NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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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: Rabbi Abraham Cooper, of the Simon Wiesenthal Center and Museum of Tolerance, will deliver today's invocation.

RABBI COOPER: (In Hebrew.) Our God in heaven, I dedicate my remarks today in honor and memory of Boris Romanchenko, a 96-year-old Holocaust survivor. Hitler couldn't kill him, Nazi commandants of four death camps, including Bergen-Belsen and Buchenwald, couldn't kill him. But Vladimir Putin's troops killed him. He died in his apartment, under assault in the city of Kharkiv, Ukraine.

We're gathering today at a time of raging antisemitism and the unbelievable invasion of Ukraine by Russian forces.

Our kids are bombarded on TikTok and in online games with pro-Nazi, antisemitic and anti-Asian messaging. We're all subject to

Holocaust denial from the Iranian regime, Holocaust distortion from Putin's propaganda machine, and the co-opting of Holocaust imagery by some anti-vaxxers. And each of us has a front-row seat as we watch evil unleashed against innocent children, their parents, as we watch and see cities reduced to rubble.

So let us use a moment of silent prayer to awaken our conscience, to stiffen our resolve, to inspire each of us to action on behalf of our families, of our neighbors, and on behalf of millions of innocent people suffering at the hands of tyranny.

Amen.

(Response of "Amen.")

THE PRESIDENT: Reading of the Journal.

THE SECRETARY: In Senate, Monday, March 21, 2022, the Senate met pursuant to adjournment. The Journal of Sunday, March 20, 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 Rivera moves to discharge, from the Committee on Health, Assembly Bill Number 289C and substitute it for the identical Senate Bill 2121C, Third Reading Calendar 274.

THE PRESIDENT: So ordered.

THE SECRETARY: Senator Skoufis moves to discharge, from the Committee on Codes, Assembly Bill Number 1713A and substitute it for the identical Senate Bill 1735A, Third Reading Calendar 460.

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: Good afternoon, Mr. President.

I move to adopt the Resolution Calendar, with the exception of Resolution 2116.

THE PRESIDENT: All those in favor of adopting the Resolution Calendar, with the exception of Resolution 2116, please signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The Resolution Calendar is adopted.

Senator Gianaris.

SENATOR GIANARIS: Okay, we're going to take up a few resolutions at this point, Mr. President.

Let's begin with previously adopted Resolution 1580, by Senator Akshar, read its title only, and recognize Senator Akshar.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Senate Resolution 1580, by Senator Akshar, memorializing Governor Kathy Hochul to proclaim March 21, 2022, as Down Syndrome Awareness Day in the State of New York, in conjunction with the observance of World Down Syndrome Day.

THE PRESIDENT: Senator Akshar on

the resolution.

SENATOR AKSHAR: Mr. President, thank you. Good to see you.

My thanks to the Floor Leader and the Majority Leader for allowing me to bring this resolution to the floor.

Today we recognize World Down Syndrome Day, which in fact was yesterday, but we recognize it on the floor today. We of course celebrate the lives of millions and millions of people across the world that live with Down syndrome every day. This year's theme is "Inclusion Means." Because depending on where you live, where you're from, throughout the world the definition of inclusion can mean different things.

Sadly, around the world and frankly even in our own country, there are still negative attitudes, lower expectations, there is discrimination, there is exclusion, there are still people who look down upon those that have Down syndrome -- which leads people who have Down syndrome to feel as though they're being left out or they're not equal.

I'm proud to say, Mr. President,

that that is not the case in my hometown of Binghamton, Senate District 52. I rise to do my part in ensuring that all of us, not only in this house but across this great state, recognize that those with Down syndrome smile just like us, they love just like us, they laugh just like us, and they simply want to live a life of happiness and be included.

Now, I have come to know so many loving people throughout my district that live with Down syndrome every day. Julianne "Juice" Horton, whom you've all met on the very floor of this house; Birdie, Austin, Katie, Morgan, Chris, Jessica, Timmy, Grady, Cameron, and so many more. Even Cooper Busch, who is no longer with us.

My friend Birdie yesterday said that "We may have Down syndrome, but in our hearts we have Up syndrome, and we are proud of that." And I rise in front of all my colleagues and the people of this great state to say we too are proud of you.

The people that I recognize this afternoon are living proof that every single person with Down syndrome deserves to be

included. They deserve to be celebrated, to love, to be loved, to be hugged and showered with blessings, and they certainly deserve to have the same opportunities that we do.

Allow this day to be a reminder that we should cherish every single life and that we are all God's children regardless of ability. And every single life does in fact matter.

So I stand today very proud in recognition and in celebration of the folks that live in my district with Down syndrome, just to let you know how incredibly proud I am that you have allowed both me and my family and my team to be part of your life.

Also, Mr. President, I want to give a big shout out to a local not-for-profit in my district, GiGi's Playhouse of the Southern Tier -- a big shout out to the executive board members as well as to the volunteers of that organization, who are doing amazing work back in my home district taking care of those with Down syndrome.

Mr. President, I thank you for your indulgence.

THE PRESIDENT: Thank you.

Senator Borrello on the resolution.

SENATOR BORRELLO: Thank you, Mr. President.

I rise today also to honor World Down Syndrome Day. I'd like to thank Senator Akshar for bringing this resolution forward, and certainly everyone on both sides of the aisle for recognizing this.

I have a very special family in my district, the Hotellings, Wayne and Elaine Hotelling and their daughter Laurel. Back in 1997, in an effort to bring more awareness to Down syndrome and those with special needs, they created the Laurel Run. And this was not just in honor of their daughter, but Laurel was an active part of this -- in developing it, in raising so much enthusiasm, support and funding for those with special needs and special abilities.

This went on -- it was supposed to be just one year, in 1997. Instead, it went on in 1998 and continues on to this day. I walk every year -- walk, not run -- in the Laurel Run, and I find it not only exhilarating to see everyone coming together, but at the end, we do something called Laurel's Lap. And this is where

all those folks who may not be able to do the entire run have to do a lap around my hometown of Silver Creek, New York. It's been an amazing experience.

We lost Laurel a couple of years ago, but her legacy lives on. And what she has done for the community and for those with special abilities lives on.

So today we honor those folks like Laurel who have once again made a huge difference in our lives and the lives of so many others.

So thank you, Mr. President.

THE PRESIDENT: Senator Oberacker on the resolution.

SENATOR OBERACKER: Thank you, Mr. President.

World Down Syndrome Day has a special meaning for so many reasons. I'm fortunate to represent Otsego County and the small village of Edmeston, New York, in the 51st Senate District, home to Pathfinder Village.

The world-renowned residential home and research facility is a leader in community-based services for children and adults with Down syndrome and other developmental

disabilities. Originally established in 1922 as a two-building school, Pathfinder now encompasses 300 acres, a dairy farm, a community youth soccer field and a health center. There's a bakery, a cafe, a fresh fruit and vegetable market. All of these elements help showcase what individuals can achieve when simply given the opportunity.

The devoted, caring teachers and staff do an incredible job and are helping change lives in a profound way. It is truly inspirational.

It is my honor to rise and pay tribute to everyone at Pathfinder Village and all who are helping show just how much those with Down syndrome can accomplish.

Thank you, Mr. President.

THE PRESIDENT: Senator Tedisco on the resolution.

SENATOR TEDISCO: Thank you, Mr. President.

Whenever this day comes around, it brings back some tremendous memories for I think those of us who have had a family member who was faced with this particular challenge.

And I call it a challenge because

there's nobody in this room that is not challenged in one way or another. Their challenge may be heightened a little bit and is something that's more of an appearance thing, but it brings back wonderful memories of my brother Joesy, Joseph Tedisco, who at 15 years of age succumbed to leukemia back in 1975, many years ago.

And I think about him and if he was alive today with childhood leukemia in the direction we've taken with the scientific knowledge, the medical knowledge and the technical knowledge now -- my father wouldn't have been with him, with us in the outer room, stroking his head in the hospital as he suffered this terrible, tragic death he had from leukemia at the age of 15. I think about if he was here today, if he had been born a little bit later.

But I think you have to be a family member to understand how it impacts not only the individual who has the Down syndrome, if they're part of your family, but how that child can impact you as a family member.

And I think I've mentioned this before on this floor about my mom and my dad. My

dad was a foundry worker for 30 years in the foundry. And a terrible place to work -- you wouldn't want to go down there. He succumbed to stomach cancer because of inhaling the asbestos, red-hot molten steel. And my mother spent all those years at home with Joey. She was a stay-at-home mom.

But I remember that they didn't have the situation where you would bring somebody in and they'd give a brief respite, where they could go out to dinner or go to a movie -- 24/7, we all had our duties, we all had to be there, my brother Tom, myself.

But through it all, we learned a lot about unconditional love. We learned a lot about the ability of someone who, as has been mentioned by the Senator, might have been looked upon, when Joey was born -- because I remember when the doctor came in to sit down with my mother, and he said, "I'm very sorry to say this to you, Mrs. Tedisco, but your son has Down syndrome." And she said, "What does that mean?" "Well, it's a genetic disorder. And maybe you don't want to take Joey home. Maybe there's a place in Rome where they have a community." And my mother I

remember looking at him, and my father was there with us, and she said, you know, "Stop right there. This is an Italian family. We don't send children to Rome, we take them home with us."

And we took Joey home with us, and he taught us some tremendous lessons as a family -- the sacrifices you have to make for each other, but the gifts you get back from learning from someone who probably today could have had so much more enhanced skills because we've come such a long distance in terms of respecting diversity and differences in people.

We talk about that every day here -- cultural backgrounds, genders, sexual orientation, all those things. But I don't think we talk about enough maybe what we might call disabilities. And I don't think we should even use that word for people who are challenged. Because Joey was challenged, and all those children with Down syndrome are challenged, but everyone in this room, if you want to say you're challenged, you have a disability too.

So I think we've got to stop using all those words and say that these are challenged children, just like other children are

challenged. But I see them acting on TV, I see them doing jobs, as has been said now.

And Joey reminded me, when I got into public service, what the role of all of us is. And it's very simple role. I get a lot of fifth-graders that come in to visit us, and they say, Well, what do you do? What's your job? And at first when they asked me that question I was thinking all these things -- provide your education -- it's pretty simple. We are here as public servants on a local, on a state, on a federal level, to do everything we can to remove the obstacles, to help remove the obstacles that are before every one of the constituents we represent so they can be everything they can be with the God-given talents they've been given. Then just get out of their way and let them strive for it.

And that's something that we have an obligation for for every single one of our constituents that are challenged like Joey was. And I'm happy we've come this distance, but I think we've got miles to go right now. And when we talk about what's happening with those children, they're challenged just like everyone

else is challenged, and we have to open the world to them even more than it is opened up now.

And I thank the sponsor -- I'm proud to be a sponsor -- and all the sponsors of this resolution, because it's important to talk about it.

Thank you very much Mr. President.

THE PRESIDENT: The resolution was previously adopted on January 11th.

Senator Gianaris.

SENATOR GIANARIS: Can we now move on to Resolution 2116, by myself, read that resolution's title, and recognize me on the resolution.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Senate Resolution 2116, by Senator Gianaris, memorializing Governor Kathy Hochul to proclaim March 2022 as Greek History Month in the State of New York, in conjunction with the commemoration of the 201st anniversary of Greek independence.

THE PRESIDENT: Senator Gianaris on the resolution.

SENATOR GIANARIS: Thank you,

Mr. President.

We in New York, more than anywhere anything else in the world, value our diversity and the many contributions made to our state from people that come from all over the world. And no group deserves that recognition more than my own heritage. Greek-Americans have done a tremendous amount to help New York be what is -- indeed, help the world be what it is. My parents, immigrants themselves, like so many people in New York, came here from somewhere else at a difficult time to find a better life. And they were fortunate enough now they get to vote for their own son to represent them in the State Senate.

And, you know, I remember it wasn't -- I guess it was long ago. I was going to say it wasn't too long ago when I was the first Greek from New York City to get elected to office. But it was a while ago now, going back 20 years. And of course I've been followed by my colleague Senator Gounardes, in the Hudson Valley by Senator Skoufis, and the rich tradition is growing in the contributions to our government here in New York.

Our community is teased for taking credit for everything under the sun. And it's funny, and it's been in movies and all of that. But the thing about it is, it's totally true.

(Laughter.)

SENATOR GIANARIS: So whether we're talking about science or mathematics or healthcare or politics or the very democracy we practice here today, so much of it got started back in ancient times in my parents' homeland and the homeland of so many who have called New York home over the years.

And so today, as we do every year, we pause to acknowledge, as we get close to Greek Independence Day -- it's actually on Friday -- recognize Greek history, appreciate all its contributions to our state, and thank the people of Greece and those who came before us for giving us these opportunities.

So thank you, Mr. President.

THE PRESIDENT: Senator Jordan on the resolution.

SENATOR JORDAN: Mr. President and my colleagues, I rise to speak on the resolution before us memorializing the Governor to proclaim

March 2022 as Greek History Month in New York City.

Speaking as a State Senator that's deeply proud of her Greek heritage, I'm honored to support this important bipartisan resolution celebrating and recognizing the vital importance of Greek history. This year marks the 201st anniversary of Greek independence. Greeks proudly trace our shared heritage and our venerable history back thousands of years in Europe. Greece established modern civilization, rightfully credited as the birthplace of democracy, which we practice and cherish and seek to uphold in this very chamber and celebrate as a nation.

Ancient Greece also laid the foundations of modernity -- logic, science, lyrics, philosophy and history. There is an ancient Greek proverb: "Win by persuasion, not by force." And yes, while Greeks pride themselves on a persuasive argument, reason and logic, Greeks have also stood strong fighting against tyranny and oppression.

As noted in Senator Gianaris's resolution, Winston Churchill famously said, in a

BBC speech: "Until now we used to say that the Greeks fight like heroes. And now we shall say the heroes fight like Greeks."

New York State houses the Manhattan headquarters of the Greek Orthodox Archdiocese of America, and we continue to have strong relationships and productive partnerships with the Federation of Hellenic-American Societies.

My family has deep, strong, proud roots in Greece, which I had the good fortune to visit a few years ago. It was an incredible journey and an incredible place, steeped in culture, history and a genuine love of life well-lived.

As further evidence of those strong roots, my father's full name was Democritos Demitri Venizelos Veras -- but he just went by "Jim." And my father's parents, James from Mytilene, and Mary from Evia, and my mother's parents -- Leo, from Skoura, and his wife Camille's family -- are from Kostania.

My grandparents entered the United States in the early 1900s, each by themselves at the age of 12 or in their early teens, and quickly assimilated and became a patriotic part

of our American mosaic.

Like everyone here, I'm proud of my heritage. I recognize the countless cultural and civic contributions made by Greeks to our country and to our world. And I'm genuinely honored to support this bipartisan resolution memorializing March as Greek History Month here in New York to celebrate our fellow Greek-Americans who call our state home.

Zito Hellas! And thank you, Mr. President, and my colleagues.

THE PRESIDENT: Senator Gounardes on the resolution.

SENATOR GOUNARDES: Thank you, Mr. President.

Thank you, Senators Gianaris and Jordan for your remarks.

About 60 or so years ago, Edith Hamilton wrote: "We think and feel differently because of what a little Greek town did during a century or two 2400 years ago."

This year we are celebrating the 201st anniversary of Greece's independence after 400 years ago of subjugation and slavery by the Ottoman Empire. On March 25, 1821,

revolutionary fighters gathered together with Metropolitan Germanos in the monastery of Agia Lavra in the village of Kalavryta and declared the beginning of the revolution against Ottoman oppression.

What followed was a seven-year war that ended with the creation of the Hellenic Republic and would lead to the spread of revolutionary fervor across the European continent, and help remake the world.

As a fourth generation Greek-American, I am incredibly proud of this history. I think about the words of the Greek national anthem, the Hymn to Liberty, by Dionysius Solomos:

"I shall always recognize you by the dreadful sword you hold, as the earth, with searching vision, you survey with spirit bold.

"From the Greeks of old whose dying brought to life our spirit free, now with ancient valor rising, let us hail you, O Liberty."

Every time I hear that anthem -- and I've heard it a lot, as someone who went to Greek School for 10 years -- I swell with pride at that poem's conclusion, a resounding ode to the price

and cost of national freedom. How fitting is it to reflect on these words as we see the people of Ukraine fight for the survival of their country, of their history, and paying for their liberty with their lives.

It's not just the history of the revolution and Greece's independence that I'm proud to celebrate today, it is the contributions of the Greek-American community to our nation that are also worthy of praise and celebration.

For the past 100-plus years, Greeks have emigrated to the United States in search of peace, stability, and a better life for themselves and their families. They came to escape the persecutions of the Ottoman Empire. They came to be spared the devastations of World War One. They came to be saved from the terrors of the Asian Minor Holocaust and the burning of Smyrna. They came to be spared the horrors of World War Two. They came to find peace during the Greek Civil War. They came to seek the safety and opportunity during the unrest of the '60s and '70s. They came to find economic prosperity during the stagnation of the '80s.

For 100-plus years, Greeks have

sought out the light of freedom offered by Lady Liberty and came to the United States in the hope of a better life. They came here by the thousands, and they came here by the tens of thousands. They came here legally and, yes, they came here illegally. When the United States adopted immigration quotas in 1924, we would only accept 100 immigrants from Greece a year. And yet, still, Greeks would come over by the thousands.

And let's not forget just how unwanted Greeks were when they arrived in this country. Greek immigrants endured decades of harassment, intimidation, discrimination and violence, all because they looked different than other Americans, spoke a language different than other Americans, and took low-paying jobs away from other Americans.

In fact, the Ku Klux Klan viewed Greek immigrants as a threat to the existence of the United States. They attacked Greek businesses, burned crosses on Greek lawns, encouraged doctors to sterilize Greek women, and beat and even in some cases murdered Greek immigrants.

All across the country, Greek immigrants and Greek-American citizens were discriminated against and harassed. It was not uncommon to see "No Greeks Wanted" signs in store windows, or even the flogging of Greek men who had dared to date a white woman.

Greek immigrants were encouraged to prove themselves as being equal to their white counterparts by taking dirty jobs such as building railroads, cleaning sewage, laying pavement, and working in factories.

Yet they still came, enduring injustice after injustice, all in the hopes of a better life here. They didn't come here because they were highly educated, worked great jobs or spoke perfect English. They didn't come just for themselves, but for their children and their children's children. They came here so that one day, a hundred years later, 75 years later, 50 years later there could be four Greek-Americans elected to serve their community in this august body.

And so as we stand here today celebrating the 201st anniversary of Greek independence and declare Greek History Month in

the State of New York, I am ever-hopeful for the future of our community here in America. And this moment represents an opportunity for reflection.

At a time when individuals across our country are being subjected to violence, bigotry and discrimination because they come from a different country, speak a different language, have different customs, eat different foods, it is incumbent upon us, those of us whose ancestors endured similar treatment, to stand up and condemn the ugliness of racism wherever it rears its head.

And we remember the struggles of our forefathers, and we open our hands and we open our doors and we open our hearts to all those whose stories mirror our own and say: Come, you are welcome here.

Zito Hellas! Thank you, Mr. President.

THE PRESIDENT: The question is on the resolution.

All in favor signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Now let's move on to previously adopted Resolution 2038, by Senator Hinchey, read its title and recognize Senator Hinchey.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Senate Resolution 2038, by Senator Hinchey, memorializing Governor Kathy Hochul to proclaim March 22, 2022, as Agriculture Day in the State of New York, in conjunction with the observance of National Agriculture Day.

THE PRESIDENT: Senator Hinchey on the resolution.

SENATOR HINCHEY: Thank you, Mr. President.

I've said it before, and I will say it again: New York is an ag state. A few stats to prove that point.

Agriculture has a $44 billion total economic impact in our state's economy. Dairy is

our number-one agricultural sector statewide. We are number one in production for yogurt, sour cream, cottage cheese. We're number three in production for milk. We are number four in cheese manufacturing. We're the second-largest producer of apples, maple syrup, cabbage, and we're number three for grapes.

And one of my favorite statistics, New York ranks in the top five states for craft beverage. And something that's incredibly exciting is just yesterday, the Governor opened the portal for temporary permits for our craft beverage manufacturers. That is a bill that I was proud to sponsor that we passed here in this Legislature to allow our small business, our craft breweries, our craft cideries, distilleries to have temporary permits to get their businesses up and running, helping small businesses, helping our small agricultural businesses thrive here in New York State.

But the challenge is a lot of our agricultural communities are struggling because we have not done enough across our country to support small and mid-sized family farms. I'm really proud of the work that we have done here

in this body to elevate agriculture, but it's still not enough: 2.2 million people in New York State are food-insecure; 1.1 million New York City residents are food-insecure. That is a number that when we in agriculture see -- when we are producing so much good healthy, nutritious food, those numbers are far too high.

We are also losing millions of acres of good agricultural land every day here across our state.

But again, I am incredibly proud that we here in this body are finally prioritizing agriculture. We are elevating our small businesses. We are helping our farmers, the farmers who stood up, who helped out during the pandemic, who fed our communities for free. When their produce and their food was quite literally dying on the vine, they donated that food to food banks and food pantries across the state, to help those 2.2 million New Yorkers who are food-insecure get healthy food when they needed it most.

Because that's who farmers are. They're people who support their community, they're people who love their community, and

they're people who love feeding other people.

So for that, I am incredibly proud to sponsor the resolution proclaiming March 22nd Ag Day here in New York. Thank you.

THE PRESIDENT: Senator Borrello on the resolution.

SENATOR BORRELLO: Thank you, Mr. President.

I'd like to thank the chairman of our Agriculture Committee, Senator Hinchey, for doing this resolution today. And as the ranking member, I'm proud to stand up.

I'm also proud to stand up as the grandson of Concord grape farmers in beautiful Chautauqua County, where I'm from.

You know, it's a simple statement: No farms, no food. But we found out how real that was during this pandemic. We found out how broken and fragile our food supply chain was. And the farmers of New York State stepped up. As Senator Hinchey mentioned, they donated their crops when they themselves were suffering, when they didn't know what the next day was going to bring as far as their ability to not only provide for their family, but to provide for others that

depend on them. And yet they stepped up and sacrificed. They were also essential workers.

Ninety percent of the farms in New York State are family-owned farms -- 90 percent. In my district alone there's over 4,000 family farms, just in the 57th Senate District. We are the bread basket of New York State. And it has been a great challenge, a great challenge here in New York State.

I often agree with Senator Hinchey on a lot of things. The only thing I may disagree on today is that she's saying we haven't done enough. I agree with that statement. I also agree that we have done far too much in this chamber that harms agriculture. I'm not going to dwell on that today. This is a day to celebrate agriculture nationally. But it is an important point that one of the biggest challenges that New York farmers face is bad policy out of Albany.

That being said, our farmers are resilient. They've faced a lot -- the uncertainty of this pandemic, the daily changes in what was going to happen to them from a policy standpoint, a weather standpoint. And the

unpredictability of what it's like to farm every single day, to care for animals, to care for the land. They faced the inevitability of their families eventually getting out of the business, even some that have been in the business since the 1800s and beyond.

This is a big challenge for us here in New York State, because agriculture is the number-one industry. It actually does mean something when we don't have farms. Not only will there be no more food, but also no economic activity, all of the things that happen because of New York agriculture.

So today we support it, we celebrate it, but it's always a cautionary tale about what happens without farms.

So, Mr. President, I proudly support this resolution. Thank you.

THE PRESIDENT: Senator Tedisco on the resolution.

SENATOR TEDISCO: Thank you very much, Mr. President.

I was traveling, over this weekend, across the beautiful 51st Senatorial District, making several stops. I had the opportunity to

stop at the Mud Road Sugar House in the great County of Fulton, Town of Ephratah. And it's a fifth-generation small family farm.

And I have to tell you, if you've never tasted maple syrup cotton candy, you haven't tasted anything. It melts in your mouth, it is delicious. They have popcorn syrup, they have every kind of product you could think of.

It was a tremendous day. It was an open house. We had young people there, kids there. The only concern I had was in discussing with this small family farm was I was saddened by the fact that they weren't quite sure if they were going to be here next year, for much of what Senator Borrello just said.

I'm excited and honored to be able to be a sponsor of this particular resolution, and to give my support to agriculture and farming. But it takes more than a resolution to show we truly want -- and you, the Majority of this house, support -- our family farms.

Our family farms are a big part of our economy, and the state needs to do more to save them. Sadly, our family farms have been under assault. One of the best ways we can

support our farmers and save our local family farms is to keep the overtime threshold at 60 hours. We have done a lot of things to challenge them, but that's the number-one thing challenging them right now. They're not sure if they're going to be another family farm or another solar farm next year or the year after or the year after that.

As you know, a panel of unelected bureaucrats have pushed through a crushing overtime mandate, from 60 to 40 hours, that will devastate our mom-and-pop family farms upstate and actually across the State of New York.

I'm required to stand up here as a public servant and say here's the reality that the bureaucrats in their ivy towers who are pushing this overtime mandate don't seem to get. Mother Nature doesn't give our family farmers a timetable for harvesting crops or marketing and milking the milk from cows. With inflation at its highest levels in four decades and prices for a gallon of gasoline, groceries, and many other consumer goods through the roof in this state, this will hurt our small-business family farms and no doubt lead to higher prices for everyone

who goes to the grocery store, farm stand or restaurant.

And our family farmers and farms are challenged to the point where we may lose many of them and force them completely out of the business. This will lose jobs and the wonderful products they provide for us.

Now, many of you have been here for some years, but some of you are new here. I haven't seen much of it over the last two years because this pandemic has been taking place, but some of you may have this plaque in your office. This is one of the things I'm most proud of in my office. I keep it displayed on my desk. You'll see on here a number of years.

It's called the Circle of Friends, Farm Bureau of New York. This is the highest award you can get as a Senator or a public servant for the State of New York, if they'll designate you as a Circle of Friends for the family farms. As you can see, there's not much room left on this because it's covered with all the years that I've been honored with this Circle of Friends.

I hope some of you will get the

Circle of Friends awards into the future on the other side of the aisle, because we want you all to be Circle of Friends and not a circle of enemies. And if we continue to do the things we've done to challenge them most recently, we're not going to have these jobs, these family farms or the wonderful products that they provide for us. And it will not only affect them and their families and those jobs, it will affect the 19 and a half million people of New York State.

I'm happy that we've brought this resolution out, but words and resolutions can be cheap compared to the actions that take place here. And they're not lying, they're telling the truth: They're on the margins right now. They don't know if they're going to make it. And if we lose a number of these family farms, we lose an unbelievable part of the spirit of our community as well as our economy.

So I hope we'll take a second thought about some of the things we've done and maybe, in the future, do a little bit better. Resolutions are important; I'm happy we are doing it. But we can't just talk the talk, we have to walk the walk.

Thank you, Mr. President.

THE PRESIDENT: Senator May on the resolution.

SENATOR MAY: Thank you, Mr. President.

I rise in support of this resolution and to honor my colleague Michelle Hinchey, who has done amazing work for agriculture in this state.

I was particularly proud to work with her on a bill about soil health and sustainability in farming, which is incredibly important. I'm the proud mother of a budding young farmer who has learned everything she can about regenerative agriculture and how the agriculture system can be part of really restoring our waters and our soils as well as feeding us at the same time.

And I want to honor a lot of the farmers in New York State who are doing this work every day. I was able to tour farms in the Catskills that are making all kinds of efforts to protect the watershed of New York City from any effluents that might be running off of their farms and they're building vegetative buffers and

all kinds of things around those waterways so that their farming can be productive but also not destructive of the waters of New York City.

So there is a lot going on between our farms and our environmental protection sphere that is really exciting and has the potential to make our agriculture more productive at the same time that it enables us to be protective of our soils and our water.

And I want to honor the farmers who are doing this work. There is one farm in Central New York, E-Z Acres, that has won a national award for sustainability and done some really amazing work in dairy farming for more sustainable farming methods.

And so I rise today to honor those farms that are doing this cutting-edge work to make the agriculture sector something that is looking forward to protecting the environment for the future as well as producing food for us today.

Thank you.

THE PRESIDENT: The resolution was previously adopted on March 15th.

Senator Gianaris.

SENATOR GIANARIS: And now, Mr. President, let's move to previously adopted Resolution 1728, by Senator Kennedy, read its title and recognize Senator Kennedy.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Senate Resolution 1728, by Senator Kennedy, mourning the death of Gerald Caci, distinguished citizen and devoted member of his community.

THE PRESIDENT: Senator Kennedy on the resolution.

SENATOR KENNEDY: Thank you, Mr. President.

I rise today to honor the life of Gerald "Jerry" Caci, a native of Buffalo, New York, and a beloved member of our greater region, state and nation. I'm deeply honored, Mr. President, to recognize him here today on the Senate floor on what would have been his 81st birthday.

To know Jerry was to love him. His spirit, his kindness, his commitment to our community was unmatched. Jerry grew up on the West Side of Buffalo, a strong Italian

neighborhood with rich traditions. His father opened the first Italian Gardens in Buffalo, a fact he was very proud of. It was there that Jerry made lifelong friends early on in his life. It was also there that his father instilled in him the values he cherished of celebrating loyal family and friends.

A graduate of Grover Cleveland High School, Jerry went on to Hollywood in pursuit of a career in the entertainment industry. It was there that he became immersed in some of his favorite pastimes -- acting, playing polo, riding horses, and of course entertaining.

He told many stories of the friendships he made with legendary actors and entertainers from across the globe. He loved hosting dinners in his family home, welcoming old and new friends alike.

Jerry eventually returned to Western New York and became an active member of civic and charitable organizations, among many other things. He served for many years on the board of directors of the Federation of Italian-American Societies of Western New York and the Good Government Club of Western New York, and he was

heavily involved in the newly established Italian Cultural Center and the Canadian Italian Business and Professional Association.

Jerry meticulously cared for the monuments across Western New York dedicated to the Italian heritage.

I met Jerry early in my public service nearly two decades ago. He would seek me out at events and make sure that I was introduced to everyone he knew -- and he knew everyone.

His lifelong friends that he introduced me to over many years have become my very close friends because of Jerry. That's what he did. He brought people in, he brought people together.

Jerry made lifelong friends everywhere he went, and he held those friends close to heart, along with his true passion, his family: His wife, Denise, his daughter, Valentina; his two sons, Gino and Jerry; and his four grandchildren -- Brooke, Ava, Matthew and Ashley.

Jerry was taken from us unexpectedly this past December. And while we mourn his passing, we also take this moment here today,

Mr. President, to celebrate his spirit, his life, and the legacy that he leaves behind. He will always be remembered for his generosity, forever remembered for his character, his loyalty, his integrity, and for his ability to live life to the fullest.

Jerry Caci was one of a kind -- a consummate gentleman. He was a giant. He was a man of deep faith, Mr. President, and now he's with the angels. May he rest in peace.

Thank you.

THE PRESIDENT: The resolution was previously adopted on January 25th.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, at the request of the various sponsors, all the resolutions we took up today are open for cosponsorship.

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

Senator Gianaris.

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

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 228, Senate Print 209A, by Senator Persaud, an act to amend the Penal Law.

SENATOR LANZA: Lay it aside.

THE PRESIDENT: Lay it aside.

THE SECRETARY: Calendar Number 274, Senate Print 289C, by Assemblymember Gottfried, an act to amend the Public Health Law and the Insurance Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 17. 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 274, those Senators voting in the negative are Senators Jordan, Oberacker, O'Mara, Ortt, Palumbo and Rath.

Ayes, 57. Nays, 6.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 344, Senate Print 907A, by Senator Sanders, an act to amend the Civil Service 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 450, Senate Print 6807, by Senator Thomas, an act to amend the Civil Practice Law and Rules.

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: Senator Thomas to explain his vote.

SENATOR THOMAS: Thank you,

Mr. President.

Access to representation is a necessary part of making the legal system fair for everyone. With the costs of litigation continually increasing, many low- and moderate-income New Yorkers are choosing not to seek professional legal help to deal with their civil legal matters.

Justice systems that make quality representation inaccessible to the majority of people are unfair and ineffective. The practice of law must adapt to meet the changing needs of individuals in this new era. That is why it is crucial for us to make solutions like limited-scope representation more accessible to New Yorkers.

Limited-scope representation is quite simply where an attorney handles certain aspects of the representation while the client remains responsible for others.

Limited scope has been accepted by the American Bar Association as a valid means of providing representation for many years, and it has been gaining momentum as a more common practice throughout the states.

In 2016 the Chief Administrative Judge of the courts issued an initiative order authorizing attorneys to provide limited-scope legal assistance in order to enhance access to legal services in New York State. My bill will codify this administrative order.

Limited-scope representation has been proven to be a vital solution to bridging the justice gap. When you cannot afford to pay a lawyer to handle your entire case, limited-scope representation can be a great way for you to have legal help with your case while keeping costs down.

By codifying authorization of limited-scope legal representation in civil cases, we can ensure that all New Yorkers have access to the services they need to protect their rights.

As a former legal services attorney who has done a great deal of limited-scope representation for unserved communities in the Bronx and in Queens, I am proud to sponsor this legislation, which will go a long way to help more New Yorkers access the legal services they need and deserve. I vote in the affirmative.

Thank you.

THE PRESIDENT: Senator Thomas to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 63.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 460, Assembly Print Number 1713A, by Assemblymember Pretlow, 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 478, Senate Print 6035A, by Senator Brooks, an act in relation to authorizing the Bellmore Fire District to file an application for exemption

from real property taxes.

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: In relation to Calendar Number 478, those Senators voting in the negative are Senators Akshar and O'Mara.

Ayes, 61. Nays, 2.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 538, Senate Print 7674, by Senator Mannion, an act to amend the Not-For-Profit Corporation 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 660, Senate Print 714, by Senator Breslin, an act to amend the Insurance 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 666, Senate Print 6903, by Senator Kavanagh, 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 667, Senate Print 7611, by Senator Gaughran, an act to amend Section 3 of Chapter 233 of the Laws of 2000.

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.

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

SENATOR GIANARIS: And now the controversial calendar, please.

THE PRESIDENT: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number

228, Senate Print 209A, by Senator Persaud, an act to amend the Penal Law.

THE PRESIDENT: Senator Lanza, why do you rise?

SENATOR LANZA: Mr. President, I believe there's an amendment at the desk. I waive the reading of that amendment and ask that you recognize Senator Akshar to be heard.

THE PRESIDENT: Thank you, Senator Lanza.

Upon review of the amendment, in accordance with Rule 6, Section 4B, I rule it nongermane and out of order at this time.

SENATOR LANZA: Accordingly, Mr. President, I appeal the ruling of the chair and ask that Senator Akshar be recognized.

THE PRESIDENT: The appeal has been made and recognized, and Senator Akshar may be heard.

SENATOR AKSHAR: Mr. President, thank you. I rise to appeal your ruling with respect to the amendment.

Not only is this amendment germane to the bill-in-chief before the house, this amendment is germane in the eyes of millions of

New Yorkers across this state that are yearning for this Legislature to admit their public policy failures and return to the day on which New Yorkers once again can feel safe.

The bill before the house deals with the theft of medical and health insurance information. It adds those things to identity theft. So in preparation of today, I asked myself, What in fact does the bill aim to do as authored by the sponsor?

The bill seeks to protect New Yorkers. Well, so does the amendment, Mr. President. By repealing bail reform, we are seeking to protect New Yorkers.

The nature of the crimes included in the bill-in-chief -- they are serious. So are the crimes being committed against New Yorkers every day.

Let me tell you what else is dangerous: The amount of overdose deaths that are happening on a daily basis, the amount of drug dealing that is happening that is allowing those deaths to take place.

So think about this for a moment. When those that peddle poison throughout this

community -- they face a felony drug charge, they're released without any bail, they can continue their illegal drug business. They can continue to target and sell drugs to the most vulnerable people of our state who suffer from substance use disorder.

Dealers know that there is little risk to selling drugs in this state. Even if they're arrested, they know that they're going to get released back onto the street with little or no disruption to their illicit business.

I'll take it a step further. The reality is drug dealers don't only target those that suffer from substance use disorder and put them at risk. Drug dealing is an inherently dangerous occupation. It is a violent occupation. Drug dealers often have ties to violent criminal gangs. And through bail reform, drug dealers are able to continue their criminal enterprise and the violence necessary to perpetuate that enterprise.

You know who else has little risk in the criminal world, they know that? Those who illegally possess firearms and illegally use firearms against our fellow New Yorkers.

Twenty-nine people, 29 people shot in the City of New York this weekend. The Daily News: "Guns gone wild in the city." Why? Because criminals know that there are little to no repercussions for their actions.

Mr. President, for once, respectfully, can we not acquiesce to the political activists? Can we not make decisions based on the way the political winds are blowing? Can we please, Mr. President, put honest, law-abiding New Yorkers first?

I strongly and respectfully ask you to reconsider your position from the chair.

THE PRESIDENT: Thank you, Senator Akshar.

I want to remind the house that the vote is on the procedures of the house and the ruling of the chair.

Those in favor of overruling the chair, signify by saying aye.

SENATOR LANZA: Request a show of hands.

SENATOR GIANARIS: Mr. President, we've agreed to waive the showing of hands and record each member of the Minority in the

affirmative.

THE PRESIDENT: Without objection, so ordered.

Announce the results.

THE SECRETARY: Ayes, 20.

THE PRESIDENT: The ruling of the chair stands, and the bill-in-chief is before the house.

Senator Weik.

SENATOR WEIK: Thank you, Mr. President. Through you, would the sponsor yield for some questions.

THE PRESIDENT: Does the sponsor yield?

SENATOR PERSAUD: Yes.

THE PRESIDENT: The sponsor yields.

SENATOR WEIK: Thank you, Senator Persaud. It's wonderful of you to take some time to answer a couple of questions that I have.

For this medical identity theft bill, is this bill bail-eligible -- this crime?

SENATOR PERSAUD: Through you, Mr. President, this bill is not about bail reform. This bill is about a situation that's

occurring in our communities where people's information is being used.

I think, with all due respect to my colleague, I am not here to debate bail reform.

SENATOR WEIK: Thank you, Mr. President.

Would the sponsor yield for another question.

THE PRESIDENT: Does the sponsor yield?

SENATOR PERSAUD: Yes.

THE PRESIDENT: The sponsor yields.

SENATOR WEIK: Thank you so much.

So what I hear is that it's not a bail-eligible crime. But it sounds like you have a target in mind. Who would the target be? What is the vulnerable group that seems to be targeted by this crime.

SENATOR PERSAUD: It can be anyone -- through you, Mr. President, it can be anyone, anyone whose medical information can be taken by someone who wants to use it, someone who wants to buy prescription -- use it to get prescription drugs.

So it's anyone. There is no

specific population. But we know that many times it's the elderly population whose information is taken, but it can be anyone's information that's taken.

SENATOR WEIK: Thank you very much. On the bill, sir.

THE PRESIDENT: Senator Weik on the bill.

SENATOR WEIK: This is a good bill that identifies a problem specifically in our Penal Law. And the sponsor finds this is a serious problem. Medical identity theft is a serious problem -- such a serious problem that it's the fastest-growing crime over the last seven years, costing New Yorkers over $6 billion.

And with a crime that serious that's growing that quickly and costing New Yorkers so much money, today we are here and we are amending the Penal Law so that we can prosecute these crimes.

Yet this crime is not even a bail-eligible crime. Although I'm going to be voting in favor of this bill, we need to give our judges the discretionary power necessary to keep our vulnerable communities safe and free from

being targets.

Thank you.

THE PRESIDENT: 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 5. 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: Senator Persaud to explain her vote.

SENATOR PERSAUD: Thank you, Mr. President.

Medical identity theft is a serious issue, and that is why this legislation is so important. Too often, when someone's identity is stolen, they are not aware of it. And then when they do find out, it is cumbersome for them trying to have their information corrected.

That's why I thank my colleagues for supporting this legislation.

I know my colleagues across the

aisle may have questions about it pertaining to other issues, but today this legislation is about assisting those people whose identity is being stolen from medical uses.

Thank you. I vote aye.

THE PRESIDENT: Senator Persaud to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar Number 228, those Senators voting in the negative are Senators Brisport, Rivera and Salazar.

Ayes, 60. Nays, 3.

THE PRESIDENT: The bill is passed.

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

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

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

SENATOR GIANARIS: Move to adjourn until tomorrow, Wednesday, March 23rd, at 3:00 p.m.

THE PRESIDENT: On motion, the Senate stands adjourned until Wednesday,

March 23rd, at 3:00 p.m.

(Whereupon, the Senate adjourned at 4:48 p.m.)