

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 January 24, 2022

11 3:27 p.m.

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13
14 REGULAR SESSION

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18 LIEUTENANT GOVERNOR BRIAN A. BENJAMIN, President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

2 THE PRESIDENT: The Senate will
3 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 THE PRESIDENT: His Eminence
9 Timothy Cardinal Dolan, Archbishop of the
10 Roman Catholic Diocese of New York, will deliver
11 today's invocation.

12 CARDINAL DOLAN: Thank you,
13 Governor. I appreciate you being here.

14 It's an honor to be here, everybody.
15 I appreciate the invitation.

16 Let us pray.

17 Dear God and Father of us all, we
18 acknowledge Your sovereignty, Your dominion,
19 Your governances, Lord, of Your creation and
20 Your creatures, as we humbly thank You for
21 allowing us in this historic chamber to share
22 governance with You.

23 Thus do we seek Your wisdom,
24 guidance, prudence and courage as we try our best
25 to serve the people who have entrusted this honor

1 to us.

2 In a special way do we ask Your
3 protection upon the homes, the families, the
4 streets of our communities and upon the police
5 and fire and rescue professionals who guard them,
6 and as we ask Your healing upon those plagued by
7 the pandemic and Your strength upon those heroic
8 healthcare professionals who serve them.

9 Without You, we can do nothing,
10 while with You, nothing is impossible.

11 You are Lord forever and ever, Amen.

12 (Response of "Amen.")

13 CARDINAL DOLAN: Thanks again,
14 everybody. Good to be with you.

15 THE PRESIDENT: Majority Leader
16 Andrea Stewart-Cousins.

17 SENATOR STEWART-COUSINS: Yes, yes.
18 I just wanted to thank His Eminence for being
19 here, for praying in our chamber, and for making
20 sure, even though there's just a few of us here,
21 to really pray for all of us as we continue to do
22 the work of the people. And we thank you for
23 what you do as well.

24 CARDINAL DOLAN: I thank you, and
25 I'll see you in Yonkers.

1 (Laughter.)

2 SENATOR STEWART-COUSINS: Yes, you
3 will. At Elizabeth Seton, too. Take care.

4 THE PRESIDENT: The reading of the
5 Journal.

6 THE SECRETARY: In Senate, Sunday,
7 January 23, 2022, the Senate met pursuant to
8 adjournment. The Journal of Saturday,
9 January 22, 2022, was read and approved. On
10 motion, the Senate adjourned.

11 THE PRESIDENT: Without objection,
12 the Journal stands approved as read.

13 Presentation of petitions.

14 Messages from the Assembly.

15 Messages from the Governor.

16 Reports of standing committees.

17 Reports of select committees.

18 Communications and reports from
19 state officers.

20 Motions and resolutions.

21 Senator Gianaris.

22 SENATOR GIANARIS: Thank you,
23 Mr. President.

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

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

4 SENATOR GIANARIS: The Senate will
5 stand at ease.

6 THE PRESIDENT: The Senate will
7 stand at ease.

8 (Whereupon, the Senate stood at ease
9 at 3:30 p.m.)

10 (Whereupon, the Senate reconvened at
11 3:43 p.m.)

12 THE PRESIDENT: The Senate will
13 return to order.

14 Senator Gianaris.

15 SENATOR GIANARIS: Mr. President, I
16 believe there's some messages from the Assembly
17 that we have received.

18 Can we take those up?

19 THE PRESIDENT: Yes.

20 Messages from the Assembly.

21 THE SECRETARY: Senator May moves
22 to discharge, from the Committee on Rules,
23 Assembly Bill Number 8592 and substitute it for
24 the identical Senate Bill 7777, Third Reading
25 Calendar 148.

1 Senator Kaminsky moves to discharge,
2 from the Committee on Rules, Assembly Bill Number
3 8721 and substitute it for the identical
4 Senate Bill 7827, Third Reading Calendar 187.

5 THE PRESIDENT: Substitutions so
6 ordered.

7 Senator Gianaris.

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

11 THE PRESIDENT: The Secretary will
12 read.

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

16 Senate Print 7766, by
17 Senator Parker, an act to amend the
18 Public Service Law;

19 Senate Print 7769, by
20 Senator Kaplan, an act to amend a chapter of the
21 Laws of 2021;

22 Senate Print 7770, by
23 Senator Gaughran, an act to amend the
24 Real Property Law;

25 Senate Print 7781, by

1 Senator Kaminsky, an act to amend the
2 Environmental Conservation Law;

3 Senate Print 7782, by
4 Senator Kavanagh, an act to amend a chapter of
5 the Laws of 2021;

6 Senate Print 7790, by
7 Senator Brisport, an act to amend the
8 Criminal Procedure Law;

9 Senate Print 7792, by
10 Senator Parker, an act to amend the Real Property
11 Actions and Proceedings Law;

12 Senate Print 7795, by
13 Senator Kavanagh, an act to amend the
14 General Obligations Law;

15 Senate Print 7821, by
16 Senator Salazar, an act to amend the
17 Executive Law and a chapter of the Laws of 2021;

18 Senate Print 7824, by
19 Senator Biaggi, an act to amend the
20 Public Authorities Law;

21 Senate Print 7828, by
22 Senator Thomas, an act to amend a chapter of the
23 Laws of 2021;

24 Senate Print 7831, by
25 Senator Kavanagh, an act to amend the

1 Private Housing Finance Law;

2 Senate Print 7834, by Senator May,
3 an act to amend the Public Authorities Law;

4 Senate Print 7842, by
5 Senator Kaplan, an act to amend a chapter of the
6 Laws of 2021;

7 Senate Print 7844, by
8 Senator Reichlin-Melnick, an act to amend the
9 Tax Law;

10 Senate Print 7882, by
11 Senator Gounardes, an act to amend the
12 Civil Practice Law and Rules;

13 Senate Print 7883, by Senator Brouk,
14 an act to amend the Public Health Law;

15 Senate Print 7884, by
16 Senator Addabbo, an act to amend the
17 Public Health Law;

18 Senate Print 7885, by
19 Senator Rivera, an act to amend the Public Health
20 Law;

21 Senate Print 7886, by Senator May,
22 an act to amend the Public Health Law;

23 Senate Print 7887, by
24 Senator Kennedy, an act to amend the
25 Executive Law and the Public Authorities Law;

1 Senate Print 7888, by Senator
2 Harckham, an act to amend the Public Health Law;

3 Senate Print 7889, by
4 Senator Reichlin-Melnick, an act to amend the
5 General Business Law; and

6 Senate Print 7890, by
7 Senator Hinchey, an act to amend the
8 Public Health Law.

9 All bills reported direct to third
10 reading.

11 SENATOR GIANARIS: I move to accept
12 the report of the Rules Committee.

13 THE PRESIDENT: All those in favor
14 of accepting the report of the Rules Committee
15 signify by saying aye.

16 (Response of "Aye.")

17 THE PRESIDENT: Opposed, nay.

18 (No response.)

19 THE PRESIDENT: The Rules Committee
20 report is accepted.

21 Senator Gianaris.

22 SENATOR GIANARIS: Can we now take
23 up the calendar, please.

24 THE PRESIDENT: The Secretary will
25 read.

1 THE SECRETARY: Calendar Number 25,
2 Senate Print 7697, by Senator Hinchey, an act to
3 amend the Social Services Law.

4 THE PRESIDENT: Read the last
5 section.

6 THE SECRETARY: Section 2. This
7 act shall take effect on the same date and in the
8 same manner as a chapter of the Laws of 2021.

9 THE PRESIDENT: Call the roll.
10 (The Secretary called the roll.)

11 THE PRESIDENT: Announce the
12 results.

13 THE SECRETARY: Ayes, 62.

14 THE PRESIDENT: The bill is passed.

15 THE SECRETARY: Calendar Number 29,
16 Senate Print 7701, by Senator Kaminsky, an act to
17 amend the Public Housing Law.

18 THE PRESIDENT: Read the last
19 section.

20 THE SECRETARY: Section 2. This
21 act shall take effect on the same date and in the
22 same manner as a chapter of the Laws of 2021.

23 THE PRESIDENT: Call the roll.
24 (The Secretary called the roll.)

25 THE PRESIDENT: Announce the

1 results.

2 THE SECRETARY: Ayes, 62.

3 THE PRESIDENT: The bill is passed.

4 THE SECRETARY: Calendar Number 40,
5 Senate Print 7712, by Senator Ramos, an act to
6 amend the Social Services Law.

7 THE PRESIDENT: Read the last
8 section.

9 THE SECRETARY: Section 2. This
10 act shall take effect on the same date and in the
11 same manner as a chapter of the Laws of 2021.

12 THE PRESIDENT: Call the roll.
13 (The Secretary called the roll.)

14 THE PRESIDENT: Announce the
15 results.

16 THE SECRETARY: Ayes, 62.

17 THE PRESIDENT: The bill is passed.

18 THE SECRETARY: Calendar Number 58,
19 Senate Print 7730, by Senator Skoufis, an act to
20 amend the Real Property Law.

21 THE PRESIDENT: Read the last
22 section.

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

25 THE PRESIDENT: Call the roll.

1 (The Secretary called the roll.)

2 THE PRESIDENT: Announce the
3 results.

4 THE SECRETARY: In relation to
5 Calendar Number 58, those Senators voting in the
6 negative are Senators Lanza and Oberacker.

7 Ayes, 60. Nays, 2.

8 THE PRESIDENT: The bill is passed.

9 THE SECRETARY: Calendar Number 60,
10 Senate Print 7732, by Senator Gaughran, an act to
11 amend a chapter of the Laws of 2021.

12 THE PRESIDENT: Read the last
13 section.

14 THE SECRETARY: Section 2. This
15 act shall take effect on the same date and in the
16 same manner as a chapter of the Laws of 2021.

17 THE PRESIDENT: Call the roll.

18 (The Secretary called the roll.)

19 THE PRESIDENT: Announce the
20 results.

21 THE SECRETARY: In relation to
22 Calendar Number 60, those Senators voting in the
23 negative are Senators Akshar, Borrello, Griffo,
24 Jordan, Lanza, Oberacker, O'Mara, Ortt, Rath and
25 Stec.

1 Ayes, 52. Nays, 10.

2 THE PRESIDENT: The bill is passed.

3 THE SECRETARY: Calendar Number
4 135, Senate Print 7761, by Senator Savino, an act
5 to amend the Social Services Law.

6 THE PRESIDENT: Read the last
7 section.

8 THE SECRETARY: Section 2. This
9 act shall take effect on the same date and in the
10 same manner as a chapter of the Laws of 2021.

11 THE PRESIDENT: Call the roll.
12 (The Secretary called the roll.)

13 THE PRESIDENT: Announce the
14 results.

15 THE SECRETARY: In relation to
16 Calendar 135, voting in the negative:
17 Senator Lanza.

18 Ayes, 61. Nays, 1.

19 THE PRESIDENT: The bill is passed.

20 THE SECRETARY: Calendar Number
21 140, Senate Print 7767, by Senator Breslin, an
22 act to amend the Insurance Law.

23 THE PRESIDENT: Read the last
24 section.

25 THE SECRETARY: Section 6. This

1 act shall take effect immediately.

2 THE PRESIDENT: Call the roll.

3 (The Secretary called the roll.)

4 THE PRESIDENT: Announce the
5 results.

6 THE SECRETARY: In relation to
7 Calendar 140, those Senators voting in the
8 negative are Senators Akshar, Borrello, Gallivan,
9 Martucci, Oberacker, Ortt, Rath, Tedisco and
10 Weik.

11 Ayes, 53. Nays, 9.

12 THE PRESIDENT: The bill is passed.

13 THE SECRETARY: Calendar Number
14 143, Senate Print 7772, by Senator Gianaris, an
15 act to amend the Private Housing Finance Law.

16 THE PRESIDENT: Read the last
17 section.

18 THE SECRETARY: Section 5. This
19 act shall take effect on the same date and in the
20 same manner as a chapter of the Laws of 2021.

21 THE PRESIDENT: Call the roll.

22 (The Secretary called the roll.)

23 THE PRESIDENT: Announce the
24 results.

25 THE SECRETARY: In relation to

1 Calendar 143, those Senators voting in the
2 negative are Senators Borrello, Boyle, Gallivan,
3 Griffo, Jordan, Mattera, Oberacker, O'Mara, Ortt,
4 Palumbo, Rath, Ritchie, Stec and Tedisco.

5 Ayes, 48. Nays, 14.

6 THE PRESIDENT: The bill is passed.

7 THE SECRETARY: Calendar Number
8 147, Senate Print 7776, by Senator May, an act to
9 amend a chapter of the Laws of 2021.

10 THE PRESIDENT: Read the last
11 section.

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

14 THE PRESIDENT: Call the roll.

15 (The Secretary called the roll.)

16 THE PRESIDENT: Announce the
17 results.

18 THE SECRETARY: In relation to
19 Calendar 147, voting in the negative:
20 Senator Oberacker.

21 Ayes, 61. Nays, 1.

22 THE PRESIDENT: The bill is passed.

23 THE SECRETARY: Calendar Number
24 148, Assembly Print Number 8592, by
25 Assemblymember Clark, an act to amend the

1 Public Health Law.

2 THE PRESIDENT: Read the last
3 section.

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

6 THE PRESIDENT: Call the roll.
7 (The Secretary called the roll.)

8 THE PRESIDENT: Announce the
9 results.

10 THE SECRETARY: Ayes, 62.

11 THE PRESIDENT: The bill is passed.

12 THE SECRETARY: Calendar Number
13 155, Senate Print 7786, by Senator Krueger, an
14 act to amend the State Technology Law.

15 THE PRESIDENT: Read the last
16 section.

17 THE SECRETARY: Section 2. This
18 act shall take effect on the same date and in the
19 same manner as a chapter of the Laws of 2021.

20 THE PRESIDENT: Call the roll.
21 (The Secretary called the roll.)

22 THE PRESIDENT: Announce the
23 results.

24 THE SECRETARY: Ayes, 62.

25 THE PRESIDENT: The bill is passed.

1 THE SECRETARY: Calendar Number
2 156, Senate Print 7787, by Senator Hoylman, an
3 act to amend the State Technology Law.

4 THE PRESIDENT: Read the last
5 section.

6 THE SECRETARY: Section 2. This
7 act shall take effect on the same date and in the
8 same manner as a chapter of the Laws of 2021.

9 THE PRESIDENT: Call the roll.
10 (The Secretary called the roll.)

11 THE PRESIDENT: Announce the
12 results.

13 THE SECRETARY: Ayes, 62.

14 THE PRESIDENT: The bill is passed.

15 THE SECRETARY: Calendar Number
16 157, Senate Print 7788, by Senator Harckham, an
17 act to amend the Environmental Conservation Law.

18 THE PRESIDENT: Read the last
19 section.

20 THE SECRETARY: Section 2. This
21 act shall take effect on the same date and in the
22 same manner as a chapter of the Laws of 2021.

23 THE PRESIDENT: Call the roll.
24 (The Secretary called the roll.)

25 THE PRESIDENT: Announce the

1 results.

2 THE SECRETARY: In relation to
3 Calendar 157, those Senators voting in the
4 negative are Senators Akshar, Borrello, Gallivan,
5 Griffo, Helming, Jordan, Lanza, Martucci,
6 Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie,
7 Serino, Stec, Tedisco and Weik.

8 Ayes, 44. Nays, 18.

9 THE PRESIDENT: The bill is passed.

10 THE SECRETARY: Calendar Number
11 187, Assembly Print Number 8721, by
12 Assemblymember Englebright, an act to amend the
13 Environmental Conservation Law.

14 THE PRESIDENT: Read the last
15 section.

16 THE SECRETARY: Section 2. This
17 act shall take effect on the same date and in the
18 same manner as a chapter of the Laws of 2021.

19 THE PRESIDENT: Call the roll.

20 (The Secretary called the roll.)

21 THE PRESIDENT: Announce the
22 results.

23 THE SECRETARY: In relation to
24 Calendar 187, those Senators voting in the
25 negative are Senators Akshar, Borrello, Felder,

1 Gallivan, Griffo, Helming, Jordan, Lanza,
2 Oberacker, O'Mara, Ortt, Rath, Ritchie, Stec,
3 Tedisco and Weik.

4 Ayes, 46. Nays, 16.

5 THE PRESIDENT: The bill is passed.

6 THE SECRETARY: Calendar Number
7 206, Senate Print 7850, by Senator Brouk, an act
8 to repeal Article 6-B of the County Law.

9 THE PRESIDENT: Read the last
10 section.

11 THE SECRETARY: Section 3. This
12 act shall take effect on the same date and in the
13 same manner as a chapter of the Laws of 2021.

14 THE PRESIDENT: Call the roll.

15 (The Secretary called the roll.)

16 THE PRESIDENT: Announce the
17 results.

18 THE SECRETARY: Ayes, 62.

19 THE PRESIDENT: The bill is passed.

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

22 SENATOR GIANARIS: Is there any
23 further business at the desk?

24 THE PRESIDENT: There is no further
25 business at the desk.

1 SENATOR GIANARIS: Accordingly, I
2 move to adjourn until tomorrow, Tuesday,
3 January 25th, at 3:00 p.m.

4 THE PRESIDENT: On motion, the
5 Senate stands adjourned until Tuesday,
6 January 25th, at 3:00 p.m.

7 (Whereupon, at 3:53 p.m., the Senate
8 adjourned.)

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