

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 April 4, 2022

11 3:03 p.m.

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13
14 REGULAR SESSION

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18 SENATOR ROXANNE J. PERSAUD, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

1 P R O C E E D I N G S

2 ACTING PRESIDENT PERSAUD: The
3 Senate will come to order.

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

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

8 ACTING PRESIDENT PERSAUD: In the
9 temporary absence of clergy, we ask for a moment
10 of silence.

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

13 ACTING PRESIDENT PERSAUD: The
14 reading of the Journal.

15 THE SECRETARY: In Senate, Sunday,
16 April 3, 2022, the Senate met pursuant to
17 adjournment. The Journal of Saturday, April 2,
18 2022, was read and approved. On motion, the
19 Senate adjourned.

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

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: Senator Gaughran

1 moves to discharge, from the Committee on Codes,
2 Assembly Bill Number 7603 and substitute it for
3 the identical Senate Bill 6966, Third Reading
4 Calendar 471.

5 ACTING PRESIDENT PERSAUD: So
6 ordered.

7 Messages from the Governor.

8 Reports of standing committees.

9 Reports of select committees.

10 Communications and reports from
11 state officers.

12 Motions and resolutions.

13 Senator Gianaris.

14 SENATOR GIANARIS: Madam President,
15 we're going to start with an immediate meeting of
16 the Rules Committee in Room 332.

17 ACTING PRESIDENT PERSAUD: There
18 will be an immediate meeting of the
19 Rules Committee in Room 332.

20 SENATOR GIANARIS: The Senate will
21 stand at ease.

22 ACTING PRESIDENT PERSAUD: The
23 Senate will stand at ease.

24 (Whereupon, the Senate stood at ease
25 at 3:05 p.m.)

1 (Whereupon, the Senate reconvened at
2 3:26 p.m.)

3 ACTING PRESIDENT PERSAUD: The
4 Senate will return to order.

5 Senator Gianaris.

6 SENATOR GIANARIS: Thank you,
7 Madam President.

8 There's a report of the
9 Rules Committee at the desk. Can we take that
10 up, please.

11 ACTING PRESIDENT PERSAUD: The
12 Secretary will read.

13 THE SECRETARY: Senator
14 Stewart-Cousins, from the Committee on Rules,
15 reports the following bill:

16 Senate Print 8715, by
17 Senator Krueger, an act making appropriations for
18 the support of government.

19 The bill reports direct to third
20 reading.

21 SENATOR GIANARIS: Move to accept
22 the report of the Rules Committee.

23 ACTING PRESIDENT PERSAUD: All
24 those in favor of accepting the Rules Committee
25 report please signify by saying aye.

1 (Response of "Aye.")

2 ACTING PRESIDENT PERSAUD: Opposed,
3 nay.

4 (No response.)

5 ACTING PRESIDENT PERSAUD: The
6 Rules Committee report is accepted.

7 Senator Gianaris.

8 SENATOR GIANARIS: Can we move
9 right to the supplemental calendar now,
10 Madam President.

11 ACTING PRESIDENT PERSAUD: The
12 Secretary will ring the bell.

13 The Secretary will read.

14 THE SECRETARY: Calendar Number
15 745, Senate Print 8715, by Senator Krueger, an
16 act making appropriations for the support of
17 government.

18 SENATOR LANZA: Lay it aside.

19 (Pause.)

20 SENATOR GIANARIS: Madam President,
21 before we lay that bill aside, I understand the
22 message of necessity has reached the desk.

23 ACTING PRESIDENT PERSAUD: Yes,
24 there is a message of necessity at the desk.

25 SENATOR GIANARIS: Move to accept

1 the message of necessity.

2 ACTING PRESIDENT PERSAUD: All
3 those in favor of accepting the message of
4 necessity signify by saying aye.

5 (Response of "Aye.")

6 ACTING PRESIDENT PERSAUD: Opposed,
7 nay.

8 (Response of "Nay.")

9 ACTING PRESIDENT PERSAUD: The
10 message is accepted, and the bill is before the
11 house.

12 SENATOR GIANARIS: Can we now lay
13 it aside, Madam President.

14 ACTING PRESIDENT PERSAUD: The bill
15 will be laid aside.

16 SENATOR LANZA: Lay it aside.

17 ACTING PRESIDENT PERSAUD: Lay it
18 aside.

19 Senator Gianaris.

20 SENATOR GIANARIS: Let's go to the
21 supplemental calendar, Madam President.

22 ACTING PRESIDENT PERSAUD: The
23 Secretary will read.

24 THE SECRETARY: Calendar Number
25 745, Senate Print 8715, by Senator Krueger, an

1 act making appropriations for the support of
2 government.

3 ACTING PRESIDENT PERSAUD: The
4 Secretary will ring the bell.

5 SENATOR O'MARA: Sorry,
6 Madam President, I didn't hear my name called.

7 (Laughter.)

8 SENATOR O'MARA: Thank you,
9 Madam President.

10 I just have a few questions on this
11 bill, if Senator Krueger would yield for a
12 moment.

13 ACTING PRESIDENT PERSAUD: Senator
14 Krueger, will you yield?

15 SENATOR KRUEGER: I will certainly
16 yield for Senator O'Mara.

17 ACTING PRESIDENT PERSAUD: The
18 sponsor yields.

19 SENATOR O'MARA: Thank you,
20 Madam President.

21 Senator, this bill, 8715, that we
22 have before us, it's been in print and online for
23 maybe five or 10 minutes now? Does that sound
24 about right to you?

25 SENATOR KRUEGER: Could be.

1 (Laughter.)

2 SENATOR KRUEGER: Now, in fairness,
3 there was an earlier version and then the
4 Governor wanted to make a change, and so the new
5 version got here very recently. So I believe you
6 are approximately correct.

7 We're technically racing the clock
8 to get this done.

9 SENATOR O'MARA: Yes,
10 Madam President, through you, if the sponsor will
11 continue to yield.

12 ACTING PRESIDENT PERSAUD: Will the
13 sponsor yield?

14 SENATOR KRUEGER: Of course.

15 ACTING PRESIDENT PERSAUD: The
16 sponsor yields.

17 SENATOR O'MARA: We are really
18 racing the clock, because it's 3:31 right now and
19 the Comptroller has said that they need this by
20 4 o'clock this afternoon -- in 29 minutes -- to
21 meet certain payroll requirements for state
22 workers to be paid.

23 Now, this is part of the State
24 Budget. Can you tell me what the total amount of
25 spending is in this bill?

1 SENATOR KRUEGER: It's
2 \$360 million. Through you, Madam President.

3 SENATOR O'MARA: Through you,
4 Madam President, if Senator Krueger will continue
5 to yield.

6 ACTING PRESIDENT PERSAUD: Senator
7 Krueger, do you yield?

8 SENATOR KRUEGER: Yes.

9 ACTING PRESIDENT PERSAUD: Senator
10 Krueger yields.

11 SENATOR O'MARA: Senator Krueger,
12 can you tell us what the last-minute revision
13 that the Governor wanted in here was?

14 SENATOR KRUEGER: I believe that
15 they left out one of the lines of appropriation,
16 but I don't know which line of appropriation got
17 added back in.

18 SENATOR O'MARA: Through you,
19 Madam President, if the Senator would yield.

20 ACTING PRESIDENT PERSAUD: Will the
21 Senator yield?

22 SENATOR KRUEGER: Yes.

23 ACTING PRESIDENT PERSAUD: The
24 sponsor yields.

25 SENATOR O'MARA: What was the

1 dollar amount of that line?

2 SENATOR KRUEGER: Let's see if we
3 can figure that out.

4 The Governor reports it was an
5 administrative error, so the money number might
6 not have changed, just the language might have
7 changed.

8 SENATOR O'MARA: Through you,
9 Madam President, if Senator Krueger will continue
10 to yield.

11 ACTING PRESIDENT PERSAUD: Senator
12 Krueger, do you yield?

13 SENATOR KRUEGER: Yes.

14 ACTING PRESIDENT PERSAUD: Senator
15 Krueger yields.

16 SENATOR O'MARA: How much of the
17 spending in this bill is not related directly to
18 payroll coverage for this week's payroll?

19 SENATOR KRUEGER: Just a minute.

20 So there's payroll and the fringe
21 benefits associated with payroll. There's the
22 general state charges payments that also
23 associate with payroll. There's some OPWDD --
24 primarily money for contracts for residential
25 care. There's some Department of Health WIC

1 payments. There's some funding for the Indian
2 Health Program and some NPS -- which are
3 contractual payments.

4 And yet do we have the answer on
5 what percentage of that is actual payroll? We're
6 looking through the bill, but we don't
7 necessarily have that yet for you,
8 Senator O'Mara.

9 SENATOR O'MARA: Okay, I can move
10 on to the next question and get that answer when
11 you have it, please.

12 ACTING PRESIDENT PERSAUD: Senator
13 Krueger, do you yield?

14 SENATOR KRUEGER: (Sneezing.)

15 ACTING PRESIDENT PERSAUD: Bless
16 you.

17 Senator Krueger yields.

18 SENATOR KRUEGER: (Sneezing.)

19 ACTING PRESIDENT PERSAUD: Bless
20 you.

21 SENATOR KRUEGER: Excuse me.

22 SENATOR O'MARA: God bless you.

23 SENATOR KRUEGER: (Sneezing.) I
24 apologize, Madam President. I sneeze --

25 ACTING PRESIDENT PERSAUD: Five

1 times.

2 SENATOR KRUEGER: -- five times.

3 Once I start, I can't do anything about it.

4 (Laughter.)

5 SENATOR O'MARA: Senator Krueger,

6 if you're not dizzy --

7 (Laughter.)

8 SENATOR O'MARA: Oh, I forgot what

9 I was going to ask now.

10 (Laughter.)

11 SENATOR KRUEGER: Would you like to

12 sneeze?

13 SENATOR O'MARA: Yeah, maybe I'll

14 sneeze. Maybe that will bring it back to me.

15 We're running short on time.

16 Senator Krueger, we -- this is part

17 of the budget that we haven't put together yet.

18 And we have probably, what, eight or nine more

19 bills to go after this one that have apparently

20 not been agreed to yet.

21 Can you tell us generally where we

22 are in the state of negotiations as far as

23 reaching a final agreement on all parts of the

24 budget, so that altogether we know fully what

25 we're voting on here?

1 SENATOR KRUEGER: So I actually
2 think that would take beyond our 4 o'clock
3 timeline.

4 But I'm actually cautiously
5 optimistic that we could actually get the full
6 bills done by Thursday. That's the estimate I
7 was given before I came into chamber.

8 So yes, it is an extender. We have
9 passed extenders many years where we didn't quite
10 get everything done by the deadline of April 1st.
11 And so it's not a particularly unusual thing for
12 this chamber to see an extender bill -- which
13 really, for people who don't know what we're
14 talking about, we want to make sure that the
15 workers of New York State continue to get paid
16 while we're still working out the final details
17 of the full budget.

18 But I am cautiously optimistic that
19 we are close enough that we could get the whole
20 package of budget bills to print and ready to
21 vote on by Thursday.

22 SENATOR O'MARA: Through you,
23 Madam President, if the Senator will continue to
24 yield.

25 ACTING PRESIDENT PERSAUD: Senator,

1 do you yield?

2 SENATOR KRUEGER: Yes,
3 Madam President.

4 ACTING PRESIDENT PERSAUD: The
5 Senator yields.

6 SENATOR O'MARA: Now, all the
7 pieces of that budget would have to be in print
8 by midnight tonight for us to timely vote on them
9 on Thursday.

10 So are you anticipating messages of
11 necessity from the Governor for every bill of the
12 budget that we're going to pass?

13 SENATOR KRUEGER: We are likely to
14 need messages of necessity on several of the
15 bills.

16 We've already done the debt service
17 bill. The judiciary and legislative, probably
18 not. But it is quite possible that we will need
19 messages on all the other bills.

20 SENATOR O'MARA: Through you,
21 Madam President, if the Senator would continue to
22 yield.

23 ACTING PRESIDENT PERSAUD: Will the
24 Senator yield?

25 SENATOR KRUEGER: Yes.

1 ACTING PRESIDENT PERSAUD: The
2 Senator yields.

3 SENATOR O'MARA: Senator Krueger,
4 has there been an agreement yet on the avails, as
5 far as how much revenue there is going to be to
6 spend, in whole, on what's going to make up this
7 year's budget?

8 SENATOR KRUEGER: We had our
9 revenue consensus plan agreed to on March 1st, so
10 we know what those avails are. I believe that
11 was 1.6 billion? I'm sorry, it was a range at
12 the time.

13 And we -- revenues have been coming
14 in more strongly than we expected from our taxes
15 since then. So do we -- we're remaining at the
16 consensus plan of approximately 1.2 billion in
17 avails.

18 SENATOR O'MARA: And through you,
19 Madam President, if the sponsor will continue to
20 yield.

21 ACTING PRESIDENT PERSAUD: Will the
22 sponsor yield?

23 SENATOR KRUEGER: Yes.

24 ACTING PRESIDENT PERSAUD: The
25 sponsor yields.

1 SENATOR O'MARA: With that level of
2 avails, then, if it sticks at that, that would
3 bring the total overall spending in this budget
4 to what?

5 SENATOR KRUEGER: You know, we
6 confess we didn't bring the right paperwork to
7 the floor. We think it's about a 5 percent
8 increase, a 5.5 percent increase over the year
9 before. And unfortunately, I'm not remembering
10 the numbers.

11 So we'd be happy to get them to all
12 of the Senators right after chambers, but I don't
13 have that paper trail here today.

14 SENATOR O'MARA: Thank you,
15 Senator.

16 Madam President, if the sponsor will
17 continue to yield.

18 ACTING PRESIDENT PERSAUD: Will the
19 sponsor yield?

20 SENATOR KRUEGER: Yes.

21 ACTING PRESIDENT PERSAUD: The
22 sponsor yields.

23 SENATOR O'MARA: Traditionally,
24 Senator Krueger, in the negotiations of the
25 budget -- usually much earlier than this point --

1 there would have been provided certain so-called
2 table targets of what was available to spend on
3 each subject matter, such as transportation,
4 education, health -- the big areas.

5 What are the table targets at this
6 point of the game?

7 SENATOR KRUEGER: We don't have
8 table targets at this point in the game. And I
9 agree, that's a little frustrating. I think
10 frustrating to all the members. But we do not
11 have table targets at this time.

12 SENATOR O'MARA: Thank you,
13 Senator Krueger.

14 Thank you, Madam President.

15 ACTING PRESIDENT PERSAUD: Thank
16 you, Senator.

17 Senator Tedisco.

18 SENATOR TEDISCO: Yeah, would the
19 gentlelady yield for a few questions.

20 ACTING PRESIDENT PERSAUD: Senator
21 Krueger, will you yield?

22 SENATOR KRUEGER: Certainly.

23 ACTING PRESIDENT PERSAUD: The
24 Senator yields.

25 SENATOR KRUEGER: I'm not sure, did

1 he say "gentleman"?

2 SENATOR TEDISCO: Gentlelady.

3 SENATOR KRUEGER: Gentlelady,
4 excuse me.

5 I would have answered either way,
6 actually, Madam President.

7 (Laughter.)

8 SENATOR TEDISCO: Thank you.

9 Senator, by way of transparency, I
10 know all of us know, but I know the viewers and
11 the taxpayers and the people who we take an oath
12 of office to might want to understand exactly
13 what the Constitution says about any bill --

14 ACTING PRESIDENT PERSAUD: Senator
15 Tedisco, are you on the bill or are you asking
16 the sponsor a question?

17 SENATOR TEDISCO: Well, I asked you
18 if she'd yield for a question.

19 SENATOR KRUEGER: Yes.

20 ACTING PRESIDENT PERSAUD: But are
21 you on the -- explaining --

22 SENATOR TEDISCO: That's what I
23 asked you, if I could ask her a question.

24 ACTING PRESIDENT PERSAUD: Yes.

25 SENATOR TEDISCO: So,

1 Senator Krueger, I know you're familiar, and all
2 of our colleagues here are -- but in terms of the
3 taxpayers watching and those who we take an oath
4 of office to, could you explain what the
5 Constitution says about any bill that comes to
6 our desk, including a hovering around
7 \$220 billion budget bill?

8 What does the Constitution say
9 should happen when the bill gets on our desk?

10 SENATOR KRUEGER: We don't put them
11 on our desk anymore, we put them through the iPad
12 or through the LRS system.

13 But the same point, that bills are
14 supposed to age for three days before they're
15 voted upon, unless there is a message of
16 necessity from the Governor.

17 SENATOR TEDISCO: Would the Senator
18 yield.

19 ACTING PRESIDENT PERSAUD: Does the
20 sponsor yield?

21 SENATOR KRUEGER: Yes.

22 ACTING PRESIDENT PERSAUD: The
23 sponsor yields.

24 SENATOR TEDISCO: So I understand
25 this is an extender to pay the state workers. So

1 we know what that value is to us. We know they
2 have to come to work, we know the service they
3 provided. So they're probably going to get a lot
4 of votes from us.

5 What we don't know is the content of
6 this budget, hovering around \$220 billion. Could
7 you explain why it's responsible to vote for that
8 when we don't have those at least two days,
9 one and a half days, 12 hours, maybe eight hours,
10 maybe three hours -- how about 15 minutes? Could
11 you explain that to us, how responsible that
12 might or might not be for the taxpayers we
13 represent, for my vote and for the voters on this
14 side and your colleagues on your side?

15 SENATOR KRUEGER: So, Senator --
16 through you, Madam President -- I completely
17 empathize because I have stood where you stood
18 and used the exact same argument.

19 I would prefer that we did not have
20 messages of necessity on budget bills. I would
21 prefer that we did have the chance to review
22 them.

23 I will point out to my colleagues
24 that they have both the Governor's original
25 Executive Budget, they have both the one-house

1 budget from the Senate, the one-house budget from
2 the Assembly. So they understand, or they can,
3 the parameters of the debate that is taking place
4 right now between the two houses and the
5 Governor.

6 But you're right, they don't have
7 bill language of the very specifics of what will
8 be narrowed down, hopefully very quickly, and
9 turned into budget legislation.

10 SENATOR TEDISCO: Will the Senator
11 yield for another question.

12 ACTING PRESIDENT PERSAUD: Does the
13 Senator yield?

14 SENATOR TEDISCO: Did you say I was
15 right?

16 (Laughter.)

17 ACTING PRESIDENT PERSAUD: Does the
18 Senator --

19 SENATOR TEDISCO: Okay. What would
20 the damage be of giving us the bills on Thursday
21 and waiting the three days for us to read it?

22 SENATOR KRUEGER: So it's a great
23 question: When does a late budget become a
24 problem?

25 My understanding is that there are

1 school districts that have their local school
2 board votes as early as the week after --
3 April 12th. So I actually think some of the harm
4 is if we don't get the budget done in time for
5 the school districts to know exactly what their
6 education funding is going to be when they are
7 bringing their new budgets to people.

8 SENATOR TEDISCO: Would the Senator
9 yield.

10 ACTING PRESIDENT PERSAUD: Does the
11 sponsor yield?

12 SENATOR KRUEGER: Yes.

13 ACTING PRESIDENT PERSAUD: The
14 sponsor yields.

15 SENATOR TEDISCO: Well, by my
16 count -- let's see. If you give it to us
17 Thursday -- Friday, Saturday, Sunday, that's
18 three days. There's no school budgets within
19 three days after Thursday. That wouldn't impact
20 it at all.

21 So what would the problem be? For
22 us to read it on Thursday, Friday, Saturday,
23 Sunday and then have a knowledgeable vote on
24 that budget?

25 SENATOR KRUEGER: Well, if we put

1 out a budget, they still need to translate what
2 does that mean for their district and if they
3 need to reduce what they were projecting for
4 their voters -- or increase, as the case may be
5 that they would really need more than a few
6 minutes to deal with that.

7 So I actually think we're cutting it
8 pretty close as is. And I would prefer not to
9 have to cut it any closer.

10 SENATOR TEDISCO: Would the Senator
11 yield for another question.

12 ACTING PRESIDENT PERSAUD: Does the
13 Senator yield?

14 SENATOR KRUEGER: Yes.

15 ACTING PRESIDENT PERSAUD: The
16 Senator yields.

17 SENATOR TEDISCO: How many school
18 board votes will there be on the 12th of this --
19 did you say the 12th?

20 SENATOR KRUEGER: I believe that's
21 right, the 12th.

22 We believe over 600.

23 SENATOR TEDISCO: Would the Senator
24 yield.

25 ACTING PRESIDENT PERSAUD: Does the

1 Senator yield?

2 SENATOR KRUEGER: Yes.

3 ACTING PRESIDENT PERSAUD: The
4 Senator yields.

5 SENATOR TEDISCO: Do you have any
6 knowledge of whether there will be anything done
7 to help with the gas tax or any situation with
8 the pain at the pump or with bail, the cash bail,
9 criminal justice? Any inkling of a little bit of
10 information about those two important concepts
11 that we're concerned about, when it's the highest
12 inflation in 40 years of our constituents?

13 SENATOR KRUEGER: So I believe that
14 both of those issues have been under discussion
15 and are still under discussion.

16 SENATOR TEDISCO: Thank you,
17 Madam President.

18 Thank you, Senator.

19 ACTING PRESIDENT PERSAUD: Thank
20 you, Senator.

21 Are there any other Senators wishing
22 to be heard?

23 Senator Helming.

24 SENATOR HELMING: Thank you,
25 Madam President. If the sponsor will yield for a

1 question.

2 ACTING PRESIDENT PERSAUD: Will the
3 sponsor yield?

4 SENATOR KRUEGER: One moment.

5 Yes, Madam President, I would be
6 happy to answer.

7 ACTING PRESIDENT PERSAUD: The
8 Senator yields.

9 SENATOR HELMING: Thank you,
10 Madam President.

11 So, Senator Krueger, I was just
12 looking for some clarification. When I heard my
13 colleague Senator Tedisco ask a question -- and
14 he framed it around transparency and having
15 enough time to review the budget so that we could
16 make educated votes on behalf of our
17 constituents -- you had mentioned that the one
18 thing that we could be doing, or I interpreted
19 what you said to say that we could be reviewing
20 the Governor's original proposal, we could be
21 reviewing the Senate one-house budget.

22 But just to get back -- and
23 Senator Tedisco brought up part of this too -- in
24 the Governor's original budget and in the Senate
25 one-house, what was in there about bail and

1 discovery reform?

2 SENATOR KRUEGER: Hmm. I think
3 that's a good catch by the Senator.

4 I believe that the Governor's
5 proposal by and large came out after she released
6 her Executive Budget. And so I don't think there
7 was anything significant in either one-house or
8 the Governor's Executive Budget on this important
9 issue. It came up late in the game.

10 SENATOR HELMING: Through you,
11 Madam President, if the sponsor will continue to
12 yield.

13 ACTING PRESIDENT PERSAUD: Does the
14 sponsor yield?

15 SENATOR KRUEGER: If I could make
16 it the last question, just because I'm nervous
17 about timeline. So pick your best question. I
18 hate to be rude, but I'm being told that we need
19 to get this to the Comptroller.

20 SENATOR HELMING: Is this through
21 you, Madam President?

22 ACTING PRESIDENT PERSAUD: Yes.

23 SENATOR KRUEGER: Through you,
24 Madam President.

25 ACTING PRESIDENT PERSAUD: So the

1 sponsor will yield for one final question.

2 SENATOR HELMING: Okay. So we're
3 being asked to vote on a \$360 million extender
4 right now -- which I fully support paying our
5 state workers. They shouldn't suffer the
6 consequences of the inability to get a budget
7 done on time. And it's unfortunate that I'm
8 being limited to two questions.

9 But going back to the one question
10 that I have remaining to me, that question would
11 be: Senator Krueger, was there anything in the
12 Governor's original proposal or in the Senate
13 one-house about a certain stadium being built?

14 SENATOR KRUEGER: No, there was
15 nothing in the budget about a stadium being
16 built. And I still have seen no language within
17 a budget bill related to a stadium. Or the
18 extender either.

19 SENATOR HELMING: Since I am not
20 allowed to ask any further questions of the
21 sponsor, I would just comment that it is
22 incredibly important for us to be able to do our
23 jobs responsibly to uphold the oath of office
24 that we've all taken. We need to have these
25 budget bills in a timely manner. Having it

1 minutes before it's time to vote on them is not
2 acceptable to anyone.

3 And to feel that there's pressure
4 because the Comptroller's office wants this at
5 4 o'clock and it's now, you know, minutes before
6 4 o'clock, I just find it unacceptable.

7 Thank you, Madam President.

8 ACTING PRESIDENT PERSAUD: Thank
9 you, Senator.

10 Are there any other Senators wishing
11 to be heard?

12 SENATOR KRUEGER: Just one
13 clarification, if I might, Madam President.

14 ACTING PRESIDENT PERSAUD: Yes,
15 ma'am.

16 SENATOR KRUEGER: Earlier
17 Senator O'Mara asked what amount of money was in
18 this bill that was not for payroll. And it's 11
19 million out of the 260 million that is not --
20 excuse me, 11 million of the 360 million is not
21 related to payroll or associated taxes.

22 Thank you, Madam President.

23 ACTING PRESIDENT PERSAUD: Thank
24 you, Senator.

25 Seeing and hearing no other

1 Senators, the debate is now closed.

2 The Secretary will ring the bell.

3 Read the last section.

4 THE SECRETARY: Section 10. This
5 act shall take effect immediately.

6 ACTING PRESIDENT PERSAUD: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT PERSAUD: Announce
10 the results.

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT PERSAUD: The bill
13 is passed.

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

16 SENATOR GIANARIS: Thank you,
17 Madam President.

18 Let me return to motions and
19 resolutions at this time.

20 Amendments are offered to the
21 following Third Reading Calendar bills:

22 By Senator Krueger, page 16,
23 Calendar 451, Senate Print 7278A;

24 And by Senator Parker, page 32,
25 Calendar 715, Senate Print 8405A.

1 ACTING PRESIDENT PERSAUD: The
2 amendments are received, and the bills will
3 retain their place on the Third Reading Calendar.

4 SENATOR GIANARIS: Can we now take
5 up previously adopted Resolution 1978, by
6 Senator Sepúlveda, read its title, and recognize
7 Senator Sepúlveda.

8 ACTING PRESIDENT PERSAUD: The
9 Secretary will read.

10 THE SECRETARY: Senate Resolution
11 1978, by Senator Sepúlveda, mourning the death of
12 Venancio Catala Jr., renowned public servant,
13 distinguished citizen, and devoted member of his
14 community.

15 ACTING PRESIDENT PERSAUD: Senator
16 Sepúlveda on the resolution.

17 SENATOR SEPÚLVEDA: Thank you,
18 Madam President, for allowing me to bring this
19 resolution to the floor today.

20 In my 10 years as either an
21 Assemblyman or State Senator, I've done many
22 resolutions in both chambers. But today I do
23 this resolution with a little sense of sadness
24 but a little sense of pride as well, for the
25 person who we're honoring today, Venancio "Benny"

1 Catala.

2 Unfortunately, Benny passed away on
3 January 17th at the young age of 52. And for
4 many of us, especially in the Bronx, it was a
5 very sad day. I've known Benny for over
6 30 years, and Benny has been more like a family
7 member to me than a friend. He's helped me, he's
8 helped my family members individually, and even
9 when we were on different sides of political
10 fights, Benny was always a great friend.

11 There are many people in the
12 Bronx -- many people in New York City, I
13 daresay -- who Benny has helped one way or
14 another. I remember at his funeral so many
15 elected officials came in from different parts of
16 the City of New York that I was surprised at the
17 outpour of love and affection for Benny.

18 His family is watching us today,
19 they're watching this proceeding. And I hope
20 that they get a sense, when we're all done
21 speaking, of how important Benny was to many of
22 us.

23 Benny dedicated his life to service
24 at the young age of 16. Benny began his career
25 as a public servant, where he basically helped

1 people with housing, food, and other social
2 services that were much needed in the community
3 that he represented.

4 Benny worked for many years with
5 Assemblywoman Aurelia Greene, and in his capacity
6 working with her is where he got the opportunity
7 to help so many people.

8 I'm fighting back -- getting a
9 little emotional here, because Benny was that
10 kind of a friend to me. In my darkest days of my
11 political life, Benny was always there to help me
12 and support me, and I'll never forget that. His
13 infinite selflessness and benevolence will shine
14 through his family's vivid and happy memories.
15 His insight, his strength will forever be a
16 beacon of love, light and hope to countless
17 people whose lives Benny touched.

18 My deepest and sincerest
19 condolences are with the family, the entire
20 family, for the loss of such a great public
21 servant, such a great friend, such a great human
22 being.

23 Benny, you will always live in our
24 lives, in our hearts and in our minds. What you
25 did for the Bronx, for your friends, and for your

1 family will never be forgotten. And I'm sad that
2 we lost you at such a young age, but I know
3 you're in a better place. And I know that our
4 community in the Bronx and in the City of New
5 York will never forget you.

6 Thank you.

7 ACTING PRESIDENT PERSAUD: Thank
8 you.

9 Senator Bailey on the resolution.

10 SENATOR BAILEY: Thank you,
11 Madam President.

12 Thank you, Senator Sepúlveda, for
13 introducing this incredibly difficult resolution
14 to speak about.

15 We speak about a lot of resolutions
16 on the floor, Madam President, about historical
17 figures, but it might be the first time I'm
18 speaking about a friend -- somebody who helped me
19 get into politics, somebody who believed in me
20 regardless of where I was from. Benny Catala --
21 Venancio Catala Jr. -- we called him Benny. If
22 you were from the Bronx and you heard the name
23 Benny, there was only one man you were talking
24 about, and it was this man that we're talking
25 about on the floor.

1 It is ironic that we are speaking
2 about him on this resolution in the first day
3 when we can -- where we're permitted to file
4 petitions.

5 Benny was a political master. Benny
6 knew everything that there was to know about the
7 Bronx and, as Senator Sepúlveda alluded to, about
8 more than the Bronx. He was more than just a
9 friend, he was a confidant. He was someone who
10 gave his last to so many people. At his funeral
11 there were so many outpourings of love and
12 emotion about things that Benny did for them that
13 they didn't even know that Benny did for them
14 until somebody told them after the fact.

15 Benny was your favorite rapper's
16 favorite rapper. He was your favorite guy's
17 favorite guy. He had somebody for everything if
18 you needed it. Like in listening to the people
19 at his wake and at his funeral, the amount of
20 lives that he's touched is just remarkable.

21 And you know somebody the way that
22 you know them, but it's always remarkable when at
23 these home-going celebrations to be able to hear
24 how these people that touch your life impacted
25 the lives of everybody else.

1 So I can share that Benny was a --
2 someone who had a keen sense of humor, a sharp
3 sense of humor, as it were. And he would always
4 send text messages of certain memes, right? And
5 I remember one final meme that he sent me -- and
6 this is how I knew that Benny loved me, because
7 he sent me a meme of me and my daughters wearing
8 Mets jerseys. Now, if you knew Benny, you knew
9 how much he hated the Mets and loved the Yankees.
10 So for him to send me that meme meant a lot to
11 me.

12 Benny was sharp. But not just a
13 sharp wit, but he had a sharp line, a razor-sharp
14 line. He always shouted out his barber E Sharp,
15 and I always texted him, "Benny, when you going
16 to hook me up with E Sharp so I can get a line
17 too?"

18 Benny was an incredibly dapper
19 individual. He loved himself some Ralph Lauren
20 Polo. He would once say: Thou shalt not wear
21 USPA. He wanted to make sure that it was Ralph
22 and Ralph only.

23 He was just -- but he was more than
24 just somebody who was charismatic and witty, he
25 was a worker. He was someone that would be -- he

1 would have been binding with us, binding
2 petitions until the last person was out the door.
3 He would have been out on the streets making sure
4 he was talking to people.

5 But it's not just about the
6 political work, it's the community work -- how he
7 started out with Reverend Jerome A. Greene and
8 the late, great Aurelia Greene in the streets of
9 the South Bronx. Benny was a unifier. He was
10 somebody that brought Blacks and Latinos together
11 in the borough of the Bronx, because he had that
12 gravitas, he had that swag, as it were,
13 Madam President.

14 And it's interesting how people send
15 messages from beyond. On the day of his funeral,
16 I got in the car and I put on the music on
17 shuffle, and the first song I heard was "It's So
18 Hard to Say Goodbye." And it was really
19 interesting. Then the next song I heard was
20 Nice & Smooth, "Hip Hop Junkies," which was one
21 of Benny's favorite groups. And he grew up with
22 one of the guys, Greg Nice, from Nice & Smooth.

23 So many things to speak about Benny
24 and so many things that he's done in the
25 community. And I just -- you know, I'm going to

1 bring it to a pause here. But I talk about
2 petitions and how petitions have like a dual
3 meaning, right? Petitions in the church,
4 petitions to pray, and also petitions that we
5 need to get on the ballot.

6 And what I'll say is that Benny is
7 organizing in heaven right now, and he's got a
8 slate and he was accepted with no challenges. We
9 are extremely proud of the work that he has done
10 in the physical form, but we know that he was a
11 man of faith and that his work continues in the
12 metaphysical.

13 So to you, Big Ben, cheers to you,
14 Benny. All the best to you, my friend. To your
15 family, to your loved ones, to the Bronx -- you
16 made the Bronx a better place. London might have
17 Big Ben as their monument, but Big Ben is our
18 monument in the boogie-down Bronx.

19 God rest the life and soul of
20 Venancio "Benny" Catala Jr.

21 ACTING PRESIDENT PERSAUD: Thank
22 you, Senator.

23 The resolution was adopted on
24 March 8th.

25 Senator Gianaris.

1 SENATOR GIANARIS: At the request
2 of the sponsor, that resolution is open for
3 cosponsorship.

4 ACTING PRESIDENT PERSAUD: The
5 resolution is open for cosponsorship.

6 Should you choose not to be a
7 cosponsor of the resolution, please notify the
8 desk.

9 Senator Gianaris.

10 SENATOR GIANARIS: Let's take up
11 the calendar at this time, please.

12 ACTING PRESIDENT PERSAUD: The
13 Secretary will read.

14 THE SECRETARY: Calendar Number
15 397, Senate Print 6828A, by Senator Mayer, an act
16 to amend the Labor Law.

17 ACTING PRESIDENT PERSAUD: Read the
18 last section.

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

21 ACTING PRESIDENT PERSAUD: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT PERSAUD: Announce
25 the results.

1 THE SECRETARY: Ayes, 62.

2 ACTING PRESIDENT PERSAUD: Senator
3 Mayer to explain her vote.

4 SENATOR MAYER: Yes, thank you,
5 Madam President. I'm sorry I didn't get up
6 quicker.

7 I do want to explain my vote. This
8 bill is so exceptionally important to all of us
9 because it would require the Department of Labor
10 to give notice of whether a person is eligible or
11 ineligible for unemployment benefits within
12 30 days, unless there's some extraordinary
13 circumstances.

14 And I know that all of us in this
15 chamber, on both sides of the aisle, have these
16 experiences. But this is real to the people we
17 serve. And I asked my staff to give me the last
18 few claims that we've gotten, still calling our
19 office two years after the onset of COVID.

20 "I'm calling with regards to
21 unemployment insurance. My son has made a number
22 of calls, and he gives them all the information
23 and no one gets back to him. And it's a really
24 sad situation when the people who are supposed to
25 be helping you don't."

1 "Been waiting eight weeks and still
2 haven't received any benefits. They keep
3 determining my benefits amount, but I can't get
4 through on the phone lines."

5 "I'm a one-income household. I rely
6 on my unemployment. I can't pay my bills without
7 it. Have not heard anything back about my
8 claim."

9 "I have not received any information
10 about the status of my claim. It has been many
11 weeks."

12 These are this year's complaints,
13 two years after we started this onslaught of
14 unemployment. And I suspect every one of us has
15 these calls.

16 This bill -- we need to change this
17 system and require the Department of Labor to
18 give notice of whether you're eligible or
19 ineligible so that you can apply for a hearing,
20 if you're ineligible, and that there is pressure
21 on them to do this.

22 I urge my colleagues to support
23 this. And I urge the Department of Labor, let's
24 move this process along and give our constituents
25 the information and the benefits they are

1 entitled to.

2 I vote aye.

3 ACTING PRESIDENT PERSAUD: Senator
4 Mayer to be recorded in the affirmative.

5 Announce the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 471, Assembly Print Number 7603, by
11 Assemblymember Sillitti, an act to repeal certain
12 provisions of the Criminal Procedure Law.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Announce
21 the results.

22 THE SECRETARY: Ayes, 62.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 491, Senate Print 8128, by Senator Breslin, an
2 act to amend the Labor Law.

3 ACTING PRESIDENT PERSAUD: Read the
4 last section.

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

7 ACTING PRESIDENT PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Announce
11 the results.

12 THE SECRETARY: Ayes, 62.

13 ACTING PRESIDENT PERSAUD: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 586, Senate Print 1256B, by Senator Gianaris, an
17 act to amend the Public Health Law.

18 ACTING PRESIDENT PERSAUD: Read the
19 last section.

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

23 ACTING PRESIDENT PERSAUD: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT PERSAUD: Announce
2 the results.

3 THE SECRETARY: Ayes, 62.

4 ACTING PRESIDENT PERSAUD: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 591, Senate Print 2988, by Senator Harckham, an
8 act in relation to ordering a study and report on
9 improvements of State Route 9A.

10 ACTING PRESIDENT PERSAUD: Read the
11 last section.

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

14 ACTING PRESIDENT PERSAUD: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT PERSAUD: Senator
18 Reichlin-Melnick to explain his vote.

19 SENATOR REICHLIN-MELNICK: Thank
20 you, Madam President.

21 And thank you to Senator Harckham
22 for introducing this bill, which I am proud to
23 cosponsor.

24 So I want everybody here to imagine,
25 and everybody watching, that you're driving down

1 a state highway, wherever you may be in New York
2 State, and all of a sudden there's a sign that
3 says "Low Bridge Ahead." And if you don't merge
4 out of the right lane that you're driving in into
5 the passing lane, you're going to smash right
6 into that bridge.

7 That's a situation that truck
8 traffic on State Route 9A in the town of Ossining
9 faces every single day. This is a 90-year-old
10 roadway that was built at a time when trucks were
11 not as large as they are today, cars didn't go as
12 fast, and the bridges didn't need to be as high.

13 Today trucks are allowed on this
14 roadway, and yet there are several places where
15 if they fail to merge, they hit those bridges.

16 So this bill by Senator Harckham,
17 which I cosponsor, says one thing very simply:
18 It's time for the DOT to do a study and figure
19 out how are we going to fix this dangerous road
20 that passes through the Towns of Ossining and
21 Mount Pleasant.

22 Forty-five-thousand vehicles a day
23 use this highway. And on average, in the
24 two and-a-half-mile stretch that goes to the
25 Village of Briarcliff Manor in my district, there

1 are over 120 accidents a year. It's an average
2 of more than three a week. It strains the local
3 police, fire and EMS departments. And it is a
4 tragedy waiting to happen.

5 There have been fatal accidents on
6 this stretch of road. There have been accidents
7 involving school buses. It is a matter of time.

8 And so I hope -- and I am grateful
9 to the Senate for passing this bill a second
10 time. We passed it last year. I hope the
11 Assembly will do likewise. I hope we can get
12 some funding in the budget for this study,
13 because I don't know any other highway out there
14 across New York State which allows trucks on it
15 and yet they can't fit under some of the bridges.

16 So thank you very much,
17 Madam President. I vote aye.

18 ACTING PRESIDENT PERSAUD: Senator
19 Reichlin-Melnick to be recorded in the
20 affirmative.

21 Announce the results.

22 THE SECRETARY: Ayes, 62.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 645, Senate Print 4471A, by Senator Mannion, an
2 act to amend the General Municipal Law and the
3 Public Authorities Law.

4 ACTING PRESIDENT PERSAUD: Read the
5 last section.

6 THE SECRETARY: Section 4. This
7 act shall take effect on the 60th day after it
8 shall have become a law.

9 ACTING PRESIDENT PERSAUD: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Announce
13 the results.

14 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 693, Senate Print 7106A, by Senator Mannion, an
19 act to amend the Social Services Law.

20 ACTING PRESIDENT PERSAUD: Read the
21 last section.

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

24 ACTING PRESIDENT PERSAUD: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT PERSAUD: Announce
3 the results.

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT PERSAUD: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 710, Senate Print 2933A, by Senator Parker, an
9 act to direct the Department of State and the
10 Public Service Commission to jointly study and
11 report upon the provision to consumer credit
12 reporting agencies.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

15 THE SECRETARY: Section 4. This
16 act shall take effect immediately.

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT PERSAUD: Announce
24 the results.

25 THE SECRETARY: In relation to

1 Calendar Number 710, those Senators voting in the
2 negative are Senators O'Mara and Ortt.

3 Ayes, 60. Nays, 2.

4 ACTING PRESIDENT PERSAUD: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 718, Senate Print 2789, by Senator Sepúlveda, an
8 act to amend the Executive Law.

9 SENATOR LANZA: Lay it aside.

10 ACTING PRESIDENT PERSAUD: Lay it
11 aside.

12 THE SECRETARY: Calendar Number
13 731, Senate Print 28A, by Senator Kaplan, an act
14 to amend the State Administrative Procedure Act.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

24 THE SECRETARY: Ayes, 62.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

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

4 SENATOR GIANARIS: Now let's move
5 on to the controversial calendar, please.

6 ACTING PRESIDENT PERSAUD: The
7 Secretary will ring the bell.

8 The Secretary will read.

9 THE SECRETARY: Calendar Number
10 718, Senate Print 2789, by Senator Sepúlveda, an
11 act to amend the Executive Law.

12 ACTING PRESIDENT PERSAUD: Senator
13 Lanza, why do you rise?

14 SENATOR LANZA: Madam President, I
15 believe there's an amendment at the desk. I
16 waive the reading of that amendment and ask that
17 you recognize Senator Helming to be heard.

18 ACTING PRESIDENT PERSAUD: Thank
19 you, Senator Lanza.

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

23 SENATOR LANZA: Accordingly,
24 Madam President, I appeal the ruling of the chair
25 and ask that you recognize Senator Helming.

1 ACTING PRESIDENT PERSAUD: The
2 appeal has been made and recognized, and
3 Senator Helming may be heard.

4 SENATOR HELMING: Thank you,
5 Madam President. I rise to appeal the ruling of
6 the chair.

7 The proposed amendment is germane
8 because Senate Bill 2789 is about providing
9 additional protections to victims of the vengeful
10 sharing of intimate images, while the amendment
11 that I've brought forward would provide
12 additional protections to victims of all crimes
13 by repealing the bail and discovery reform laws.

14 More specifically, the bail and
15 discovery reforms have proven to be a disaster,
16 causing unnecessary and irreparable harm. We can
17 see the impact that these reforms have on our
18 state as crime continues to rise and more and
19 more New Yorkers feel unsafe in their own
20 homes.

21 These bail laws leave judges with no
22 option to set bail on individuals charged with
23 several serious offenses, including certain
24 burglary, arson and robbery charges. As a
25 result, victims of those crimes are vulnerable to

1 harassment, intimidation and additional violence.

2 And judges have no option to set
3 bail even when the defendant has a history of
4 violence or witness intimidation or tampering.

5 Time and time again, we've seen how
6 those misguided bail reforms have hurt
7 New Yorkers. Let me remind you of New York
8 Police Department Officer Dalsh Vee, who was
9 severely injured and is now bound to a wheelchair
10 after being dragged for blocks by a stolen
11 vehicle driven by a criminal with 11 -- yes,
12 11 -- prior arrests.

13 In May of last year, while this
14 criminal was out on parole, he led NYPD officers
15 on a high-speed chase in another stolen vehicle.
16 And then guess what happened in February of this
17 year? This same criminal led Port Authority
18 officers on another chase in another stolen car.

19 And his punishment -- of maybe I
20 should more aptly call it his reward -- for his
21 most recent arrest and history of crime, he was
22 released due to New York State's misguided bail
23 laws, which forbid a judge from setting bail in
24 stolen car cases.

25 Let me tell you about Mark Knapp, a

1 59-year-old Finger Lakes man who was beloved by
2 his wife, his daughters, his family and our
3 entire community. He was struck and killed by a
4 drunk driver who fled the scene. Just one month
5 prior to the fatal incidence that took Mark's
6 life, this criminal was arrested on aggravated
7 DWI charges and was eligible for mandatory
8 release.

9 A 24-year-old Ontario County man at
10 the center of an FBI investigation was released
11 after being charged with promoting child
12 pornography. Under the bail laws, it's
13 disgusting, but this isn't a qualifying offense.

14 These are just a few examples of
15 people's lives being destroyed because of the
16 changes to bail and discovery laws.

17 The lengthy list of offenses that
18 are not bail-eligible includes unlawful
19 dissemination or publication of an intimate
20 image, the offense that is the focus of the bill
21 that's before us. And while this bill makes
22 important amendments that would allow victims to
23 hide their address from the criminal that
24 disseminated their intimate pictures, our bail
25 and discovery laws do nothing, absolutely nothing

1 to protect that same victim once the offender is
2 arrested. Does that even make sense?

3 I've said this before time and time
4 again on this floor, this is not a Democrat or
5 Republican issue. This is about public safety,
6 which should be our number-one priority. Without
7 having a deterrent against committing a crime,
8 our fates and the fates of our loved ones are
9 held in the hands of those who have no regard for
10 the safety of others.

11 Just what is it going to take to
12 keep these dangerous individuals off our streets?
13 And yes, I've heard the arguments and read about
14 the arguments that the data does not indicate a
15 need for change. However, I'd offer the
16 Monroe County Sheriff's Office conducted an
17 analysis of local data which was gathered by the
18 Monroe Crime Analysis Center on repeat offenders.

19 That December of 2021 study showed
20 that 74 individuals conducted at least 131 new
21 known crimes after receiving their first
22 appearance tickets. Some individuals recorded up
23 to six additional crimes -- and that's just the
24 recorded crimes committed that were known.

25 And in addition, this study found

1 that in Rochester the number of shooting victims
2 increased by more than 105 percent in 2021,
3 versus the five-year average. And the number of
4 individuals killed by gun violence in 2021 went
5 up 120 percent compared to the five-year average.

6 Madam President, I offer this. This
7 is real crime. These are real lives lost, and
8 these are families who are being torn apart.
9 Clearly bail and discovery reform is failing. I
10 voted against these measures when they were
11 pushed forward, and I'm going to continue to
12 advocate against them until they are repealed.

13 For these reasons, Madam President,
14 I strongly urge you to consider the victims and
15 reconsider your ruling.

16 ACTING PRESIDENT PERSAUD: Thank
17 you, Senator.

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

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

23 SENATOR LANZA: Request a show of
24 hands.

25 SENATOR GIANARIS: Madam President,

1 we've agreed to waive the showing of hands and
2 record each member of the Minority in the
3 affirmative.

4 ACTING PRESIDENT PERSAUD: Without
5 objection, so ordered.

6 Announce the results.

7 THE SECRETARY: Ayes, 20.

8 ACTING PRESIDENT PERSAUD: The
9 ruling of the chair stands and the bill-in-chief
10 is before the house.

11 The Secretary will ring the bell.

12 Read the last section.

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

15 ACTING PRESIDENT PERSAUD: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT PERSAUD: Announce
19 the results.

20 THE SECRETARY: Ayes, 62.

21 ACTING PRESIDENT PERSAUD: The bill
22 is passed.

23 Senator Gianaris.

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

1 (Pause.)

2 SENATOR GIANARIS: Madam President,
3 we've rushed through so much business today I
4 nearly forgot that -- I know we have a
5 distinguished religious leader here with us
6 today, and we're going to do this as a
7 benediction today.

8 And so if you'd please call up our
9 special guest.

10 ACTING PRESIDENT PERSAUD: Rabbi
11 Shmuel Butman, director of the Lubavitch Youth
12 Organization, will deliver today's benediction.

13 Rabbi?

14 RABBI BUTMAN: Let us pray
15 together.

16 {In Hebrew.} Our Father in Heaven,
17 please bestow Your blessings upon the members of
18 the New York State Senate, upon themselves and
19 upon their families. Bless them with all the
20 good things of happiness and benevolence in
21 everything that they do.

22 Especially since they are going to
23 pass a resolution honoring 120 Days of Education,
24 in honor of the 120th birthday of the Rebbe Rabbi
25 Menachem Schneerson, the Lubavitcher Rebbe.

1 In Psalm 121 that we start saying on
2 the day of the Rebbe's birthday, it says {in
3 Hebrew}, which means that if a third person needs
4 help, who is going to help them? Almighty God,
5 the Creator of heaven and earth.

6 The Rebbe always liked Days of
7 Education because the Rebbe explains that he
8 wants every child, regardless of race, regardless
9 of religion, regardless of color, regardless of
10 creed, to know that there is an Eye that sees and
11 an Ear that hears and that the world is not a
12 jungle.

13 We take a look at what's happening
14 in the world now, and we see the reason the world
15 is less than perfect: Because not everyone makes
16 that calculation that there is an Eye that sees
17 and an Ear that hears and that the world is not a
18 jungle. And this is why the Rebbe wanted every
19 child to understand that.

20 You here in the Senate of the State
21 of New York are not only leaders, you're not only
22 the custodians of goodness and of good deeds and
23 of law and order in the State of New York, but
24 because New York is a world place and the world
25 is looking up to you, that you are the leaders

1 not only in New York State, but also in the
2 United States of America. And because the United
3 States of America is a superpower, then what you
4 do in the United States of America has a
5 reflection on the entire world.

6 In 1991 I went to Washington and I
7 opened the United States Senate. Before I went
8 to Washington, I went to the Rebbe, and the Rebbe
9 said I should take with me a pushkeh. A pushkeh
10 is a charity box.

11 And he said, "While you're there
12 opening the United States Senate in Washington,
13 take with you a pushkeh and give a dollar for
14 charity, and they should know that -- all the
15 members should know what money should be used
16 for."

17 And this is why we are going to do
18 the same. We're going to put in a dollar in this
19 pushkeh for charity. And we hope that later,
20 when we have a chance, each and every one of you
21 will also contribute one dollar to the charity
22 box.

23 I should tell you this is not an
24 effort for fundraising. Because if this would be
25 an effort for fundraising, we would ask you for

1 much more than one dollar.

2 (Laughter.)

3 RABBI BUTMAN: Nevertheless, this
4 is an effort to do more goodness and kindness,
5 and we're doing it right now.

6 I also want to tell you that every
7 Saturday in our synagogues we pray for you, for
8 each and every one of you. We say: Almighty
9 God, all those who serve the public faithfully,
10 You should bless them with all the good things
11 that they need.

12 You are the ones who are serving the
13 public, and we are praying for you in our shuls,
14 in our synagogues, every Saturday every single
15 week.

16 We bless you that you should have
17 health and you should have happiness, not only
18 for yourself but also for yourself in the
19 spiritual sense and also in the physical sense.

20 And you have our blessings that you
21 should pass the budget successfully today.

22 Amen.

23 (Laughter.)

24 ACTING PRESIDENT PERSAUD: Thank
25 you, Rabbi Butman.

1 Senator Gianaris.

2 SENATOR GIANARIS: And now,
3 Madam President, is there any further business at
4 the desk?

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

7 SENATOR GIANARIS: I move to
8 adjourn until tomorrow, Tuesday, April 5th, at
9 3:00 p.m.

10 ACTING PRESIDENT PERSAUD: On
11 motion, the Senate stands adjourned until
12 Tuesday, April 5th, at 3:00 p.m.

13 (Whereupon, at 4:20 p.m., the Senate
14 adjourned.)

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