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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

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

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

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

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

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

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

13 ACTING PRESIDENT MAYER: Reading of
14 the Journal.

15 THE SECRETARY: In Senate,
16 Wednesday, June 9, 2021, the Senate met pursuant
17 to adjournment. The Journal of Tuesday, June 8,
18 2021, was read and approved. On motion, the
19 Senate adjourned.

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

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: Senator Kaplan

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

5 Senator Myrie moves to discharge,
6 from the Committee on Rules, Assembly Bill Number
7 2573A and substitute it for the identical Senate
8 Bill 294A, Third Reading Calendar 522.

9 Senator Bailey moves to discharge,
10 from the Committee on Rules, Assembly Bill Number
11 5707 and substitute it for the identical Senate
12 Bill 2803, Third Reading Calendar 606.

13 Senator Rivera moves to discharge,
14 from the Committee on Rules, Assembly Bill Number
15 2395 and substitute it for the identical Senate
16 Bill 3332, Third Reading Calendar 826.

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

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

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

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

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

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

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

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

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

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

8 ACTING PRESIDENT MAYER:

9 Substitutions so ordered.

10 Messages from the Governor.

11 Reports of standing committees.

12 Reports of select committees.

13 Communications and reports from
14 state officers.

15 Motions and resolutions.

16 Senator Gianaris.

17 SENATOR GIANARIS: Good afternoon,

18 Madam President. I move to adopt the
19 Resolution Calendar, with the exception of
20 Resolution 1227.

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

25 (Response of "Aye.")

1 ACTING PRESIDENT MAYER: Opposed,
2 nay.

3 (No response.)

4 ACTING PRESIDENT MAYER: The
5 Resolution Calendar adopted.

6 Senator Gianaris.

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

11 ACTING PRESIDENT MAYER: The
12 Secretary will read.

13 THE SECRETARY: Senate Resolution
14 1025, by Senator Hoylman, memorializing
15 Governor Andrew M. Cuomo to proclaim June 2021 as
16 LGBTQ Pride Month in the State of New York.

17 ACTING PRESIDENT MAYER: Senator
18 Hoylman on the resolution.

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

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

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

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

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

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

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

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

21 Adoption protections for LGBTQ
22 parents.

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

1 significant proportion of our homeless youth
2 population.

3 Requiring gender-neutral restrooms
4 in state buildings.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 openly who we are.

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

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

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

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

8 Happy Pride, Madam President.

9 ACTING PRESIDENT MAYER: Thank you,
10 Senator Hoylman.

11 Senator Brisport on the resolution.

12 SENATOR BRISPORT: Thank you,
13 Madam President.

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

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

25 And as anti-trans bills move through

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

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

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

21 Thank you.

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

24 Senator Gianaris.

25 SENATOR GIANARIS: Thank you,

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

5 ACTING PRESIDENT MAYER: The
6 Secretary will read.

7 THE SECRETARY: Senate Resolution
8 1131, by Senator Biaggi, mourning the death of
9 Jenna Ellen Melanson, distinguished educator and
10 devoted member of her community.

11 ACTING PRESIDENT MAYER: Senator
12 Biaggi on the resolution.

13 SENATOR BIAGGI: Thank you,
14 Madam President.

15 I wish I didn't have to rise today
16 to speak on this resolution because of the loss
17 that is part of it. But I'm very proud to be
18 able to speak on this resolution nonetheless, in
19 memory of Jenna Ellen Melanson, who tragically
20 passed away at the age of 37 just this past March
21 2021.

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

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

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

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

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

1 benefit from.

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

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

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

20 So thank you very much.

21 ACTING PRESIDENT MAYER: Thank you,
22 Senator Biaggi.

23 The resolution was previously
24 adopted on June 8th.

25 Senator Gianaris.

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

5 ACTING PRESIDENT MAYER: The
6 Secretary will read.

7 THE SECRETARY: Senate Resolution
8 1227, by Senator Cooney, mourning the death of
9 Sandy Parker, longtime Rochester business
10 community leader, distinguished citizen and
11 devoted member of her community.

12 ACTING PRESIDENT MAYER: Senator
13 Cooney on the resolution.

14 SENATOR COONEY: Thank you,
15 Madam President.

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

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

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

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

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

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

19 Thank you, Madam President.

20 ACTING PRESIDENT MAYER: Thank you,
21 Senator Cooney.

22 The question is on the resolution.

23 All in favor signify by saying aye.

24 (Response of "Aye.")

25 ACTING PRESIDENT MAYER: Opposed?

1 (No response.)

2 ACTING PRESIDENT MAYER: The
3 resolution is adopted.

4 Senator Gianaris.

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

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

12 Senator Gianaris.

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

15 ACTING PRESIDENT MAYER: The
16 Secretary will read.

17 THE SECRETARY: Calendar Number
18 100, Senate Print 452A, by Senator Biaggi, an act
19 to amend the Penal Law.

20 ACTING PRESIDENT MAYER: Read the
21 last section.

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

24 ACTING PRESIDENT MAYER: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT MAYER: Senator
3 Biaggi to explain her vote.

4 SENATOR BIAGGI: Thank you,
5 Madam President.

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

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

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

25 And to be very clear, an

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

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

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

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

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

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

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

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

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

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

24 Announce the results.

25 THE SECRETARY: In relation to

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

3 Ayes, 59. Nays, 1.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 256, Senate Print 3126B, by Senator Parker, an
8 act to amend the Public Service Law.

9 ACTING PRESIDENT MAYER: Read the
10 last section.

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

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MAYER: Announce
18 the results.

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

23 Ayes, 55. Nays, 8.

24 ACTING PRESIDENT MAYER: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 374, Senate Print 534A, by Senator Kaplan, an act
3 to amend the Public Health Law.

4 ACTING PRESIDENT MAYER: Read the
5 last section.

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

9 ACTING PRESIDENT MAYER: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT MAYER: Announce
13 the results.

14 THE SECRETARY: Ayes, 63.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 420, Assembly Print 4010B, substituted earlier by
19 Assemblymember Thiele, an act to amend the
20 Transportation Law.

21 ACTING PRESIDENT MAYER: Read the
22 last section.

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

25 ACTING PRESIDENT MAYER: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT MAYER: Announce
4 the results.

5 THE SECRETARY: Ayes, 63.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 499, Senate Print 991C, by Senator Hoylman, an
10 act directing the Commissioner of the Office of
11 Parks, Recreation and Historic Preservation to
12 conduct a legal review for the redesignation of
13 Donald J. Trump State Park.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

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

18 ACTING PRESIDENT MAYER: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT MAYER: Senator
22 Hoylman to explain his vote.

23 SENATOR HOYLMAN: Thank you,
24 Madam President.

25 This bill would start the process of

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

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

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

25 With the passage of this bill we can

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

5 I vote aye.

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

8 Announce the results.

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

16 Ayes, 42. Nays, 21.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 522, Assembly Print 2573A, substituted earlier by
21 Assemblymember Fall, an act to amend the
22 Surrogate's Court Procedure Act.

23 ACTING PRESIDENT MAYER: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT MAYER: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MAYER: Announce
6 the results.

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

14 Ayes, 43. Nays, 20.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 526, Senate Print 2929B, by Senator Parker, an
19 act in relation to designating Kings County as a
20 cease-and-desist zone.

21 ACTING PRESIDENT MAYER: Read the
22 last section.

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

25 ACTING PRESIDENT MAYER: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT MAYER: Announce
4 the results.

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

12 Ayes, 39. Nays, 24.

13 ACTING PRESIDENT MAYER: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 606, Assembly Print 5707, substituted earlier by
17 Assemblymember Joyner, an act to amend the
18 Criminal Procedure Law.

19 ACTING PRESIDENT MAYER: Read the
20 last section.

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

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER: Senator
2 Bailey to explain his vote.

3 SENATOR BAILEY: Thank you,
4 Madam President.

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

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

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

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

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

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

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

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

23 Announce the results.

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

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

4 Ayes, 52. Nays, 11.

5 ACTING PRESIDENT MAYER: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 793, Senate Print Number 5960, by Senator
9 Reichlin-Melnick, an act to amend the
10 Executive Law.

11 ACTING PRESIDENT MAYER: Read the
12 last section.

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

15 ACTING PRESIDENT MAYER: Call the
16 roll.

17 (The Secretary called the roll.)

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

20 SENATOR REICHLIN-MELNICK: Thank
21 you, Madam President.

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

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

4 More than 24,000 New Yorkers have
5 died from an opioid overdose related case between
6 2003 and 2018. More than 24,000. And that
7 number is certainly an undercount. That's nearly
8 130 New Yorkers every month for most of the past
9 20 years. And the problem is getting worse.

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

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

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

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

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

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

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

23 Announce the results.

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

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 807, Senate Print 5759B, by Senator Brisport, an
5 act to amend the Social Services Law.

6 ACTING PRESIDENT MAYER: Read the
7 last section.

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

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Announce
15 the results.

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

22 Ayes, 45. Nays, 18.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 826, Assembly Print 2395, substituted earlier by
2 Assemblymember Aubry, an act to amend the
3 Civil Service Law.

4 ACTING PRESIDENT MAYER: Read the
5 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Senator
12 Rivera to explain his vote.

13 SENATOR RIVERA: Thank you,
14 Madam President.

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

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

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

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

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

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

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

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

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

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

22 Announce the results.

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

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

3 Ayes, 51. Nays, 12.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 838, Assembly Print 2505, substituted earlier by
8 Assemblymember Weinstein, an act to amend the
9 Civil Practice Law and Rules.

10 ACTING PRESIDENT MAYER: Read the
11 last section.

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

15 ACTING PRESIDENT MAYER: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT MAYER: Announce
19 the results.

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

1 Ayes, 47. Nays, 16.

2 ACTING PRESIDENT MAYER: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 896, Senate Print 784B, by Senator Gounardes, an
6 act to amend the Vehicle and Traffic Law.

7 ACTING PRESIDENT MAYER: Read the
8 last section.

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

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Senator
15 Gounardes to explain his vote.

16 SENATOR GOUNARDES: Thank you,
17 Madam President.

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

1 that sounds like shotgun shots.

2 The fact is that modifying exhaust
3 and mufflers in this state has been illegal for a
4 very long time, but there has been zero
5 accountability on the use of these already
6 illegal devices. The fines, in fact, were only
7 \$150, the cost of doing business to buy one of
8 these things and terrorize your neighbors with
9 these modified parts.

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

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

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

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

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

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

24 Thank you.

25 ACTING PRESIDENT MAYER: Senator

1 Gounardes to be recorded in the affirmative.

2 Announce the results.

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

8 Ayes, 48. Nays, 15.

9 ACTING PRESIDENT MAYER: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 901, Senate Print 2926, by Senator Kennedy, an
13 act to amend the Highway Law.

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

16 Read the last section.

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

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: Ayes, 63.

25 ACTING PRESIDENT MAYER: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 902, Senate Print 2927, by Senator Kennedy, an
4 act to amend the Highway Law.

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

7 Read the last section.

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

10 ACTING PRESIDENT MAYER: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT MAYER: Announce
14 the results.

15 THE SECRETARY: Ayes, 63.

16 ACTING PRESIDENT MAYER: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 948, Senate Print 5115, by Senator Ryan, an act
20 authorizing the Village of Angola and the City of
21 Buffalo to correct a boundary line between
22 certain properties in the Town of Evans in the
23 County of Erie.

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

1 Read the last section.

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

4 ACTING PRESIDENT MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MAYER: Announce
8 the results.

9 THE SECRETARY: Ayes, 63.

10 ACTING PRESIDENT MAYER: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 950, Assembly Print 3201B, substituted earlier by
14 Assemblymember McDonald, an act to amend the
15 General Municipal Law.

16 ACTING PRESIDENT MAYER: Read the
17 last section.

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

20 ACTING PRESIDENT MAYER: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MAYER: Announce
24 the results.

25 THE SECRETARY: In relation to

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

3 Ayes, 62. Nays, 1.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 951, Senate Print 5953A, by Senator
8 Reichlin-Melnick, an act in relation to
9 authorizing the Town of Orangetown, County of
10 Rockland, to discontinue the use of certain
11 parkland.

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

14 Read the last section.

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

17 ACTING PRESIDENT MAYER: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MAYER: Announce
21 the results.

22 THE SECRETARY: Ayes, 63.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 988, Assembly Print 2530, substituted earlier by
2 Assemblymember Barrett, an act to amend the
3 Correction Law.

4 ACTING PRESIDENT MAYER: Read the
5 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

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

16 Ayes, 62. Nays, 1.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1088, Senate Print 2012, by Senator Jackson, an
21 act to amend the Administrative Code of the City
22 of New York.

23 ACTING PRESIDENT MAYER: Read the
24 last section.

25 THE SECRETARY: Section 5. This

1 act shall take effect immediately.

2 ACTING PRESIDENT MAYER: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MAYER: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Calendar 1088, those Senators voting in the
9 negative are Senators Akshar, Borrello, Boyle,
10 Gallivan, Griffo, Jordan, Lanza, Martucci,
11 Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath,
12 Ritchie, Serino, Stec, Tedisco and Weik.

13 Ayes, 44. Nays, 19.

14 ACTING PRESIDENT MAYER: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1089, Senate Print 2013, by Senator Jackson, an
18 act to amend the Administrative Code of the City
19 of New York.

20 ACTING PRESIDENT MAYER: Read the
21 last section.

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

24 ACTING PRESIDENT MAYER: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT MAYER: Announce
3 the results.

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

11 Ayes, 43. Nays, 20.

12 ACTING PRESIDENT MAYER: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1109, Senate Print 1997, by Senator Jackson, an
16 act to amend the Labor Law.

17 ACTING PRESIDENT MAYER: Read the
18 last section.

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

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Senator

1 Jackson to explain his vote.

2 SENATOR JACKSON: Thank you,
3 Madam President.

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

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

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

25 Now, Madam President, with the

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

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

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

18 Thank you, Madam President.

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

21 Announce the results.

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

1 Ayes, 59. Nays, 4.

2 ACTING PRESIDENT MAYER: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1150, Senate Print 2143A, by Senator Kavanaugh, an
6 act to amend the Banking Law.

7 ACTING PRESIDENT MAYER: Read the
8 last section.

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

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Announce
15 the results.

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

23 Ayes, 43. Nays, 20.

24 ACTING PRESIDENT MAYER: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1203, Assembly Print 2111, substituted earlier by
3 Assemblymember Simon, an act to amend the
4 Tax Law.

5 ACTING PRESIDENT MAYER: Read the
6 last section.

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

9 ACTING PRESIDENT MAYER: Call the
10 roll.

11 (The Secretary called the roll.)

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

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

16 Around the country the gun violence
17 epidemic is on the rise, and that includes here
18 in New York State. Over 900 New Yorkers a year
19 are killed by guns. Shootings in major cities in
20 New York have increased by anywhere from
21 70 percent to 110 percent, year over year,
22 between 2019 and 2020, mirroring a national
23 trend. Fifty-four percent of gun deaths in New
24 York State are suicides.

25 It's time that we begin to

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

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

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

1 in future state budgets, which I hope this
2 chamber will strongly consider making in the
3 2022-2023 budget process.

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

9 I proudly vote aye.

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

13 Announce the results.

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

19 Ayes, 49. Nays, 14.

20 ACTING PRESIDENT MAYER: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1239, Senate Print 4943B, by Senator Biaggi, an
24 act to amend the Public Authorities Law.

25 ACTING PRESIDENT MAYER: Read the

1 last section.

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

4 ACTING PRESIDENT MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MAYER: Senator
8 Biaggi to explain her vote.

9 SENATOR BIAGGI: Thank you,
10 Madam President.

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

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

25 As more New Yorkers have turned to

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

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

17 Thank you very much.

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

20 Senator Gounardes to explain his
21 vote.

22 SENATOR GOUNARDES: Thank you,
23 Madam President.

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

1 really important piece of legislation.

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

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

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

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

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

3 Thank you.

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

6 Announce the results.

7 THE SECRETARY: Ayes, 63.

8 ACTING PRESIDENT MAYER: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1257, Senate Print 1335, by Senator Krueger, an
12 act to amend the Racing, Pari-Mutuel Wagering and
13 Breeding Law.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

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

18 ACTING PRESIDENT MAYER: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT MAYER: Announce
22 the results.

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

1 Ritchie, Serino and Stec.

2 Ayes, 57. Nays, 6.

3 ACTING PRESIDENT MAYER: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1258, Senate Print 1443A, by Senator Addabbo, an
7 act to amend the Racing, Pari-Mutuel Wagering and
8 Breeding Law.

9 ACTING PRESIDENT MAYER: Read the
10 last section.

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

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Announce
17 the results.

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

22 Ayes, 56. Nays, 7.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1281, Senate Print 4686, by Senator Helming, an
2 act granting retroactive membership in the
3 New York State and Local Employees' Retirement
4 System to Justin Whitmore.

5 SENATOR LANZA: Lay it aside for
6 the day.

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

9 THE SECRETARY: Calendar Number
10 1336, Senate Print 4516C, by Senator Kaplan, an
11 act to amend the Penal Law.

12 ACTING PRESIDENT MAYER: Read the
13 last section.

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

16 ACTING PRESIDENT MAYER: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MAYER: Announce
20 the results.

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

1 and Weik.

2 Ayes, 48. Nays, 15.

3 ACTING PRESIDENT MAYER: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1396, Senate Print 6565A, by Senator Borrello, an
7 act to amend Chapter 129 of the Laws of 2020.

8 ACTING PRESIDENT MAYER: Read the
9 last section.

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

12 ACTING PRESIDENT MAYER: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT MAYER: Announce
16 the results.

17 THE SECRETARY: Ayes, 63.

18 ACTING PRESIDENT MAYER: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1443, Senate Print 4104, by Senator Breslin, an
22 act to amend the General Business Law.

23 ACTING PRESIDENT MAYER: Read the
24 last section.

25 THE SECRETARY: Section 3. This

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

3 ACTING PRESIDENT MAYER: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT MAYER: Senator
7 Boyle to explain his vote.

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

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

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

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

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

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

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

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

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

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

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

4 I vote in the affirmative.

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

7 Announce the results.

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

13 Ayes, 49. Nays, 14.

14 ACTING PRESIDENT MAYER: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1498, Senate Print 6350A, by Senator Benjamin, an
18 act to amend the Real Property Tax Law.

19 ACTING PRESIDENT MAYER: Read the
20 last section.

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

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER: Announce
2 the results.

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

9 Ayes, 47. Nays, 16.

10 ACTING PRESIDENT MAYER: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1503, Senate Print 6758A, by Senator Griffo, an
14 act to establish a wind energy systems tax
15 stabilization reserve fund.

16 ACTING PRESIDENT MAYER: Read the
17 last section.

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

20 ACTING PRESIDENT MAYER: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MAYER: Announce
24 the results.

25 THE SECRETARY: Ayes, 63.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1505, Senate Print 6871, by Senator Harckham, an
5 act to amend the Tax Law and the State Finance
6 Law.

7 ACTING PRESIDENT MAYER: Read the
8 last section.

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

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Senator
15 Serino to explain her vote.

16 SENATOR SERINO: Thank you very
17 much, Madam President.

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

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

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

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

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

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

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

3 Thank you, Madam President.

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

6 Announce the results.

7 THE SECRETARY: Ayes, 63.

8 ACTING PRESIDENT MAYER: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1520, Senate Print 415A, by Senator Biaggi, an
12 act to amend the Vehicle and Traffic Law.

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

15 Read the last section.

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

18 ACTING PRESIDENT MAYER: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT MAYER: Announce
22 the results.

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

1 Ayes, 62. Nays, 1.

2 ACTING PRESIDENT MAYER: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1533, Assembly Print 7472, substituted earlier by
6 Assemblymember Stern, an act to amend the
7 Executive Law.

8 ACTING PRESIDENT MAYER: Read the
9 last section.

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

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Announce
17 the results.

18 THE SECRETARY: Ayes, 63.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1538, Senate Print 4271, by Senator Gallivan, an
23 act to authorize Timothy Colling to receive
24 certain credit under Section 384-d of the
25 Retirement and Social Security Law.

1 SENATOR LANZA: Lay it aside for
2 the day.

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

5 THE SECRETARY: Calendar Number
6 1539, Senate Print 4323C, by Senator Comrie, an
7 act to establish a construction industry advisory
8 council on public contracting reform.

9 ACTING PRESIDENT MAYER: Read the
10 last section.

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

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Announce
17 the results.

18 THE SECRETARY: Ayes, 63.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1545, Senate Print 4938C, by Senator Martucci, an
23 act to authorize the Village of New Paltz, County
24 of Ulster, to alienate and discontinue the use of
25 certain parklands.

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

3 Read the last section.

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

6 ACTING PRESIDENT MAYER: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MAYER: Announce
10 the results.

11 THE SECRETARY: Ayes, 63.

12 ACTING PRESIDENT MAYER: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1557, Assembly Print 7088A, substituted earlier
16 by Assemblymember Kelles, an act to amend the
17 Real Property Tax Law.

18 ACTING PRESIDENT MAYER: Read the
19 last section.

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

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

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

5 Ayes, 62. Nays, 1.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1577, Senate Print 6847, by Senator Palumbo, an
10 act to amend the Town Law.

11 ACTING PRESIDENT MAYER: Read the
12 last section.

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

15 ACTING PRESIDENT MAYER: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT MAYER: Announce
19 the results.

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

23 Ayes, 61. Nays, 2.

24 ACTING PRESIDENT MAYER: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1594, Senate Print 7135A, by Senator Ramos, an
3 act to amend the Labor Law.

4 ACTING PRESIDENT MAYER: Read the
5 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

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

18 Ayes, 50. Nays, 13.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1605, Senate Print 7176, by Senator Parker, an
23 act to amend the Energy Law.

24 ACTING PRESIDENT MAYER: Read the
25 last section.

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

3 ACTING PRESIDENT MAYER: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT MAYER: Announce
7 the results.

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

15 Ayes, 43. Nays, 20.

16 ACTING PRESIDENT MAYER: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1607, Senate Print 7184, by Senator Mayer, an act
20 in relation to authorizing the City of
21 New Rochelle, County of Westchester, to sell,
22 convey and alienate certain land.

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

25 Read the last section.

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

3 ACTING PRESIDENT MAYER: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT MAYER: Announce
7 the results.

8 THE SECRETARY: Ayes, 63.

9 ACTING PRESIDENT MAYER: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1615, Senate Print 7195, by Senator
13 Stewart-Cousins, an act to amend Chapter 50 of
14 the Laws of 2021.

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

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

19 THE SECRETARY: Calendar Number
20 1644, Assembly Print 743A, substituted earlier by
21 Assemblymember Wallace, an act to amend the
22 State Finance Law.

23 ACTING PRESIDENT MAYER: Read the
24 last section.

25 THE SECRETARY: Section 2. This

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

3 ACTING PRESIDENT MAYER: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT MAYER: Announce
7 the results.

8 THE SECRETARY: Ayes, 63.

9 ACTING PRESIDENT MAYER: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1658, Senate Print 6562A, by Senator Jordan, an
13 act to amend the Highway Law.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

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

18 ACTING PRESIDENT MAYER: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT MAYER: Announce
22 the results.

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

1 Ayes, 62. Nays, 1.

2 ACTING PRESIDENT MAYER: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1659, Senate Print 6617, by Senator Gounardes, an
6 act to amend the State Finance Law.

7 ACTING PRESIDENT MAYER: Read the
8 last section.

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

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Announce
15 the results.

16 THE SECRETARY: Ayes, 63.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1671, Senate Print 7014, by Senator Addabbo, an
21 act to amend the Racing, Pari-Mutuel Wagering and
22 Breeding Law.

23 ACTING PRESIDENT MAYER: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT MAYER: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MAYER: Announce
6 the results.

7 THE SECRETARY: Ayes, 63.

8 ACTING PRESIDENT MAYER: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1677, Assembly Print 476, substituted earlier by
12 Assemblymember Rozic, an act to amend the
13 Public Service Law.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

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

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

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

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

3 Ayes, 58. Nays, 5.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1684, Senate Print 4306B, by Senator Gianaris --

8 SENATOR LANZA: Lay it aside.

9 ACTING PRESIDENT MAYER: The bill
10 is laid aside.

11 THE SECRETARY: Calendar Number
12 1685, Senate Print 1144A, by Senator Benjamin, an
13 act to amend the Executive Law and the Penal Law.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

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

18 ACTING PRESIDENT MAYER: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT MAYER: Senator
22 Palumbo to explain his vote.

23 SENATOR PALUMBO: Thank you,
24 Madam President.

25 So I rise today to express my very

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

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

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

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

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

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

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

1 cause to hold the individual. Then you go to a
2 final hearing. The standard has gone from
3 preponderance of evidence, like in a civil trial,
4 51 percent, to clear and convincing evidence.

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

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

1 10, for example, you have another 10 years where
2 you're not on probation. This isn't probation,
3 this is actually you're free and at liberty
4 because you've done good things, you're on your
5 way back to success and improvement.

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

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

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

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

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

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

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

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

20 I vote in the negative.

21 Thank you, Madam President.

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

24 Senator Jackson to explain his vote.

25 SENATOR JACKSON: Thank you,

1 Madam President.

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

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

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

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

1 35,000 people under active parole supervision in
2 New York State. At almost any time,
3 Madam President, their efforts to successfully
4 rejoin the workforce and reintegrate into their
5 families and communities can be disrupted by
6 reincarceration for a technical violation.

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

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

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

24 Thank you.

25 ACTING PRESIDENT MAYER: Senator

1 Jackson to be recorded in the affirmative.

2 Senator Weik to explain her vote.

3 SENATOR WEIK: Thank you,
4 Madam President.

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

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

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

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

4 Thank you.

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

7 Senator Bailey to explain his vote.

8 SENATOR BAILEY: Thank you,
9 Madam President.

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

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

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

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

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

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

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

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

1 that individual back on a path towards
2 prosperity.

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

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

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

20 I proudly vote in the affirmative.

21 Thank you, Madam President.

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

24 Senator Benjamin to explain his
25 vote.

1 SENATOR BENJAMIN: Thank you so
2 much, Madam President.

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

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

11 Let me start by thanking the
12 Katal Center, Unchained, and A Little Piece of
13 Light, who helped to lead a massive coalition --
14 and my good brother Jamaal Bailey, Senator
15 Bailey, made some of those comments -- over eight
16 district attorneys across the state; eight
17 sheriffs and police chiefs across the state; four
18 former correctional, parole and probation
19 commissioners; three former attorney generals; a
20 former chief justice of the Court of Appeals;
21 19 New York County officials; and over
22 269 organizations across the state have come
23 together to say Less is More is the right bill.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 Announce the results.

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

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

6 Ayes, 38. Nays, 25.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1691 --

11 SENATOR LANZA: Lay it aside.

12 ACTING PRESIDENT MAYER: The bill
13 is laid aside.

14 THE SECRETARY: Calendar Number
15 1694, Senate Print 5891C, by Senator Parker, an
16 act to amend the Education Law.

17 ACTING PRESIDENT MAYER: Read the
18 last section.

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

21 ACTING PRESIDENT MAYER: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT MAYER: announce
25 the results.

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

6 Ayes, 52. Nays, 11.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1697, Senate Print 6301A, by Senator Stavisky, an
11 act to amend the Tax Law.

12 ACTING PRESIDENT MAYER: Read the
13 last section.

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

17 ACTING PRESIDENT MAYER: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MAYER: Announce
21 the results.

22 THE SECRETARY: Ayes, 63.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1708, Senate Print 7053A, by Senator Kennedy, an
2 act to amend the Vehicle and Traffic Law.

3 ACTING PRESIDENT MAYER: Read the
4 last section.

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

7 ACTING PRESIDENT MAYER: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT MAYER: Announce
11 the results.

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

18 Ayes, 46. Nays, 17.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1719, Senate Print 7220, by Senator Savino, an
23 act to amend the Judiciary Law.

24 ACTING PRESIDENT MAYER: Read the
25 last section.

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

3 ACTING PRESIDENT MAYER: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT MAYER: Announce
7 the results.

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

12 Ayes, 58. Nays, 5.

13 ACTING PRESIDENT MAYER: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1720, Senate Print 7227, by Senator Myrie, an act
17 to amend the Public Officers Law.

18 ACTING PRESIDENT MAYER: Read the
19 last section.

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

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

2 THE SECRETARY: Ayes, 63.

3 ACTING PRESIDENT MAYER: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1721, Senate Print 7228, by Senator Bailey, an
7 act to amend the Criminal Procedure Law.

8 ACTING PRESIDENT MAYER: Read the
9 last section.

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

12 ACTING PRESIDENT MAYER: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT MAYER: Announce
16 the results.

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

23 Ayes, 48. Nays, 15.

24 ACTING PRESIDENT MAYER: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1722, Senate Print 7230, by Senator Kaplan, an
3 act to amend the Tax Law.

4 ACTING PRESIDENT MAYER: Read the
5 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Senator
12 Borrello to explain his vote.

13 SENATOR BORRELLO: Thank you,
14 Madam President.

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

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

1 that have ruined our small businesses,
2 particularly in the hospitality industry, where
3 20 percent of New York's restaurants have closed
4 and will likely never reopen.

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

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

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

24 Thank you.

25 ACTING PRESIDENT MAYER: Senator

1 Borrello to be recorded in the affirmative.

2 Announce the results.

3 THE SECRETARY: Ayes, 63.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1723, Senate Print 7231, by Senator Felder, an
8 act to amend the Tax Law.

9 ACTING PRESIDENT MAYER: Read the
10 last section.

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

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Announce
17 the results.

18 THE SECRETARY: Ayes, 63.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1724, Senate Print 7232, by Senator Jackson, an
23 act to amend the Civil Service Law.

24 ACTING PRESIDENT MAYER: Read the
25 last section.

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

3 ACTING PRESIDENT MAYER: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT MAYER: Announce
7 the results.

8 THE SECRETARY: Ayes, 63.

9 ACTING PRESIDENT MAYER: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1725, Senate Print 7234, Senate Budget Bill, an
13 act to amend Chapter 53 of the Laws of 2021.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

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

18 ACTING PRESIDENT MAYER: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT MAYER: Announce
22 the results.

23 THE SECRETARY: In relation to
24 Calendar 1725, those Senators voting in the
25 negative are Senators Akshar, Boyle, Griffio,

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

3 Ayes, 49. Nays, 14.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1726, Senate Print 7237, by
8 Senator Stewart-Cousins, an act to amend
9 Chapter 50 of the Laws of 2021.

10 ACTING PRESIDENT MAYER: Read the
11 last section.

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

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

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

19 SENATOR MARTUCCI: Thank you,
20 Madam President.

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

25 We sit here right now in this

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

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

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

1 really important issue.

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

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

11 Thank you, Madam President.

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

14 Announce the results.

15 THE SECRETARY: Ayes, 63.

16 ACTING PRESIDENT MAYER: The bill
17 is passed.

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

20 SENATOR SERRANO: Thank you,
21 Madam President.

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

25 ACTING PRESIDENT MAYER: The

1 Secretary will ring the bell.

2 The Secretary will read.

3 THE SECRETARY: Calendar Number
4 1691, Assembly Print 6247A, by Assemblymember
5 Peoples-Stokes, an act to amend the Banking Law.

6 ACTING PRESIDENT MAYER: Senator
7 Borrello.

8 SENATOR BORRELLO: Will the sponsor
9 yield for some questions.

10 ACTING PRESIDENT MAYER: Senator
11 Kennedy, do you yield?

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

15 ACTING PRESIDENT MAYER: The
16 Senator yields.

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

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

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

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

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

10 SENATOR KENNEDY: Thank you for
11 that question.

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

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

1 that I love.

2 And what we've seen from data
3 presented to us from the Department of Financial
4 Services is unfortunate, sad, and needs to
5 change. And that is that the redlining problem
6 from decades ago that started very clearly in the
7 1930s when the federal government got involved
8 with supportive housing across the nation and
9 resulted in the Community Reinvestment Act at the
10 federal level, and ultimately here in New York
11 State in 1978, has done a remarkable job at
12 shifting the numbers for those depository lenders
13 that provide loans for mortgages in our community
14 in Buffalo and across New York State, but the
15 non-depository lenders haven't done so well.

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

25 SENATOR BORRELLO: Thank you.

1 Madam President, will the sponsor
2 continue to yield.

3 ACTING PRESIDENT MAYER: Senator
4 Kennedy, do you yield?

5 SENATOR KENNEDY: Yes, I will.

6 ACTING PRESIDENT MAYER: The
7 Senator yields.

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

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

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

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

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

25 SENATOR BORRELLO: Thank you.

1 Madam President, will the sponsor
2 continue to yield.

3 ACTING PRESIDENT MAYER: Do you
4 continue to yield?

5 SENATOR KENNEDY: Yes.

6 ACTING PRESIDENT MAYER: The
7 Senator yields.

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

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

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

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

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

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

12 SENATOR BORRELLO: Thank you.

13 Madam President, will the sponsor
14 continue to yield.

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

17 SENATOR KENNEDY: I will, yes.

18 ACTING PRESIDENT MAYER: The
19 Senator yields.

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

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

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

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

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

22 SENATOR BORRELLO: Thank you.

23 Madam President, on the bill.

24 ACTING PRESIDENT MAYER: Senator
25 Borrello on the bill.

1 SENATOR BORRELLO: Thank you,
2 Madam President.

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

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

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

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

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

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

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

20 So thank you.

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

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

25 Read the last section.

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

3 ACTING PRESIDENT MAYER: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT MAYER: Senator
7 Kennedy to explain his vote.

8 SENATOR KENNEDY: Thank you very
9 much, Madam President.

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

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

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

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

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

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

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

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

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

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

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

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

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

5 Thank you, Madam President. I vote
6 aye.

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

9 Announce the results.

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

17 Ayes, 43. Nays, 20.

18 ACTING PRESIDENT MAYER: The bill
19 is passed.

20 Senator Gianaris.

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

23 ACTING PRESIDENT MAYER: The
24 Secretary will read.

25 THE SECRETARY: Calendar Number

1 1684, Senate Print 4306B, by Senator Gianaris, an
2 act to amend the Election Law.

3 ACTING PRESIDENT MAYER: Senator
4 Rath.

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

8 ACTING PRESIDENT MAYER: Senator
9 Gianaris, do you yield?

10 SENATOR GIANARIS: Definitely.

11 SENATOR RATH: Thank you.

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

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

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

1 would make voting easy.

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

4 ACTING PRESIDENT MAYER: Senator
5 Gianaris, do you yield?

6 SENATOR GIANARIS: Yes.

7 ACTING PRESIDENT MAYER: The
8 Senator yields.

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

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

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

20 SENATOR RATH: Can you repeat that
21 question again?

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

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

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

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

13 SENATOR RATH: Thank you.

14 Madam President, will the sponsor
15 continue to yield.

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

18 SENATOR GIANARIS: Yes.

19 ACTING PRESIDENT MAYER: The
20 Senator yields.

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

24 SENATOR GIANARIS: Yes.

25 SENATOR RATH: Thank you.

1 Madam President, will the sponsor
2 continue to yield.

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

5 SENATOR GIANARIS: Yes.

6 ACTING PRESIDENT MAYER: The
7 Senator yields.

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

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

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

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

21 SENATOR GIANARIS: Yes.

22 ACTING PRESIDENT MAYER: The
23 Senator yields.

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

1 there a definition for a large city?

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

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

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

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

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

17 SENATOR RATH: Thank you.

18 Madam President, will the sponsor
19 continue to yield.

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

22 SENATOR GIANARIS: Yes.

23 ACTING PRESIDENT MAYER: The
24 Senator yields.

25 SENATOR RATH: In some upstate

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

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

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

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

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

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

22 SENATOR GIANARIS: Yes.

23 ACTING PRESIDENT MAYER: The
24 Senator yields.

25 SENATOR RATH: For example, in the

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

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

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

16 SENATOR GIANARIS: I'm sorry,
17 Senator?

18 SENATOR RATH: Would the sponsor
19 continue to yield.

20 ACTING PRESIDENT MAYER: Do you
21 continue to yield?

22 SENATOR GIANARIS: Yes.

23 ACTING PRESIDENT MAYER: The
24 Senator yields.

25 SENATOR RATH: My comment and

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

3 Madam President, will the sponsor
4 continue to yield.

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

7 SENATOR GIANARIS: Yes.

8 ACTING PRESIDENT MAYER: The
9 Senator yields.

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

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

21 SENATOR RATH: Thank you.

22 Madam President, on the bill.

23 ACTING PRESIDENT MAYER: Senator
24 Rath on the bill.

25 SENATOR RATH: This legislation, I

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

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

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

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

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

25 Thank you.

1 ACTING PRESIDENT MAYER: Thank you,
2 Senator Rath.

3 Are there any other Senators wishing
4 to be heard?

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

7 Read the last section.

8 THE SECRETARY: Section 4. This
9 act shall take effect April 1, 2022.

10 ACTING PRESIDENT MAYER: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT MAYER: Senator
14 Martucci to explain his vote.

15 SENATOR MARTUCCI: Thank you,
16 Madam President.

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

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

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

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

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

20 Thank you, Madam President.

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

23 Senator Gianaris to explain his
24 vote.

25 SENATOR GIANARIS: Thank you,

1 Madam President.

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

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

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

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

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

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

10 I vote yes. Thank you,
11 Madam President.

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

14 Announce the results.

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

21 Ayes, 45. Nays, 18.

22 ACTING PRESIDENT MAYER: The bill
23 is passed.

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

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

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

7 SENATOR GIANARIS: The Senate
8 stands at ease.

9 ACTING PRESIDENT MAYER: The Senate
10 will stand at ease.

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

13 (Whereupon, the Senate reconvened at
14 3:09 p.m.)

15 ACTING PRESIDENT MAYER: The Senate
16 will return to order.

17 Senator Gianaris.

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

21 ACTING PRESIDENT MAYER: The
22 Secretary will read.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Retirement and Social Security Law;

2 Senate Print 6375, by

3 Senator Savino, an act in relation to directing
4 the Commissioner of Health to conduct a study on
5 the delivery of ambulatory and other medical
6 care;

7 Senate Print 6452, by

8 Senator Reichlin-Melnick, an act to amend the
9 Vehicle and Traffic Law;

10 Senate Print 6550A, by Senator

11 Gallivan, an act to amend the Highway Law;

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

16 Senate Print 6653A, by

17 Senator Mannion, an act to amend the
18 Real Property Tax Law;

19 Senate Print 6655A, by

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

22 Senate Print 6656A, by

23 Senator Sanders, an act to amend the
24 Civil Practice Law and Rules;

25 Senate Print 6729, by Senator Boyle,

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

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

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

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

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

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

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

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

1 Public Health Law;

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

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

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

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

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

20 All bills reported direct to third
21 reading.

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

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

1 Rules Committee signify by saying aye.

2 (Response of "Aye.")

3 ACTING PRESIDENT MAYER: Opposed,
4 nay.

5 (No response.)

6 ACTING PRESIDENT MAYER: The Rules
7 Committee report is accepted.

8 Senator Gianaris.

9 SENATOR GIANARIS: Please take up
10 the supplemental calendar.

11 (Pause.)

12 ACTING PRESIDENT MAYER: Senator
13 Gianaris.

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

17 ACTING PRESIDENT MAYER: The
18 Secretary will read the substitutions.

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

25 Senator Kennedy moves to discharge,

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

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

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

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

18 Senator Kennedy moves to discharge,
19 from the Committee on Rules, Assembly Bill Number
20 6295A and substitute it for the identical Senate
21 Bill 5486A, Third Reading Calendar 1715.

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

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

6 Senator Savino moves to discharge,
7 from the Committee on Rules, Assembly Bill Number
8 5713 and substitute it for the identical
9 Senate Bill 6375, Third Reading Calendar 1719.

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

15 Senator Gallivan moves to discharge,
16 from the Committee on Rules, Assembly Bill Number
17 6707A and substitute it for the identical Senate
18 Bill 6550A, Third Reading Calendar 1721.

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

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

1 Senate Bill 6653A, Third Reading Calendar 1723.

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

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

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

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

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

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

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

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

10 ACTING PRESIDENT MAYER: The
11 substitutions are so ordered.

12 The Secretary will read.

13 THE SECRETARY: Calendar Number
14 1687, Senate Print 661, by Senator Sanders, an
15 act to amend the Workers' Compensation Law.

16 ACTING PRESIDENT MAYER: Read the
17 last section.

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

20 ACTING PRESIDENT MAYER: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MAYER: Announce
24 the results.

25 THE SECRETARY: In relation to

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

5 Ayes, 49. Nays, 14.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1703, Senate Print 922A, by Senator May, an act
10 to amend the Highway Law.

11 ACTING PRESIDENT MAYER: Read the
12 last section.

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

15 ACTING PRESIDENT MAYER: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT MAYER: Senator
19 May to explain her vote.

20 SENATOR MAY: Thank you,
21 Madam President.

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

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

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

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

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

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

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

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

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

9 Thank you.

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

12 Announce the results.

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

19 Ayes, 44. Nays, 19.

20 ACTING PRESIDENT MAYER: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1704, Senate Print 1411A, by Senator Rivera, an
24 act to amend the Social Services Law.

25 ACTING PRESIDENT MAYER: Read the

1 last section.

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

5 ACTING PRESIDENT MAYER: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT MAYER: Senator
9 Rivera to explain his vote.

10 SENATOR RIVERA: Thank you,
11 Madam President.

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

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

25 This bill is a very basic bill, but

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

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

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

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

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

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

9 Announce the results.

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

13 Ayes, 62. Nays, 1.

14 ACTING PRESIDENT MAYER: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1705, Assembly Print 2575, substituted earlier by
18 Assemblymember Woerner, an act to amend the
19 Public Officers Law.

20 ACTING PRESIDENT MAYER: Read the
21 last section.

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

24 ACTING PRESIDENT MAYER: Call the
25 roll.

1 (The Secretary called the roll.)
2 ACTING PRESIDENT MAYER: Announce
3 the results.
4 THE SECRETARY: Ayes, 63.
5 ACTING PRESIDENT MAYER: The bill
6 is passed.
7 THE SECRETARY: Calendar Number
8 1706, Senate Print 2801A, by Senator Bailey, an
9 act to amend the Correction Law and the
10 Executive Law.
11 ACTING PRESIDENT MAYER: Read the
12 last section.
13 THE SECRETARY: Section 4. This
14 act shall take effect immediately.
15 ACTING PRESIDENT MAYER: Call the
16 roll.
17 (The Secretary called the roll.)
18 ACTING PRESIDENT MAYER: Announce
19 the results.
20 THE SECRETARY: In relation to
21 Calendar 1706, those Senators voting in the
22 negative are Senators Akshar, Borrello, Boyle,
23 Griffo, Helming, Jordan, Lanza, Oberacker,
24 O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino,
25 Stec, Tedisco and Weik.

1 Ayes, 46. Nays, 17.

2 ACTING PRESIDENT MAYER: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1707, Senate Print 3280B, by Senator Cooney, an
6 act in relation to enacting the Rochester Housing
7 Court Act.

8 ACTING PRESIDENT MAYER: Read the
9 last section.

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

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Announce
17 the results.

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

22 Ayes, 59. Nays, 4.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1708, Assembly Print 5401, substituted earlier by
2 Assemblymember McDonald, an act to amend the
3 Tax Law.

4 ACTING PRESIDENT MAYER: Read the
5 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

13 THE SECRETARY: Ayes, 63.

14 ACTING PRESIDENT MAYER: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1709, Senate Print 4106B, by Senator Breslin, an
18 act to amend the Public Authorities Law.

19 SENATOR GIANARIS: Lay that aside
20 temporarily, please.

21 ACTING PRESIDENT MAYER: The bill
22 is laid aside temporarily.

23 THE SECRETARY: Calendar Number
24 1710, Assembly Print 2330A, substituted earlier
25 by Assemblymember Jacobson, an act directing the

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

5 ACTING PRESIDENT MAYER: Read the
6 last section.

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

9 ACTING PRESIDENT MAYER: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT MAYER: Announce
13 the results.

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

17 Ayes, 61. Nays, 2.

18 ACTING PRESIDENT MAYER: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1711, Assembly Print 3359, substituted earlier by
22 Assemblymember Paulin, an act to amend the
23 Public Service Law.

24 ACTING PRESIDENT MAYER: Read the
25 last section.

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

4 ACTING PRESIDENT MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MAYER: Announce
8 the results.

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

12 Ayes, 62. Nays, 1.

13 ACTING PRESIDENT MAYER: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1712, Senate Print 4824A, by Senator Comrie, an
17 act to amend the Public Service Law.

18 ACTING PRESIDENT MAYER: Read the
19 last section.

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

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

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

7 Ayes, 48. Nays, 15.

8 ACTING PRESIDENT MAYER: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1713, Assembly Print 333, substituted earlier by
12 Assemblymember Rosenthal, an act to amend the
13 Public Authorities Law.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

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

18 ACTING PRESIDENT MAYER: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT MAYER: Announce
22 the results.

23 THE SECRETARY: Ayes, 63.

24 ACTING PRESIDENT MAYER: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1714, Senate Print 5105C, by Senator Liu, an act
3 to amend the General Obligations Law.

4 ACTING PRESIDENT MAYER: Read the
5 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

13 THE SECRETARY: Ayes, 63.

14 ACTING PRESIDENT MAYER: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1715, Assembly Print 6295A, substituted earlier
18 by Assemblymember Lupardo, an act to amend the
19 Vehicle and Traffic Law.

20 ACTING PRESIDENT MAYER: Read the
21 last section.

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

25 ACTING PRESIDENT MAYER: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT MAYER: Announce
4 the results.

5 THE SECRETARY: Ayes, 63.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1716, Senate Print 5882A, by Senator Persaud, an
10 act to amend the Real Property Tax Law.

11 ACTING PRESIDENT MAYER: Read the
12 last section.

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

15 ACTING PRESIDENT MAYER: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT MAYER: Announce
19 the results.

20 THE SECRETARY: Ayes, 63.

21 ACTING PRESIDENT MAYER: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1717, Assembly Print 5972, substituted earlier by
25 Assemblymember Bronson, an act to amend the

1 Alcoholic Beverage Control Law.

2 ACTING PRESIDENT MAYER: Read the
3 last section.

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

7 ACTING PRESIDENT MAYER: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT MAYER: Announce
11 the results.

12 THE SECRETARY: Ayes, 63.

13 ACTING PRESIDENT MAYER: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1718, Assembly Print 4392, substituted earlier by
17 Assemblymember Abbate, an act to amend the
18 Retirement and Social Security Law.

19 ACTING PRESIDENT MAYER: Read the
20 last section.

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

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER: Announce
2 the results.

3 THE SECRETARY: Ayes, 63.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1719, Assembly Print 5713, substituted earlier by
8 Assemblymember Fall, an act in relation to
9 directing the Commissioner of Health to conduct a
10 study of the delivery of ambulatory and other
11 medical care in response to the COVID-19
12 pandemic.

13 ACTING PRESIDENT MAYER: Read the
14 last section.

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

17 ACTING PRESIDENT MAYER: Call the
18 roll.

19 (The Secretary called the roll.)

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

22 SENATOR O'MARA: Thank you,
23 Madam President.

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

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

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

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

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

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

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

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

1 this house.

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

8 Thank you, Madam President.

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

11 Announce the results.

12 THE SECRETARY: Ayes, 63.

13 ACTING PRESIDENT MAYER: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1720, Assembly Print 3920, substituted earlier by
17 Assemblymember Dinowitz, an act to amend the
18 Vehicle and Traffic Law.

19 ACTING PRESIDENT MAYER: Read the
20 last section.

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

24 ACTING PRESIDENT MAYER: Call the
25 roll.

1 (The Secretary called the roll.)
2 ACTING PRESIDENT MAYER: Announce
3 the results.
4 THE SECRETARY: Ayes, 63.
5 ACTING PRESIDENT MAYER: The bill
6 is passed.
7 THE SECRETARY: Calendar Number
8 1721, Assembly Print 6707A, substituted earlier
9 by Assemblymember DiPietro, an act to amend the
10 Highway Law.
11 ACTING PRESIDENT MAYER: Read the
12 last section.
13 THE SECRETARY: Section 2. This
14 act shall take effect immediately.
15 ACTING PRESIDENT MAYER: Call the
16 roll.
17 (The Secretary called the roll.)
18 ACTING PRESIDENT MAYER: Announce
19 the results.
20 THE SECRETARY: Ayes, 63.
21 ACTING PRESIDENT MAYER: The bill
22 is passed.
23 THE SECRETARY: Calendar Number
24 1722, Assembly Print 7896, substituted earlier
25 Assemblymember Brown, an act in relation to

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

4 ACTING PRESIDENT MAYER: Read the
5 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

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

16 Ayes, 61. Nays, 2.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1723, Assembly Print 6489A, substituted earlier
21 by Assemblymember Stirpe, an act to amend the
22 Real Property Tax Law.

23 ACTING PRESIDENT MAYER: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT MAYER: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MAYER: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Calendar 1723, those Senators voting in the
9 negative are Senators Jordan, O'Mara and Ortt.
10 Ayes, 60. Nays, 3.

11 ACTING PRESIDENT MAYER: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1724, Senate Print 6655A, by Senator Brisport, an
15 act to amend the Social Services Law.

16 ACTING PRESIDENT MAYER: Read the
17 last section.

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

20 ACTING PRESIDENT MAYER: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MAYER: Announce
24 the results.

25 THE SECRETARY: In relation to

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

5 Ayes, 50. Nays, 13.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1725, Assembly Print 4474A, substituted earlier
10 by Assemblymember Hunter, an act to amend the
11 Civil Practice Law and Rules.

12 ACTING PRESIDENT MAYER: Read the
13 last section.

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

16 ACTING PRESIDENT MAYER: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MAYER: Announce
20 the results.

21 THE SECRETARY: Ayes, 63.

22 ACTING PRESIDENT MAYER: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1726, Assembly Print 7263, substituted earlier by

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

5 ACTING PRESIDENT MAYER: Read the
6 last section.

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

9 ACTING PRESIDENT MAYER: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT MAYER: Announce
13 the results.

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

17 Ayes, 61. Nays, 2.

18 ACTING PRESIDENT MAYER: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1727, Assembly Print 7667, substituted earlier by
22 Assemblymember Glick, an act to amend the
23 Multiple Dwelling Law.

24 ACTING PRESIDENT MAYER: Read the
25 last section.

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

3 ACTING PRESIDENT MAYER: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT MAYER: Announce
7 the results.

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

14 Ayes, 44. Nays, 19.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1728, Assembly Print 7707A, substituted earlier
19 by Assemblymember Paulin, an act to amend the
20 Public Authorities Law.

21 ACTING PRESIDENT MAYER: Read the
22 last section.

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

25 ACTING PRESIDENT MAYER: Call the

1 roll.

2 (The Secretary called the roll.)

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

5 SENATOR STEC: Thank you,
6 Madam President.

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

13 This Capitol has been closed to all
14 my constituents. They've been unable to visit,
15 they've been unable to come here and advocate in
16 person, you know, unable to come and enjoy the
17 splendor of their Capitol that they pay for. And
18 even as we're slowly moving back towards normalcy
19 and a full economic reopening, the Governor is
20 continuing to keep our Capitol on lockdown.
21 There's chain-link fence everywhere, we're all
22 here behind locked doors and security, and the
23 public is not allowed to come visit the Capitol
24 and advocate and tell us how to spend a
25 \$212 billion budget.

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

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

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

23 Thank you.

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

1 Announce the results.

2 THE SECRETARY: Ayes, 63.

3 ACTING PRESIDENT MAYER: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1729, Assembly Print 7731, substituted earlier by
7 Assemblymember Gunther, an act in relation to the
8 provision of records upon the receipt of a
9 complaint of an incident of abuse or neglect of
10 an individual with a disability.

11 ACTING PRESIDENT MAYER: Read the
12 last section.

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

15 ACTING PRESIDENT MAYER: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT MAYER: Senator
19 Palumbo to explain his vote.

20 SENATOR PALUMBO: Thank you,
21 Madam President.

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

1 individuals.

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

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

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

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

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

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

8 Thank you, Madam President.

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

11 Announce the results.

12 THE SECRETARY: Ayes, 63.

13 ACTING PRESIDENT MAYER: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1730, Senate Print 7052, by Senator Gounardes, an
17 act to amend the Civil Practice Law and Rules.

18 ACTING PRESIDENT MAYER: Read the
19 last section.

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

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

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

6 Ayes, 56. Nays, 7.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1731, Assembly Print 7637, substituted earlier by
11 Assemblymember Cymbrowitz, an act to amend the
12 Private Housing Finance Law.

13 ACTING PRESIDENT MAYER: Read the
14 last section.

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

17 ACTING PRESIDENT MAYER: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MAYER: Announce
21 the results.

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

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

3 Ayes, 44. Nays, 19.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1732, Senate Print 7093, by Senator Hoylman, an
8 act to amend the Civil Practice Law and Rules.

9 ACTING PRESIDENT MAYER: Read the
10 last section.

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

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Announce
17 the results.

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

24 Ayes, 47. Nays, 16.

25 ACTING PRESIDENT MAYER: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1733, Senate Print 7137, by Senator Gianaris, an
4 act to amend the Public Health Law.

5 ACTING PRESIDENT MAYER: Read the
6 last section.

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

9 ACTING PRESIDENT MAYER: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT MAYER: Announce
13 the results.

14 THE SECRETARY: Ayes, 63.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1734, Assembly Print 7942, substituted earlier by
19 Assemblymember Weinstein, an act to amend the
20 Social Services Law.

21 ACTING PRESIDENT MAYER: Read the
22 last section.

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

25 ACTING PRESIDENT MAYER: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT MAYER: Announce
4 the results.

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

8 Ayes, 61. Nays, 2.

9 ACTING PRESIDENT MAYER: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1735, Senate Print 7180, by Senator Savino, an
13 act to amend the Penal Law.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

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

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: Ayes, 63.

25 ACTING PRESIDENT MAYER: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1736, Senate Print 7182, by Senator Palumbo, an
4 act authorizing the County of Suffolk to alienate
5 and discontinue the use of certain parklands.

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

8 Read the last section.

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

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Announce
15 the results.

16 THE SECRETARY: Ayes, 63.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1737, Assembly Print 8021, substituted earlier by
21 Assemblymember Abinanti, an act providing that a
22 student enrolled in an individualized education
23 plan during certain school years may continue to
24 receive educational services.

25 ACTING PRESIDENT MAYER: Read the

1 last section.

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

4 ACTING PRESIDENT MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

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

9 SENATOR HARCKHAM: Thank you,
10 Madam President.

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

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

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

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

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

21 I vote aye, Madam President.

22 Thank you.

23 ACTING PRESIDENT MAYER: Thank you,
24 Senator Harckham.

25 Senator Harckham to be recorded in

1 the affirmative.

2 Announce the results.

3 THE SECRETARY: Ayes, 63.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1738, Senate Print 7236, by
8 Senator Stewart-Cousins, an act to amend the
9 Public Authorities Law.

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

12 Read the last section.

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

15 ACTING PRESIDENT MAYER: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT MAYER: Announce
19 the results.

20 THE SECRETARY: Ayes, 63.

21 ACTING PRESIDENT MAYER: The bill
22 is passed.

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

25 SENATOR GIANARIS: Okay,

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

3 So please recognize Senator Lanza
4 for an announcement.

5 ACTING PRESIDENT MAYER: Senator
6 Lanza for an announcement.

7 SENATOR LANZA: Thank you,
8 Senator Gianaris.

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

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

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

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

23 (Laughter.)

24 SENATOR GIANARIS: The Senate
25 stands at ease.

1 ACTING PRESIDENT MAYER: The Senate
2 stands at ease.

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

5 (Whereupon, the Senate reconvened at
6 5:24 p.m.)

7 ACTING PRESIDENT MAYER: The Senate
8 will come to order.

9 Senator Gianaris.

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

13 ACTING PRESIDENT MAYER: The
14 Secretary will read.

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

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

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

25 Senate Print 524A, by Senator

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

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

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

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

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

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

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

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

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

25 Senate Print 6706B, by

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

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

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

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

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

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

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

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

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

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

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

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

8 Senate Print 1634, by
9 Senator Skoufis, an act to amend the
10 General Municipal Law;

11 Senate Print 6571, by
12 Senator Hinchey, an act to amend the
13 Public Health Law;

14 Senate Print 6712A, by
15 Senator Comrie, an act to amend the
16 Public Authorities Law;

17 Senate Print 6722, by
18 Senator Salazar, an act to amend the
19 Social Services Law;

20 Senate Print 6899, by
21 Senator Palumbo, an act authorizing the Town of
22 East Hampton, County of Suffolk, upon the
23 dissolution of the East Hampton Wastewater
24 Disposal District;

25 Senate Print 7096A, by

1 Senator Cooney, an act to amend the
2 Education Law; and

3 Senate Print 7253, by
4 Senator Gianaris, an act to amend the
5 Civil Practice Law and Rules.

6 All bills reported direct to third
7 reading.

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

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

13 (Response of "Aye.")

14 ACTING PRESIDENT MAYER: Opposed,
15 nay.

16 (No response.)

17 ACTING PRESIDENT MAYER: The
18 Rules Committee report is accepted.

19 Senator Gianaris.

20 SENATOR GIANARIS: Madam President,
21 before we move to the supplemental calendar, can
22 we go back to Calendar 1709, by Senator Breslin,
23 remove the temporary lay-aside, and take that
24 bill up.

25 ACTING PRESIDENT MAYER: There is a

1 substitution at the desk.

2 The Secretary will read.

3 THE SECRETARY: Senator Breslin
4 moves to discharge, from the Committee on Rules,
5 Assembly Bill Number 3370B and substitute it for
6 the identical Senate Bill 4106B, Third Reading
7 Calendar 1774.

8 ACTING PRESIDENT MAYER: The
9 substitution is so ordered.

10 The Secretary will read.

11 THE SECRETARY: Calendar Number
12 1774, Assembly Print 3370B, by
13 Assemblymember McDonald, an act to amend the
14 Public Authorities Law.

15 ACTING PRESIDENT MAYER: Read the
16 last section.

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

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: Ayes, 63.

25 ACTING PRESIDENT MAYER: The bill

1 is passed.

2 Senator Gianaris.

3 SENATOR GIANARIS: Thank you,
4 Madam President. Now let's take up the
5 supplemental calendar, Supplemental Calendar B.

6 (Pause.)

7 SENATOR GIANARIS: Madam President,
8 can we just stand at ease for a brief moment.

9 ACTING PRESIDENT MAYER: The Senate
10 will stand at ease.

11 (Whereupon, the Senate stood at ease
12 at 5:28 p.m.)

13 (Whereupon, the Senate reconvened at
14 5:29 p.m.)

15 ACTING PRESIDENT MAYER: The Senate
16 will come to order.

17 SENATOR GIANARIS: Okay,
18 Madam President, we're going to come back to the
19 supplemental calendar in a moment, but first
20 we're going to take up the nominations that are
21 pending.

22 There's a report of the
23 Finance Committee at the desk with those
24 nominations. Please take them up and recognize
25 Senator Krueger on the Finance Committee report.

1 ACTING PRESIDENT MAYER: The
2 Secretary will read.

3 THE SECRETARY: Senator Krueger,
4 from the Committee on Finance, reports the
5 following nominations.

6 As chief enforcement counsel of the
7 State Board of Elections: Michael L. Johnson.

8 As members of the New York State
9 Energy Research and Development Authority:
10 Richard L. Kauffman; Sarah McKeown Singman;
11 Sherburne B. Abbott; Frances Ann Resheske;
12 Arturo Garcia-Costas; Jay L. Koh.

13 As commissioners of the
14 Public Service Commission: James E. Alesi;
15 Roy M. Christian; David J. Valesky; and
16 John Maggiore.

17 ACTING PRESIDENT MAYER:
18 Senator Krueger.

19 SENATOR KRUEGER: Good afternoon,
20 Madam President. Nice to see you up there.

21 On behalf of the Senate Finance
22 Committee, and on behalf of now the entire
23 Senate, I would just like to applaud each person
24 being confirmed today.

25 These are very important jobs for

1 the State of New York. One will be joining the
2 Board of Elections to be ensuring the legitimacy
3 of the campaign funds system.

4 Then six will be joining the
5 New York State Energy Research and Development
6 Authority, NYSERDA, responsible for so much of
7 what happens in energy and sustainability and our
8 future.

9 And then four who will join the
10 Public Service Commission, which of course has
11 regulatory authority over our utilities, our
12 phones, our wifi, our electricity, and in fact
13 the challenges for the 21st century of seeing how
14 quickly we can move New York State into the
15 leader in the country, as our legislation
16 instructs, so that we have met the highest
17 standards of energy efficiency and green energy
18 and conversion of an antiquated system, including
19 an improved electric grid.

20 So these candidates that we are
21 nominating to positions today have an enormous
22 amount of work to do on the behalf of 20 million
23 New Yorkers. And on behalf of our leader, Andrea
24 Stewart-Cousins, and my colleagues in the Senate,
25 I wish them all well. I wish them all enormous

1 luck in accomplishing the very challenging
2 positions they are taking on. And I do urge my
3 colleagues to support them through votes this
4 afternoon.

5 Thank you, Madam President.

6 ACTING PRESIDENT MAYER: Thank you,
7 Senator Krueger.

8 Senator Ryan on the nominations.

9 SENATOR RYAN: Good evening,
10 Madam President. Great to see you today.

11 Senator Krueger, thanks for all the
12 work you've done getting these items through
13 these committees. A lot of work over the last
14 few days.

15 I rise to speak on behalf of
16 John Maggiore, who's in front of us as a nominee
17 to the Public Service Commission.

18 I've known John for over 25 years.
19 Before he moved his residence to Albany, he was a
20 constituent of mine. His mom and dad, Sal and
21 Susan Maggiore, still live in the same house in
22 the neighborhood.

23 And John is a professional in
24 government and public policy. He's not new to
25 it. He actually interned here while he was in

1 college, went on to work for Governor Mario Cuomo
2 right after college. He spent almost a decade as
3 the chief of staff for an Assemblymember. He was
4 also the chief of staff for the president of
5 Buffalo State College. He's got a really broad
6 background. He's really a skilled professional
7 in the field of government and public policy.

8 And one of the highlights that I had
9 working with John Maggiore when he was a
10 representative on the Public Bridge Authority --
11 it's the Peace Bridge Authority in Buffalo. And
12 they had this plan to build a new bridge which
13 also would have knocked down hundreds of
14 low-income houses on the West Side of Buffalo.

15 And that plan was trying to be
16 jammed through until John got on the board, and
17 he did a data analysis of will this bridge really
18 even be able to pay for itself without even
19 having to balance the harm to the neighborhoods?
20 And the data showed the bridge could not pay for
21 itself.

22 So we still have our lovely
23 100-year-old bridge, we still have an intact
24 neighborhood of 100 people, and it was because of
25 the professional and the analytical skills that

1 John Maggiore brought to his position as a board
2 member.

3 As you know, New York State has
4 adopted an ambitious climate change policy and
5 plan, but now is the hard part, and the hard part
6 is executing it. But I am confident that
7 John Maggiore has the skills to get it done.
8 He's got the experience, he's got the brain
9 power, he's got the analytical ability.

10 And I look forward to working with
11 him in his new role at the Public Service
12 Commission. And it's my pleasure to support his
13 nomination and to cast my vote in the
14 affirmative.

15 Thank you so much.

16 ACTING PRESIDENT MAYER: Thank you,
17 Senator Ryan.

18 Senator Jackson on the nominations.

19 SENATOR JACKSON: Thank you,
20 Madam President.

21 Good afternoon, my colleagues. I
22 rise to explain my vote on the nomination of
23 David Valesky as a Public Service commissioner.

24 The Public Service Commission
25 regulates and oversees the electric, gas, water

1 and telecommunication industries in New York
2 State. Indeed, it is a body that demands great
3 integrity to lead. And it directly affects many
4 lives daily.

5 Integrity is a quality I find
6 lacking in this nominee, a registered Democrat
7 who was one of the founding members of the
8 so-called Independent Democratic Conference, a
9 group of turncoat Democrats. The fundamental
10 lack of integrity that the IDC members
11 demonstrated in betraying their constituents
12 should be of deep concern to us and should weigh
13 heavily in our decision to vote on this
14 nomination.

15 While I may disagree with my
16 colleagues on the other side of the aisle, we
17 know where the others stand, and there is value
18 in that honesty and transparency. Based on this
19 nominee's decision to run repeatedly as a
20 Democrat but caucus with the Republicans, I do
21 not see the firm adherence to a moral code that
22 should be baseline for public service.

23 And as a member of the IDC,
24 Mr. Valesky participated in blocking numerous
25 bills that would have improved the lives of

1 millions of New Yorkers -- millions.

2 Fortunately, today, we count on a
3 Senate Majority that has upheld our mandate to
4 legislate with the interests of our constituents'
5 well-being. As a legislator of conscience, I
6 cannot ignore Mr. Valesky's record of harm to
7 communities like those I represent, nor can I
8 condone his lack of integrity as a founding IDC
9 member.

10 Therefore, Madam President, I vote
11 no on Mr. Valesky's nomination. I do not believe
12 he is fit to serve as a Public Service
13 commissioner.

14 Thank you.

15 ACTING PRESIDENT MAYER: The
16 question is on the nominations.

17 All in favor say aye.

18 (Response of "Aye.")

19 ACTING PRESIDENT MAYER: Opposed?

20 (Response of "Nay.")

21 ACTING PRESIDENT MAYER: The
22 nominees are confirmed.

23 Senator Gianaris.

24 SENATOR GIANARIS: Madam President,
25 on receiving the request of more than five

1 members, the votes on these nominations will be
2 recorded in the Journal.

3 Any Senator wishing to be recorded
4 in the negative please inform the Majority or
5 Minority counsel staff with your votes.

6 And as with any noncontroversial
7 matter on the calendar, whoever is in the vote
8 bank and does not contact the desk will be
9 recorded in the affirmative.

10 ACTING PRESIDENT MAYER: It is so
11 ordered.

12 SENATOR GIANARIS: At this point
13 we're going to stand at ease just for a minute or
14 two while we get ready for the supplemental
15 calendar.

16 ACTING PRESIDENT MAYER: The Senate
17 will stand at ease.

18 (Whereupon, the Senate stood at ease
19 at 5:38 p.m.)

20 (Whereupon, the Senate reconvened at
21 5:39 p.m.)

22 ACTING PRESIDENT MAYER: The Senate
23 will come to order.

24 Senator Gianaris.

25 SENATOR GIANARIS: Madam President,

1 while we're waiting for some technical aspects of
2 the supplemental calendar to get resolved, can we
3 allow members who still want to speak on the
4 nominations to have their say.

5 ACTING PRESIDENT MAYER: Without
6 objection, so ordered.

7 Senator Borrello on the nominations.

8 SENATOR BORRELLO: Thank you,
9 Madam President. I rise today to explain my
10 votes on the nominations.

11 As I did before, I voted no on all
12 the nominations. Not because these folks are not
13 qualified, but because I simply don't have enough
14 information to make a truly informed decision on
15 most if not all of them, quite frankly, as a
16 relatively new legislator.

17 So I've heard a lot of things about
18 how important these jobs are, and they are, these
19 nominations, what they're doing here in New York
20 State and the impact, the long-term impact of
21 these appointments. And yet I don't think most
22 of my colleagues really have a full understanding
23 of who these folks are and the job -- if they are
24 qualified for the job that they are being
25 appointed to.

1 I've introduced legislation, Senate
2 Bill 7242, which would give us 60 days from when
3 a nominee is presented to do our due diligence
4 before we actually have to vote on them. Not in
5 the matter of days or even hours, but 60 days and
6 financing for the Majority and the Minority to do
7 our own independent investigation.

8 I think that's appropriate. When we
9 start hearing about judicial nominees to the
10 highest court in New York State, to people that
11 are going to be making decisions about the future
12 of important things like our electrical grid and
13 the future of New York in general, to sit here
14 and review it in, quite frankly, less time than I
15 review an applicant who's going to serve drinks
16 at one of my bars, I think it's rather shameful,
17 quite frankly, that we don't have more time to
18 review and vet these folks.

19 So I'm voting no on principle, but
20 also urging my colleagues to bring this bill
21 forward so we have the time and the funding to
22 do the proper due diligence and truly vet these
23 nominees.

24 Thank you.

25 ACTING PRESIDENT MAYER: Thank you,

1 Senator Borrello.

2 Senator Gianaris.

3 SENATOR GIANARIS: Okay,
4 Madam President, now we'll go back to -- assuming
5 no one else wants to explain votes on the
6 nominations, we'll go back to at ease for just a
7 brief moment.

8 I take it back.

9 (Laughter.)

10 SENATOR GIANARIS: Madam President,
11 we do have some procedural work for the desk to
12 do, so why don't we take this opportunity to
13 allow the substitutions to be read on the bills
14 that are coming.

15 ACTING PRESIDENT MAYER: There are
16 substitutions at the desk.

17 The Secretary will read.

18 THE SECRETARY: Senator Akshar
19 moves to discharge, from the Committee on Rules,
20 Assembly Bill Number 4044 and substitute it for
21 the identical Senate Bill 2031, Third Reading
22 Calendar 1739.

23 Senator Gaughran moves to discharge,
24 from the Committee on Rules, Assembly Bill Number
25 4637 and substitute it for the identical Senate

1 Bill 5022, Third Reading Calendar 1744.

2 Senator Lanza moves to discharge,
3 from the Committee on Rules, Assembly Bill
4 Number 118B and substitute it for the identical
5 Senate Bill 6185A, Third Reading Calendar 1746.

6 Senator Palumbo moves to discharge,
7 from the Committee on Local Government,
8 Assembly Bill Number 2633 and substitute it for
9 the identical Senate Bill 6492, Third Reading
10 Calendar 1747.

11 Senator Kavanagh moves to discharge,
12 from the Committee on Rules, Assembly Bill
13 Number 8009 and substitute it for the identical
14 Senate Bill 6573, Third Reading Calendar 1748.

15 Senator Kennedy moves to discharge,
16 from the Committee on Rules, Assembly Bill
17 Number 7960A and substitute it for the identical
18 Senate Bill 7142A, Third Reading Calendar 1757.

19 Senator Salazar moves to discharge,
20 from the Committee on Rules, Assembly Bill
21 Number 2435 and substitute it for the identical
22 Senate Bill 7225, Third Reading Calendar 1759.

23 Senator May moves to discharge, from
24 the Committee on Rules, Assembly Bill Number
25 5837B and substitute it for the identical Senate

1 Bill 2890, Third Reading Calendar 1760.

2 Senator Palumbo moves to discharge,
3 from the Committee on Local Government,
4 Assembly Bill Number 4216 and substitute it for
5 the identical Senate Bill 4024, Third Reading
6 Calendar 1328.

7 Senator Skoufis moves to discharge,
8 from the Committee on Rules, Assembly Bill
9 Number 795 and substitute it for the identical
10 Senate Bill 1634, Third Reading Calendar 1761.

11 Senator Hinchey moves to discharge,
12 from the Committee on Rules, Assembly Bill
13 Number 6166A and substitute it for the identical
14 Senate Bill 6571, Third Reading Calendar 1763.

15 Senator Comrie moves to discharge,
16 from the Committee on Rules, Assembly Bill
17 Number 7578A and substitute it for the identical
18 Senate Bill 6712, Third Reading Calendar 1764.

19 Senator Palumbo moves to discharge,
20 from the Committee on Rules, Assembly Bill
21 Number 7708 and substitute it for the identical
22 Senate Bill 6899, Third Reading Calendar 1766.

23 Senator Cooney moves to discharge,
24 from the Committee on Rules, Assembly Bill
25 Number 7755A and substitute it for the identical

1 Senate Bill 7096A, Third Reading Calendar 1767.

2 Senator Gianaris moves to discharge,
3 from the Committee on Rules, Assembly Bill
4 Number 7769 and substitute it for the identical
5 Senate Bill 7253, Third Reading Calendar 1768.

6 ACTING PRESIDENT MAYER: All
7 substitutions so ordered.

8 Senator Gianaris.

9 SENATOR GIANARIS: Okay,
10 Madam President, I'm told we are ready to proceed
11 at this point with the supplemental calendar, so
12 let's take that up.

13 ACTING PRESIDENT MAYER: The
14 Secretary will read.

15 THE SECRETARY: Calendar Number
16 930, Senate Print 399A, by Senator Biaggi, an act
17 to amend the Correction Law.

18 ACTING PRESIDENT MAYER: Read the
19 last section.

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

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER: Senator
2 Biaggi to explain her vote.

3 SENATOR BIAGGI: Thank you,
4 Madam President.

5 I rise today to proudly vote in
6 favor of S399A, which protects the rights of
7 pregnant incarcerated New Yorkers.

8 Pregnant people in our jails and
9 prisons are among some of the most marginalized
10 and overlooked individuals, and this legislation
11 will advance the health and the well-being of
12 pregnant New Yorkers who are incarcerated by
13 allowing them to have a support person with them
14 while giving birth and ensuring that they have
15 access to information about the prison nursery
16 program and available abortion services.

17 A survey of formerly incarcerated
18 women conducted by the Correctional Association
19 of New York City has found that many respondents
20 classified their healthcare experiences in prison
21 as uncomfortable and traumatic, especially if
22 they were victims of sexual and domestic
23 violence.

24 Any poor access to healthcare in
25 prisons can have lifelong consequences, most

1 especially for pregnant people and their
2 children. And pregnant people who are
3 incarcerated face heightened risk of
4 complications during childbirth.

5 All people deserve dignity and
6 respect, regardless of whether they are
7 incarcerated. This bill takes key steps to
8 safeguard the rights of pregnant incarcerated
9 New Yorkers, and I really want to thank my
10 partner on this bill in the Assembly,
11 Assemblymember Rosenthal, and the directly
12 impacted women who shared their experiences with
13 us and helped us to strengthen this bill and to
14 make it as excellent as possible.

15 I also, finally, want to extend my
16 gratitude to the Majority Leader for bringing
17 this important bill to the floor to protect the
18 dignity and the health of pregnant incarcerated
19 New Yorkers.

20 I vote aye, Madam President.

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

23 Announce the results.

24 THE SECRETARY: In relation to
25 Calendar 930, those Senators voting in the

1 negative are Senators Akshar, Borrello, Gallivan,
2 Helming, Jordan, Oberacker, Ortt, Palumbo,
3 Ritchie and Tedisco.

4 Ayes, 53. Nays, 10.

5 ACTING PRESIDENT MAYER: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1328, Assembly Print 4216, substituted earlier by
9 Assemblymember Thiele, an act in relation to the
10 enforcement by the Village of Sagaponack of
11 interests in real property acquired for the
12 purposes of open space or open areas.

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

15 Read the last section.

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

18 ACTING PRESIDENT MAYER: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT MAYER: Announce
22 the results.

23 THE SECRETARY: Ayes, 63.

24 ACTING PRESIDENT MAYER: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1739, Assembly Print 4044, substituted earlier by
3 Assemblymember Friend, an act to amend the
4 County Law and the Tax Law.

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

7 Read the last section.

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

10 ACTING PRESIDENT MAYER: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT MAYER: Announce
14 the results.

15 THE SECRETARY: In relation to
16 Calendar 1739, those Senators voting in the
17 negative are Senators Brooks, Gaughran and
18 O'Mara.

19 Ayes, 60. Nays, 3.

20 ACTING PRESIDENT MAYER: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1740, Senate Print 2988, by Senator Harckham, an
24 act in relation to ordering a study and report on
25 improvements of State Route 9A.

1 ACTING PRESIDENT MAYER: Read the
2 last section.

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

5 ACTING PRESIDENT MAYER: Call the
6 roll.

7 (The Secretary called the roll.)

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

10 SENATOR REICHLIN-MELNICK: Thank
11 you so much, Madam President.

12 And thank you, Senator Harckham, for
13 introducing this important bill which will
14 require the State Department of Transportation to
15 finally do a study and recommend improvements to
16 State Route 9A in the Towns of Ossining and
17 Mount Pleasant, which crosses between both of our
18 districts.

19 This is a dangerous 90-year-old
20 roadway that cannot handle the traffic it
21 currently receives -- over 40,000 vehicles a day,
22 including large commercial traffic. It is a --
23 sharp curves, narrow shoulders, the guardrails
24 are falling down, the bridges are low. This is a
25 roadway that has a fatal accident waiting to

1 happen.

2 In 2018 there were 120 accidents
3 along Route 9A in the Towns of Ossining and
4 Mount Pleasant. That's one every three days. We
5 can't wait any longer to have state action to
6 address the problems with this roadway. I've
7 spoken with local government officials, with fire
8 officials, with emergency responders; they all
9 say that we need action now.

10 I am really happy that we are
11 passing this bill in the Senate. I wish the
12 Assembly was doing the same. And we're going to
13 have to keep up and keep the pressure on this
14 issue, because I don't want to have to go back to
15 my district -- and I know Senator Harckham
16 doesn't want to have to go back to his district
17 and answer for why there is a deadly accident,
18 which I deeply fear may happen if we don't take
19 action soon.

20 So thank you for bringing this bill
21 to a vote. I'm proud to vote yes.

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

25 Announce the results.

1 THE SECRETARY: Ayes, 63.

2 ACTING PRESIDENT MAYER: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1741, Senate Print 524A, by Senator Hoylman, an
6 act to amend the Vehicle and Traffic Law.

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

9 Read the last section.

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

12 ACTING PRESIDENT MAYER: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT MAYER: Senator
16 Jackson to explain his vote.

17 SENATOR JACKSON: Thank you,
18 Madam President.

19 My colleagues, I rise to explain my
20 vote on Senator Hoylman's bill S524A. And that
21 is an act to amend the Vehicle and Traffic Law in
22 relation to establishing speed limits in cities
23 with populations in excess of 1 million people.
24 And as you know, in New York State the only city
25 is New York City.

1 So speed limits frame expectations
2 for drivers and other roadway users. Speed
3 limits provide a safe, consistent and reasonable
4 speed to protect drivers, pedestrians and
5 bicyclists along our roadways.

6 The Legislature years ago passed a
7 law authorizing the City of New York to establish
8 a 25-mile-per-hour speed limit throughout the
9 city. This proved to be an effective change
10 compared to what the law had established before.
11 The data is there to justify the change.
12 However, new data also suggests that reducing the
13 speed limit from 25 to 20 miles per hour will
14 further reduce injuries and deaths.

15 And I say, as someone who's lived in
16 New York City all my entire life, I agree with
17 this bill. With so much vehicle, bicycle and
18 pedestrian traffic in New York City, to support
19 this bill is not only a no-brainer, it is another
20 step towards preventing more injuries and saving
21 many more lives in very dense, mostly mid-rise
22 districts like the one that I represent, which is
23 13 miles of Manhattan.

24 We can all agree that what we want
25 are safer roadways for families and neighbors.

1 Let's all honor the memory of 12-year-old Sammy,
2 who lost his life by a speeding driver while
3 playing in a park in Brooklyn.

4 And I vote aye for the safety of all
5 of the people of our great state,
6 Madam President.

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

9 Senator Gounardes to explain his
10 vote.

11 SENATOR GOUNARDES: Thank you,
12 Madam President.

13 I too rise in strong support of
14 passing Sammy's Law in this chamber.

15 There is no reason why 224 people up
16 here in Albany should be able to dictate the
17 speed limit on the streets of Bay Ridge, of
18 Bensonhurst, of Inwood, of the Village, of any
19 neighborhood in New York City. There's
20 absolutely no reason for it. It doesn't make any
21 sense.

22 This is a commonsense bill that will
23 let the City of New York make its own
24 determination as to what is the appropriate and
25 safe speed limit on its own streets.

1 We know that when we reduce
2 speeding, we reduce serious injuries and we
3 reduce fatalities. It's a proven science. When
4 New York City last had its speed limit lowered
5 from 30 miles per hour to 25 miles per hour,
6 serious injuries and fatalities dropped by
7 22 percent. Twenty-two percent.

8 And yet we know that we still have
9 more work to do to realize the true goal of
10 Vision Zero, a world in which no parent, senior
11 or pedestrian of any age needs to live in fear of
12 crossing the street because of speeding cars --
13 people that wanted to save three seconds on their
14 commute. People that want to take a turn too
15 fast because it's more important for them to get
16 to where they're going than for someone else to
17 get to where they're going safely.

18 This is common sense. There is no
19 reason why this should have taken us so long.
20 I'm incredibly thankful for Senator Hoylman in
21 carrying this bill through, and I earnestly hope
22 and pray that we can get this bill across the
23 finish line in both chambers and to the
24 Governor's desk as soon as possible, because
25 lives will be saved by passing Sammy's Law today.

1 Thank you.

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

4 Senator Lanza to explain his vote.

5 SENATOR LANZA: Thank you,
6 Madam President.

7 First let me say I understand the
8 goal here and what Senator Hoylman is trying to
9 accomplish. To his mind, he's trying to increase
10 safety on our roads.

11 But I want to disagree with
12 something that was just said in terms of who
13 ought to decide this. I would rather the people
14 in this room, Democrat and Republican, decide on
15 this issue than Bill de Blasio, and let me tell
16 you why.

17 Once upon a time in this chamber,
18 not too long ago, there was a bill on speed
19 cameras. There were those of us like myself who
20 believed it had much more to do with money than
21 safety, and I said as much on this floor. And
22 the test going forward, I thought, would be where
23 and how they sited these cameras.

24 I spoke to the then-commissioner of
25 the Department of Transportation in New York

1 City, Commissioner Trottenberg, a good person.
2 We sat there and we looked at the map on
3 Staten Island, and she asked me where I thought
4 that speed cameras would be wasted and would only
5 be appropriate if it was about money and not
6 safety. And we found agreement.

7 One stretch that we both agreed upon
8 was a stretch of Hylan Boulevard. It's a main
9 road, one of the few arterials on Staten Island.
10 It cuts from the one end of Staten Island to the
11 southern tip of Staten Island -- which is, by the
12 way, the most southern tip and point of New York
13 State. The people who live in the southern
14 portion of Staten Island have the longest commute
15 in the State of New York. To even get from their
16 community, their homes within their own city to
17 jobs in Manhattan is a two, two and a half, close
18 to three-hour commute.

19 I worked in New York City, in
20 Manhattan, for a long time, and I will tell you
21 my commute to Albany is a better commute than my
22 constituents have from Staten Island to
23 Manhattan. There's a lack of transportation. We
24 don't have a subway. There are hardly any buses.
25 We've got one Mary Poppins train line.

1 And so this stretch, this arterial
2 is two lanes each way, there's a shoulder. It's
3 as big or bigger than most state highways. For a
4 long time the speed limit has been 40 miles an
5 hour. It is in the most sparsely developed
6 portion of all of New York City. This is the
7 portion that people depend upon to get on a bus,
8 if one comes or shows up, or get in their car and
9 get to work. There are not that many residents
10 there, but as I said, it's an arterial.

11 Forty miles an hour, they put a
12 couple of speed cameras up -- even though
13 then-Commissioner Trottenberg and I agreed this
14 would not be the place to put a speed camera but,
15 if you did it, was a proof that it was about
16 money and not safety. Because the police records
17 show this is one of the safest roads in all of
18 New York City, this portion of Hylan Boulevard.

19 So what happened? Bill de Blasio
20 figured out that they were not making enough
21 money on these speed camera at 40 miles an hour.
22 If this road were anywhere else in New York, the
23 speed limit would be 50 or 55. And it would be
24 safe.

25 So what did he do a couple of weeks

1 ago? He decided, without input from the
2 community -- which, by the way, I believe is a
3 violation of law. Because in Senator Hoylman's
4 bill, he appropriately and accurately says there
5 ought to be community board input, there ought to
6 be a notice, a 60-day notice requirement if
7 you're going to change the speed limit by more
8 than five miles an hour.

9 Well, that didn't happen on
10 Staten Island. And he went from 40 to 30 so he
11 can make more money, so he can pick the pockets
12 of the people of Staten Island without increasing
13 safety.

14 And so while I know what Senator
15 Hoylman is doing and I support him, I'm going to
16 have to vote in the negative here,
17 Madam President.

18 ACTING PRESIDENT MAYER: Senator
19 Lanza to be recorded in the negative.

20 Senator Hoylman to explain his vote.

21 SENATOR HOYLMAN: Thank you,
22 Madam President.

23 And thank you to my colleagues for
24 their words.

25 The bill we're voting on, Sammy's

1 Law, would give New York City the authorization
2 and flexibility, finally, finally, to tailor its
3 speed limits to meet the needs of neighborhoods
4 within the five boroughs.

5 The truth is streets and sidewalks
6 make up the largest public space in New York
7 City, but our streets are not safe enough right
8 now to be truly enjoyed by New Yorkers. Instead,
9 they've been turned into an open-air graveyard
10 thanks to reckless drivers who have stricken fear
11 into our communities.

12 Last year was the deadliest year in
13 traffic fatalities since 2014, the year that the
14 city implemented Vision Zero, with over 240
15 fatalities on our city streets. In 2021, well,
16 it's already shaping up to be even worse, with
17 nearly 100 traffic fatalities recorded up to
18 May 31st of this year. We're on pace to eclipse
19 last year's record and see the most deaths, the
20 most deaths since 2013.

21 But there are more than just numbers
22 here. We're talking about family members,
23 teachers, our friends, community members. There
24 are too many stories to tell here today. But my
25 heart is with them all and with the loved ones

1 they have left behind.

2 There's one story, though, that I
3 need to tell. In 2013, 12-year-old Sammy Cohen
4 Eckstein was killed by a speeding driver in
5 Brooklyn, New York, while crossing the street in
6 front of his home on his way to soccer
7 practice -- just a few months before his bar
8 mitzvah.

9 Sammy's mother Amy lost her beloved
10 son that day, as did Joan Dean, my constituent
11 and Sammy's grandmother. But they took that
12 horrible grief and turned it into action.
13 Despite the pain of having lost Sammy, Amy didn't
14 want to come to that same street and it happen to
15 someone else's child. She helped cofound
16 Families for Safe Streets and has successfully
17 fought for lower speed limits and other critical
18 street safety reforms, many of which we've voted
19 in this chamber on.

20 The bill is named in Sammy's memory,
21 and we introduced it on what would have been
22 Sammy's 20th birthday.

23 We know that lower speed limits save
24 lives. We've seen it work before, and we must
25 make it work again. Studies show that one mile

1 per hour reduction, a 1-mile-per-hour reduction
2 in driving speed has been shown to result in a
3 17 percent decrease in fatal crashes. Lower
4 speeds would also protect our senior population,
5 who make up almost half of the city's pedestrian
6 fatalities, despite comprising only about 13
7 percent of the population.

8 I, for one, am tired of worrying
9 about my own daughters' safety when we go for a
10 walk. I'm tired of worrying about my own safety
11 when I bike around the city. I'm tired of
12 worrying who in the community we might lose next
13 or who will be seriously injured.

14 This is what is at stake when we
15 allow the status quo to continue. And this is
16 what we lose when we allow vehicular violence to
17 go unchecked and ravage our community.

18 Sammy's Law is about prioritizing
19 safety and allowing the city the ability to lower
20 speed limits to protect all of us.

21 I want to thank all the advocates
22 who have fought so hard for this legislation and
23 made it possible, especially Transportation
24 Alternatives and Families for Safe Streets.

25 I also want to thank my colleagues

1 for supporting this bill, in particular
2 Senator Gounardes and Senator Jackson, who have
3 been real champions alongside the advocates, and
4 with my support.

5 My Assembly colleague Dick Gottfried
6 has been leading this legislation in the other
7 house. I hope we can get it across the finish
8 line in the next few hours. And Senate
9 Transportation Chair Tim Kennedy and Senate
10 Majority Leader Andrea Stewart-Cousins deserve
11 our indebtedness for their leadership in bringing
12 this bill to the floor for a vote.

13 I also want to give a special thanks
14 to my colleagues Sam Vasquez and Burton Phillips
15 for their work on negotiating this bill.

16 We have no time to wait. I urge my
17 colleagues in the Assembly to do what we're
18 doing, take this bill up. Let's make New York
19 City streets safer for everyone.

20 I proudly vote aye.

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

23 Announce the results.

24 THE SECRETARY: In relation to
25 Calendar 1741, those Senators voting in the

1 negative are Senators Akshar, Borrello, Felder,
2 Helming, Jordan, Lanza, Mattera, O'Mara, Palumbo
3 and Rath.

4 Ayes, 53. Nays, 10.

5 ACTING PRESIDENT MAYER: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1742, Senate Print 4379, by Senator Hoylman, an
9 act to amend the Judiciary Law.

10 ACTING PRESIDENT MAYER: Read the
11 last section.

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

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MAYER: Announce
18 the results.

19 THE SECRETARY: Ayes, 63.

20 ACTING PRESIDENT MAYER: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1743, Senate Print 4523, by Senator Gounardes, an
24 act to amend the Retirement and Social Security
25 Law.

1 ACTING PRESIDENT MAYER: Read the
2 last section.

3 THE SECRETARY: Section 3. This
4 act shall take effect on the 60th day after it
5 shall have become a law.

6 ACTING PRESIDENT MAYER: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MAYER: Announce
10 the results.

11 THE SECRETARY: Ayes, 63.

12 ACTING PRESIDENT MAYER: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1744, Assembly Print 4637, substituted earlier by
16 Assemblymember Englebright, an act to amend the
17 Environmental Conservation Law.

18 ACTING PRESIDENT MAYER: Read the
19 last section.

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

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar Number 1744, voting in the negative:
4 Senator Lanza.

5 Ayes, 62. Nays, 1.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1745, Senate Print 5673, by Senator Ritchie, an
10 act to amend the Tax Law.

11 ACTING PRESIDENT MAYER: Read the
12 last section.

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

15 ACTING PRESIDENT MAYER: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT MAYER: Announce
19 the results.

20 THE SECRETARY: In relation to
21 Calendar 1745, those Senators voting in the
22 negative are Senators Gaughran, Harckham,
23 Hinchey, Kaplan, Kennedy, Lanza, Mannion,
24 Skoufis, Stec and Thomas.

25 Ayes, 53. Nays, 10.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1746, Assembly Print 118B, substituted earlier by
5 Assemblymember Paulin, an act to amend the
6 Executive Law.

7 ACTING PRESIDENT MAYER: Read the
8 last section.

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

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Announce
15 the results.

16 THE SECRETARY: Ayes, 63.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1747, Assembly Print 2633, substituted earlier by
21 Assemblymember Thiele, an act to amend the
22 Town Law and the Tax Law.

23 ACTING PRESIDENT MAYER: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT MAYER: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MAYER: Senator
6 Palumbo to explain his vote.

7 SENATOR PALUMBO: Thank you,
8 Madam President, for allowing me to rise and
9 explain my vote.

10 This is an important piece of
11 legislation for my district because it has some
12 very unique aspects. I'd also like to thank the
13 leadership on both sides, the Majority leadership
14 and Leader Ortt, our chief counsel, Kristen
15 Frank, and her team for getting this to the
16 floor. And we're going to offer it up to the
17 Governor; it's already passed the Assembly.

18 In my district I represent the
19 Hamptons. And I also represent where I live on
20 the North Fork, and Shelter Island. Those five
21 eastern towns have had for many, many years a
22 fund that over a certain amount, 2 percent is
23 paid by a purchaser to purchase development
24 rights for land, to maintain open space, to
25 maintain our agricultural community.

1 As you may know, Madam President, I
2 believe we're third in the state, but
3 Suffolk County was number one in ag production in
4 the state for many, many years. And not many
5 people realize how rural it is on the East End,
6 which is out where I live as well.

7 That fund provided for -- the
8 Community Preservation Fund has spent over a
9 billion dollars, with a B, preserving open space
10 on the East End, which is a wonderful thing. The
11 tradeoff, though, is housing is at crisis level.

12 This has been an issue for many,
13 many years. There was a study done by one of our
14 local papers, 20-to-34-year-olds, 89.6 percent of
15 them thought that it was unaffordable and were
16 planning on leaving Long Island in general, but
17 most importantly, Suffolk County. And there was
18 also a Comptroller's report from June of 2019
19 that rental housing in Suffolk County,
20 56.1 percent was in the unaffordable category.
21 Owner housing, 39.1 percent unaffordable.

22 So the bottom line is this. What
23 this bill does is it actually raises the
24 exemptions for the Community Preservation Fund --
25 because, thank goodness, we're actually running

1 out of land to purchase -- increases those
2 exemptions so it's actually a tax cut, but in a
3 tradeoff it does add a 0.5 percent tax for the
4 purposes of a new fund to create affordable
5 housing opportunities to our children.

6 This will have so many positive
7 impacts, not just to keep our next generation and
8 many generations to come on the East End of
9 Long Island. It will reduce traffic. For any of
10 you who have gone to the Hamptons between May and
11 October, we have two -- one lane. A two-lane
12 highway, one highway in and out. North Fork,
13 same thing, essentially two.

14 But the traffic is terrible because
15 no one can afford to live there. The trade
16 parade, as we call it out there, has to go
17 maintain the homes, has to go give us services
18 that we want.

19 So this becomes an extremely
20 important piece of legislation. And all of the
21 towns have been asking for it.

22 My last point, I would quite boldly
23 suggest this is how we should legislate in
24 New York State. Because the towns came to
25 Senator LaValle at the time, and now me, that

1 they want this. But we made sure this is an
2 authorization. This isn't an automatic tax.

3 The towns now need to locally adopt
4 this tax, potential housing fund, and then it has
5 to go to referendum. So the voters who would be
6 subject to this are going to have to make the
7 decision themselves. That's good legislation.

8 So, Madam President, I appreciate
9 the opportunity to speak on this. I'm proud to
10 be the sponsor of it at this point. And I vote
11 aye.

12 Thank you, ma'am.

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

15 Announce the results.

16 THE SECRETARY: In relation to
17 Calendar 1747, those Senators voting in the
18 negative are Senators Akshar, Brooks, Helming,
19 Jordan, Kaplan, Kennedy, Lanza, Mattera, O'Mara,
20 Rath, Reichlin-Melnick, Serino, Skoufis and
21 Tedisco.

22 Ayes, 49. Nays, 14.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1748, Assembly Bill 8009, substituted earlier by
2 Assemblymember Rosenthal, an act to amend the
3 Social Services Law.

4 ACTING PRESIDENT MAYER: Read the
5 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar 1748, those Senators voting in the
15 negative are Senators Akshar, Borrello, Boyle,
16 Gallivan, Griffo, Helming, Jordan, Martucci,
17 Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath,
18 Serino, Stec, Tedisco and Weik.

19 Ayes, 45. Nays, 18.

20 ACTING PRESIDENT MAYER: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1749, Senate Print 6603, by Senator Skoufis, an
24 act to amend the Social Services Law.

25 ACTING PRESIDENT MAYER: Read the

1 last section.

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

5 ACTING PRESIDENT MAYER: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT MAYER: Senator
9 Martucci to explain his vote.

10 SENATOR MARTUCCI: Thank you,
11 Madam President.

12 I'm thrilled to cosponsor this piece
13 of legislation that rights a wrong from our State
14 Budget this year, where the implementation for
15 fair fee for service to our local pharmacies was
16 left out. This bill reverses that decision and
17 levels the playing field for our small
18 pharmacies.

19 About a month ago I teamed up with
20 Senator Skoufis, the sponsor of this bill, and we
21 held a press conference right in my district in
22 Slate Hill, where we were working to push this
23 issue and demonstrate that there is bipartisan
24 support for Main Street businesses.

25 Make no mistake about it, this bill

1 is about standing with Main Street over
2 Wall Street and siding with our independent
3 pharmacies over large corporate pharmacies and
4 pharmacy benefit managers.

5 The owner of that business where we
6 held our press conference, Al Squitieri, is not
7 only a great pharmacist and important part of our
8 community, but Al is the kind of person who we
9 all want taking care of our families. He once
10 opened his business on Christmas Day to make sure
11 that someone had their prescription filled.

12 That's the kind of caring and
13 service that's only available at our independent
14 pharmacies. By passing this bill today, we're
15 actually saving his business and small businesses
16 like that across the state.

17 All this bill does is ensure that
18 local pharmacies get reimbursed for their actual
19 costs. Right now, they're getting pennies on the
20 dollar in Medicaid managed care and losing money
21 on the deal in many cases. That's not only
22 unfair, but it's an attack on our small local
23 pharmacies who have stepped up in a huge way
24 during the pandemic.

25 With this vote today, we're choosing

1 to side with the little guy over large chains and
2 corporations.

3 I want to thank Senator Skoufis for
4 his partnership on this important issue, and I
5 proudly vote aye.

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

8 Announce the results.

9 THE SECRETARY: Ayes, 63.

10 ACTING PRESIDENT MAYER: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1750, Senate Print 6706B, by Senator Brisport, an
14 act to amend the Social Services Law.

15 ACTING PRESIDENT MAYER: Read the
16 last section.

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

20 ACTING PRESIDENT MAYER: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MAYER: Announce
24 the results.

25 THE SECRETARY: In relation to

1 Calendar 1750, those Senators voting in the
2 negative are Senators Gallivan, Jordan, Lanza,
3 Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie
4 and Stec.

5 Ayes, 53. Nays, 10.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1751, Senate Print 6796, by Senator Brooks, an
10 act to amend the Retirement and Social Security
11 Law.

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

14 Read the last section.

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

17 ACTING PRESIDENT MAYER: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MAYER: Announce
21 the results.

22 THE SECRETARY: Ayes, 63.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1752, Senate Print 6925, by Senator May, an act
2 to repeal Section 5 of Chapter 254 of the Laws of
3 2013.

4 ACTING PRESIDENT MAYER: Read the
5 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

13 THE SECRETARY: Ayes, 63.

14 ACTING PRESIDENT MAYER: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1753, Senate Print 6927, by Senator Serino, an
18 act to amend the Alcoholic Beverage Control Law.

19 ACTING PRESIDENT MAYER: Read the
20 last section.

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

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER: Announce
2 the results.

3 THE SECRETARY: Ayes, 63.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1754, Senate Print 6990, by Senator Brouk, an act
8 to amend subpart A of Part BB of Chapter 56 of
9 the Laws of 2021.

10 ACTING PRESIDENT MAYER: Read the
11 last section.

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

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MAYER: Announce
18 the results.

19 THE SECRETARY: In relation to
20 Calendar 1754, those Senators voting in the
21 negative are Senators Akshar, Borrello, Boyle,
22 Helming, Jordan, Lanza, Martucci, Mattera,
23 Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie,
24 Serino, Stec, Tedisco and Weik.

25 Ayes, 45. Nays, 18.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1755, Senate Print 7087A, by Senator Parker, an
5 act to amend the Insurance Law.

6 ACTING PRESIDENT MAYER: Read the
7 last section.

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

10 ACTING PRESIDENT MAYER: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT MAYER: Announce
14 the results.

15 THE SECRETARY: Ayes, 63.

16 ACTING PRESIDENT MAYER: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1756, Senate Print 7117, by Senator Helming, an
20 act to amend the Tax Law.

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

23 Read the last section.

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

1 ACTING PRESIDENT MAYER: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT MAYER: Announce
5 the results.

6 THE SECRETARY: Ayes, 63.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1757, Assembly Bill 7960A, substituted earlier by
11 Assemblymember Burke, an act to amend the
12 General Business Law.

13 ACTING PRESIDENT MAYER: Read the
14 last section.

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

17 ACTING PRESIDENT MAYER: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MAYER: Announce
21 the results.

22 THE SECRETARY: In relation to
23 Calendar 1757, those Senators voting in the
24 negative are Senators Brisport and Persaud.

25 Ayes, 61. Nays, 2.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1758, Senate Print 7209, by Senator Kennedy, an
5 act granting a retroactive retirement date of
6 August 5, 2010, from the New York State and Local
7 Police and Fire Retirement System for
8 Cariol Horne.

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

11 Read the last section.

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

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MAYER: Announce
18 the results.

19 THE SECRETARY: Ayes, 63.

20 ACTING PRESIDENT MAYER: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1759, Assembly Print 2435, substituted earlier by
24 Assemblymember Niou, an act to amend the
25 Environmental Conservation Law.

1 ACTING PRESIDENT MAYER: Read the
2 last section.

3 THE SECRETARY: Section 2. This
4 act shall take effect March 1, 2022.

5 ACTING PRESIDENT MAYER: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT MAYER: Announce
9 the results.

10 THE SECRETARY: Ayes, 63.

11 ACTING PRESIDENT MAYER: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1760, Assembly Print 5837B, substituted earlier
15 by Assemblymember Jean-Pierre, an act to amend
16 the General Business Law.

17 ACTING PRESIDENT MAYER: Read the
18 last section.

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

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Senator

1 May to explain her vote.

2 SENATOR MAY: Thank you,
3 Madam President.

4 In 2020 the popularity of ebooks
5 exploded as children and adults alike sought out
6 ways to keep reading during lockdown. Public
7 libraries loaned out 289 million ebooks last
8 year.

9 That number might have been much
10 higher, but publishers do their utmost to make it
11 difficult for libraries to loan out ebooks. Some
12 charge exorbitant prices and place strict limits
13 on the number of times a title can be loaned out.
14 Others ban libraries from getting ebooks
15 altogether or refuse to allow them access to new
16 releases.

17 This bill helps to ensure that
18 public libraries receive a fair deal on ebook
19 prices and are protected from discriminatory
20 practices. Some restrictions are reasonable,
21 such as restricting the number of users who can
22 use the same ebook at one time.

23 This bill also does not apply to
24 items like newspapers, periodicals or other
25 electronic items. It's about electronic books

1 only. Our goal is to support libraries in their
2 critical foundational role of making books
3 available for free to their patrons.

4 As we move into summer, I hope that
5 this legislation will help New Yorkers of all
6 walks of life to relax with a good book from
7 their local library.

8 I vote aye.

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

11 Announce the results.

12 THE SECRETARY: In relation to
13 Calendar Number 1760, voting in the negative:
14 Senator Borrello.

15 Ayes, 62. Nays, 1.

16 ACTING PRESIDENT MAYER: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1761, Assembly Print 795, substituted earlier by
20 Assemblymember Wallace, an act to amend the
21 General Municipal Law.

22 ACTING PRESIDENT MAYER: Read the
23 last section.

24 THE SECRETARY: Section 2. This
25 act shall take effect on the 90th day after it

1 shall have become a law.

2 ACTING PRESIDENT MAYER: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MAYER: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Calendar 1761, those Senators voting in the
9 negative are Senators Borrello, Gallivan,
10 Helming, Jordan, Mayer, Oberacker, O'Mara, Ortt,
11 Palumbo, Rath, Serino, Stec and Tedisco.

12 Ayes, 50. Nays, 13.

13 ACTING PRESIDENT MAYER: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1763, Assembly Print 6166A, substituted earlier
17 by Assemblymember Rosenthal, an act to amend the
18 Public Health Law.

19 ACTING PRESIDENT MAYER: Read the
20 last section.

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

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER: Announce
2 the results.

3 THE SECRETARY: Ayes, 63.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1764, Assembly Print 7578A, substituted earlier
8 by Assemblymember Paulin, an act to amend the
9 Public Authorities Law.

10 ACTING PRESIDENT MAYER: Read the
11 last section.

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

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MAYER: Announce
18 the results.

19 THE SECRETARY: Ayes, 63.

20 ACTING PRESIDENT MAYER: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1765, Senate Print 6722, by Senator Salazar, an
24 act to amend the Social Services Law.

25 ACTING PRESIDENT MAYER: Read the

1 last section.

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

4 ACTING PRESIDENT MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MAYER: Announce
8 the results.

9 THE SECRETARY: Ayes, 63.

10 ACTING PRESIDENT MAYER: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1766, Assembly Print 7708, substituted earlier by
14 Assemblymember Thiele, an act authorizing the
15 Town of East Hampton, County of Suffolk, upon the
16 dissolution of the East Hampton Wastewater
17 Disposal District.

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

20 Read the last section.

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

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER: Announce
2 the results.

3 THE SECRETARY: Ayes, 63.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1767, Assembly Print 7755A, substituted earlier
8 by Assemblymember Pheffer Amato, an act to amend
9 the Education Law.

10 ACTING PRESIDENT MAYER: Read the
11 last section.

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

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MAYER: Announce
18 the results.

19 THE SECRETARY: Ayes, 63.

20 ACTING PRESIDENT MAYER: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1768, Assembly Print 7769, substituted earlier by
24 Assemblymember Weinstein, an act to amend the
25 Civil Practice Law and Rules.

1 ACTING PRESIDENT MAYER: Read the
2 last section.

3 THE SECRETARY: Section 8. This
4 act shall take effect on the first of January.

5 ACTING PRESIDENT MAYER: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT MAYER: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar 1768, those Senators voting in the
12 negative are Senators Akshar, Borrello, Griffo,
13 Helming, Jordan, Martucci, Mattera, Ortt, Rath,
14 Ritchie, Serino, Stec and Tedisco.

15 Ayes, 50. Nays, 13.

16 ACTING PRESIDENT MAYER: The bill
17 is passed.

18 Senator Serrano, that completes the
19 reading of the supplemental calendar.

20 SENATOR SERRANO: Thank you very
21 much.

22 If we could stand at ease until
23 8 o'clock.

24 ACTING PRESIDENT MAYER: The Senate
25 will stand at ease till 8 o'clock.

1 (Whereupon, the Senate stood at ease
2 at 6:21 p.m.)

3 (Whereupon, the Senate reconvened at
4 8:47 p.m.)

5 ACTING PRESIDENT MAYER: The Senate
6 will return to order.

7 Senator Gianaris.

8 SENATOR GIANARIS: Madam President,
9 if we can return for a moment to motions, on
10 behalf of Senator Breslin, I wish to call up
11 Calendar 1002, Assembly Print 4424.

12 ACTING PRESIDENT MAYER: The
13 Secretary will read.

14 THE SECRETARY: Calendar 1002,
15 Assembly Print 4424, by Assemblymember Hunter, an
16 act to amend the Real Property Law.

17 SENATOR GIANARIS: I move to
18 reconsider the vote by which the Assembly bill
19 was substituted for this bill, Senate Print 4696,
20 on May 26th.

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

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 63.

25 SENATOR GIANARIS: I now move that

1 Assembly Bill 4424 be committed to the Committee
2 on Rules and that the Senate bill be restored to
3 the order of the Third Reading Calendar.

4 ACTING PRESIDENT MAYER: So
5 ordered.

6 Senator Gianaris.

7 SENATOR GIANARIS: At this time
8 we'll have an immediate meeting of the Committee
9 on Rules in Room 332.

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

13 SENATOR GIANARIS: The Senate
14 stands at ease.

15 ACTING PRESIDENT MAYER: The Senate
16 will stand at ease.

17 (Whereupon, the Senate stood at ease
18 at 8:48 p.m.)

19 (Whereupon, the Senate reconvened at
20 9:06 p.m.)

21 ACTING PRESIDENT MAYER: The Senate
22 will return to order.

23 Senator Gianaris.

24 SENATOR GIANARIS: Madam President,
25 I believe there's a report of the Rules Committee

1 at the desk.

2 Can we take that up, please.

3 ACTING PRESIDENT MAYER: The
4 Secretary will read.

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

8 Senate Print 6547, by
9 Senator Gallivan, an act to amend the
10 Highway Law;

11 Senate Print 6639A, by
12 Senator Salazar, an act to amend the
13 Executive Law.

14 All bills reported direct to third
15 reading.

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

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

21 (Response of "Aye.")

22 ACTING PRESIDENT MAYER: Opposed,
23 nay.

24 (No response.)

25 ACTING PRESIDENT MAYER: The

1 Rules Committee report is accepted.

2 Senator Gianaris.

3 SENATOR GIANARIS: Let's take up
4 the supplemental calendar.

5 THE SECRETARY: The Secretary will
6 read.

7 THE SECRETARY: Calendar Number
8 1792, Senate Print 6547, by Senator Gallivan, an
9 act to amend the Highway Law.

10 ACTING PRESIDENT MAYER: Read the
11 last section.

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

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MAYER: Announce
18 the results.

19 THE SECRETARY: In relation to
20 Calendar 1792, voting in the negative:
21 Senator Brisport.

22 Ayes, 62. Nays, 1.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 There is a substitution at the desk.

1 The Secretary will read.

2 THE SECRETARY: Senator Salazar
3 moves to discharge, from the Committee on Rules,
4 Assembly Bill Number 6896A and substitute it for
5 the identical Senate Bill 6639A, Third Reading
6 Calendar 1793.

7 ACTING PRESIDENT MAYER: The
8 substitution is so ordered.

9 The Secretary will read.

10 THE SECRETARY: Calendar Number
11 1793, Assembly Print 6896A, by
12 Assemblymember Niou, an act to amend the
13 Executive Law.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

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

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar 1793, those Senators voting in the

1 negative are Senators Akshar, Griffo, Jordan,
2 Lanza, Oberacker, O'Mara, Ortt, Rath, Stec and
3 Tedisco.

4 Ayes, 53. Nays, 10.

5 ACTING PRESIDENT MAYER: The bill
6 is passed.

7 Senator Gianaris.

8 SENATOR GIANARIS: Madam President,
9 I believe we have five privileged resolutions at
10 the desk.

11 Can we please take those up.

12 ACTING PRESIDENT MAYER: The
13 Secretary will read.

14 THE SECRETARY: Senate Resolution
15 1244, by Senator Stewart-Cousins, establishing a
16 plan setting forth an itemized list of grantees
17 for certain appropriations for the 2021-2022
18 state fiscal year for additional grants-in-aid to
19 certain school districts, public libraries, and
20 not-for-profit institutions.

21 ACTING PRESIDENT MAYER: The
22 question is on the resolution.

23 Call the roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

2 THE SECRETARY: Ayes, 63.

3 ACTING PRESIDENT MAYER: The
4 resolution is adopted.

5 THE SECRETARY: Senate Resolution
6 1245, by Senator Stewart-Cousins, establishing a
7 plan setting forth an itemized list of grantees
8 for certain appropriations for the 2021-2022
9 state fiscal year for additional grants-in-aid to
10 certain school districts.

11 ACTING PRESIDENT MAYER: The
12 question is on the resolution.

13 Call the roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT MAYER: Announce
16 the results.

17 THE SECRETARY: In relation to
18 Senate Resolution 1245, those Senators voting in
19 the negative are Senators Akshar, Borrello,
20 Boyle, Gallivan, Griffio, Helming, Martucci,
21 Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath,
22 Ritchie, Serino, Stec, Tedisco and Weik.

23 Ayes, 45. Nays, 18.

24 ACTING PRESIDENT MAYER: The
25 resolution is adopted.

1 THE SECRETARY: Senate Resolution
2 1246, by Senator Stewart-Cousins, establishing a
3 plan setting forth an itemized list of grantees
4 for certain appropriations for the 2021-2022
5 state fiscal year for additional grants-in-aid to
6 certain not-for-profit arts and cultural
7 organizations.

8 ACTING PRESIDENT MAYER: The
9 question is on the resolution.

10 Call the roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT MAYER: Announce
13 the results.

14 THE SECRETARY: In relation to
15 Senate Resolution 1246, those Senators voting in
16 the negative are Senators Akshar, Borrello,
17 Boyle, Gallivan, Griffio, Martucci, Mattera,
18 Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie,
19 Serino, Stec, Tedisco and Weik.

20 Ayes, 46. Nays, 17.

21 ACTING PRESIDENT MAYER: The
22 resolution is adopted.

23 THE SECRETARY: Senate Resolution
24 1247, by Senator Stewart-Cousins, establishing a
25 plan setting forth an itemized list of grantees

1 for a certain appropriation for the 2021-2022
2 state fiscal year for grants-in-aid for
3 school-based health centers.

4 ACTING PRESIDENT MAYER: The
5 question is on the resolution.

6 Call the roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT MAYER: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Senate Resolution 1247, those Senators voting in
12 the negative are Senators Akshar, Borrello,
13 Boyle, Gallivan, Griffo, Martucci, Mattera,
14 O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino,
15 Stec, Tedisco and Weik.

16 Ayes, 47. Nays, 16.

17 ACTING PRESIDENT MAYER: The
18 resolution is adopted.

19 THE SECRETARY: Senate Resolution
20 1248, by Senator Stewart-Cousins, amending
21 Senate Resolution R3299 of 2020 establishing a
22 plan setting forth an itemized list of grantees
23 for the New York State Economic Development
24 Assistance Program established pursuant to an
25 appropriation in the 2008-2009 state fiscal year.

1 ACTING PRESIDENT MAYER: The
2 question is on the resolution.

3 Call the roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MAYER: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Senate Resolution 1248, those Senators voting in
9 the negative are Senators Akshar, Boyle, Martucci
10 and Serino.

11 Ayes, 59. Nays, 4.

12 ACTING PRESIDENT MAYER: The
13 resolution is adopted.

14 Senator Gianaris.

15 SENATOR GIANARIS: Madam President,
16 I move to recommit the calendar of bills to the
17 Rules Committee.

18 ACTING PRESIDENT MAYER: It is so
19 ordered.

20 SENATOR GIANARIS: Please recognize
21 Senator Ortt for remarks.

22 ACTING PRESIDENT MAYER: Senator
23 Ortt for closing remarks.

24 SENATOR ORTT: Thank you,
25 Madam President.

1 So we've come to an end of session.
2 I know everyone is always thrilled when we reach
3 this moment. On either side of the aisle
4 certainly there's usually some disappointment,
5 but I think everyone is always happy to get back
6 home and get back in your districts with your
7 families and your constituents.

8 I'd like to first start by thanking
9 my colleagues on both sides of the aisle for
10 their work in these very historic and atypical
11 times. We disagree, very often vehemently and
12 passionately, when it comes to politics and the
13 policies that we discuss and enact here in the
14 Senate. But I think we all recognize we are
15 fighting for the same people and we sometimes
16 have different opinions on how to best serve and
17 the best solutions at that present moment.

18 I want to thank Leader
19 Stewart-Cousins for her partnership, her
20 statesmanship. Always a very graceful partner,
21 someone who has always treated me with respect
22 and dignity, and I hope I do the same.

23 And she's been very pleasant to work
24 with, and I appreciate her knowledge, her
25 experience both being in the Minority and now as

1 the Majority Leader. I think that gives her a
2 unique perspective and has been helpful to me.

3 And I want to thank her for that,
4 and I want to wish her and her family well and
5 hope you have a nice summer.

6 I certainly want to recognize
7 Senator Gianaris, who spends an inordinate amount
8 of time, obviously, on the Senate floor. He's
9 always on my television screen in my office --

10 SENATOR GIANARIS: Sorry.

11 SENATOR ORTT: That's okay. That's
12 all right.

13 But -- and he sits across from
14 Senator Lanza. And I want to thank Senator Lanza
15 for your leadership on the floor. It's probably
16 extra unique when you're on the floor and there's
17 really not a lot of other folks with you on the
18 floor. And I'm sure it can feel very lonely up
19 here, but very, very important work that both of
20 them are doing.

21 And I know they've formed a working
22 relationship which is really key to the goings-on
23 here both internally for our conference, but also
24 for the legislative body.

25 So Senator Gianaris, thank you.

1 Senator Lanza, thank you.

2 I'd also like to thank the leaders
3 in our conference, obviously. I know the leader
4 will recognize her leadership. Senator Lanza, as
5 I said, has worked very hard over the past six
6 months. This was not a position that he sought
7 out. In fact, the first time I asked him to be
8 our floor leader, he said: "I've got to think
9 about it." I said, Well, you think it over, but
10 you're going to be the floor leader, so just give
11 me an answer, you know, before I notify the
12 public.

13 But he's done a fantastic job
14 leading our conference on the floor and speaking
15 for our conference and speaking for his
16 constituents in Staten Island. And I want to
17 thank him for that leadership, and I want to say
18 that I'm very sorry about the Yankees so far this
19 season, but --

20 (Laughter.)

21 SENATOR ORTT: I'd like to
22 recognize Senator O'Mara. You know,
23 Senator O'Mara is our new ranker on the Finance
24 Committee, as well as serving on other
25 committees. And as we know, Senator Krueger --

1 the Finance ranker is the budgets, long, long
2 nights, long meetings. We don't see either of
3 them in the month of March. And it can be pretty
4 grueling. And it takes a level of statesmanship,
5 leadership, intellect to be able to serve in
6 those positions, and I think Senator O'Mara
7 represents our conference and our conference's
8 positions with respect to the Finance Committee,
9 with respect to our response to the budget, very,
10 very well, and I'd like to thank him.

11 I'm proud of my members. I want to
12 thank, as well, the staff on both sides of the
13 aisle. As we know as Senators, the staff works
14 very, very hard and they don't get any of the
15 credit. They don't get any of the accolades.
16 You don't see them on your television, or very
17 rarely. But they do an unbelievable job very
18 quietly. And I know our new members come to
19 appreciate just how much work and effort the
20 staffs put in.

21 And not only are they trying to get
22 stuff done, but they're also responding to us:
23 Why didn't this bill get through, what's the
24 matter, you know, why didn't you get back to my
25 text after five minutes. We can be tough bosses,

1 I'm sure. But that's because the stakes are high
2 and we're trying to get things done for the
3 people of New York.

4 But I'd certainly like to thank the
5 staff on the Democratic side, Shontell and her
6 team -- Eric -- who I know work regularly with
7 Kristin Frank and our counsel's office and Ben,
8 who has the great honor of sitting here next to
9 Senator Lanza all day.

10 But I'd also like to remember one
11 staffer. You know, our conference, like so many
12 New Yorkers, has had a lot of ups and downs this
13 year. We lost a member of our staff towards the
14 end of last year. And this was the first session
15 in a very long time that we did not have
16 Tom Havel as part of the Senate Republican
17 Conference staff.

18 And I know his legacy lives on in
19 the number of staffers who he mentored and worked
20 with over the years. And hopefully we have made
21 Tom and his family proud and we will continue to
22 do so.

23 We also gained some new members:
24 Madison Delgado, as well as Ford Halloran.
25 Morgan Halloran and Katie Delgado both welcomed

1 their first children this year, in the last
2 couple of months, which is outstanding. And so
3 we're very happy to have -- actually, Katie was
4 back in the fold this week after just six weeks
5 of being home with her new baby girl. So we're
6 very happy and want to recognize those births.

7 Of course I have to mention our
8 conference's views on this session. A lot of
9 bills were passed. But for the Republican
10 Conference and for many of our constituents, I
11 think this session will be viewed in two ways.
12 So we passed a budget that had a record amount of
13 tax increase. We now have a budget that's larger
14 than the states of Texas and Florida combined.

15 We also had a missed opportunity
16 when you look at -- we started the session in the
17 middle of the pandemic, the Governor enjoying
18 broad emergency powers which were unanimously, by
19 and large, supported in this chamber and in the
20 Assembly. But our conference, from Day One,
21 introduced resolutions to rescind those powers
22 and restore this body to a coequal branch of
23 government. Unfortunately, on 47 different
24 occasions that resolution was defeated, was voted
25 down.

1 We continue to push and advance and
2 pass what I view and our conference views and
3 many New Yorkers view as very dangerous policies
4 that undermine the public safety of the State of
5 New York, the public safety of those who are
6 tasked with enforcing our laws and protecting our
7 communities. Whether it's rhetoric, whether it's
8 talk of defunding or dismantling or reimagining
9 police, or whether it's the bail reforms, whether
10 it's -- even up until this very late hour -- the
11 attempt to pass the Clean Slate Act, which would
12 hide the records of even violent offenders from
13 landlords or potential employers.

14 So -- but the biggest missed
15 opportunity, again, being that the Governor,
16 under multiple investigations, multiple scandals,
17 a Governor who lied to the people of New York,
18 who lied to the people of this body. And yet he
19 remains with the pandemic powers. He remains --
20 those powers have been extended. There is no
21 sunset. The sunset is whenever the state of the
22 emergency ends, and there has been no attempt to
23 end that state of emergency.

24 I was hoping that we would do it
25 here. I was hopeful, I thought maybe it would

1 come out on a supplemental calendar, but it
2 didn't happen. And I believe that's -- I believe
3 that's a missed opportunity.

4 I truly believe my colleagues on the
5 other side of the aisle, they want to be a
6 coequal branch of government. They want to be
7 restored to the normal standing that we have in
8 this state. And yet they didn't have the
9 courage, the guts, the willingness to do it.

10 And that's a missed opportunity for
11 the people of New York, because now we're going
12 to adjourn and there's no end in sight for the
13 end of this Governor's pandemic powers, for the
14 end of the state of emergency.

15 I hope it comes sooner than later.
16 Maybe the Governor will declare it himself and
17 voluntarily give back the powers that he was
18 granted by this body. But I'm not going to hold
19 my breath.

20 We did pass a bill that funded a
21 potential impeachment investigation, an
22 impeachment trial. Our conference wholeheartedly
23 supported that. And that means there will be no
24 excuse when the time comes, when the
25 Attorney General issues her reports or when the

1 federal government comes back with a conclusion
2 on their investigation.

3 So obviously there is a lot that our
4 conference found lacking. There is a lot that
5 our conference wished had happened. There are
6 some things that certainly our conference wished
7 had not happened.

8 But make no mistake, we will
9 continue to fight for the people of New York, for
10 taxpayers, for middle-income, hardworking
11 New Yorkers who play by the rules, who are trying
12 to find a way, to find a reason to stay in
13 New York.

14 Because the single greatest threat,
15 whether you're a Democrat or a Republican,
16 whether you're from New York City or
17 Western New York or the North Country or anywhere
18 in between, is the loss of human capital in this
19 state. That is the single greatest threat to
20 this state no matter which side of the aisle you
21 may be on. And we continue to lose population,
22 we continue to lose sway in Washington, D.C.,
23 with the loss of a Congressional seat. And every
24 member of this body and the State Assembly should
25 be laser-focused on changing that trend.

1 I don't believe this session did
2 that, but I am always hopeful for next session
3 and the future.

4 Madam President, I thank you for
5 your indulgence.

6 ACTING PRESIDENT MAYER: Thank you,
7 Senator Ortt.

8 Senator Gianaris.

9 SENATOR GIANARIS: Madam President,
10 at this time please recognize the Majority Leader
11 of the State Senate, Andrea Stewart-Cousins.

12 ACTING PRESIDENT MAYER: Majority
13 Leader Andrea Stewart-Cousins.

14 SENATOR STEWART-COUSINS: Thank you
15 so much, Madam President.

16 And I do want to thank you for the
17 work that you do. Presiding is not easy, and I
18 know that it is not always fun, but you and
19 Senator Benjamin, Senator Persaud, Senator Bailey
20 have really been masterful in making sure that
21 the work in this house happens. So I thank all
22 of you for your indulgence and for all that
23 you've done.

24 And of course I think Senator Ortt,
25 you said it -- my deputy, Senator Gianaris,

1 spends an inordinate amount of time here. And we
2 couldn't make it without you doing that and the
3 way you do it. And so I really do appreciate in
4 many ways the fact that you have been steadfast
5 and so amazingly reliable in making sure the
6 trains run.

7 And even you have a brand-new
8 partner, Senator Lanza. And, you know, I want to
9 thank you also for working so cooperatively.
10 This is very, very unusual times. And to be able
11 to be, you know, make accommodations for each
12 other is really how it all works well.

13 And so, of course, thank you so
14 much, Senator Ortt. You know, I don't get a
15 chance to see him much, and I try and call him
16 up. And, you know, we know we can always reach
17 out to one another, but every time that we've
18 been in touch with each other, I always know that
19 I can tell you what you need to know and the
20 information is communicated accurately. And if
21 there's any question, we always have, I think, a
22 very collegial and professional relationship,
23 which I appreciate.

24 I also am looking forward to being
25 able to meet your members.

1 (Laughter.)

2 SENATOR STEWART-COUSINS: I see you
3 on TV and, you know, I guess vice versa. Have no
4 clue, you know, who you all are, really, and what
5 you look like.

6 So it is my hope that when we all
7 come back that we will spend that time in the
8 chamber together really getting to know each
9 other collectively.

10 But again, we have been able to do
11 extraordinary work in an extraordinary time.

12 I also want to thank you, Ale, as
13 the Secretary of this chamber, because you've had
14 to make quick accommodations for each of us,
15 policies and so on.

16 So thank you so much, you and your
17 team, all the Journal clerks and everybody who
18 makes sure that despite it all, it runs, it makes
19 sense and it looks good.

20 And of course for my extraordinary
21 members who give every single moment, never
22 keeping their focus anywhere but where it's
23 supposed to be, including our own Finance chair,
24 Liz Krueger, who again we -- nobody knows how
25 Liz can sit through hours and hours and hours at

1 a time.

2 But, I mean, I think that is what we
3 are made of. And as I say, both sides of the
4 aisle work extremely hard, and the staff. I say
5 we always know that it's our staff that really
6 makes us look good. And none of us would be able
7 to do this work -- and sometimes, you know, they
8 labor long into the night, especially at end of
9 session, budget time. And so we really have
10 countless praise for the staff and everything
11 that they make happen.

12 And so I have to give a shout out to
13 my chief of staff and chief counsel, Shontell
14 Smith. Everybody knows Shontell. So, you know
15 again, I don't get a chance as much to talk to
16 Kristin, but I know that they, you know, spend a
17 lot of time with Eric, making sure that, again,
18 everybody knows what they're supposed to do.

19 My new -- I call him new, but he's
20 not new anymore -- Finance Secretary
21 Dave Friedfel, and the incredible work that has
22 been done by Dave and his team.

23 And of course my communications
24 director, Mike Murphy, who again makes sure the
25 message about what we're doing is out there so

1 that people understand that we are working every
2 day on behalf of the people.

3 My director of intergovernmental
4 affairs, Loren Amor, who's been invaluable in the
5 work that we've done. And also Tess, who's my
6 director of operations, and all my staff, in the
7 Capitol and 907, keeping the trains running. I
8 really thank you all very, very much.

9 I really could not be more proud of
10 the Democratic Majority Conference and all of
11 your efforts for yet another historic year that
12 delivered results for New Yorkers. When I spoke
13 after the budget in April, I talked about the
14 State Budget that we passed represented a light
15 at the end of the tunnel, a path forward after
16 COVID-19 and this pandemic. And again, I can't
17 say enough and I am, you know, sorry for the loss
18 on your staff, and certainly many of us in our
19 lives suffered losses. And so again our deepest,
20 deepest condolences.

21 And we said at that time that that
22 budget, first and foremost, was there to respond
23 to the crisis at hand. And we took bold action
24 to jump-start New York, to jump-start the
25 economic recovery from COVID. We secured

1 billions of dollars in emergency relief, and
2 certainly with the help of our congressional
3 representatives. We were able to help struggling
4 tenants and homeowners. We were able to help
5 unemployed workers. We were able to help small
6 businesses on the verge of closing.

7 But we didn't stop there. We looked
8 at the budget as an opportunity not just for
9 recovery, but for renewal. We began the hard
10 work of unraveling the structural inequities that
11 made the pandemic even worse for some
12 New Yorkers.

13 And in that understanding, we
14 delivered record funding for schools, including
15 upping the amount of available slots for
16 universal pre-K, really starting to make it truly
17 universal. We did tax relief for working- and
18 middle-class residents. And we did historic
19 investments in healthcare and in our environment.

20 Since then, with each vaccination,
21 with each restaurant reopening, with each playoff
22 game in front of packed arenas -- and I'm talking
23 about the Islanders. Go, Islanders. Sorry about
24 the Yankees, I am too.

25 (Laughter.)

1 SENATOR STEWART-COUSINS: But the
2 light at the end of the tunnel has grown brighter
3 and brighter. This has allowed us to see more
4 clearly our accomplishments, but it's also
5 exposed the immense challenges that we still
6 face.

7 So while we achieved so much through
8 the budget process, we've also continued to pass
9 groundbreaking legislation at an unprecedented
10 pace. With voting rights under assault
11 throughout our country, we passed new election
12 reforms to make early and absentee voting more
13 accessible to all New Yorkers. We repealed the
14 "walking while trans" ban. And of course this is
15 Pride Month, and I think Senator Hoylman recapped
16 so much that we've done.

17 So we made sure to repeal that
18 "walking while trans" ban, and we addressed
19 disparities in healthcare in minorities. We
20 legalized recreational marijuana, to begin
21 undoing the damage done in so many of our
22 communities by this prohibition, and opened a new
23 \$4.2 billion industry for our state.

24 We continue to improve our justice
25 system. We passed HALT, the law to end prolonged

1 segregated confinement, and just today we passed
2 groundbreaking Less is More legislation to
3 improve outcomes for individuals reintegrating
4 back into society.

5 With gun violence on the rise, we
6 banned ghost guns, declared gun violence a public
7 health crisis, and gave victims of gun violence
8 recourse in the courts against companies that
9 irresponsibly distribute deadly weapons.

10 We brought stakeholders of all sides
11 together to produce landmark bills on hospital
12 and nursing home staffing standards. And
13 speaking of nursing homes, after the devastation
14 we saw in senior residences during the pandemic,
15 the Senate took action to improve oversight, care
16 and accountability in these facilities.

17 That's what this Senate Majority
18 does. We identify problems, and then we work to
19 do something about them.

20 So in the spirit following news
21 reports of widespread housing discrimination in
22 suburban communities, we issued subpoenas, held
23 hearings, passed laws to ensure that everyone has
24 an opportunity to buy their dream home. We also
25 continue to make workplaces safer and more

1 equitable for everyone, but particularly women,
2 by passing legislation to strengthen New York
3 State's sexual harassment laws.

4 And while the State Budget provided
5 record investments in protections for tenants and
6 homeowners, our work on making housing more
7 affordable and combating homelessness is far from
8 over. During this final week of session, we
9 passed the Housing Our Neighbors with Dignity Act
10 that will help create new affordable housing for
11 vulnerable New Yorkers in cities across the
12 state.

13 And we're continuing to seek out the
14 problems that face our state and figure out the
15 best ways to approach them, holding hearings on
16 issues ranging from health services to food
17 insecurity to event ticket marketplaces.

18 Since becoming Majority Leader, I've
19 talked about our conference's guiding principle:
20 If given the chance, we will always look to
21 create opportunities rather than build barriers.
22 The people of New York have agreed with this
23 approach, putting 43 members of our conference in
24 this chamber. And so we've taken that mandate
25 and continued to open up pathways, tear down

1 obstacles for as many New Yorkers as we can.

2 We've made progress in building a
3 more equitable and prosperous New York. However,
4 we know that there's still a great deal of work
5 to be done, and the reality is that our work is
6 truly never done.

7 So now we have time to go back to
8 our districts, listening and working with those
9 we serve. We'll be back in this chamber in
10 January, hopefully all together, unmasked, ready
11 to continue tackling the issues of our time.

12 Again, I want to thank everyone on
13 both sides for your hard work, for your
14 dedication to our constituents. I know that
15 we're all here to do good, to build stronger
16 communities, to improve people's lives. Deep in
17 my heart, I know that we can be proud of the
18 actions taken here during these past and very
19 difficult months, and that despite the
20 difficulties of the last year and more, there are
21 brighter days ahead for all of us and all of
22 New York State.

23 So again, I want to thank everyone.
24 We did some of the traditions we normally do.
25 There are ices out there, just to let you know

1 that we aren't that far away from what we
2 normally do. But I wish everyone a really happy,
3 wonderful, healthy summer. And again, enjoy the
4 work that you've done, because we certainly have
5 more to do.

6 So thank you so much,
7 Madam President.

8 (Standing ovation.)

9 ACTING PRESIDENT MAYER: Senator
10 Gianaris.

11 SENATOR GIANARIS: Madam President,
12 is there any further business at the desk?

13 ACTING PRESIDENT MAYER: There is
14 no further business at the desk.

15 SENATOR GIANARIS: I move to
16 adjourn to a date and time at the call of the
17 Temporary President of the Senate, with
18 intervening days being legislative days.

19 ACTING PRESIDENT MAYER: On motion,
20 the Senate stands adjourned until a date and time
21 at the call of the Temporary President of the
22 Senate, intervening days being legislative days.

23 (Whereupon, at 9:37 p.m., the Senate
24 adjourned.)

25