: The question is on the nominations.

All in favor say aye.

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed?

(Response of "Nay.")

ACTING PRESIDENT MAYER: The nominees are confirmed.

Senator Gianaris.

SENATOR GIANARIS: Madam President, on receiving the request of more than five

members, the votes on these nominations will be recorded in the Journal.

Any Senator wishing to be recorded in the negative please inform the Majority or Minority counsel staff with your votes.

And as with any noncontroversial matter on the calendar, whoever is in the vote bank and does not contact the desk will be recorded in the affirmative.

ACTING PRESIDENT MAYER: It is so ordered.

SENATOR GIANARIS: At this point we're going to stand at ease just for a minute or two while we get ready for the supplemental calendar.

ACTING PRESIDENT MAYER: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 5:38 p.m.)

(Whereupon, the Senate reconvened at 5:39 p.m.)

ACTING PRESIDENT MAYER: The Senate will come to order.

Senator Gianaris.

SENATOR GIANARIS: Madam President,

while we're waiting for some technical aspects of the supplemental calendar to get resolved, can we allow members who still want to speak on the nominations to have their say.

ACTING PRESIDENT MAYER: Without objection, so ordered.

Senator Borrello on the nominations.

SENATOR BORRELLO: Thank you, Madam President. I rise today to explain my votes on the nominations.

As I did before, I voted no on all the nominations. Not because these folks are not qualified, but because I simply don't have enough information to make a truly informed decision on most if not all of them, quite frankly, as a relatively new legislator.

So I've heard a lot of things about how important these jobs are, and they are, these nominations, what they're doing here in New York State and the impact, the long-term impact of these appointments. And yet I don't think most of my colleagues really have a full understanding of who these folks are and the job -- if they are qualified for the job that they are being appointed to.

I've introduced legislation, Senate Bill 7242, which would give us 60 days from when a nominee is presented to do our due diligence before we actually have to vote on them. Not in the matter of days or even hours, but 60 days and financing for the Majority and the Minority to do our own independent investigation.

I think that's appropriate. When we start hearing about judicial nominees to the highest court in New York State, to people that are going to be making decisions about the future of important things like our electrical grid and the future of New York in general, to sit here and review it in, quite frankly, less time than I review an applicant who's going to serve drinks at one of my bars, I think it's rather shameful, quite frankly, that we don't have more time to review and vet these folks.

So I'm voting no on principle, but also urging my colleagues to bring this bill forward so we have the time and the funding to do the proper due diligence and truly vet these nominees.

Thank you.

ACTING PRESIDENT MAYER: Thank you,

Senator Borrello.

Senator Gianaris.

SENATOR GIANARIS: Okay, Madam President, now we'll go back to -- assuming no one else wants to explain votes on the nominations, we'll go back to at ease for just a brief moment.

I take it back.

(Laughter.)

SENATOR GIANARIS: Madam President, we do have some procedural work for the desk to do, so why don't we take this opportunity to allow the substitutions to be read on the bills that are coming.

ACTING PRESIDENT MAYER: There are substitutions at the desk.

The Secretary will read.

THE SECRETARY: Senator Akshar moves to discharge, from the Committee on Rules, Assembly Bill Number 4044 and substitute it for the identical Senate Bill 2031, Third Reading Calendar 1739.

Senator Gaughran moves to discharge, from the Committee on Rules, Assembly Bill Number 4637 and substitute it for the identical Senate

Bill 5022, Third Reading Calendar 1744.

Senator Lanza moves to discharge, from the Committee on Rules, Assembly Bill Number 118B and substitute it for the identical Senate Bill 6185A, Third Reading Calendar 1746.

Senator Palumbo moves to discharge, from the Committee on Local Government, Assembly Bill Number 2633 and substitute it for the identical Senate Bill 6492, Third Reading Calendar 1747.

Senator Kavanagh moves to discharge, from the Committee on Rules, Assembly Bill Number 8009 and substitute it for the identical Senate Bill 6573, Third Reading Calendar 1748.

Senator Kennedy moves to discharge, from the Committee on Rules, Assembly Bill Number 7960A and substitute it for the identical Senate Bill 7142A, Third Reading Calendar 1757.

Senator Salazar moves to discharge, from the Committee on Rules, Assembly Bill Number 2435 and substitute it for the identical Senate Bill 7225, Third Reading Calendar 1759.

Senator May moves to discharge, from the Committee on Rules, Assembly Bill Number 5837B and substitute it for the identical Senate

Bill 2890, Third Reading Calendar 1760.

Senator Palumbo moves to discharge, from the Committee on Local Government, Assembly Bill Number 4216 and substitute it for the identical Senate Bill 4024, Third Reading Calendar 1328.

Senator Skoufis moves to discharge, from the Committee on Rules, Assembly Bill Number 795 and substitute it for the identical Senate Bill 1634, Third Reading Calendar 1761.

Senator Hinchey moves to discharge, from the Committee on Rules, Assembly Bill Number 6166A and substitute it for the identical Senate Bill 6571, Third Reading Calendar 1763.

Senator Comrie moves to discharge, from the Committee on Rules, Assembly Bill Number 7578A and substitute it for the identical Senate Bill 6712, Third Reading Calendar 1764.

Senator Palumbo moves to discharge, from the Committee on Rules, Assembly Bill Number 7708 and substitute it for the identical Senate Bill 6899, Third Reading Calendar 1766.

Senator Cooney moves to discharge, from the Committee on Rules, Assembly Bill Number 7755A and substitute it for the identical

Senate Bill 7096A, Third Reading Calendar 1767.

Senator Gianaris moves to discharge, from the Committee on Rules, Assembly Bill Number 7769 and substitute it for the identical Senate Bill 7253, Third Reading Calendar 1768.

ACTING PRESIDENT MAYER: All substitutions so ordered.

Senator Gianaris.

SENATOR GIANARIS: Okay, Madam President, I'm told we are ready to proceed at this point with the supplemental calendar, so let's take that up.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 930, Senate Print 399A, by Senator Biaggi, an act to amend the Correction Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Biaggi to explain her vote.

SENATOR BIAGGI: Thank you, Madam President.

I rise today to proudly vote in favor of S399A, which protects the rights of pregnant incarcerated New Yorkers.

Pregnant people in our jails and prisons are among some of the most marginalized and overlooked individuals, and this legislation will advance the health and the well-being of pregnant New Yorkers who are incarcerated by allowing them to have a support person with them while giving birth and ensuring that they have access to information about the prison nursery program and available abortion services.

A survey of formerly incarcerated women conducted by the Correctional Association of New York City has found that many respondents classified their healthcare experiences in prison as uncomfortable and traumatic, especially if they were victims of sexual and domestic violence.

Any poor access to healthcare in prisons can have lifelong consequences, most

especially for pregnant people and their children. And pregnant people who are incarcerated face heightened risk of complications during childbirth.

All people deserve dignity and respect, regardless of whether they are incarcerated. This bill takes key steps to safeguard the rights of pregnant incarcerated New Yorkers, and I really want to thank my partner on this bill in the Assembly, Assemblymember Rosenthal, and the directly impacted women who shared their experiences with us and helped us to strengthen this bill and to make it as excellent as possible.

I also, finally, want to extend my gratitude to the Majority Leader for bringing this important bill to the floor to protect the dignity and the health of pregnant incarcerated New Yorkers.

I vote aye, Madam President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 930, those Senators voting in the

negative are Senators Akshar, Borrello, Gallivan, Helming, Jordan, Oberacker, Ortt, Palumbo, Ritchie and Tedisco.

Ayes, 53. Nays, 10.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1328, Assembly Print 4216, substituted earlier by Assemblymember Thiele, an act in relation to the enforcement by the Village of Sagaponack of interests in real property acquired for the purposes of open space or open areas.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1739, Assembly Print 4044, substituted earlier by Assemblymember Friend, an act to amend the County Law and the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1739, those Senators voting in the negative are Senators Brooks, Gaughran and O'Mara.

Ayes, 60. Nays, 3.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1740, Senate Print 2988, by Senator Harckham, an act in relation to ordering a study and report on improvements of State Route 9A.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

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

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

And thank you, Senator Harckham, for introducing this important bill which will require the State Department of Transportation to finally do a study and recommend improvements to State Route 9A in the Towns of Ossining and Mount Pleasant, which crosses between both of our districts.

This is a dangerous 90-year-old roadway that cannot handle the traffic it currently receives -- over 40,000 vehicles a day, including large commercial traffic. It is a -- sharp curves, narrow shoulders, the guardrails are falling down, the bridges are low. This is a roadway that has a fatal accident waiting to

happen.

In 2018 there were 120 accidents along Route 9A in the Towns of Ossining and Mount Pleasant. That's one every three days. We can't wait any longer to have state action to address the problems with this roadway. I've spoken with local government officials, with fire officials, with emergency responders; they all say that we need action now.

I am really happy that we are passing this bill in the Senate. I wish the Assembly was doing the same. And we're going to have to keep up and keep the pressure on this issue, because I don't want to have to go back to my district -- and I know Senator Harckham doesn't want to have to go back to his district and answer for why there is a deadly accident, which I deeply fear may happen if we don't take action soon.

So thank you for bringing this bill to a vote. I'm proud to vote yes.

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

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1741, Senate Print 524A, by Senator Hoylman, an act to amend the Vehicle and Traffic Law.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Madam President.

My colleagues, I rise to explain my vote on Senator Hoylman's bill S524A. And that is an act to amend the Vehicle and Traffic Law in relation to establishing speed limits in cities with populations in excess of 1 million people. And as you know, in New York State the only city is New York City.

So speed limits frame expectations for drivers and other roadway users. Speed limits provide a safe, consistent and reasonable speed to protect drivers, pedestrians and bicyclists along our roadways.

The Legislature years ago passed a law authorizing the City of New York to establish a 25-mile-per-hour speed limit throughout the city. This proved to be an effective change compared to what the law had established before. The data is there to justify the change. However, new data also suggests that reducing the speed limit from 25 to 20 miles per hour will further reduce injuries and deaths.

And I say, as someone who's lived in New York City all my entire life, I agree with this bill. With so much vehicle, bicycle and pedestrian traffic in New York City, to support this bill is not only a no-brainer, it is another step towards preventing more injuries and saving many more lives in very dense, mostly mid-rise districts like the one that I represent, which is 13 miles of Manhattan.

We can all agree that what we want are safer roadways for families and neighbors.

Let's all honor the memory of 12-year-old Sammy, who lost his life by a speeding driver while playing in a park in Brooklyn.

And I vote aye for the safety of all of the people of our great state, Madam President.

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

Senator Gounardes to explain his vote.

SENATOR GOUNARDES: Thank you, Madam President.

I too rise in strong support of passing Sammy's Law in this chamber.

There is no reason why 224 people up here in Albany should be able to dictate the speed limit on the streets of Bay Ridge, of Bensonhurst, of Inwood, of the Village, of any neighborhood in New York City. There's absolutely no reason for it. It doesn't make any sense.

This is a commonsense bill that will let the City of New York make its own determination as to what is the appropriate and safe speed limit on its own streets.

We know that when we reduce speeding, we reduce serious injuries and we reduce fatalities. It's a proven science. When New York City last had its speed limit lowered from 30 miles per hour to 25 miles per hour, serious injuries and fatalities dropped by 22 percent. Twenty-two percent.

And yet we know that we still have more work to do to realize the true goal of Vision Zero, a world in which no parent, senior or pedestrian of any age needs to live in fear of crossing the street because of speeding cars -- people that wanted to save three seconds on their commute. People that want to take a turn too fast because it's more important for them to get to where they're going than for someone else to get to where they're going safely.

This is common sense. There is no reason why this should have taken us so long. I'm incredibly thankful for Senator Hoylman in carrying this bill through, and I earnestly hope and pray that we can get this bill across the finish line in both chambers and to the Governor's desk as soon as possible, because lives will be saved by passing Sammy's Law today.

Thank you.

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

Senator Lanza to explain his vote.

SENATOR LANZA: Thank you, Madam President.

First let me say I understand the goal here and what Senator Hoylman is trying to accomplish. To his mind, he's trying to increase safety on our roads.

But I want to disagree with something that was just said in terms of who ought to decide this. I would rather the people in this room, Democrat and Republican, decide on this issue than Bill de Blasio, and let me tell you why.

Once upon a time in this chamber, not too long ago, there was a bill on speed cameras. There were those of us like myself who believed it had much more to do with money than safety, and I said as much on this floor. And the test going forward, I thought, would be where and how they sited these cameras.

I spoke to the then-commissioner of the Department of Transportation in New York

City, Commissioner Trottenberg, a good person. We sat there and we looked at the map on Staten Island, and she asked me where I thought that speed cameras would be wasted and would only be appropriate if it was about money and not safety. And we found agreement.

One stretch that we both agreed upon was a stretch of Hylan Boulevard. It's a main road, one of the few arterials on Staten Island. It cuts from the one end of Staten Island to the southern tip of Staten Island -- which is, by the way, the most southern tip and point of New York State. The people who live in the southern portion of Staten Island have the longest commute in the State of New York. To even get from their community, their homes within their own city to jobs in Manhattan is a two, two and a half, close to three-hour commute.

I worked in New York City, in Manhattan, for a long time, and I will tell you my commute to Albany is a better commute than my constituents have from Staten Island to Manhattan. There's a lack of transportation. We don't have a subway. There are hardly any buses. We've got one Mary Poppins train line.

And so this stretch, this arterial is two lanes each way, there's a shoulder. It's as big or bigger than most state highways. For a long time the speed limit has been 40 miles an hour. It is in the most sparsely developed portion of all of New York City. This is the portion that people depend upon to get on a bus, if one comes or shows up, or get in their car and get to work. There are not that many residents there, but as I said, it's an arterial.

Forty miles an hour, they put a couple of speed cameras up -- even though then-Commissioner Trottenberg and I agreed this would not be the place to put a speed camera but, if you did it, was a proof that it was about money and not safety. Because the police records show this is one of the safest roads in all of New York City, this portion of Hylan Boulevard.

So what happened? Bill de Blasio figured out that they were not making enough money on these speed camera at 40 miles an hour. If this road were anywhere else in New York, the speed limit would be 50 or 55. And it would be safe.

So what did he do a couple of weeks

ago? He decided, without input from the community -- which, by the way, I believe is a violation of law. Because in Senator Hoylman's bill, he appropriately and accurately says there ought to be community board input, there ought to be a notice, a 60-day notice requirement if you're going to change the speed limit by more than five miles an hour.

Well, that didn't happen on Staten Island. And he went from 40 to 30 so he can make more money, so he can pick the pockets of the people of Staten Island without increasing safety.

And so while I know what Senator Hoylman is doing and I support him, I'm going to have to vote in the negative here, Madam President.

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

Senator Hoylman to explain his vote.

SENATOR HOYLMAN: Thank you, Madam President.

And thank you to my colleagues for their words.

The bill we're voting on, Sammy's

Law, would give New York City the authorization and flexibility, finally, finally, to tailor its speed limits to meet the needs of neighborhoods within the five boroughs.

The truth is streets and sidewalks make up the largest public space in New York City, but our streets are not safe enough right now to be truly enjoyed by New Yorkers. Instead, they've been turned into an open-air graveyard thanks to reckless drivers who have stricken fear into our communities.

Last year was the deadliest year in traffic fatalities since 2014, the year that the city implemented Vision Zero, with over 240 fatalities on our city streets. In 2021, well, it's already shaping up to be even worse, with nearly 100 traffic fatalities recorded up to May 31st of this year. We're on pace to eclipse last year's record and see the most deaths, the most deaths since 2013.

But there are more than just numbers here. We're talking about family members, teachers, our friends, community members. There are too many stories to tell here today. But my heart is with them all and with the loved ones

they have left behind.

There's one story, though, that I need to tell. In 2013, 12-year-old Sammy Cohen Eckstein was killed by a speeding driver in Brooklyn, New York, while crossing the street in front of his home on his way to soccer practice -- just a few months before his bar mitzvah.

Sammy's mother Amy lost her beloved son that day, as did Joan Dean, my constituent and Sammy's grandmother. But they took that horrible grief and turned it into action. Despite the pain of having lost Sammy, Amy didn't want to come to that same street and it happen to someone else's child. She helped cofound Families for Safe Streets and has successfully fought for lower speed limits and other critical street safety reforms, many of which we've voted in this chamber on.

The bill is named in Sammy's memory, and we introduced it on what would have been Sammy's 20th birthday.

We know that lower speed limits save lives. We've seen it work before, and we must make it work again. Studies show that one mile

per hour reduction, a 1-mile-per-hour reduction in driving speed has been shown to result in a 17 percent decrease in fatal crashes. Lower speeds would also protect our senior population, who make up almost half of the city's pedestrian fatalities, despite comprising only about 13 percent of the population.

I, for one, am tired of worrying about my own daughters' safety when we go for a walk. I'm tired of worrying about my own safety when I bike around the city. I'm tired of worrying who in the community we might lose next or who will be seriously injured.

This is what is at stake when we allow the status quo to continue. And this is what we lose when we allow vehicular violence to go unchecked and ravage our community.

Sammy's Law is about prioritizing safety and allowing the city the ability to lower speed limits to protect all of us.

I want to thank all the advocates who have fought so hard for this legislation and made it possible, especially Transportation Alternatives and Families for Safe Streets.

I also want to thank my colleagues

for supporting this bill, in particular Senator Gounardes and Senator Jackson, who have been real champions alongside the advocates, and with my support.

My Assembly colleague Dick Gottfried has been leading this legislation in the other house. I hope we can get it across the finish line in the next few hours. And Senate Transportation Chair Tim Kennedy and Senate Majority Leader Andrea Stewart-Cousins deserve our indebtedness for their leadership in bringing this bill to the floor for a vote.

I also want to give a special thanks to my colleagues Sam Vasquez and Burton Phillips for their work on negotiating this bill.

We have no time to wait. I urge my colleagues in the Assembly to do what we're doing, take this bill up. Let's make New York City streets safer for everyone.

I proudly vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1741, those Senators voting in the

negative are Senators Akshar, Borrello, Felder, Helming, Jordan, Lanza, Mattera, O'Mara, Palumbo and Rath.

Ayes, 53. Nays, 10.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1742, Senate Print 4379, by Senator Hoylman, an act to amend the Judiciary Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1743, Senate Print 4523, by Senator Gounardes, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1744, Assembly Print 4637, substituted earlier by Assemblymember Englebright, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

THE SECRETARY: In relation to Calendar Number 1744, voting in the negative: Senator Lanza.

Ayes, 62. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1745, Senate Print 5673, by Senator Ritchie, an act to amend the Tax Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1745, those Senators voting in the negative are Senators Gaughran, Harckham, Hinchey, Kaplan, Kennedy, Lanza, Mannion, Skoufis, Stec and Thomas.

Ayes, 53. Nays, 10.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1746, Assembly Print 118B, substituted earlier by Assemblymember Paulin, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1747, Assembly Print 2633, substituted earlier by Assemblymember Thiele, an act to amend the Town Law and the Tax Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Palumbo to explain his vote.

SENATOR PALUMBO: Thank you, Madam President, for allowing me to rise and explain my vote.

This is an important piece of legislation for my district because it has some very unique aspects. I'd also like to thank the leadership on both sides, the Majority leadership and Leader Ortt, our chief counsel, Kristen Frank, and her team for getting this to the floor. And we're going to offer it up to the Governor; it's already passed the Assembly.

In my district I represent the Hamptons. And I also represent where I live on the North Fork, and Shelter Island. Those five eastern towns have had for many, many years a fund that over a certain amount, 2 percent is paid by a purchaser to purchase development rights for land, to maintain open space, to maintain our agricultural community.

As you may know, Madam President, I believe we're third in the state, but Suffolk County was number one in ag production in the state for many, many years. And not many people realize how rural it is on the East End, which is out where I live as well.

That fund provided for -- the Community Preservation Fund has spent over a billion dollars, with a B, preserving open space on the East End, which is a wonderful thing. The tradeoff, though, is housing is at crisis level.

This has been an issue for many, many years. There was a study done by one of our local papers, 20-to-34-year-olds, 89.6 percent of them thought that it was unaffordable and were planning on leaving Long Island in general, but most importantly, Suffolk County. And there was also a Comptroller's report from June of 2019 that rental housing in Suffolk County, 56.1 percent was in the unaffordable category. Owner housing, 39.1 percent unaffordable.

So the bottom line is this. What this bill does is it actually raises the exemptions for the Community Preservation Fund -- because, thank goodness, we're actually running

out of land to purchase -- increases those exemptions so it's actually a tax cut, but in a tradeoff it does add a 0.5 percent tax for the purposes of a new fund to create affordable housing opportunities to our children.

This will have so many positive impacts, not just to keep our next generation and many generations to come on the East End of Long Island. It will reduce traffic. For any of you who have gone to the Hamptons between May and October, we have two -- one lane. A two-lane highway, one highway in and out. North Fork, same thing, essentially two.

But the traffic is terrible because no one can afford to live there. The trade parade, as we call it out there, has to go maintain the homes, has to go give us services that we want.

So this becomes an extremely important piece of legislation. And all of the towns have been asking for it.

My last point, I would quite boldly suggest this is how we should legislate in New York State. Because the towns came to Senator LaValle at the time, and now me, that

they want this. But we made sure this is an authorization. This isn't an automatic tax.

The towns now need to locally adopt this tax, potential housing fund, and then it has to go to referendum. So the voters who would be subject to this are going to have to make the decision themselves. That's good legislation.

So, Madam President, I appreciate the opportunity to speak on this. I'm proud to be the sponsor of it at this point. And I vote aye.

Thank you, ma'am.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1747, those Senators voting in the negative are Senators Akshar, Brooks, Helming, Jordan, Kaplan, Kennedy, Lanza, Mattera, O'Mara, Rath, Reichlin-Melnick, Serino, Skoufis and Tedisco.

Ayes, 49. Nays, 14.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

1748, Assembly Bill 8009, substituted earlier by Assemblymember Rosenthal, an act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1748, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Serino, Stec, Tedisco and Weik.

Ayes, 45. Nays, 18.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1749, Senate Print 6603, by Senator Skoufis, an act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Martucci to explain his vote.

SENATOR MARTUCCI: Thank you, Madam President.

I'm thrilled to cosponsor this piece of legislation that rights a wrong from our State Budget this year, where the implementation for fair fee for service to our local pharmacies was left out. This bill reverses that decision and levels the playing field for our small pharmacies.

About a month ago I teamed up with Senator Skoufis, the sponsor of this bill, and we held a press conference right in my district in Slate Hill, where we were working to push this issue and demonstrate that there is bipartisan support for Main Street businesses.

Make no mistake about it, this bill

is about standing with Main Street over Wall Street and siding with our independent pharmacies over large corporate pharmacies and pharmacy benefit managers.

The owner of that business where we held our press conference, Al Squitieri, is not only a great pharmacist and important part of our community, but Al is the kind of person who we all want taking care of our families. He once opened his business on Christmas Day to make sure that someone had their prescription filled.

That's the kind of caring and service that's only available at our independent pharmacies. By passing this bill today, we're actually saving his business and small businesses like that across the state.

All this bill does is ensure that local pharmacies get reimbursed for their actual costs. Right now, they're getting pennies on the dollar in Medicaid managed care and losing money on the deal in many cases. That's not only unfair, but it's an attack on our small local pharmacies who have stepped up in a huge way during the pandemic.

With this vote today, we're choosing

to side with the little guy over large chains and corporations.

I want to thank Senator Skoufis for his partnership on this important issue, and I proudly vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1750, Senate Print 6706B, by Senator Brisport, an act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to

Calendar 1750, those Senators voting in the negative are Senators Gallivan, Jordan, Lanza, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie and Stec.

Ayes, 53. Nays, 10.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1751, Senate Print 6796, by Senator Brooks, an act to amend the Retirement and Social Security Law.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

1752, Senate Print 6925, by Senator May, an act to repeal Section 5 of Chapter 254 of the Laws of 2013.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1753, Senate Print 6927, by Senator Serino, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1754, Senate Print 6990, by Senator Brouk, an act to amend subpart A of Part BB of Chapter 56 of the Laws of 2021.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1754, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 45. Nays, 18.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1755, Senate Print 7087A, by Senator Parker, an act to amend the Insurance Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1756, Senate Print 7117, by Senator Helming, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1757, Assembly Bill 7960A, substituted earlier by Assemblymember Burke, an act to amend the General Business Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1757, those Senators voting in the negative are Senators Brisport and Persaud.

Ayes, 61. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1758, Senate Print 7209, by Senator Kennedy, an act granting a retroactive retirement date of August 5, 2010, from the New York State and Local Police and Fire Retirement System for Cariol Horne.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1759, Assembly Print 2435, substituted earlier by Assemblymember Niou, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect March 1, 2022.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1760, Assembly Print 5837B, substituted earlier by Assemblymember Jean-Pierre, an act to amend the General Business Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator

May to explain her vote.

SENATOR MAY: Thank you, Madam President.

In 2020 the popularity of ebooks exploded as children and adults alike sought out ways to keep reading during lockdown. Public libraries loaned out 289 million ebooks last year.

That number might have been much higher, but publishers do their utmost to make it difficult for libraries to loan out ebooks. Some charge exorbitant prices and place strict limits on the number of times a title can be loaned out. Others ban libraries from getting ebooks altogether or refuse to allow them access to new releases.

This bill helps to ensure that public libraries receive a fair deal on ebook prices and are protected from discriminatory practices. Some restrictions are reasonable, such as restricting the number of users who can use the same ebook at one time.

This bill also does not apply to items like newspapers, periodicals or other electronic items. It's about electronic books

only. Our goal is to support libraries in their critical foundational role of making books available for free to their patrons.

As we move into summer, I hope that this legislation will help New Yorkers of all walks of life to relax with a good book from their local library.

I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 1760, voting in the negative: Senator Borrello.

Ayes, 62. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1761, Assembly Print 795, substituted earlier by Assemblymember Wallace, an act to amend the General Municipal Law.

ACTING PRESIDENT MAYER: Read the last section.

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

shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1761, those Senators voting in the negative are Senators Borrello, Gallivan, Helming, Jordan, Mayer, Oberacker, O'Mara, Ortt, Palumbo, Rath, Serino, Stec and Tedisco.

Ayes, 50. Nays, 13.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1763, Assembly Print 6166A, substituted earlier by Assemblymember Rosenthal, an act to amend the Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1764, Assembly Print 7578A, substituted earlier by Assemblymember Paulin, an act to amend the Public Authorities Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1765, Senate Print 6722, by Senator Salazar, an act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1766, Assembly Print 7708, substituted earlier by Assemblymember Thiele, an act authorizing the Town of East Hampton, County of Suffolk, upon the dissolution of the East Hampton Wastewater Disposal District.

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1767, Assembly Print 7755A, substituted earlier by Assemblymember Pheffer Amato, an act to amend the Education Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1768, Assembly Print 7769, substituted earlier by Assemblymember Weinstein, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 8. This act shall take effect on the first of January.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1768, those Senators voting in the negative are Senators Akshar, Borrello, Griffo, Helming, Jordan, Martucci, Mattera, Ortt, Rath, Ritchie, Serino, Stec and Tedisco.

Ayes, 50. Nays, 13.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Serrano, that completes the reading of the supplemental calendar.

SENATOR SERRANO: Thank you very much.

If we could stand at ease until 8 o'clock.

ACTING PRESIDENT MAYER: The Senate will stand at ease till 8 o'clock.

(Whereupon, the Senate stood at ease at 6:21 p.m.)

(Whereupon, the Senate reconvened at 8:47 p.m.)

ACTING PRESIDENT MAYER: The Senate will return to order.

Senator Gianaris.

SENATOR GIANARIS: Madam President, if we can return for a moment to motions, on behalf of Senator Breslin, I wish to call up Calendar 1002, Assembly Print 4424.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar 1002, Assembly Print 4424, by Assemblymember Hunter, an act to amend the Real Property Law.

SENATOR GIANARIS: I move to reconsider the vote by which the Assembly bill was substituted for this bill, Senate Print 4696, on May 26th.

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

SENATOR GIANARIS: I now move that

Assembly Bill 4424 be committed to the Committee on Rules and that the Senate bill be restored to the order of the Third Reading Calendar.

ACTING PRESIDENT MAYER: So ordered.

Senator Gianaris.

SENATOR GIANARIS: At this time we'll have an immediate meeting of the Committee on Rules in Room 332.

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

SENATOR GIANARIS: The Senate stands at ease.

ACTING PRESIDENT MAYER: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 8:48 p.m.)

(Whereupon, the Senate reconvened at 9:06 p.m.)

ACTING PRESIDENT MAYER: The Senate will return to order.

Senator Gianaris.

SENATOR GIANARIS: Madam President, I believe there's a report of the Rules Committee

at the desk.

Can we take that up, please.

ACTING PRESIDENT MAYER: The Secretary will read.

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

Senate Print 6547, by Senator Gallivan, an act to amend the Highway Law;

Senate Print 6639A, by Senator Salazar, an act to amend the Executive Law.

All bills reported direct to third reading.

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

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

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed, nay.

(No response.)

ACTING PRESIDENT MAYER: The

Rules Committee report is accepted.

Senator Gianaris.

SENATOR GIANARIS: Let's take up the supplemental calendar.

THE SECRETARY: The Secretary will read.

THE SECRETARY: Calendar Number 1792, Senate Print 6547, by Senator Gallivan, an act to amend the Highway Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1792, voting in the negative:

Senator Brisport.

Ayes, 62. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Salazar moves to discharge, from the Committee on Rules, Assembly Bill Number 6896A and substitute it for the identical Senate Bill 6639A, Third Reading Calendar 1793.

ACTING PRESIDENT MAYER: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1793, Assembly Print 6896A, by Assemblymember Niou, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1793, those Senators voting in the

negative are Senators Akshar, Griffo, Jordan, Lanza, Oberacker, O'Mara, Ortt, Rath, Stec and Tedisco.

Ayes, 53. Nays, 10.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Madam President, I believe we have five privileged resolutions at the desk.

Can we please take those up.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Senate Resolution 1244, by Senator Stewart-Cousins, establishing a plan setting forth an itemized list of grantees for certain appropriations for the 2021-2022 state fiscal year for additional grants-in-aid to certain school districts, public libraries, and not-for-profit institutions.

ACTING PRESIDENT MAYER: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The resolution is adopted.

THE SECRETARY: Senate Resolution 1245, by Senator Stewart-Cousins, establishing a plan setting forth an itemized list of grantees for certain appropriations for the 2021-2022 state fiscal year for additional grants-in-aid to certain school districts.

ACTING PRESIDENT MAYER: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Senate Resolution 1245, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 45. Nays, 18.

ACTING PRESIDENT MAYER: The resolution is adopted.

THE SECRETARY: Senate Resolution 1246, by Senator Stewart-Cousins, establishing a plan setting forth an itemized list of grantees for certain appropriations for the 2021-2022 state fiscal year for additional grants-in-aid to certain not-for-profit arts and cultural organizations.

ACTING PRESIDENT MAYER: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Senate Resolution 1246, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 46. Nays, 17.

ACTING PRESIDENT MAYER: The resolution is adopted.

THE SECRETARY: Senate Resolution 1247, by Senator Stewart-Cousins, establishing a plan setting forth an itemized list of grantees

for a certain appropriation for the 2021-2022 state fiscal year for grants-in-aid for school-based health centers.

ACTING PRESIDENT MAYER: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Senate Resolution 1247, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Martucci, Mattera, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 47. Nays, 16.

ACTING PRESIDENT MAYER: The resolution is adopted.

THE SECRETARY: Senate Resolution 1248, by Senator Stewart-Cousins, amending Senate Resolution R3299 of 2020 establishing a plan setting forth an itemized list of grantees for the New York State Economic Development Assistance Program established pursuant to an appropriation in the 2008-2009 state fiscal year.

ACTING PRESIDENT MAYER: The question is on the resolution.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Senate Resolution 1248, those Senators voting in the negative are Senators Akshar, Boyle, Martucci and Serino.

Ayes, 59. Nays, 4.

ACTING PRESIDENT MAYER: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Madam President, I move to recommit the calendar of bills to the Rules Committee.

ACTING PRESIDENT MAYER: It is so ordered.

SENATOR GIANARIS: Please recognize Senator Ortt for remarks.

ACTING PRESIDENT MAYER: Senator Ortt for closing remarks.

SENATOR ORTT: Thank you, Madam President.

So we've come to an end of session. I know everyone is always thrilled when we reach this moment. On either side of the aisle certainly there's usually some disappointment, but I think everyone is always happy to get back home and get back in your districts with your families and your constituents.

I'd like to first start by thanking my colleagues on both sides of the aisle for their work in these very historic and atypical times. We disagree, very often vehemently and passionately, when it comes to politics and the policies that we discuss and enact here in the Senate. But I think we all recognize we are fighting for the same people and we sometimes have different opinions on how to best serve and the best solutions at that present moment.

I want to thank Leader Stewart-Cousins for her partnership, her statesmanship. Always a very graceful partner, someone who has always treated me with respect and dignity, and I hope I do the same.

And she's been very pleasant to work with, and I appreciate her knowledge, her experience both being in the Minority and now as

the Majority Leader. I think that gives her a unique perspective and has been helpful to me.

And I want to thank her for that, and I want to wish her and her family well and hope you have a nice summer.

I certainly want to recognize Senator Gianaris, who spends an inordinate amount of time, obviously, on the Senate floor. He's always on my television screen in my office --

SENATOR GIANARIS: Sorry.

SENATOR ORTT: That's okay. That's all right.

But -- and he sits across from Senator Lanza. And I want to thank Senator Lanza for your leadership on the floor. It's probably extra unique when you're on the floor and there's really not a lot of other folks with you on the floor. And I'm sure it can feel very lonely up here, but very, very important work that both of them are doing.

And I know they've formed a working relationship which is really key to the goings-on here both internally for our conference, but also for the legislative body.

So Senator Gianaris, thank you.

Senator Lanza, thank you.

I'd also like to thank the leaders in our conference, obviously. I know the leader will recognize her leadership. Senator Lanza, as I said, has worked very hard over the past six months. This was not a position that he sought out. In fact, the first time I asked him to be our floor leader, he said: "I've got to think about it." I said, Well, you think it over, but you're going to be the floor leader, so just give me an answer, you know, before I notify the public.

But he's done a fantastic job leading our conference on the floor and speaking for our conference and speaking for his constituents in Staten Island. And I want to thank him for that leadership, and I want to say that I'm very sorry about the Yankees so far this season, but --

(Laughter.)

SENATOR ORTT: I'd like to recognize Senator O'Mara. You know, Senator O'Mara is our new ranker on the Finance Committee, as well as serving on other committees. And as we know, Senator Krueger --

the Finance ranker is the budgets, long, long nights, long meetings. We don't see either of them in the month of March. And it can be pretty grueling. And it takes a level of statesmanship, leadership, intellect to be able to serve in those positions, and I think Senator O'Mara represents our conference and our conference's positions with respect to the Finance Committee, with respect to our response to the budget, very, very well, and I'd like to thank him.

I'm proud of my members. I want to thank, as well, the staff on both sides of the aisle. As we know as Senators, the staff works very, very hard and they don't get any of the credit. They don't get any of the accolades. You don't see them on your television, or very rarely. But they do an unbelievable job very quietly. And I know our new members come to appreciate just how much work and effort the staffs put in.

And not only are they trying to get stuff done, but they're also responding to us: Why didn't this bill get through, what's the matter, you know, why didn't you get back to my text after five minutes. We can be tough bosses,

I'm sure. But that's because the stakes are high and we're trying to get things done for the people of New York.

But I'd certainly like to thank the staff on the Democratic side, Shontell and her team -- Eric -- who I know work regularly with Kristin Frank and our counsel's office and Ben, who has the great honor of sitting here next to Senator Lanza all day.

But I'd also like to remember one staffer. You know, our conference, like so many New Yorkers, has had a lot of ups and downs this year. We lost a member of our staff towards the end of last year. And this was the first session in a very long time that we did not have Tom Havel as part of the Senate Republican Conference staff.

And I know his legacy lives on in the number of staffers who he mentored and worked with over the years. And hopefully we have made Tom and his family proud and we will continue to do so.

We also gained some new members: Madison Delgado, as well as Ford Halloran. Morgan Halloran and Katie Delgado both welcomed

their first children this year, in the last couple of months, which is outstanding. And so we're very happy to have -- actually, Katie was back in the fold this week after just six weeks of being home with her new baby girl. So we're very happy and want to recognize those births.

Of course I have to mention our conference's views on this session. A lot of bills were passed. But for the Republican Conference and for many of our constituents, I think this session will be viewed in two ways. So we passed a budget that had a record amount of tax increase. We now have a budget that's larger than the states of Texas and Florida combined.

We also had a missed opportunity when you look at -- we started the session in the middle of the pandemic, the Governor enjoying broad emergency powers which were unanimously, by and large, supported in this chamber and in the Assembly. But our conference, from Day One, introduced resolutions to rescind those powers and restore this body to a coequal branch of government. Unfortunately, on 47 different occasions that resolution was defeated, was voted down.

We continue to push and advance and pass what I view and our conference views and many New Yorkers view as very dangerous policies that undermine the public safety of the State of New York, the public safety of those who are tasked with enforcing our laws and protecting our communities. Whether it's rhetoric, whether it's talk of defunding or dismantling or reimagining police, or whether it's the bail reforms, whether it's -- even up until this very late hour -- the attempt to pass the Clean Slate Act, which would hide the records of even violent offenders from landlords or potential employers.

So -- but the biggest missed opportunity, again, being that the Governor, under multiple investigations, multiple scandals, a Governor who lied to the people of New York, who lied to the people of this body. And yet he remains with the pandemic powers. He remains -- those powers have been extended. There is no sunset. The sunset is whenever the state of the emergency ends, and there has been no attempt to end that state of emergency.

I was hoping that we would do it here. I was hopeful, I thought maybe it would

come out on a supplemental calendar, but it didn't happen. And I believe that's -- I believe that's a missed opportunity.

I truly believe my colleagues on the other side of the aisle, they want to be a coequal branch of government. They want to be restored to the normal standing that we have in this state. And yet they didn't have the courage, the guts, the willingness to do it.

And that's a missed opportunity for the people of New York, because now we're going to adjourn and there's no end in sight for the end of this Governor's pandemic powers, for the end of the state of emergency.

I hope it comes sooner than later. Maybe the Governor will declare it himself and voluntarily give back the powers that he was granted by this body. But I'm not going to hold my breath.

We did pass a bill that funded a potential impeachment investigation, an impeachment trial. Our conference wholeheartedly supported that. And that means there will be no excuse when the time comes, when the Attorney General issues her reports or when the

federal government comes back with a conclusion on their investigation.

So obviously there is a lot that our conference found lacking. There is a lot that our conference wished had happened. There are some things that certainly our conference wished had not happened.

But make no mistake, we will continue to fight for the people of New York, for taxpayers, for middle-income, hardworking New Yorkers who play by the rules, who are trying to find a way, to find a reason to stay in New York.

Because the single greatest threat, whether you're a Democrat or a Republican, whether you're from New York City or Western New York or the North Country or anywhere in between, is the loss of human capital in this state. That is the single greatest threat to this state no matter which side of the aisle you may be on. And we continue to lose population, we continue to lose sway in Washington, D.C., with the loss of a Congressional seat. And every member of this body and the State Assembly should be laser-focused on changing that trend.

I don't believe this session did that, but I am always hopeful for next session and the future.

Madam President, I thank you for your indulgence.

ACTING PRESIDENT MAYER: Thank you, Senator Ortt.

Senator Gianaris.

SENATOR GIANARIS: Madam President, at this time please recognize the Majority Leader of the State Senate, Andrea Stewart-Cousins.

ACTING PRESIDENT MAYER: Majority Leader Andrea Stewart-Cousins.

SENATOR STEWART-COUSINS: Thank you so much, Madam President.

And I do want to thank you for the work that you do. Presiding is not easy, and I know that it is not always fun, but you and Senator Benjamin, Senator Persaud, Senator Bailey have really been masterful in making sure that the work in this house happens. So I thank all of you for your indulgence and for all that you've done.

And of course I think Senator Ortt, you said it -- my deputy, Senator Gianaris,

spends an inordinate amount of time here. And we couldn't make it without you doing that and the way you do it. And so I really do appreciate in many ways the fact that you have been steadfast and so amazingly reliable in making sure the trains run.

And even you have a brand-new partner, Senator Lanza. And, you know, I want to thank you also for working so cooperatively. This is very, very unusual times. And to be able to be, you know, make accommodations for each other is really how it all works well.

And so, of course, thank you so much, Senator Ortt. You know, I don't get a chance to see him much, and I try and call him up. And, you know, we know we can always reach out to one another, but every time that we've been in touch with each other, I always know that I can tell you what you need to know and the information is communicated accurately. And if there's any question, we always have, I think, a very collegial and professional relationship, which I appreciate.

I also am looking forward to being able to meet your members.

(Laughter.)

SENATOR STEWART-COUSINS: I see you on TV and, you know, I guess vice versa. Have no clue, you know, who you all are, really, and what you look like.

So it is my hope that when we all come back that we will spend that time in the chamber together really getting to know each other collectively.

But again, we have been able to do extraordinary work in an extraordinary time.

I also want to thank you, Ale, as the Secretary of this chamber, because you've had to make quick accommodations for each of us, policies and so on.

So thank you so much, you and your team, all the Journal clerks and everybody who makes sure that despite it all, it runs, it makes sense and it looks good.

And of course for my extraordinary members who give every single moment, never keeping their focus anywhere but where it's supposed to be, including our own Finance chair, Liz Krueger, who again we -- nobody knows how Liz can sit through hours and hours and hours at

a time.

But, I mean, I think that is what we are made of. And as I say, both sides of the aisle work extremely hard, and the staff. I say we always know that it's our staff that really makes us look good. And none of us would be able to do this work -- and sometimes, you know, they labor long into the night, especially at end of session, budget time. And so we really have countless praise for the staff and everything that they make happen.

And so I have to give a shout out to my chief of staff and chief counsel, Shontell Smith. Everybody knows Shontell. So, you know again, I don't get a chance as much to talk to Kristin, but I know that they, you know, spend a lot of time with Eric, making sure that, again, everybody knows what they're supposed to do.

My new -- I call him new, but he's not new anymore -- Finance Secretary Dave Friedfel, and the incredible work that has been done by Dave and his team.

And of course my communications director, Mike Murphy, who again makes sure the message about what we're doing is out there so

that people understand that we are working every day on behalf of the people.

My director of intergovernmental affairs, Loren Amor, who's been invaluable in the work that we've done. And also Tess, who's my director of operations, and all my staff, in the Capitol and 907, keeping the trains running. I really thank you all very, very much.

I really could not be more proud of the Democratic Majority Conference and all of your efforts for yet another historic year that delivered results for New Yorkers. When I spoke after the budget in April, I talked about the State Budget that we passed represented a light at the end of the tunnel, a path forward after COVID-19 and this pandemic. And again, I can't say enough and I am, you know, sorry for the loss on your staff, and certainly many of us in our lives suffered losses. And so again our deepest, deepest condolences.

And we said at that time that that budget, first and foremost, was there to respond to the crisis at hand. And we took bold action to jump-start New York, to jump-start the economic recovery from COVID. We secured

billions of dollars in emergency relief, and certainly with the help of our congressional representatives. We were able to help struggling tenants and homeowners. We were able to help unemployed workers. We were able to help small businesses on the verge of closing.

But we didn't stop there. We looked at the budget as an opportunity not just for recovery, but for renewal. We began the hard work of unraveling the structural inequities that made the pandemic even worse for some New Yorkers.

And in that understanding, we delivered record funding for schools, including upping the amount of available slots for universal pre-K, really starting to make it truly universal. We did tax relief for working- and middle-class residents. And we did historic investments in healthcare and in our environment.

Since then, with each vaccination, with each restaurant reopening, with each playoff game in front of packed arenas -- and I'm talking about the Islanders. Go, Islanders. Sorry about the Yankees, I am too.

(Laughter.)

SENATOR STEWART-COUSINS: But the light at the end of the tunnel has grown brighter and brighter. This has allowed us to see more clearly our accomplishments, but it's also exposed the immense challenges that we still face.

So while we achieved so much through the budget process, we've also continued to pass groundbreaking legislation at an unprecedented pace. With voting rights under assault throughout our country, we passed new election reforms to make early and absentee voting more accessible to all New Yorkers. We repealed the "walking while trans" ban. And of course this is Pride Month, and I think Senator Hoylman recapped so much that we've done.

So we made sure to repeal that "walking while trans" ban, and we addressed disparities in healthcare in minorities. We legalized recreational marijuana, to begin undoing the damage done in so many of our communities by this prohibition, and opened a new $4.2 billion industry for our state.

We continue to improve our justice system. We passed HALT, the law to end prolonged

segregated confinement, and just today we passed groundbreaking Less is More legislation to improve outcomes for individuals reintegrating back into society.

With gun violence on the rise, we banned ghost guns, declared gun violence a public health crisis, and gave victims of gun violence recourse in the courts against companies that irresponsibly distribute deadly weapons.

We brought stakeholders of all sides together to produce landmark bills on hospital and nursing home staffing standards. And speaking of nursing homes, after the devastation we saw in senior residences during the pandemic, the Senate took action to improve oversight, care and accountability in these facilities.

That's what this Senate Majority does. We identify problems, and then we work to do something about them.

So in the spirit following news reports of widespread housing discrimination in suburban communities, we issued subpoenas, held hearings, passed laws to ensure that everyone has an opportunity to buy their dream home. We also continue to make workplaces safer and more

equitable for everyone, but particularly women, by passing legislation to strengthen New York State's sexual harassment laws.

And while the State Budget provided record investments in protections for tenants and homeowners, our work on making housing more affordable and combating homelessness is far from over. During this final week of session, we passed the Housing Our Neighbors with Dignity Act that will help create new affordable housing for vulnerable New Yorkers in cities across the state.

And we're continuing to seek out the problems that face our state and figure out the best ways to approach them, holding hearings on issues ranging from health services to food insecurity to event ticket marketplaces.

Since becoming Majority Leader, I've talked about our conference's guiding principle: If given the chance, we will always look to create opportunities rather than build barriers. The people of New York have agreed with this approach, putting 43 members of our conference in this chamber. And so we've taken that mandate and continued to open up pathways, tear down

obstacles for as many New Yorkers as we can.

We've made progress in building a more equitable and prosperous New York. However, we know that there's still a great deal of work to be done, and the reality is that our work is truly never done.

So now we have time to go back to our districts, listening and working with those we serve. We'll be back in this chamber in January, hopefully all together, unmasked, ready to continue tackling the issues of our time.

Again, I want to thank everyone on both sides for your hard work, for your dedication to our constituents. I know that we're all here to do good, to build stronger communities, to improve people's lives. Deep in my heart, I know that we can be proud of the actions taken here during these past and very difficult months, and that despite the difficulties of the last year and more, there are brighter days ahead for all of us and all of New York State.

So again, I want to thank everyone. We did some of the traditions we normally do. There are ices out there, just to let you know

that we aren't that far away from what we normally do. But I wish everyone a really happy, wonderful, healthy summer. And again, enjoy the work that you've done, because we certainly have more to do.

So thank you so much, Madam President.

(Standing ovation.)

ACTING PRESIDENT MAYER: Senator Gianaris.

SENATOR GIANARIS: Madam President, is there any further business at the desk?

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

SENATOR GIANARIS: I move to adjourn to a date and time at the call of the Temporary President of the Senate, with intervening days being legislative days.

ACTING PRESIDENT MAYER: On motion, the Senate stands adjourned until a date and time at the call of the Temporary President of the Senate, intervening days being legislative days.

(Whereupon, at 9:37 p.m., the Senate adjourned.)