NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 2, 2022

3:11 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: 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.)

THE PRESIDENT: Reading of the Journal.

THE SECRETARY: In Senate, Tuesday, March 1, 2022, the Senate met pursuant to adjournment. The Journal of Monday, February 28, 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.

The Secretary will read.

THE SECRETARY: Senator Kaplan

moves to discharge, from the Committee on Transportation, Assembly Bill Number 8493A and substitute it for the identical Senate Bill 7563, Third Reading Calendar 242.

THE PRESIDENT: So ordered.

THE SECRETARY: Senator Rivera moves to discharge, from the Committee on Health, Assembly Bill Number 2440 and substitute it for the identical Senate Bill Number 4935, Third Reading Calendar 406.

THE PRESIDENT: So ordered.

THE SECRETARY: Senator Breslin moves to discharge, from the Committee on Insurance, Assembly Bill Number 8306 and substitute it for the identical Senate Bill 3572, Third Reading Calendar 488.

THE PRESIDENT: So ordered.

THE SECRETARY: Senator Liu to discharge, from the Committee on Corporations, Authorities and Commissions, Assembly Bill Number 7946A and substitute it for the identical Senate Bill 7089A, Third Reading Calendar 537.

THE PRESIDENT: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, it's good to have you back in the chamber.

On behalf of Senator Rivera, on page 12 I offer the following amendments to Calendar 111, Senate Print 1172B, and ask that said bill retain its place on Third Reading Calendar.

THE PRESIDENT: The amendments are received, and the bill will retain its place on the Third Reading Calendar.

SENATOR GIANARIS: At this time, Mr. President, can we take up two very important resolutions, Resolution 1796 and Resolution 1797, by Senator Cleare, read those resolutions in their entirety, and recognize Senator Cleare on the resolutions.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Senate Resolution 1796, by Senator Cleare, mourning the untimely

death of Jason Rivera, committed NYPD law enforcement officer, family man and devoted member of his community.

"WHEREAS, It is the sense of this Legislative Body to convey its grateful appreciation and heartfelt regret in recognition of the loss of a courageous and hardworking police officer who dedicated his purposeful life and career in faithful service to both his family and the residents of the State of New York; and

"WHEREAS, It is with profound sadness that this Legislative Body records the passing of 22-year-old Jason Rivera, a Washington Heights native, who gave the ultimate sacrifice while responding to a domestic call in Harlem, on Friday, January 21, 2022; and

"WHEREAS, A member of the 32nd Precinct proudly serving Harlem, Jason Rivera joined the NYPD 14 months ago, in part to better the community's relationship with law enforcement; and

"WHEREAS, Coming from an immigrant family and growing up in New York City, young Jason Rivera knew becoming a police officer was the right career for him; he realized how

impactful his role as an officer would be in the chaotic city of approximately 10 million people; and

"WHEREAS, Officer Rivera was proud to be the first member of his family to join New York's finest, the greatest police force in the world; and

"WHEREAS, Jason Rivera was forever dependable, loyal, and kind, three extraordinary attributes that made him an amazing police officer; he will be remembered for his constant smile and positive attitude; and

"WHEREAS, To know Jason was to love him; he was a true hero, officer, husband, younger brother, son and friend; and

"WHEREAS, Armed with a humanistic spirit and imbued with a sense of compassion, Jason Rivera leaves behind a legacy which will long endure the passage of time and will remain as a comforting memory to all he served and befriended; he will be deeply missed and truly merits the grateful tribute of this Legislative Body; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to

mourn the death of Jason Rivera, and to express its deepest condolences to his family, colleagues and friends; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to the family of Jason Rivera."

Senate Resolution 1797, also by Senator Cleare, mourning the untimely death of Detective Wilbert Mora, committed NYPD law enforcement officer, beloved son and brother, and devoted member of his community.

"WHEREAS, It is the sense of this Legislative Body to convey its grateful appreciation and heartfelt regret in recognition of the loss of a courageous and hardworking NYPD detective who dedicated his purposeful life and career in faithful service to both his family and the residents of New York State; and

"WHEREAS, It is with profound sadness that this Legislative Body records the passing of 27-year-old Wilbert Mora, an East Harlem native, who gave the ultimate sacrifice four days after responding to a domestic call in Harlem, on Friday, January 21, 2022; and

"WHEREAS, Wilbert Mora was put on life support until Tuesday, January 25, 2022, allowing his organs to be harvested for transplant; even after death, he continued to serve others, donating his heart, liver, kidney and pancreas to five individuals who were in desperate need of his lifesaving gift; and

"WHEREAS, Wilbert Mora earned his bachelor's degree from CUNY John Jay College in Manhattan in 2018; during this time, he studied the effects of stop-and-frisk tactics and less confrontational strategies like community policing in New York City's predominantly Black and Latino neighborhoods; and

"WHEREAS, After graduating, Wilbert Mora joined the NYPD and was assigned to the 32nd Precinct proudly serving the northeastern portion of Harlem; in his short yet exemplary career, he made 35 arrests; and

"WHEREAS, To know Wilbert Mora was to love him; and if you did, then you were one of the lucky ones; he was a true hero, detective, son, brother, and friend; and

"WHEREAS, Armed with a humanistic spirit and imbued with a sense of compassion,

Wilbert Mora leaves behind a legacy which will long endure the passage of time and will remain as a comforting memory to all he served and befriended; he will be deeply missed and truly merits the grateful tribute of this Legislative Body; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to mourn the death of Wilbert Mora, and to express its deepest condolences to his family, colleagues and friends; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to the family of Detective Wilbert Mora."

THE PRESIDENT: Senator Cleare on the resolutions.

SENATOR CLEARE: Thank you.

Good afternoon, Lieutenant Governor, colleagues. Our hearts are heavy, but we are here today to celebrate the inspiring lives and courageous actions of NYPD Detectives Jason Rivera and Wilbert Mora, who answered the call of duty and made the ultimate sacrifice in this earthly plain, losing their lives in the service of making our communities safer.

We are honored today by the presence of Dominique Rivera, the wife of Detective Rivera, and her mother, Lilliana Cuenca, as well as the leadership from the 32nd Precinct in Harlem: Inspector Amir Yakatally, Captain Jose Taveras, Captain Janelle Sanders and Detective Oswaldo Collado, and the other fellow officers.

Thank you for your courageous presence here today. It is our honor to be with you.

What happened to Detectives Jason Rivera and Wilbert Mora and their families, friends, neighbors and community is an incalculable tragedy. Heads hang, tears flow and hearts are broken.

Life began for Wilbert Mora only 27 years ago -- an East Harlem native who excelled at John Jay College and believed in his studies and in his deeds, words and actions that he was a community ambassador who made the world better, block by block, conversation by conversation.

So great was his commitment to helping others that he served us both in life, as was mentioned, and in the very fact of his

passing, through the selfless donation of his organs to others.

To his family, his loved ones, his friends, we owe you much more than thanks, much more than tears, much more than memories -- we owe you a prospective generational commitment to make the state better by carrying on in the spirit of Detective Mora, who has made such a profound impact on us.

While no thanks are enough, please know that the entire city and state stand with you and this is a commitment that will endure forever.

To the family of Detective Jason Rivera, in particular Ms. Dominique Rivera, your inspiring presence here today means everything to us. We share your broken heart and hope that the concern and care of others will help ease the trauma.

All who knew Detective Rivera say he was born to serve our community, and driven to make it a better place. He had a calling borne of courage and was unafraid to embody and accept everything that it meant to be a police officer.

While he was taken from us too soon,

we may ask ourselves: Did he accomplish the goals he set for himself when he applied to be a police officer?

Well, to the extent that he served our community well, to the extent that he improved people's lives, to the extent that he inspired others and continues to inspire, to the extent that he was a hero and loving husband, son and brother, to the extent that he leaves a legacy that will never be forgotten, he was incredibly successful.

May God bless his memory, may God bless his family, may God bless his wife. Ms. Rivera, may you find comfort, strength and resilience even in these troubled times. Our hearts continue to go out to you.

Thank you.

THE PRESIDENT: Senator Jackson on the resolution.

SENATOR JACKSON: Thank you, Mr. President.

My colleagues, I rise in support of and as a proud cosponsor of this resolution, J1796, honoring Jason Rivera.

First I want to offer my prayers and

condolences to the widow of Detective Jason Rivera, Dominique Rivera, the entire Rivera family, and the entire NYPD family, especially the family of the 32nd Precinct in Harlem, on 135th Street, where they served.

Today we stand here before this legislative body to convey our grateful appreciation and heartfelt regret in recognizing the loss of a courageous and hardworking police officer. It seems the good die young, before they see the fruits of their principal labor. They do things for others because they believe in serving the world with principle, respect, courage and honor.

Jason was just 22 years of age, a young native of Washington Heights who dreamed of changing the department for the better. He dedicated his live and career to purposefully, faithfully serve both his family and the residents of our city.

Jason was an unflappable, good-natured person whose attention to morals and values was unique for someone so young. For those not aware, Jason completed his graduation from the Washington Heights Expeditionary

Learning School, which is called WHEELS, at the Eleanor Roosevelt Campus on 182nd Street in Washington Heights. And I recall reading somewhere that one of his high school teachers, Samantha, who spoke highly of him, said that he was an outstanding citizen and student and, more importantly, a person who always tried to help other people.

And Jason was one of two officers who made the ultimate sacrifice -- their lives -- responding to a domestic dispute where the lives of everyone in that home were in danger.

The growing gun violence concerns us all. There is a serious health crisis that requires immediate intervention, resulting in getting guns off the streets and stopping violence. And I raise my voice to that because we all know it. Violence against any one of us cannot be the norm.

I, like many, hope that the state's collective grief creates a sense of purpose to gun violence. Besides legislation, we must also focus on efforts and ways that would allow for us to face these challenges in unity and with our communities, and seek input from them on how to

invest resources to prevent gun violence through our art programs, youth initiatives, mental health and violence interrupters.

A Dominican-American who grew up on the streets of Northern Manhattan -- those same streets he would later patrol as a police officer in that community. And we have -- excuse me -- and we have united to raise awareness surrounding the issue of needless and senseless gun violence.

With every other community member that I speak with uptown, they tell me that they will carry on his mission to restore the trust and safety of our community that it rightfully deserves, moving forward together in ways that not only would allow us to save our youth from the senseless violence and invite peace to our communities, but it will be an honor in the memory of Jason. He will be deeply missed.

Thank you, Mr. President.

I also would like to speak on Resolution 1797 honoring Wilbert Mora. And again, I rise as a cosponsor in support of this resolution.

At this moment I also want to offer my prayers and condolences to the family of

Detective Wilbert Mora and his NYPD family, especially the members of the 32nd Precinct. That's his work family, just like all of you, both Republicans and Democrats, are my family here in the New York State Senate.

But this legislative body comes together in mourning the untimely death of Wilbert Mora. He was a beloved son, brother and faithful member of his community in Northern Manhattan. He lived in East Harlem. His Assemblymember is here. Detective Jason Rivera, his Assemblymember is here also. Al Taylor, Manny De Los Santos and my brother there.

But all of this is very important about who he was, and he was loved by everyone. And a committed NYPD law enforcement officer from the 32nd. A boy who was raised -- who was born in the Dominican Republic, who after he arrived in New York City just 7 years old, had a dream. This boy dreamt of protecting and serving others. He knew he wanted to be a police officer. Twenty years later, the boy grew up into a young adult, earned his badge, and began to fulfill his dream of protecting his community.

Wilbert Mora was only 27 years of

age, and an East Harlem native, as I indicated, who gave the ultimate sacrifice -- and let me just say you all know what that means, but other people may not know what that means. That means his life. And not only did he give his life, he gave his organs to help other people live.

So today is a very sad day. It's heartbreaking to lose another young man to gun violence. And Wilbert made the ultimate sacrifice to protect and serve. And he will continue to help others and give life through the passing of his organs, as I said.

Those who knew him will tell you that he was forever a responsible, loyal, kindhearted soul. A gentle giant with a great big smile that always showed his optimism towards any situation, and gave you warmth and made all embrace positivity. We lost another great young man, an officer whose dreams started at seven years and ended early due to tragedy. And Wilbert will deeply be missed and always remembered for his warmth and compassion.

But his legacy, that of a person who had tremendous humanistic spirit and showed bravery when others needed protection, will

continue to carry on in us and our quest for peace and love in our community.

Mr. President, I say aye to both of these resolutions.

THE PRESIDENT: Senator Mannion on the resolution.

SENATOR MANNION: Thank you, Mr. President.

I rise to recognize the bravery and selfless service of Officers Jason Rivera and Wilbert Mora.

Police and law enforcement are our protectors. They are the sentinels who stand watch. They deserve our respect, our admiration, and our support. When officers and deputies from the counties I represent, Onondaga and Cayuga, need assistance and support, their brothers of the NYPD are always there for them.

I fully endorse the words of our President and his clarion statement that called in his State of the Union address to support our police officers with all the resources and training that they need to protect our communities.

I have family in law enforcement,

two uncles. And I have family members, two of them, first cousins, who died of gun violence. And when my family was met with the horror of those two individuals' deaths, who was there to comfort and protect and investigate? Law enforcement was there.

I know what it's like to be a family member of law enforcement, and I know what it's like to be a family member of a victim of gun violence. Law enforcement is more than a career, it's a calling, and it's a calling that extends to the families of law enforcement. Every time a law enforcement officer goes out the door, there is uncertainty. And we stand and sit here today faced with the reality of the tragic deaths of these officers and what their families must be going through, and that they had these concerns and worries every time their family member walked out the door to protect us.

There are no words that I can say or anyone can say to heal your wounds, but know that this body and this state mourns with you and supports you. On behalf of Syracuse and Greater Central New York, I ask that God bless your family and God guide law enforcement. And may

you find some healing and strength from the bravery of the officers, of Jason and Wilbert. The people of New York are forever in your debt.

Thank you, Mr. President.

THE PRESIDENT: Senator Savino on the resolution.

SENATOR SAVINO: Thank you, Mr. President.

You know, for the almost 18 years that I've been a member of this Senate, we have had to pause in recognition of the tragic death of police officers -- whether they be members of the NYPD, State Troopers, local law enforcement -- who have been tragically cut down in the line of duty. Far too many times. We've stood here and we've recognized their contribution, their families' contribution. And it's tragic and it's heartbreaking.

And we always wonder how did it happen, how can we make change. And we offer our condolences to the family. We attend the funerals. One of the most heartbreaking funerals I think I've ever been to was Police Officer Rivera. Not that anybody else's was less tragic, but it's perhaps his youth, the joy in his face.

Just from his pictures, you could see that he was a happy young man, happy in his life choice, happy in his wife choice, happy in his family.

We owe him way more than he got in life. We owe you way more than we left you with. And I don't know how we make that up. But we have an obligation to the city, to you, to Wilbert Mora's family, to the NYPD. And every person puts on the uniform every day not knowing if they're going to make it home at night, to their family not knowing if they're going to make it home at night. So my condolences, for what it's worth; our obligation to those who every day are willing to take that risk that they won't make it home at night, for those of us to sit here in this room.

God bless you. God bless your family. And God bless the members of law enforcement of this state. Thank you.

THE PRESIDENT: Senator Palumbo on the resolution.

SENATOR PALUMBO: Thank you, Mr. President, for allowing me the opportunity to speak briefly on this resolution. And I'll be brief, in the interests of sounding repetitive.

But it's important and bears repeating that this is again a reminder of the fact that our men and women of law enforcement are human beings, that their family members, their husbands and wives, their fathers and mothers, sons and daughters, aunts and uncles -- as I've mentioned many times in the Legislature, my father was a homicide detective. And there are sacrifices that you make even before tragedy like this strikes.

They're missing the Fourth of July barbecues, they're missing family events -- because obviously they're on a rotating 24-hour schedule -- to sacrifice their own personal well-being, putting that behind the interests of our communities and our safety, the fact that we can put our heads on the pillow at night knowing that there are people there, well-trained to do what they can to protect us.

And then occasionally tragedy strikes, because they're dealing with crime, they're dealing with bad people. And you don't leave the house that day, when you kiss your wife or husband on the cheek, and someone's going to walk around with a sign and say this will be the

day where you really need to be ready, because tragedy may strike.

So I just rise to give my condolences to Dominique and her family, as well as the Mora family. This is just, again, that reminder that these folks every day are doing their best to keep us safe.

And so God bless the families of these individuals, God bless all of our men and women in law enforcement, and let's not forget the fact that they are there every day for us, 24 hours a day.

Thank you, Mr. President.

THE PRESIDENT: Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Mr. President.

You know, this is one of those occasions where you think you know what you're going to say until you absorb the gravity of the moment. And Senator Savino mentioned it, sorry isn't enough. It is very difficult -- and many of us have been to many funerals or wakes for members of law enforcement and members of other occupations, and you give your condolences and

you say "Sorry," but it isn't enough. And quite frankly, Mr. President, it couldn't be enough.

I just want to say thank you. And I just want to remind us that we have a debt as members of society beyond those that we carry out as duly elected members of the Legislature. It is something simple, it is something that I think that we forget, sometimes, in chambers of different parties and sometimes in areas where we have different affiliations: We have a duty to just be good people to each other. We have a duty to simply be kind to each other. We have a duty to simply remember that we only have one life to live.

And in recent years, in recent days and times based upon the pandemic and based upon these unfortunate incidents, I realize that life is in fact far too short. And every single second matters. It's not just about giving your condolences now while it's fresh, it's about making sure that we remember the Rivera and the Mora families six months from now, folks, a year from now.

Likely, if our friends in the City Council do right, there will be street signs

that memorialize your name, the names of your families. It's well beyond the street signs or the resolutions or the proclamations or whatever the case may be. It is a reminder that we have to make sure that we stick with these families going forward.

And again, I -- it's difficult to encapsulate the moment. I want to say thank you to members of law enforcement. I want to say thank you to the families of the members of law enforcement who serve along with those members. Quite frankly, I can't imagine a vocation -- or me doing the vocation, because I know I couldn't do your job. But the gravity of your job is one that you don't know what the chances are of you returning home that night. And that's something that is a very heavy weight.

So I want to say thank you for doing that. And to -- and thinking about the gravity of what your last words could possibly be on this earth. What is it that you said to your loved ones this morning? What was the last text message you sent to somebody that you love? Dare I say, make it count. Dare I say, make it reflect what you feel for that person in that

time.

Dominique, thank you for teaching us that in your solemn words. To the Rivera and Mora families, God bless you forever. To members of law enforcement throughout the state, thank you for taking a vow to keep folks like us safe every day.

Thank you, Mr. President.

THE PRESIDENT: Senator Sepúlveda on the resolution.

SENATOR SEPÚLVEDA: Thank you. I rise to speak in support of these two resolutions.

Words cannot express the sadness and sorrow that we all felt when we heard of the news of these two special young men dying the way they did. Jason and Wilbert were examples, role models for many of us in the communities that we represent. These are young men whose families, or they, came from the Dominican Republic. They came here to educate themselves. They did everything right, and ultimately came back to help the communities that they are a part of.

Jason and Wilbert will be role models and examples for many children in our

community, many children in the Latino community, and many children in the Dominican community. And for that, we must always honor them.

(In Spanish, translation as follows.) I want to offer condolences to the families of Wilbert and Jason. We know that they gave the ultimate sacrifice in their service for the community. They will always be examples for our youth of how to do things right -- to educate themselves, to protect their community, to be examples for generations of their community, especially the Dominicans.

We are here honoring and celebrating these two young men, and for the rest of us, we want to assure you that we will never forget your sacrifice. And we thank you for being here with us. And allow us to let you know that they will always be in our hearts and we will always, always honor them for what they did for our community. Thank you very much.

THE PRESIDENT: Senator Kennedy on the resolution.

SENATOR KENNEDY: Thank you, Mr. President.

First of all, let me start by

sending my deepest condolences to the families of Detective Wilbert Mora and Detective Jason Rivera.

To the widow of Detective Rivera, words cannot describe how sorry we feel as a community, as a state, and as a nation for what you have given. To the Rivera family and to the Mora family, our hearts pour out for you.

You know, I represent the City of Buffalo, come from Western New York. I've always had a deep affinity for police officers. It was taught to me as a young boy, a young man, as an adult to think about those that -- the men and women in blue, they put on the uniform, they answer the call. No matter who it is, they show up. They don't ask questions, they just show up.

My grandfather was a Buffalo police officer. My cousin was a police officer in the City of Lackawanna that I also represent. I have a brother-in-law who's a State Trooper. I have a brother who's in law enforcement as a border patrolman for our country.

I continue to have a deep affinity for law enforcement. On the night these two heroes were murdered, I was in the City of

New York, just blocks away. I was at Rosie O'Grady's for the Irish Echo law enforcement community service celebration honoring the best of the best, those individuals that have given so much and have reflected the values of the Irish heritage. Mayor Adams was there, the NYPD commissioner was there, many leaders from throughout the NYPD and throughout the nation, quite frankly, were there. Celebrating, revelry.

At a point during the night, the word went out that there were two cops that were shot. No one knew at that moment what had happened. The mayor left, the commissioner left, many of the leaders left. I went back to Buffalo. By the time I was to JFK, I had heard the sad and tragic news. By the time I got home, I heard further sad and tragic news. I was up till early in the morning watching as the nation paid attention to what was happening on the streets of our great City of New York. These two fine officers, detectives, in the line of duty went in and didn't come out.

Words cannot describe how deeply I feel for each and every one of you family members, the NYPD family, the New York City

family -- and, quite frankly, everyone in law enforcement, every community, because we depend on those in law enforcement to protect us. And when Detective Rivera and Detective Mora were killed that night, they took the best of us, all of us.

We have an obligation to remember them, to recognize them and to honor them in everything that we do from here on out. In our own daily lives in this chamber and without this chamber, outside of this chamber, it is imperative that we recognize those that are out there sacrificing on a day-to-day basis, and their families who sacrifice so much while their loved ones are out answering that call.

May Detective Rivera and Detective Mora rest in peace. And God bless them, and God bless your families.

Thank you, Mr. President.

THE PRESIDENT: Senator Reichlin-Melnick on the resolution.

SENATOR REICHLIN-MELNICK: Thank you, Mr. President.

There has been much that's been said today, most of it much more eloquent than I could

possibly be. But I want to rise first of all to express my condolence to the families of Detective Rivera and Detective Mora. As has been said so many times, we owe them a debt of gratitude, and we owe a debt of gratitude to everybody who puts on a uniform and serves.

There are not many professions out there where you never know, when you leave your house in the morning, that you're going to come back that evening. The military, the fire services, and our members of law enforcement face that risk when they go out.

We are incredibly grateful to them here in the Senate and throughout New York State. I represent a district where there are many members of law enforcement, many men and women who serve in the NYPD and other departments around the tristate area, and any one of those people could have found themselves in the same position that these two brave detectives faced that night.

So I hope and I pray and I strive, and I know we all do, for a society where people with mental illness get the treatment they need, where our streets are not awash with guns, and

when no more law enforcement members face this type of occasion ever, ever again.

I proudly support these resolutions.

THE PRESIDENT: Senator Serino on the resolution.

SENATOR SERINO: Thank you, Mr. President.

To the Rivera and Mora families, words can definitely not express the way we feel. But I have to tell you, as a body here, we have a duty and an obligation to make sure that our law enforcement is provided with the tools that they need to keep not only the public safe, but themselves.

Dominique, your words that day will stick with me forever. And please keep your voice going. Thank you, and God bless all of our law enforcement.

And when we say thank you, thank you stands for honor, respect and gratitude. And we here have to show that to you.

Thank you. God bless you each and every one of you.

THE PRESIDENT: Senator Borrello on the resolution.

SENATOR BORRELLO: Thank you, Mr. President.

My condolences, sincere condolences to the families there. But I want to say to my colleagues on the other side of the aisle, you are in a unique position today. You are in a unique position to physically look into the eyes of these families.

And I hope that it motivates you to set aside the politics and the rhetoric. I hope that it motivates you to look at the tragedy that we have seen happen and to fix what this Legislature has broken when it comes to law enforcement and the safety of our law enforcement officials.

That's -- everything else we say here, very nice words. Thank you, all heartfelt. But they are just words. Actions are what counts. And if we want to honor these fallen police officers, those actions mean fixing what we broke here in this chamber.

Thank you, Mr. President.

THE PRESIDENT: Senator Ortt on the resolution.

SENATOR ORTT: Thank you,

Mr. President.

Words aren't enough. Unfortunately, today that's all we have. All we have is words to try and bring some solace, some comfort to the families who are forever changed, who have made one hell of a sacrifice to protect our communities.

That we often think -- just like the soldiers, we have to think of the police officers, and we should. But sometimes we forget the families. They bear the cost, they bear that sacrifice just as much as the men and women who put the uniform on.

And in fact, today is a reminder that they bear it even after the full price is paid by those who wear the uniform. These families will bear it forever. They're a part of a select group of people that they never wanted to be part of.

So to those families, I give you my condolences. You are in my prayers. I am deeply sorry that you are here under these circumstances.

I do want to thank the Majority for bringing forward this resolution, because it is

important. These resolutions are important, that we recognize the sacrifice of two New Yorkers.

But it's -- it is equally important, Mr. President, if we really want to honor these families, and if we really want to honor the legacy of what Officers Rivera and Mora lived for and what they died for, then we need to rethink our priorities and our policies and our rhetoric.

Because while Officers Rivera and Mora have paid the ultimate sacrifice and they're gone, there are tens of thousands of other officers right now, their brothers and sisters, who are out in just as dangerous situations as they found themselves in that night.

And if we really want to honor their legacy and their memory, they would want us to support their brothers and sisters who had their back on so many nights, to prevent such a future tragedy. I don't want to name a street after another fallen officer. I don't want to do it. You shouldn't want to do it. And we should do everything in our power to prevent that from occurring.

It's a dangerous job, there's no question about it. But we need to make sure that

we are doing things to make it less dangerous for people like Officers Mora and Rivera, and not more dangerous. We need to be doing things that create -- that do not create more families whose only claim to fame is that they lost a husband, a wife, a son or a daughter, or a brother or a sister in service to the state, to New York City, to this community.

Even last night in the State of the Union, President Biden made a point to talk about actions, providing our men and women in uniform with the resources they need to protect us. That would be the best thing we could do to honor the sacrifice of these two brave New Yorkers.

Thank you, Mr. President.

THE PRESIDENT: Leader Senator Stewart-Cousins on the resolution.

SENATOR STEWART-COUSINS: Thank you so much, Mr. President.

And I want to thank Senator Cleare for bringing the resolutions and for inviting the families and for the presence of the family, the Rivera family and the members of the 32nd Precinct.

I want to thank you for gracing this

chamber on a very different day for us. It's different because this is actually more people in the chamber than have been here in two years. It's actually the first time that many of us have seen each other's faces because of what we'd all experienced.

And for this auspicious occasion to be the one where we are here, present, accounted for, where we are here unmasked and in complete humility because you took the time to come, we say, yes, our deepest condolences. And yes, words are not enough. And what we do here matters. And if what we could do would be to take, you know, an illegal gun out of a crazy person's hand who was hiding in a closet, we would do that. We can't.

What we can do is honor the memory of these two great detectives, Detective Mora, Detective Rivera, who put on those uniforms, who understood who they were at very young ages and went out every day with one goal in mind, to serve the community that they were so much a part of.

My brother was in law enforcement, and he did the same thing when he was young.

When he came back from the Marines, he put on that uniform, went into the community, because he wanted to make a difference. He survived his dream, and we're grateful. But Wilbert and Jason didn't survive their dream.

But their dream survives. It survives in the understanding that there is so much to do on the part of every single one of us to honor the dreams of someone who only wants to serve. And to make it easy for them to do that. And to give the supports that they need to do that. This dream survives because we know that none of us can dream if it doesn't.

And so we stand here on this very unusual day, all of us present and accounted for, honoring them with resolutions. The resolutions, the words of the resolutions will stay in the history of this chamber for time immemorial. But what will also stay is the memory of you, of all of you. Of you, Dominique, of the Mora family, of the sacrifices of good police officers who are working every day to help us.

And we commit to work every day to help keep that dream alive so that we can all dream bigger dreams. God bless you.

Mr. President, I certainly support the resolutions.

THE PRESIDENT: Thank you, Madam Leader.

The resolutions were previously adopted on February 15th.

To our guests, Dominique Rivera, wife of Detective Rivera; her mother, Lilliana; the 32nd Precinct in the village of Harlem, I welcome you on behalf of the Senate. We extend to you all of the privileges and courtesies of this house.

Please rise and be recognized.

(Sustained standing ovation.)

THE PRESIDENT: Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

And thank you again to the Rivera and Mora families for joining us.

At the request of Senator Cleare, these two resolutions are open for cosponsorship.

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

Senator Gianaris.

SENATOR GIANARIS: At this point, Mr. President, I know there's a report of the Finance Committee at the desk.

Can we please take it up and call on Senator Krueger.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Senator Krueger, from the Committee on Finance, reports the following nominations:

As Commissioner of the Office for People with Developmental Disabilities, Kerri Neifeld.

As Secretary of State, Robert Rodriguez.

THE PRESIDENT: Senator Krueger.

SENATOR KRUEGER: Thank you very much.

First I would like to take up the nomination of Kerri Neifeld to the position of the commissioner of the Office for People with Developmental Disabilities to the floor. I'd like to speak briefly and then open it up to any other Senator who would like to speak on Kerri's

nomination.

Ms. Neifeld is an extraordinary nominee from the Governor, so first I want to thank Governor Hochul for recommending her to this position. She has already been working at the department for quite a while and proved her stuff even before she had an opportunity to come and meet with the Senate committees and the appropriate Senate chairs.

She has an extraordinary history and background in this field and in government. I'm not going to read her very long vitae, but I think on a day where we are honoring people who have given their lives for the state -- and my condolences go out to all of you -- that also recognizing the extraordinarily talented people we have in the State of New York who could choose to do many things with their lives but choose public service, Mr. President, and make commitments to the people of New York.

And certainly to be the commissioner of the Office for People with Developmental Disabilities is a calling in addition to a career. It is extraordinarily challenging and amazing work, working with the actual clients of

OPWDD, working with their extraordinary families, who fight every day to make sure that their family members are getting the services and help that they need.

And I'm just delighted that we are going to be confirming Ms. Neifeld today.

And now I'd like you to invite any other members who would like to speak.

THE PRESIDENT: Senator Mannion on the nomination.

SENATOR MANNION: Thank you, Mr. President.

Last month the Senate Disabilities Committee had the opportunity to question Acting Commissioner Kerri Neifeld, who is Governor Hochul's nominee for OPWDD commissioner.

We asked questions about housing, employment, workforce, self-direction and, most importantly, how we are going to collectively address the issues related to the multiple crises that exist that are due to the fact that we are short on workforce.

We asked about complex government programs with federal funding streams administered by the state.

These are difficult questions. But one thing is clear. Kerri Neifeld is intelligent and qualified. She knows the agency and the issues. And she's well aware of the gravity of the responsibilities before her.

She's an Elmira College and University at Albany graduate and has worked in social services her entire career, including with at-risk youth. She has extensive academic and New York State government experience. And I am confident that her life of service to others, including our most vulnerable populations, will serve her well in her new role.

Governor Hochul has made a wise selection in Kerri Neifeld. As a committee chair, as a parent, and as a member of New York State, I'm looking forward to working together to deliver the reforms and results that our loved ones with disabilities need and deserve, and I am pleased and honored to vote in favor of her confirmation.

Thank you, Mr. President.

THE PRESIDENT: Senator Martucci on the nomination.

SENATOR MARTUCCI: Thank you,

Mr. President.

I proudly rise as the ranking member of the Developmental Disabilities Committee in support of this well-qualified nominee.

In preparation for coming here today, I received countless calls, seemingly countless calls from disability advocates, including the president and CEO of The Center for Discovery in my district, one of the state's largest disability providers, Patrick Dollard, who called me in strong support of Ms. Neifeld's confirmation.

Prior to today, I had the opportunity to meet with Ms. Neifeld and found that she's laser-focused on the most important issue that faces the I/DD community here in the State of New York right now, which is the staffing crisis. I found Ms. Neifeld to be fully transparent, entirely responsive, and 100 percent committed to improving the lives of I/DD New Yorkers.

In other words, she's here to be a partner with all of us in fixing some of the greatest problems that we face in this sector.

Mr. President, Kerri Neifeld is a

breath of fresh air. I'm proud to support her nomination as commissioner of OPWDD, and I look forward to working with her on these critical staffing issues and other challenges in the months and years to come.

Congratulations to Kerri and best of luck to her.

Thank you, Mr. President. I proudly vote aye.

THE PRESIDENT: The question is on the nomination.

Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

THE PRESIDENT: The nominee is confirmed.

Commissioner Neifeld, please rise and be recognized.

(Sustained applause.)

THE PRESIDENT: The Secretary will continue to read.

THE SECRETARY: As Secretary of State, Robert Rodriguez.

THE PRESIDENT: Senator Krueger.

SENATOR KRUEGER: Thank you,

Mr. President.

I rise again to move the nomination of Robert Rodriguez to the position of Secretary of State to the floor.

I'd like to speak briefly on Robert and then invite any other member of the Senate to speak on his nomination.

So Robert Rodriguez was an Assemblymember until just a few months ago, an Assemblymember who actually had got to overlap a Senate district with myself in Manhattan, so I've known him for quite a few years.

And he is an intelligent, thoughtful legi -- was a legislator, and he again also represents exactly the kind of people we want to see as our nominees from the Governor. So again, I must thank Governor Hochul for recommending him to us.

The Secretary of State's job is fascinating because it's so diverse. People who haven't gone and read through the website don't understand how mixed-bag it is to be the Secretary of State and how many different departments of the State of New York you oversee.

But you know what, Robert's training

and background in business and in government I think give him a perfect place to be bouncing off into the Secretary of State responsibilities. I'm very confident he will work well with the Legislature, since he already knows so many of us in both houses. And I know that I've already given him a list of things I hope he will be working on as the new Secretary of State. And I wouldn't be surprised if other colleagues haven't already done the same.

So in just a little bit of advance, I'm congratulating him on his new position, because I am very sure that we are going to be moving his nomination this afternoon.

Thank you, Mr. President.

THE PRESIDENT: The question is on the nomination.

Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Those Senators voting in the negative on the nomination are Senators Akshar, Borrello, Boyle, Griffo, Helming, Jordan, Lanza, Martucci, Mattera,

Oberacker, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik. Also Senator O'Mara.

THE PRESIDENT: The nominee is confirmed.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

At this time let's take up the reading of the calendar.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 110, Senate Print 484A, by Senator Krueger, an act to amend the Public Health Law and the Civil Rights 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: Ayes, 63.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 211, Senate Print 134, by Senator Mayer, an act to amend the Banking Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: In relation to Calendar 211, those Senators voting in the negative are Senators Borrello, Boyle, Jordan, Martucci, O'Mara, Palumbo, Rath, Stec and Weik.

Sorry, once again, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Griffo, Jordan, Martucci, Oberacker, O'Mara, Palumbo, Rath, Stec, Tedisco and Weik.

Ayes, 50. Nays, 13.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 219, Senate Print 1202, by Senator Harckham, an

act in relation to directing the State Board of Real Property Tax Services to conduct a study on real property tax saturation.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 4. 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 219, voting in the negative: Senator Akshar.

Ayes, 62. Nays, 1.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 220, Senate Print 1317A, by Senator Gaughran, an act to amend the Real Property Tax 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, 63.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 237, Senate Print 2925, by Senator Kennedy, an act to amend the Vehicle and Traffic Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 63.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 238, Senate Print 3150, by Senator Comrie, an act to amend the Vehicle and Traffic Law.

THE PRESIDENT: Read the last section.

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

shall have become a law.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 63.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 240, Senate Print 4450, by Senator Stavisky, an act to amend the Vehicle and Traffic Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first of April.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: In relation to Calendar Number 240, those Senators voting in the negative are Senators Borrello, Jordan, Martucci, O'Mara, Palumbo, Rath, Stec and Weik. Also Senators Akshar, Oberacker and Ortt.

Ayes, 52. Nays, 11.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 242, Assembly Print Number 8493A, by Assemblymember Paulin, an act to amend Chapter 3 of the Laws of 2020.

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, 63.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 245, Senate Print 5035, by Senator Parker, an act to amend the Mental Hygiene Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the

results.

THE SECRETARY: Ayes, 63.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 357, Senate Print 3967A, by Senator Reichlin-Melnick, an act to amend the Real Property Tax Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first of January.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: In relation to Calendar Number 357, voting in the negative: Senator Brisport.

Ayes, 62. Nays, 1.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 406, Assembly Print Number 2440, by Assemblymember Reyes, 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, 63.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 413, Senate Print 1391A, by Senator Brooks, an act to amend the Vehicle and Traffic Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 13. This act shall take effect on the 180th day after it shall have become a law.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 63.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 424, Senate Print 813, by Senator Biaggi, an act

to amend the Executive Law.

SENATOR GIANARIS: Lay it aside for the day.

THE PRESIDENT: Lay it aside for the day.

THE SECRETARY: Calendar Number 458, Senate Print 778A, by Senator Thomas, an act to amend the General Business Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first of January.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: In relation to Calendar 458, those Senators voting in the negative are Senators Borrello, Griffo, Helming, Jordan, O'Mara, Ortt and Rath.

Ayes, 56. Nays, 7.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 460, Senate Print 1735, by Senator Skoufis, an act to amend the General Business Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 63.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 488, Assembly Print Number 8306, by Assemblymember Cahill, an act to amend the Insurance Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 63.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 497, Senate Print 2143A, by Senator Kavanagh, an act to amend the Banking Law.

SENATOR LANZA: Lay it aside.

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

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

THE SECRETARY: Calendar Number 528, Senate Print 3476, by Senator Parker, an act to amend the Mental Hygiene Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 63.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 537, Assembly Print Number 7946A, by

Assemblymember Weprin, an act to amend Chapter 188 of the Laws of 1978.

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, 63.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 539, Senate Print 4469, by Senator Mannion, an act to amend the Mental Hygiene Law and the Social Services Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 4. This act shall take effect April 1st.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 63.

THE PRESIDENT: The bill is passed.

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

SENATOR GIANARIS: Mr. President, if we can return to motions for a second, I want to call up Senator Biaggi's bill, Senate 812A, recalled from the Assembly, which is now at the desk.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 381, Senate Print 812A, by Senator Biaggi, an act to amend the Executive Law.

SENATOR GIANARIS: Move to reconsider the vote by which the bill was passed.

THE PRESIDENT: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

THE PRESIDENT: The bill is restored to its place on the Third Reading Calendar.

SENATOR GIANARIS: I offer the following amendments.

THE PRESIDENT: The amendments are

received, and the bill will retain its place on the Third Reading Calendar.

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

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

SENATOR GIANARIS: Mr. President, I'd like to announce that there will be a Majority conference, virtually, immediately following session.

And with that, I move to adjourn until tomorrow, Thursday, March 3rd, at 11:00 a.m.

THE PRESIDENT: There will be a Senate Majority virtual conference immediately after session.

And on motion, the Senate stands adjourned until Thursday, March 3rd, at 11:00 a.m.

(Whereupon, at 4:17 p.m., the Senate adjourned.)