NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 17, 2022

9:04 a.m.

REGULAR SESSION

SENATOR ROXANNE J. PERSAUD, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT PERSAUD: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT PERSAUD: Reading of the Journal.

THE SECRETARY: In Senate, Wednesday, February 16, 2022, the Senate met pursuant to adjournment. The Journal of Tuesday, February 15, 2022, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

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: Madam President, please take up Resolution 1803, by Senator Sepúlveda, read that resolution's title, and recognize Senator Sepúlveda.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Senate Resolution 1803, by Senator Sepúlveda, commemorating the 178th Anniversary of the Independence of the Dominican Republic, to be celebrated on February 27, 2022.

ACTING PRESIDENT PERSAUD: Senator Sepúlveda on the resolution.

SENATOR SEPÚLVEDA: Good morning, everyone. And thank you for giving me the opportunity to speak on this important resolution.

So the Dominican Republic is home to more than 100,000 U.S. citizens. The relationship of respect, brotherhood, and

solidarity between our two nations grows stronger every day. I share with you the words written on the Dominican National Coat of Arms: Dios, Patria y Libertad. God, Homeland and Liberty. These words and many other things unite all of us.

In my district I have a great Dominican community that I'm honored to serve. They come from areas like Punta Cana to Dajabon, from El Cibao to El Sur Profundo. Dominicans are free and sovereign, especially in the Bronx.

The Dominican Republic celebrates its independence and sovereignty every 27th day of February. This year we gather to celebrate the 178th anniversary of their independence.

I would like to invite all of you to celebrate this date with Dominicans around the world. And New York has the largest Dominican community living outside of the Dominican Republic.

From 1613 to today, Dominicans continue to be an important part of our nation, of our state, and certainly of the area that I represent in the New York State Senate. They're hardworking, they are successful, they're good

neighbors and better brothers and sisters.

The Dominican heart beats stronger than ever. Thank you to the great State of New York, this body, and my colleagues for recognizing this important date and extending greetings and affection to the great Dominican people with this resolution.

Y Quisiera decir estas palabras en español: A los valientes Quisqueyanos, desde Punta Cana a Dajabón, desde El Cibao hasta el Sur Profundo, los dominicanos y dominicanas son libres y soberanos, que dios bendiga al Pueblo Dominicano y que Dios bendiga al gran estado de Nueva York.

Thank you. Muchas gracias.

ACTING PRESIDENT PERSAUD: Are there any other Senators wishing to be heard on the resolution?

The resolution was previously adopted on February 8th.

Senator Gianaris.

SENATOR GIANARIS: Madam President, at the request of Senator Sepúlveda, that resolution is open for cosponsorship.

ACTING PRESIDENT PERSAUD: The

resolution is open for cosponsorship. Should you choose not to be a cosponsor of this resolution, please notify the desk.

Senator Gianaris.

SENATOR GIANARIS: Let's take up the reading of the calendar, please.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 79, Senate Print 2138, by Senator Ramos, an act to amend the Workers' Compensation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 79, those Senators voting in the negative are Senators Lanza and Ortt.

Ayes, 50. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 106, Senate Print 4784A, by Senator Mayer, an act to amend the Real Property Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 107, Senate Print 5377, by Senator Cooney, an act to amend the Real Property Actions and Proceedings Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 107, voting in the negative: Senator Felder.

Ayes, 51. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 269, Senate Print 238, by Senator Thomas, an act to amend the Social Services Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 278, Senate Print 3330, by Senator Rivera, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 278, voting in the negative: Senator Griffo.

Ayes, 51. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 296, Senate Print 7882A, by Senator Gounardes, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 296, voting in the negative: Senator Akshar.

Ayes, 51. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 312, Senate Print 1646, by Senator Skoufis, an act to amend the General Municipal Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 340, Senate Print 6488, by Senator Kavanagh, an act to amend the Private Housing Finance Law.

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

ACTING PRESIDENT PERSAUD: The bill will be laid aside for the day.

THE SECRETARY: Calendar Number 352, Senate Print 952, by Senator Gaughran, an act to amend the Volunteer Firefighters' Benefit Law and the Volunteer Ambulance Workers' Benefit Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 462, Senate Print Number 3985, by Senator Reichlin-Melnick, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Madam Chair.

I want to start off by thanking the sponsor for this bill.

You know, we often try to limit what businesses can do, but really what we really should be doing is just doing the bare minimum to ensure that they are not engaging in deceptive practices. And I think this bill addresses that with the rental car fees.

I spent nearly 20 years on the road, more than 50 percent of my time traveling. And I can tell you, when dealing with rental car companies, there are a number of, in my opinion, price gouging and deceptive practices that go on. This is probably one of the most egregious.

I realize that, look, if I make the mistake of showing up at the airport and haven't refilled my tank with gas, that I should pay a price for that, that there is a cost to that for them.

But once you enter that airport, it's very difficult to turn around and go out, especially if you're going to catch a flight, and they know that. So they've set these excessive fees in place.

Also, if you rent at a local location, they don't want you even to refill the tank. Because often I would rent a car locally, and it would have a quarter tank of gas or a half a tank of gas. Even though they charged that previous renter the full rate plus the penalty, they gave it to me and said, Well, just bring it back with the same amount of gas in it.

That, to me, is price gouging and

deceptive practices, and we should limit that.

And that's what this bill does, and I proudly vote aye. Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

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

ACTING PRESIDENT PERSAUD: There is no further business at the desk.

SENATOR GIANARIS: I move to adjourn until Monday, February 28th, at 3:00 p.m., intervening days being legislative days.

ACTING PRESIDENT PERSAUD: On motion, the Senate stands adjourned until Monday, February 28th, at 3:00 p.m., with intervening days being legislative days.

(Whereupon, at 9:14 a.m., the Senate adjourned.)