NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 24, 2022

3:27 p.m.

REGULAR SESSION

LIEUTENANT GOVERNOR BRIAN A. BENJAMIN, President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will come to order.

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

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

THE PRESIDENT: His Eminence Timothy Cardinal Dolan, Archbishop of the Roman Catholic Diocese of New York, will deliver today's invocation.

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

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

Let us pray.

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

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

to us.

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

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

You are Lord forever and ever, Amen.

(Response of "Amen.")

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

THE PRESIDENT: Majority Leader Andrea Stewart-Cousins.

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

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

(Laughter.)

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

THE PRESIDENT: The reading of the Journal.

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

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

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

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

SENATOR GIANARIS: The Senate will stand at ease.

THE PRESIDENT: The Senate will stand at ease.

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

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

THE PRESIDENT: The Senate will return to order.

Senator Gianaris.

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

Can we take those up?

THE PRESIDENT: Yes.

Messages from the Assembly.

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

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

THE PRESIDENT: Substitutions so ordered.

Senator Gianaris.

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

THE PRESIDENT: The Secretary will read.

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

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

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

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

Senate Print 7781, by

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

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

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

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

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

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

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

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

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

Private Housing Finance Law;

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

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

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

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

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

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

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

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

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

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

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

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

All bills reported direct to third reading.

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

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The Rules Committee report is accepted.

Senator Gianaris.

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

THE PRESIDENT: The Secretary will read.

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

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 62.

THE PRESIDENT: The bill is passed.

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

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the

results.

THE SECRETARY: Ayes, 62.

THE PRESIDENT: The bill is passed.

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

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 62.

THE PRESIDENT: The bill is passed.

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

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

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

Ayes, 60. Nays, 2.

THE PRESIDENT: The bill is passed.

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

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

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

Ayes, 52. Nays, 10.

THE PRESIDENT: The bill is passed.

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

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

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

Ayes, 61. Nays, 1.

THE PRESIDENT: The bill is passed.

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

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 6. This

act shall take effect immediately.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

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

Ayes, 53. Nays, 9.

THE PRESIDENT: The bill is passed.

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

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: In relation to

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

Ayes, 48. Nays, 14.

THE PRESIDENT: The bill is passed.

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

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

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

Ayes, 61. Nays, 1.

THE PRESIDENT: The bill is passed.

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

Public Health Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 62.

THE PRESIDENT: The bill is passed.

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

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 62.

THE PRESIDENT: The bill is passed.

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

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 62.

THE PRESIDENT: The bill is passed.

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

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the

results.

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

Ayes, 44. Nays, 18.

THE PRESIDENT: The bill is passed.

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

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

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

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

Ayes, 46. Nays, 16.

THE PRESIDENT: The bill is passed.

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

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 62.

THE PRESIDENT: The bill is passed.

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

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

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

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

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

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