NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 8, 2022

3:41 p.m.

REGULAR SESSION

SENATOR SHELLEY B. MAYER, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT MAYER: 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 MAYER: 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 MAYER: Reading of the Journal.

THE SECRETARY: In Senate, Monday, March 7, 2022, the Senate met pursuant to adjournment. The Journal of Sunday, March 6, 2022, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Gaughran

moves to discharge, from the Committee on Health, Assembly Bill Number 7886 and substitute it for the identical Senate Bill 7012, Third Reading Calendar 446.

ACTING PRESIDENT MAYER: 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: Good afternoon, Madam President.

On behalf of Senator Rivera, on page 23 I offer the following amendments to Calendar Number 449, Senate Print 6522, and ask that said bill retain its place on Third Reading Calendar.

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

Senator Gianaris.

SENATOR GIANARIS: On behalf of

Senator Hinchey, I move to amend Senate Bill 4082A by striking out the amendments made on March 7th and restoring it to its original print number, 4082.

ACTING PRESIDENT MAYER: So ordered.

SENATOR GIANARIS: On behalf of Senator Kaplan, I wish to call up Senate Print 536, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 100, Senate Print 536, by Senator Kaplan, an act to amend the Real Property Law.

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

ACTING PRESIDENT MAYER: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

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

SENATOR GIANARIS: I now offer the

following amendments.

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

SENATOR GIANARIS: I now move to adopt the Resolution Calendar, with the exception of Resolutions 1958 and 1959.

ACTING PRESIDENT MAYER: All those in favor of adopting the Resolution Calendar, with the exception of Resolutions 1958 and 1959, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed?

(No response.)

ACTING PRESIDENT MAYER: The Resolution Calendar is adopted.

Senator Gianaris.

SENATOR GIANARIS: At this time let's take up Resolution 1958, by Senator Cooney, read its title only and recognize Senator Cooney.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Senate Resolution 1958, by Senator Cooney, commending the Eastman School of Music of the University of

Rochester upon the occasion of celebrating its 100th Anniversary.

ACTING PRESIDENT MAYER: Senator Cooney on the resolution.

SENATOR COONEY: Thank you, Madam President.

I rise in support of today's resolution, which celebrates the centennial anniversary of the Eastman School of Music at the University of Rochester. For 100 years, the Eastman School has set the standard for leadership in music and has touched the lives of countless students and faculty members.

As someone who grew up in the City of Rochester, the Eastman School is more than just an educational and cultural institution. For me, it's like a second home. I grew up as a student studying voice, I studied in the studio of Pat Alexander as part of the Community Education Division, where I got a scholarship to take lessons during my high school years.

I'm so proud to have had that time in the Eastman School -- and to now celebrate 100 years is personally very meaningful to me.

The Eastman School continues to

invest in enriching our entire Finger Lakes region, through their community focus -- music lessons and workshops, as well as free tuition offerings to local students. Eastman is committed to creating access to music and leaving a lasting impression for the next generation of New York musicians.

So congratulations to the Eastman School of Music on their centennial celebration, and we look forward to continuing to build upon many future years of success.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Cooney.

The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed, nay.

(No response.)

ACTING PRESIDENT MAYER: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Now let's move on to Resolution 1959, by Senator Gaughran, read

that resolution's title, and recognize Senator Gaughran.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Senate Resolution 1959, by Senator Gaughran, congratulating Roger Clayman upon the occasion of his retirement as Executive Director of the Long Island Federation of Labor after many years of distinguished service.

ACTING PRESIDENT MAYER: Senator Gaughran on the resolution.

SENATOR GAUGHRAN: Thank you, Madam President.

Today it is my great honor to speak about our friend Roger Clayman, who recently retired as executive director of the Long Island Federation of Labor after many distinguished years.

It's a testament to Roger's keen leadership skills that the Long Island Federation of Labor remains the leading and really only voice for 250,000 men and women on Long Island and their families regionally.

And Roger has also been a national

leader -- not just locally here in the state and on Long Island. He received his bachelor's degree from Oberlin College in Ohio, and then he began to work with the national AFL-CIO, where he worked organizing campaigns throughout the United States.

Just a few of his accomplishments. In 1978 he assisted the American Federation of Teachers in successfully organizing 600 professionals at the University of Connecticut Health Center.

1980, he helped organize a campaign at Yale University for 2600 clerical and technical employees joining the Hotel and Restaurant Employees Union.

1997, he was the Northeast Regional Coordinator for the Strawberry Campaign, fighting on behalf of the United Farmworkers.

And he's also represented the AFL-CIO in many high-profile newspaper strikes, including the New York Daily News in 1991.

He joined the Long Island Federation of Labor in 2005, and his tenacity on behalf of the men and women he has represented has made our community and our state a much greater place.

So I want to congratulate Roger on all his many years of service. I know he's going to continue to do many great things, but I also want to wish him a wonderful retirement.

And I vote in the affirmative, Madam President. Thank you.

ACTING PRESIDENT MAYER: Thank you.

Senator Mattera on the resolution.

SENATOR MATTERA: Thank you, Madam President.

This is a very, very special day, but a sad day in a lot of ways because of a very, very special union leader, Roger Clayman.

And I want to first thank Senator Gaughran for sponsoring this resolution for a very, very special man.

Roger is special to everybody. The way Roger just comes about with his grace and with his swagger, how he handles speaking to people. Roger is respected, he's admired, he's beloved, he's valued and he's appreciated.

So Roger has been a mentor to me. When I first was brought up to run for the New York State Senate, Roger's first words to me was: "Mario, I am in your kitchen cabinet." I

didn't understand that in a lot of ways. Kitchen cabinet, what did that mean? Meaning that he's there for me always.

I want to thank that Roger has been the voice of labor for close to 50 years. And there's a man that anytime that he walks into a room, people gravitate to him.

He worked tirelessly protecting the rights of all of his members. And for the 250,000 members -- you know, I represent close to 60,000 members with the Nassau-Suffolk Building Trade, and Roger represents 250,000 members.

He made sure that he protected the hardworking men and women of labor with their wages, their healthcare, their pensions, to all union affiliates in the whole State of New York.

Roger also is -- he has a partner with another gentleman named John Durso. John Durso and Roger Clayman would walk into a room, and they would call them the dynamic duo for a reason. Because you know what, they cared about the hardworking men and women of labor.

You know, now Roger, leaving, of course to put somebody in his place, that's a hard -- those are tough shoes to fill. But with

a man named Ryan Stanton that's been mentored by Roger, we have somebody that's going to be great to be a legislative director with the Federation of Labor. Yes, but still very, very hard shoes to fill.

So I want to congratulate really Roger's wife, Lillian, his two children, David and Rebecca. And there's Roger, with three grandchildren that he will go and have fun with.

But I know Roger Clayman will not be leaving, especially being a labor leader like myself. It's just in your blood, that he cares about -- again, I always say this, the hardworking men and women of labor.

And I just want to say congratulations to Roger and his family.

And Madam President, I just want to say -- of course it's my honor to say "Let's pass this resolution today."

Thank you so much.

ACTING PRESIDENT MAYER: Thank you, Senator Mattera.

Senator Kaplan on the resolution.

SENATOR KAPLAN: Thank you, Madam President.

It is a rare thing in this business to meet someone as real and authentic as Roger Clayman. But from the first time I met Roger, I knew that he was the real deal.

His contributions to our community and labor movement are extensive and well-known: Leading numerous successful campaigns to organize workers across the region; charting a course for smarter, more sustainable development across Long Island; and being a passionate voice for the needs and interests of over 250,000 members of the Long Island Federation of Labor.

I've been blessed to call Roger a friend throughout my time as a public official, and I'm standing in these chambers as a New York State Senator thanks in no small part to his encouragement and support.

So today as we pause and recognize Roger for everything he's done on behalf of the State of New York, I want to thank Roger for always standing up for what is right, giving a voice to working families in our community, and for always being in my corner too.

Thank you, Roger, and congratulations in your retirement. I know

you're retiring, but we know where to find you, and you're not going far enough.

(Laughter.)

SENATOR KAPLAN: Thank you.

ACTING PRESIDENT MAYER: Thank you, Senator Kaplan.

The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed, nay.

(No response.)

ACTING PRESIDENT MAYER: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: The sponsors of the two resolutions we just took up would like to open them for cosponsorship.

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

Senator Gianaris.

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

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 81, Senate Print 5065, by Senator Persaud, an act to amend the Labor Law.

ACTING PRESIDENT MAYER: 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 MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 81, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Stec, Tedisco and Weik.

Ayes, 44. Nays, 19.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

335, Senate Print 3920, by Senator Sanders, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 346, Senate Print 1187A, by Senator Gianaris, an act to amend the Insurance Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 351, Senate Print 8054, by Senator Mannion, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Mannion to explain his vote.

SENATOR MANNION: Thank you, Madam President.

I rise in the spirit of good government, thoughtful planning, and turning the lessons of the pandemic into sound and meaningful state policy.

The Disabilities Committee has

closely examined OPWDD's COVID response. My job as committee chair is to provide robust oversight over OPWDD, and the lack of an emergency staffing plan is glaring.

The pandemic exacerbated long-standing workforce issues in the care economy and has propelled us into a full-blown crisis. It's now in a perpetual state of emergency, which is a huge multipronged problem that this body must address.

So one way we can start and continue our work is by having a staffing plan, a real blueprint on how to fortify this workforce during this current day-to-day emergency we are living in, and for any contingencies that may arise next week or six months from now, or five years from now.

This is smart, it's proven, and it should have been done a long time ago. I believe this type of emergency planning -- if this type of emergency planning were in place already, we'd be feeling much less pain across the system and all of our offices would be receiving fewer phone calls from concerned family members.

OPWDD must have an actionable

emergency staffing plan, and for that reason I vote in the affirmative.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Senator Mannion to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 384, Senate Print 1958, by Senator Krueger, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 6. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 384, voting in the negative: Senator Helming.

Ayes, 62. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 388, Senate Print 5063, by Senator Jackson, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator May to explain her vote.

SENATOR MAY: Thank you, Madam President.

This International Women's Day is an appropriate day to be taking up this bill, which guarantees to caregivers the same protections and employment that other protected groups get.

Because women are typically the caregivers, and women have been discriminated against either for their childcare or senior-care

responsibilities, it is really appropriate and I'm grateful to Senator Jackson for bringing this bill forward.

But this bill for me is personal. On my 27th birthday my fiance, Frank, was diagnosed with terminal brain cancer. It was the middle of August, I was getting ready to go back to work as a teacher at a private school in Connecticut, and I called the dean of the faculty to ask if Frank could come and live with me in campus housing, where I was supposed to be living, while he underwent radiation treatment at a nearby hospital.

And the dean said, "No, he can't live with you on campus housing. And moreover, we don't think you should come back, because we don't think that you will be able to give your full attention to your students and your duties here."

So in addition to being faced with this kind of unimaginable tragedy, I also was out of a job. And I had no recourse. I was not married to Frank at the time. There was nothing that I could do legally about this.

But with this bill, here in New York

we are protecting people who are doing the caregiving and also need to have a job. And I think that is fundamental and basic, and I'm really grateful for Senator Jackson's bill.

And I vote aye. Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 388, those Senators voting in the negative are Senators Akshar, Borrello, Lanza, Oberacker, O'Mara, Ortt, Rath and Stec.

Ayes, 55. Nays, 8.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 446, Assembly Print Number 7886, by Assemblymember Gottfried, an act to amend the Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Weik to explain her vote.

SENATOR WEIK: Thank you, Madam President. I rise today to explain my vote on this legislation.

Earlier today some of my colleagues across the aisle attended a rally and held up a sign that depicted a plane labeled "Climate Change" and headed toward the Twin Towers.

My colleagues, for whatever sick and twisted reason, thought it was appropriate to use imagery from the worst attack this state has ever seen, and use it as a prop to promote their partisan agenda. Every New Yorker should be disgusted at this shameful use of September 11th imagery to promote their political agenda.

SENATOR GIANARIS: Madam President. Madam President.

(Overtalk.)

ACTING PRESIDENT MAYER: Yes. Why do you rise, Senator Gianaris?

(Overtalk.)

ACTING PRESIDENT MAYER: Excuse -- point of order.

SENATOR GIANARIS: Madam President, let's try and keep comments germane to the bills before us. I understand there's a desire to score political points, it's part of the job. But what we do --

SENATOR WEIK: (Inaudible overtalk.)

SENATOR GIANARIS: If I may. I have the floor.

ACTING PRESIDENT MAYER: Senator -- Senator Weik, let Senator Gianaris finish, please.

SENATOR GIANARIS: We take great care, we use great latitude in letting our colleagues express themselves. What Senator Weik is talking about has absolutely nothing to do with the bill before us right now. She's welcome to go outside the chamber and have a press conference if she chooses.

But let's try and talk about the bill that's before the house. Otherwise, I would ask the chair to rule her not germane.

ACTING PRESIDENT MAYER: Senator Lanza, why do you rise?

SENATOR LANZA: Madam President, we

have a tradition here on this floor that members are permitted to stand up and explain to the people in this house and to the people of the State of New York their reason, which is personal to them, with respect to why they are either voting in the affirmative or in the negative on any piece of legislation.

Now, I've heard for years explanations that didn't seem to make sense to me, but of course they made sense to the person making their vote.

And so for Senator Weik, she is telling the people on this floor and around New York why she -- what her personal reason is for voting -- for the way she is voting on this piece of legislation. And we should not be getting into the minds of our colleagues in terms of why or why not they are voting for legislation.

ACTING PRESIDENT MAYER: Senator Weik, could you keep your comments as to your explanation to your vote with respect to this bill, S7012.

SENATOR WEIK: If I may continue.

Every New Yorker should be disgusted

at this shameful September 11th imagery --

SENATOR GIANARIS: Madam President.

ACTING PRESIDENT MAYER: Yes, Senator Gianaris.

SENATOR GIANARIS: I ask you to please end Senator Weik's attempted explanation, which has nothing to do with the legislation before the house.

We are not going to tolerate a circus in the chamber on a bill that has nothing to do with what she is talking about.

I heard Senator Lanza. We often let members speak on a wide variety of issues. We give great latitude to allow that to happen.

But this is an outrageous display, and I would ask Madam President to cut this off. Thank you.

ACTING PRESIDENT MAYER: Senator Weik, limit your comments to the bill-in-chief, the bill -- and you are explaining your vote. Otherwise I will rule it out of order.

SENATOR WEIK: Madam President, I will say that if I could finish my comments, you'll see how it's germane to the bill.

ACTING PRESIDENT MAYER: Well --

SENATOR WEIK: And I would appreciate that courtesy.

ACTING PRESIDENT MAYER: Well, let -- let me remind you that you are explaining your vote with respect to a bill. And rather than finishing your prepared comments, in light of the comments made here, please make your comments relevant to the bill-in-chief and your vote.

SENATOR WEIK: So as the wife and mother of law enforcement, I can tell you that New York -- I hail from a community that's lost hundreds of brave men and women in the September 11th attacks. And I cannot contain my anger and disgust at the behavior of my colleagues --

ACTING PRESIDENT MAYER: Senator Weik, how do you vote on the bill?

SENATOR WEIK: I vote in the affirmative.

ACTING PRESIDENT MAYER: Thank you.

Senator Weik is to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 526, Senate Print 3083, by Senator Salazar, an act to establish an LGBT youth and young adult suicide prevention task force.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

THE SECRETARY: Calendar Number 556, Senate Print 4844B, by Senator Biaggi, an act to amend the Labor Law.

ACTING PRESIDENT MAYER: 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 MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

(Off the record.)

ACTING PRESIDENT MAYER: Can we re-read the results of the vote on the last bill.

THE SECRETARY: In relation to Calendar Number 556, voting in the negative: Senator Helming.

Ayes, 62. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 618, Senate Print 5031, by Senator Serrano, an act to amend the Parks, Recreation and Historic Preservation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

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

SENATOR GIANARIS: Let's now move on to the controversial calendar, please.

ACTING PRESIDENT MAYER: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 526, Senate Print 3083, by Senator Salazar, an act to establish a LGBT youth and young adult suicide prevention task force.

ACTING PRESIDENT MAYER: Senator Borrello.

SENATOR BORRELLO: Madam President, would the sponsor yield for a question.

ACTING PRESIDENT MAYER: Senator Salazar, do you yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: Thank you, Senator Salazar. Good to see you.

I'm going to start off with a little explanation. Last week, this bill was on our calendar, and the bill right before this bill

also dealt with suicide prevention. It was S2877, Senator Ramos, Latina suicide prevention task force.

That task force, created with seven members -- one appointed by the Governor; one appointed by the Temporary President, the Majority Leader; one appointed by the Minority Leader of the Senate; one appointed by the Speaker of the Assembly; one by the Assembly Minority Leader; and then two by the Commissioner of Mental Health.

Now, your bill, which deals with LGBT youth suicide, has seven appointments also: One by the Governor, two by the Temporary President of the Senate, two by the Speaker of the Assembly, and two by the Commissioner of Health. No appointments by the minorities.

And my simple question is, why not?

SENATOR SALAZAR: Through you, Madam President. Frankly, we don't see this as a partisan issue, the issue of LGBT youth suicide, suicides and attempted suicides among young people who identify as LGBTQ. We feel that it is sufficient that the Temporary President of the Senate, our Majority Leader, would appoint --

would make two appointments. And likewise for the Speaker in the Assembly.

Would certainly encourage all of our colleagues, regardless of political party, to recommend appointments for the Majority Leader to make, and I imagine that she would consider them as long as they are qualified given the qualifications outlined in the bill for members of the task force.

SENATOR BORRELLO: Madam President, will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield, Senator Salazar?

Yes, the Senator yields.

SENATOR BORRELLO: So I heard your explanation, yet I just explained the previous bill that did indeed have Minority appointments. And since you only have one per person in that one -- you know, obviously two is still a small number, but the bottom line is there's absolutely no requirement for anyone representing the millions of New Yorkers that are in Republican-led districts.

So you're saying it's not a partisan issue, but yet there is only one party that gets

to appoint people to this.

So again, my question is, Why wouldn't we give a diverse group of people the opportunity to be present on this very important issue? And I can tell you, representing a rural community, that this is an issue even in our rural communities.

SENATOR SALAZAR: Through you, Madam President. Absolutely. I think that this is an issue across the State of New York.

There is -- it is mentioned in the legislation that geography should be considered, that the members of the seven-member task force should reflect the geographic diversity of our state and represent the geographic diversity of our state.

I do strongly feel that this is not a partisan issue, in that the Majority Leader, in making her two appointments -- and likewise with the Assembly Speaker -- that they would certainly consider people regardless of their political party.

And there's nothing in the legislation that bars anyone based on their political party or whether they live in a rural

area from participating -- or, rather, being appointed as a member of the task force. And I certainly would encourage Senator Borrello and any of my colleagues to offer those recommendations to be appointed.

SENATOR BORRELLO: Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator Borrello on the bill.

SENATOR BORRELLO: Senator Salazar, thank you very much.

My good friend Senator Rath often says that Albany is the land of unintended consequences, and I personally believe this is a perfect example of that.

Regardless of the intent, this bill doesn't have any appointments by the Republican Minority. And what does that say? Well, what it says, quite frankly, whether it's intended or not, is that this isn't a problem for the millions of New Yorkers that are represented by a Republican member of the Senate or the Assembly.

But yet it is. I can tell you that an LGBT youth growing up in a rural part of New York faces many challenges and does need

help. And a representative from someone in the unique situation like that should be really, I think, required. But yet we don't have that opportunity to make that requirement.

And what it says is when that task force is put together, Republicans don't think this is a problem, this is not an issue. That's the message that's being sent. And that's really a sad message, because the easiest thing to do is to do what the other bill did, and to give an appointment to each side. For a topic that should not be partisan, but yet here we are, with what is a fundamentally partisan task force.

Will we send a recommendation? Certainly. But to have our own appointment, for us to submit names for the millions of New Yorkers that we represent, I think that's important. And I think if the situation was reversed, my friends on the other side of the aisle would be saying the exact same thing to us.

This is a topic that touches every part of New York. Whether you come from a town with one streetlight or the metropolis of New York City, this is an issue. This should not be a one-sided, partisan task force.

I'm voting yes because I think it's important, and I'm hopeful that perhaps somebody will reconsider. But in the end, the unintended consequence is what we have.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Senator Stec.

SENATOR STEC: Will the sponsor please yield.

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

SENATOR SALAZAR: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR STEC: Thank you, Madam President.

Thank you, Senator Salazar.

Listening to the debate just a moment ago, I want to highlight a few things and then follow with one question.

Senator Borrello I think adequately pointed out that there's -- we do a lot of these bills where there's appointments, on a variety of subjects. And they're inconsistent in how they're put together, which makes one wonder why

is there a difference.

And I suppose from subject to subject, if I was in the Majority and I wanted to make sure that a certain discussion went my way. I might use that authority of the Majority to make sure that the composition of that task force or whatever reflected the group of people that are going to get to the answer that I want to get to.

It may not be wise, it may not be fair, but that's the nature of democracy. It's good to be king. It's good to be in the majority.

But as my colleague pointed out, recently we had two bills back to back, both dealing with suicide. One might ask, Why not just have one task force anyways? I mean, suicide is a big problem. Let's focus -- I mean, why are we going to fracture suicide?

But be that as it may, there were two different bills side by side. One allowed for appointments from the minorities, the other did not.

Senator Salazar, the sponsor of today's bill, was not present for that debate.

The bill was laid aside with the promise that there was going to be a conversation inquiring about that. So there's been an opportunity to consider this. And yet here we are voting on this bill today.

And if there's one thing that I agree completely with the sponsor on, it's that suicide is not a partisan issue. Suicide affects all of us. Gay, straight, male, female, Black and white, Republican and Democrat, we all care about the issue. All of us.

And I agree with my colleague that it does send a message, a very subtle subtext that Republicans aren't interested. They don't -- people don't know why this is the way it is. And that's why every once in a while, when we see these bills come up that are squirrelly in the way that they appoint members and who gets to appoint members, some of us vote no. Not because we don't believe in the issue, but because we see a fundamental unfairness in the way that we are operating the levers of our democracy here in this chamber.

ACTING PRESIDENT MAYER: Senator Stec, do you have a question?

SENATOR STEC: My question is: If suicide, we agree, is not a partisan issue, then in the name of bipartisanship I would ask the sponsor if she would be willing to lay this bill aside today and make an amendment and we'd happy to all vote on a bill that reflects all of our interests on addressing the issue and plague of suicide in the State of New York.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Senator Salazar.

SENATOR SALAZAR: Through you, Madam President. First, I do want to note that the reason that this task force does specifically focus on LGBT youth suicides is because, based on information we have from the CDC, suicide is the second leading cause of death among young people ages 10 to 24.

A study by the National Center for Transgender Equality found that 40 percent of transgender adults attempted suicide, and that 92 percent of those attempts actually happened before those individuals were the age of 25.

So this is definitely an issue that I'd say disproportionately impacts the specific

demographic that this task force would be researching and looking at the causes for.

You'll notice in this legislation there is no explicit mention of political party, whether Democrat, Republican, otherwise. And that's because it is not relevant to creating this task force.

And I truly would encourage Senator Stec and all of my colleagues, if there is anyone who you would want to see on a task force like this who is qualified, who has relevant experience in the field of mental health, knowledge related to LGBT youth and young adults, I'm sure that they would be considered and perhaps appointed to the task force, without any regard for their political party.

But beyond that, you know, I do want to just point out that we passed this bill last year, and every member of this body, both political parties, voted to pass this bill. It has not been amended since then.

ACTING PRESIDENT MAYER: Senator Stec.

SENATOR STEC: Madam President, if the sponsor would continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR STEC: Thank you, Madam President. Through you.

I asked a yes-or-no question, and I did not hear a yes-or-no answer.

In the name of bipartisanship, on a subject as delicate and important to every New Yorker as suicide prevention, are you willing to address the issue that's been laid in front of you by making a simple amendment to allow the Minority Leader of this chamber and the Assembly chamber to have an appointment, just like the previous bill that dealt with suicide that we voted on just days ago?

SENATOR SALAZAR: Through you, Madam President. No, I do not have any intention of amending this bill that is on the floor.

I strongly feel that any political representation could be represented in this task force, because the truth is that political party is not relevant to the qualifications.

ACTING PRESIDENT MAYER: Senator Stec.

SENATOR STEC: Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator Stec on the bill.

SENATOR STEC: Every member of this chamber is going to vote in favor of this bill anyways, in spite of the lack of flexibility and bipartisanship.

But my encouragement to every member of this chamber -- and you're all good people. And we may differ on many political ideologies, but this is something that is near and dear to all of us. We all know people that have taken their lives. We all want to stop it.

Moving forward, I encourage all of you to be fair, certainly on anything as delicate as suicide and the creation of a simple task force, and allowing all elected representation in this chamber to have input into the composition of this task force. Whether it's suicide or anything else, I don't understand the inconsistency. I don't see the value in it. All I see is it continues to pour gas on the

political flames that have created a gulf in Albany, in our state and in our country.

This is beneath the Senate. We are better people than this. And if we're not going to fix this today, then I encourage you all to bring it back in future legislation and do it the right way.

Thank you, Madam President.

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

Seeing and hearing none, debate is closed.

The Secretary will ring the bell. Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Hoylman to explain his vote.

SENATOR HOYLMAN: Thank you, Madam President.

And thank you to my colleagues for

their support of this legislation. Thank you, Senator Salazar, for your defense of it and for sponsoring it.

I want to state very clearly that we are experiencing an epidemic of suicide among young people in the LGBTQ community. As Senator Salazar mentioned, suicide is the second leading cause of death among those aged 10 to 24 years old, and LGBTQ young people have an even higher risk -- more than four times more likely than their peers to attempt suicide.

According to The Trevor Project, which is a suicide prevention organization focused on LGBTQIA youth, they estimate that one LGBTQ youth between the ages of 18 -- between the ages of 13 and 24 attempts suicide every 45 seconds in the United States. So just while we were speaking during this debate, there were a half dozen or more young people contemplating and attempting suicide here in the U.S.

And it's really no wonder why, if you think about it, if you think about the messages that are being sent by political leaders all across this country. Just today in Florida -- today -- lawmakers sent the so-called

Don't Say Gay bill to the governor's desk, and the Governor there is likely to sign it. And this bill that is before the Florida legislature is going to force teachers and students to pretend that issues of sexual orientation and gender identity don't exist, essentially erase the LGBTQ community from the Florida curriculum. And that stigma, I would proffer, is going to lead students to bullying, depression and suicide.

And in Texas the government is investigating, investigating parents who love and support their transgender children as child abusers. Parents shouldn't be afraid to provide the guidance, care and support their children need and are asking for.

And right here in New York, there was a former governor who gave comments before a convention referring to the dilemma that transgender New Yorkers face, and mocking their desire to be referred by pronouns they're comfortable with. And we have a mayor who has appointed three well-known homophobes to high levels of office in City Hall.

So it's no wonder that our kids are

questioning their identity. And I would argue that we all have to look at ourselves in this chamber, our past votes -- don't forget, there were 10 years in this chamber of LGBTQ efforts that were blocked every step of the way. We even tried to get money in the budget for a hate crimes memorial; that was blocked by my colleagues in this chamber.

We have to look at ourselves and our actions, our colleagues in different states. This task force is an important step forward to begin that analysis. But let us all urge and unite in supporting our LGBTQ youth.

So I want to thank all my colleagues here, no matter what party, for their support of this important initiative, and mostly Majority Leader Stewart-Cousins and Senator Salazar.

I vote aye.

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

Senator Harckham to explain his vote.

SENATOR HARCKHAM: Thank you, Madam President.

A lot has been said, so I'll be very

brief. But I would like to thank Senator Salazar for this very important piece of legislation.

As we know, LGBTQ youth suicide is the highest category of any suicide by far. And we really need to get a handle on this. We look to this in terms of homelessness, in terms of substance use disorder. But this suicide rate is staggeringly high. And a lot of it is due to the stigma that Senator Hoylman just mentioned, not to mention states cutting off healthcare to LGBTQ youth, denying them access in sports, and banning of books. As he said, this is happening in New York State school districts, the desire to burn certain books. This stigma right here in New York has an impact on our LGBTQ youth.

So I applaud this decision. We need to move forward rapidly. And we need to bring all the resources to bear so that we can address these issues and wrap our supports around LGBTQ youth before we get to this crisis point.

I'll be voting aye.

ACTING PRESIDENT MAYER: Senator Harckham to be recorded in the affirmative.

Senator Salazar to explain her vote.

SENATOR SALAZAR: Thank you again,

Madam President.

And I also want to thank my colleagues across the aisle and all of my colleagues for your commitment to addressing the serious problem of suicides among young people, and particularly LGBTQ young people. We know that LGBTQ youth are five times more likely to have attempted suicide compared to their heterosexual peers.

This is a very serious and tragic problem in our state. And I'm grateful that today we are taking this action to create this task force and to come up with solutions that focus on the needs of LGBTQ New Yorkers and particularly young people.

I vote aye.

ACTING PRESIDENT MAYER: Senator Salazar to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

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

SENATOR GIANARIS: Thank you,

Madam President.

If we could just return to motions for a moment.

On behalf of Senator Skoufis, on page 26 I offer the following amendments to Calendar 487, Senate Print 1843A, and ask that said bill retain its place on Third Reading Calendar.

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

SENATOR GIANARIS: Thank you.

Is there any further business at the desk?

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

SENATOR GIANARIS: Move to adjourn until tomorrow, Wednesday, March 9th, at 3:00 p.m.

ACTING PRESIDENT MAYER: On motion, the Senate stands adjourned until Wednesday, March 9th, at 3:00 p.m.

(Whereupon, at 4:25 p.m., the Senate adjourned.)