NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

April 27, 2022

12:21 p.m.

REGULAR SESSION

SENATOR JAMAAL T. BAILEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT BAILEY: The Senate will come to order.

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

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

ACTING PRESIDENT BAILEY: In the absence of clergy, let us bow our heads in a moment of silent reflection or prayer, in memory of James Sauer and Stewart Dietrick, who passed away in a helicopter crash while conducting a training exercise for Mercy Flight.

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

ACTING PRESIDENT BAILEY: Reading of the Journal.

THE SECRETARY: In Senate, Tuesday, April 26, 2022, the Senate met pursuant to adjournment. The Journal of Monday, April 25, 2022, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Liu.

SENATOR LIU: Mr. President, I wish to call up Senator Mannion's bill, Print Number 6287A, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 683, Senate Print 6287A, by Senator Mannion, an act to amend the Social Services Law.

SENATOR LIU: Mr. President, I now move to reconsider the vote by which the bill was passed.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill

is restored to its place on the Third Reading Calendar.

SENATOR LIU: Mr. President, I now offer the following amendments.

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

Senator Liu.

SENATOR LIU: There's a privileged resolution at the desk.

Can you please take that up, read its title, and recognize Senator Persaud on the resolution.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senate Resolution 2376, by Senator Persaud, honoring the life and heroic actions of Timothy Klein, renowned firefighter, distinguished citizen, and devoted member of his community.

ACTING PRESIDENT BAILEY: Senator Persaud on the resolution.

SENATOR PERSAUD: Thank you, Mr. President.

First I'd like to thank Leader

Stewart-Cousins for allowing this resolution to be brought to the floor.

And I'd like to thank Senator Addabbo, who worked with me on getting this resolution together.

I just want to take a moment to recognize one of New York's bravest: Firefighter Timothy Klein, 31 years old, who died tragically on Sunday while responding to a fire not too far from my house.

Timothy Klein was a member of Ladder 170 in the Canarsie section of my district, in my local firehouse. Firefighter Klein was a carpenter. He loved building ramps for people on his off days, and he was well loved by his family and the community.

On Sunday when they received the call of smoke, heavy smoke in the area, he and his colleagues responded to that home. In addition to Firefighter Klein, who perished in that fire, a young man of 21 years old also lost his life. So my condolences to his family.

The fire quickly escalated, Mr. President, to a three-alarm, where over a hundred fighters were there. And, you know,

conditions in that building deteriorated quickly and the firefighters were scrambling to get out of that building. Some firefighters who are still in the hospital jumped through windows. The roof partially collapsed. The stairway in the house collapsed. But Firefighter Klein was unable to make it out. And when they found him -- it's something that no one ever wants to go through.

We all know that when we are all running away from things, firefighters are running into, you know, the line of fire, you know. And truthfully, it is the line of fire they are running into.

Firefighter Klein was trapped. You know, Firefighter Klein -- his colleagues tried desperately to get him out, but they were unable to do so.

I was there at the hospital until very late with all of his colleagues. And no one ever wants to be there, going through that when you see the anguish that firefighters were going through as they are learning the fate of their colleague.

Ironically -- and it's what a

tragedy it was -- a few years ago, from that same ladder company, Ladder 170, Firefighter Pollard died trying to save someone on the Belt Parkway in my district. And at that funeral I sat there while Firefighter Klein gave the eulogy on behalf of that firehouse.

And so we're sitting there Sunday night saying, My goodness, he was so distraught because he had lost a friend and a colleague -- and now here we are again, talking about him and looking at his colleagues from that firehouse and wondering now which of them will be the one giving the eulogy from that firehouse.

So it is a sad day for the FDNY. It's a sad day for the City of New York. It is a sad day for Senate District 19's firehouse.

I'm going to tell you, Firefighter Klein, he died a selfless hero. You know, he signed up for a job he loved and he really wanted to do. His fellow firefighters loved him. He had this presence about him that -- and he cannot be replaced. No one can ever be replaced, but the presence of Firefighter Klein will never be replaced.

Firefighter Klein is survived by his

parents, Diane and Patrick Klein, his three siblings, his sisters, Erin, Tara and Bridget. He has aunts, uncles, cousins, and he has especially his cousin Keith Klein, who's also a member of FDNY. And Firefighter Klein also leaves his girlfriend.

What a tragedy for this family.

So, my colleagues, I ask you just to remember Firefighter Klein in your prayers, because as we say, firefighters are always running into the fire when we are all running out.

Mr. President, I vote aye. Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator Persaud.

Senator Jackson on the resolution.

SENATOR JACKSON: Thank you, Mr. President.

My colleagues, I rise to honor FDNY Firefighter Timothy Klein. I thank our colleague for presenting this resolution honoring him, this resolution I speak on -- brought to the floor, as I said, by Senator Roxanne Persaud -- honoring the life of FDNY Firefighter Timothy Klein, who

lost his life in the line of duty on Sunday, April 24th.

First, I want to express my condolences and my prayers to the family of the firefighter -- not only his immediate family and extended family, but the entire firefighter family and those that when 911 is called, they rush to save lives.

Today we stand as a legislative body to convey our grateful appreciation and heartfelt regret in recognizing the loss of a brave and hardworking firefighter, who made the ultimate sacrifice in the line of duty at the age of 31. Today we honor the life and heroic actions of Timothy Klein, renowned firefighter, distinguished citizen and devoted member of his community.

Timothy was a six-year veteran of the department, a graduate from Archbishop Molloy High School in 2008, appointed to the FDNY on December 28, 2015, and assigned to Ladder 170 from the start of his career.

Timothy came from a family with a rich history of service in the FDNY. Growing up in a firefighter family, Timothy understood the

risks and value of protecting the lives of others.

He was beloved, not only in Canarsie but where he grew up, with the Rockaway Beach community remembering Klein as someone many aspire to be like -- a great person, full of faith and love for others.

His colleagues remind us with great sincerity that Timothy was a guy you wanted to be working on Ladder 170 in Brooklyn, because he would bravely serve the people of New York with the same faith and love he exemplified for others back home in Queens.

And today our city mourns because it has lost another of its bravest, whose principal labors were based on serving and protecting the lives of fellow New Yorkers.

Klein leaves behind a legacy that serves as an example that there are still people who do for others because they believe in a world where we need more solidarity, respect and honor. Timothy went out to do the job New Yorkers asked him to do every day, and dedicated his life and career purposefully and faithfully to his family and New York City residents. He will deeply be

missed by his family, colleagues, and the entire community.

Mr. President, I vote in favor of this resolution.

ACTING PRESIDENT BAILEY: Senator Jackson also to be recorded in the affirmative.

May the memory of Firefighter Klein be a blessing.

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

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay.

(No response.)

ACTING PRESIDENT BAILEY: The resolution is adopted.

Senator Liu.

SENATOR LIU: Mr. President, please take up previously adopted Resolution 2243, by Senator May, read that resolution title only, and recognize Senator May on the resolution.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senate Resolution 2243, by Senator May, memorializing Governor

Kathy Hochul to proclaim April 2022 as Fair Housing Month in the State of New York.

ACTING PRESIDENT PERSAUD: Senator May on the resolution.

SENATOR MAY: Thank you, Madam President.

I am proud to speak on this resolution naming April as Fair Housing Month in New York State.

The Fair Housing Act was signed into law on April 11, 1968. It prohibited discrimination concerning the sale, rental and financing of housing based on race, religion, national origin or sex. It actually passed the Senate narrowly on April 4th, the same day that Dr. Martin Luther King was shot.

A decisive voice in that debate was my U.S. Senator at that time, Edward Brooke, who spoke about returning from fighting in World War II and being unable to buy a home in a community of his choice because he was Black.

As we know, the Fair Housing Act did not put an end to housing discrimination, and this body has taken important steps in recent years to address continuing violations here in

New York State.

We have funded an expansion of the type of testing that Newsday carried out on Long Island that identified discriminatory practices by realtors, and we continue to work to ensure fair housing organizations have sustained, reliable funding to be effective watchdogs against future abuses.

In 2022, 54 years after the passage of the Fair Housing Act, we still see high levels of racial and economic segregation throughout this state, especially in our upstate cities. My home city of Syracuse has the highest rate of child poverty of any city in the country. About half of families are rent-burdened. Ten percent of high school boys are functionally homeless. And rates of lead poisoning and environmental toxins and hazards remain unacceptably high.

All of these failures disproportionately affect people of color, single moms, and refugee families.

We must be intentional in examining how policy created and sustains these conditions, and what we can do to ensure that all people in our state have housing choice and the freedom to

live where they desire.

We need to accurately evaluate the role played by systems of zoning, code enforcement, eviction, legal representation, and investment in affordable housing if we are to continue the legacy and action of the Civil Rights Movement that led to the passage of the Fair Housing Act.

I vote aye. Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Jackson on the resolution.

SENATOR JACKSON: Thank you, Madam President.

My colleagues, I rise in favor of this resolution and I stand to speak on the resolution brought on the floor by our colleague Senator Rachel May, recognizing this April 2022 as Fair Housing Month.

When I heard that we were speaking on this resolution today and voting on it, I wanted to make sure that I got an opportunity to speak on this, because many of the people that I represent are renters in New York City, the

majority of them, and I've read stories about discrimination in housing in the New York Times many years ago. And also I felt that I was discriminated against myself as a young Black man looking for an affordable housing place to live for my wife and my daughter.

So housing is a human right, and housing discrimination denies people that right. It is evident that fair housing advances economic opportunities and helps close the wealth gap that has historically disadvantaged communities of color for generations. And our communities of color are still reeling from the devastating effects of decades-long discrimination practices, including redlining and disinvestment in communities.

We increasingly need affordable, accessible, and well-located housing to maintain dignity and quality of life in New York. And as a Legislature, we work hard to achieve generally fair housing and prevent discrimination in public and private housing, protecting tenants and buyers alike.

Therefore, it is only fitting that this legislative body proclaim April 2022 as Fair

Housing Month in the State of New York to increase awareness of important issues that affect the lives of the citizens of New York State -- not only citizens, but people, residents. And I say that because there are many people that are not citizens that are buying and renting and discriminated against.

While there is still much work to be done, passing this resolution to officially celebrate the anniversary of the passing of the Fair Housing Act of 1968 -- and as my colleague said, it was passed on the same day as the assassination of Reverend Dr. Martin Luther King, Jr. The goal, which serves as an inspiration and led to its passing, was to eliminate housing discrimination and create equal opportunity in every community we represent.

So Madam President, I respectfully say I vote aye on this resolution on behalf of all those that feel that housing is a human right and no one should be discriminated against.

Thank you.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

The resolution was previously

adopted on 4/26.

Senator Liu.

SENATOR LIU: Madam President, please take up previously adopted Resolution 2212, by Senator Bailey, read that resolution title only, and recognize Senator Bailey on the resolution.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Senate Resolution 2212, by Senator Bailey, memorializing Governor Kathy Hochul to proclaim April 28, 2022, as Take Our Daughters and Sons to Work Day in the State of New York.

ACTING PRESIDENT PERSAUD: Senator Bailey.

SENATOR BAILEY: Thank you, Madam President.

There's a phrase that resounds with me: If you can't be it, then you can't see it {sic}. And I think the exposure of making sure that our children see what we do each and every day is critically important to their development.

I remember -- and I sponsor this resolution every year, and I've spoken about how

in the past, and for good reason, it was just "Take Your Daughters to Work Day." But my dad, he would bring me along because he wanted me to see what a workplace experience looked like. And I'm glad it's "Take Your Daughters and Sons to Work Day."

But one of the things that's really important to me as a parent, continuing to read the names of my daughters into the permanent record of the State of New York: Giada Bailey and Carina Bailey. You know, I often love to do that when I speak. And it's critically important so that in the future, whenever it is that they are studying state legislation or the state, that they know that their dad was doing something to make sure that their names were there.

And those of us who are legislators, I think we do that with our children, whether in the Assembly or in the Senate. Bronx Assemblywoman Chantel Jackson brings her son T.J. so many different places. And I think that is remarkable and incredible because, quite frankly, in the halls of government -- many of us didn't see this space until we were adults.

And so I think being able to see

this space, this august chamber and the chambers in the Senate and the Assembly, is critically important for those of us who are legislators to bring our children to the confines of the State Capitol so that they can see what we're doing and how important it is to the work that we do.

But it's not just limited to legislators. It is for any profession that, quite frankly, would permit you to bring your child to work. And I know that we have constraints based upon COVID and bringing certain people who may not necessarily be in that specific service title to work. But I would encourage all of us, anybody listening or anybody that can bring their child to work to see what they do, I think it is critically important.

We may forget certain things that we do as parents, but the children don't forget it. I remember -- because my dad worked downtown, and I remember taking that long train ride. And I remember reading the newspaper, my very own copy of the newspaper, next to my dad who was reading the newspaper. I was about I think 4 years old. But it was a pivotal moment that I won't forget. And quite frankly, I don't know if my dad

remembers that, but I remember it.

And our kids will remember the times that they've come to the Capitol, that they've gone to the precinct, that they've gone to the firehouse, that they've gone to the school, that they've gone to whatever place of work or line of business that their parents are in, so that they can see that their parents contribute something great to society. And that our children are on track to contribute something greater to society.

As I close, I look at my role, my Venn diagram role as a legislator and as a father, and I think that as a legislator and as a father, there's a simple role that we have. As a legislator, your job is make sure that your community was left better than it was before you started running, before you took office. Your job as a father -- my job as a father is to make sure that my daughters are way better at life than I was.

And so the exposure to the professions that we have, both critically important in terms of the work that our children will do -- because at the end of the day, at some point in the future, this won't be my desk. This

won't be any of our desks. These will be the desks of some child maybe watching right now, maybe paying attention to the transcripts -- this room will be populated with somebody who is a child right now.

Take them, expose them, let them see what we do. Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Jackson on the resolution.

SENATOR JACKSON: Thank you, Madam President.

I rise to speak in favor of the resolution.

When I heard that tomorrow is going to be Take Your Daughters To Work or Your Sons To Work Day in New York State, I just want to reflect back on when I was the president of the Parents Association at our school and the president of School Board 6 in Northern Manhattan, I encouraged people to bring their children to work.

The bond that they have with their children -- children asking questions about the type of the work that you do.

And for me, I first worked for the State of New York investigating unemployment insurance fraud, and then for 22 years as a labor union representative. And so my daughters, I took them to work me with me. And now I don't have little daughters to take to work, they're taking me to their offices, because our daughters are 46, 41 and 35.

But I have grandkids that are very, very important in the process. And they see the type of bond that happens when you bring your children to work and people talk to them and they talk to them. And you're just proud that you have children that you can take to work, and it builds the relationship and bond of the family. And that's so, so important.

And believe me, the administrators at work see how important that is that you are bringing your children to work. And listen, they appreciate that and understand that.

I remember in school when I went to a parent-teachers conference, and in the notes of the file of my daughter's record in the principal's office it says "Parents come to Parents Association meetings." And it was listed

in the file.

And that's so important that you build a connection with your children regarding -- either it's work or school, it doesn't really matter. That's important.

So thank you, Senator Bailey, for putting forward this resolution for tomorrow, April 28, 2022, as bring your children, your daughters and sons, to work.

Thank you.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

The resolution was previously adopted on 4/5.

Senator Liu.

SENATOR LIU: Madam President, please take up previously adopted Resolution 2360, by Senator Ryan, read that resolution title only, and recognize Senator Ryan on the resolution.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Senate Resolution 2360, by Senator Ryan, congratulating Rick Jeanneret upon the occasion of his retirement

after 51 years of distinguished service to the Buffalo Sabres Hockey Team.

ACTING PRESIDENT PERSAUD: Senator Ryan.

SENATOR RYAN: Thank you, Madam President.

I sense I won't be the only Buffalo Sabres fan heard from today on this resolution.

So when the regular NHL season wraps up at the end of this week, it will be the end of an era for hockey fans in Buffalo. Rick Jeanneret, long-time play-by-play announcer -- you know, when I say "long-time," 51 years as a play-by-play announcer -- he's retiring. RJ, as he's affectionately known, he's a character all around Buffalo.

But around the league, he's the longest-tenured announcer in hockey. He joined the Sabres in their inaugural year in 1971, did radio from '71 to '95. And then when the TV broadcast came in, he became the radio and the TV.

But tremendous reach. Back when he was doing it on AM radio, that station reached into southern New York -- sorry, Southern

Ontario, Central New York, Northern Pennsylvania. So his voice has been the soundtrack for the Sabres, for the entirety of the Sabres, for generations of fans.

Really energetic style. He plays with words. Every kid in Buffalo has narrated their own goals with his own calls: You know, "Top shelf, where momma hides the cookies," countless other ones.

Dominik Hašek was a terrific goalie, and after one acrobatic save he announced, "Oh, brother, we are not worthy." And from that point on, fans in the arena started bowing every time Hašek made a wonderful save.

And his most iconic call is probably from 1993 when the Sabres beat the Boston Bruins in overtime, and Brad May scored the goal -- and his call was "May Day, May Day, May Day!"

Memorable calls made him a legend amongst NHL broadcasters. In 2012, a full decade before today, before his retirement, he was recognized by the NHL Hockey Hall of Fame, and he was given the Foster Hewitt Memorial Award. It's the highest honor they give broadcasters. And yet he kept going for 10 years.

But for all the accolades that he has received in the last few weeks -- and there have been many -- anyone will tell you that fame has not changed Rick Jeanneret. He's approachable. People see him in supermarkets, he stops and talks to kids. He can talk about hockey all day long. But one thing he never wants to do is talk about himself. He's a very humble person, and he's pushing away the accolades over the last few weeks like you wouldn't believe.

But he has a deep love for the game of hockey. He has a deep love for the Buffalo Sabres. And he's always, always there for the fans, especially for the kids.

But few people associated with pro sports are held in such high esteem in Western New York. He's held in higher esteem than most people who played the game. So it's great to have Rick Jeanneret be the voice of the Buffalo Sabres for at least one more game.

But for all he's done for the Buffalo Sabres, for hockey, for the whole league, it's right that we honor his illustrious career as it comes to an end. So at the last game

coming up this Friday, I'd like to congratulate Rick Jeanneret, a true legend in Western New York and certainly a top-shelf announcer.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Kennedy on the resolution.

SENATOR KENNEDY: Thank you, Madam President.

This Friday, as a Buffalo Sabres season ticket holder, like thousands of others, I will attend the Sabres hockey game, the last game of the season, with my oldest son. It's not only the last game of the season, but this game holds a very special place in Buffalo sports history, as it will be the last game that the great Rick Jeanneret will be announcing, after 51 years of being the voice of the Buffalo Sabres.

So I rise today not just as a Senator, not just as a Sabres season ticket holder, but as a Buffalonian and a former Sabres arena usher, to honor one of Buffalo's greatest media personalities, Rick Jeanneret -- affectionately known to all of us as RJ -- who has dedicated his entire life to the sport of

hockey and to the city and the people of Buffalo.

He's been with us since nearly the inception of the team, including both of the team's Stanley Cup finals appearances in 1975 and 1999, and the post-lockout teams in the mid-2000s that electrified the hockey world, way back to the French Connection, all the way to today, where our Sabres are showing more potential than they have in years.

During all of these ups and downs of the team and the community, it was always RJ's calls that kept our spirits high. It's an indisputable fact that everyone who loves hockey in all of Western New York has their favorite Rick Jeanneret calls.

"May Day, May Day." "Now do you believe?" "These guys are good, scary good." "Somebody call a cop, he robbed him blind." "Top shelf, where momma hides the cookies." "Roll the highlight film." "La-la-la-la-La Fontaine." "Fa-la-la-la-La Fontaine," around the holidays.

(Laughter.)

SENATOR KENNEDY: And one of my personal favorites: "This series is going back to where Jimmy Hoffa is, back to the Meadowlands

in New Jersey."

(Laughter.)

SENATOR KENNEDY: And Madam President, I could go on and on. There are countless others.

This is a man who bleeds blue and gold, who knows that Buffalo is a sports city, that it's at its best when our teams are at their best.

In fact, he is so dedicated to his craft that in 2014 when he announced that he was battling throat cancer, he declared then and there that he had every intention of coming back. And of course he did, giving us nearly another decade of thrills to remember, urging fans through tough years, all with the class, talent and sense of humor that we've loved from him for the past half-century.

While I'll watch RJ's last call at the arena next to my son this Friday and we pay tribute to this sports legend, I will undoubtedly harken back to my own childhood when my father would turn down the volume on the television in our living room and turn up the AM radio to hear RJ call the games while my family sat together

transfixed at the TV. "This is how you call a hockey game," my father would say.

In time, Jeanneret became the voice of both television and radio for the Sabres. It was at that moment that everyone in the Buffalo Sabres hockey universe realized that the world was now right.

Rick Jeanneret's 51 years has been quite a ride for us Sabres fans. As he retires, I hope he knows that he has a permanent place in the hearts of countless hockey fans, both in Western New York and around the globe. I'd like to thank Rick Jeanneret for a lifetime of memories and for his selfless dedication to our great city and our great state and to the hockey world.

In his own words, to describe this extraordinary and legendary NHL Hall of Famer Rick Jeanneret: We're not worthy. We're not worthy. We're not worthy.

I thank Senator Sean Ryan for bringing this resolution to the floor. And with that, Madam President, I vote aye.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

The resolution was adopted on 4/26.

Senator Liu.

SENATOR LIU: Madam President, at the request of the sponsors, the resolutions are open for cosponsorship.

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

Senator Liu.

SENATOR LIU: Madam President, please take up the reading of the calendar.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 93, Senate Print 2279, by Senator Jordan, an act to amend the State Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator

Jordan to explain her vote.

SENATOR JORDAN: Madam President, I rise to explain my vote.

I was so excited to see this bill on the active list. Last year the Senate passed this bill unanimously, and I expect the same results today.

Designating New York State a Purple Heart state is in comparison a small way that we can recognize and honor the sacrifices of those who have been wounded or killed in combat and awarded the Purple Heart -- sacrifices made for each of us and our treasured and free American way of life.

The Purple Heart is the oldest and most revered and esteemed military decoration awarded in the name of the president of the United States to members of the United States military who have been wounded or killed in action. You can understand that it is not an award that one seeks when entering the military. Yet it has been awarded to almost 2 million Americans.

The Purple Heart is a symbol of heroism and courage, a prestigious award created

by General George Washington to honor and thank brave soldiers who fought under his command for America's independence.

Since 2019 I've led the grassroots nonpartisan effort in my 43rd Senate District and across our state to establish Purple Heart communities, to recognize and honor the courage and commitment of Purple Heart recipients.

Purple Heart communities publicly recognize the service and sacrifice of these incredible heroes and affirm a local community's respect and recognition of these proud patriots.

Within my 43rd Senate district, of the 60 towns, villages and cities, all 60 are now Purple Heart communities. And all four counties -- Saratoga, Rensselaer, Washington and Columbia -- have successfully passed local resolutions and have become Purple Heart communities in counties and proudly display that fact with signage when entering their municipalities.

In addition, out of the 62 counties in New York State, more than 40 are now Purple Heart communities, and more are pending.

Furthermore, 18 other areas --

including buildings, trails and parts of highways -- have been renamed with the Purple Heart designation.

I'm proud to have led what has become a statewide movement that's putting focus where it belongs -- our incredible Purple Heart recipients.

There's a quote I'd like to share when speaking about the Purple Heart, a quote from our nation's Founding Father, General and President George Washington, who started the Purple Heart. President Washington said: "The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional to how they perceive the veterans of earlier wars were treated and appreciated by their nation."

General Washington's words embody why I believe the Purple Heart community is so important, and that we must honor those that are recipients and educate the next generation as to the honor of those awarded the Purple Heart, so that they too respect the recipients and consider service to our nation and its timeless ideals.

And most importantly in this effort,

I want to recognize the courageous American patriots who gave all for us, and those who live with the wounds on our behalf.

To all who served, sacrificed and bore the terrible burden of combat, we say thank you. The New York State Senate says thank you. We now need the Assembly to say thank you by passing this bill.

I vote aye, and I encourage all of my Senate colleagues to do the same.

Thank you, Madam President.

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

Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 97, Senate Print 4887A, by Senator Skoufis, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 128, Senate Print 51, by Senator Kaplan, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 128, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Oberacker,

O'Mara, Ortt, Rath, Ritchie, Stec and Tedisco.

Ayes, 48. Nays, 14.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 130, Senate Print 687, by Senator Hoylman, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 130, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, Oberacker, O'Mara, Ortt, Rath, Ritchie, Serino, Stec and Tedisco.

Ayes, 47. Nays, 15.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 255, Senate Print 1341, by Senator Brooks, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar number 255, voting in the negative: Senator Brisport.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 260, Senate Print 4093, by Senator Sanders, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Madam President.

I rise to first of all thank Senator Sanders for his service to our nation and also for bringing this forward.

Twenty-two a day. That's the number of veterans who succumb to suicide on average in the United States -- 22 every single day.

This recognizes the serious problem that we have with veteran suicide. And I want to also thank the many organizations that are so focused on this: The Dwyer group, which has done amazing work and is going to be expanded to all 62 counties thanks to the efforts of this chamber. Western New York Heroes. And Mission 22, who is directly focused on the 22 soldiers every day, veterans, who have taken their lives.

These folks have served our nation

bravely, and though they have survived battle and so many ravages of war, they come home and they cannot get over the scars of their service.

So again, I thank Senator Sanders and I proudly vote aye. Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 261, Senate Print 4231, by Senator Stavisky, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 364, Senate Print 1053A, by Senator Mayer, an act to amend the Penal Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 364, voting in the negative: Senator Brisport.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 441, Senate Print 6239, by Senator Thomas, an act to amend the Administrative Code of the City of New York and the General Municipal Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 120th day after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 441, those Senators voting in the negative are Senators Felder, Gounardes, Helming, Jordan, Lanza, Martucci, Oberacker and O'Mara.

Ayes, 54. Nays, 8.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 452, Senate Print 532, by Senator Persaud, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 452, those Senators voting in the negative are Senators Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Martucci, Mattera, Oberacker, O'Mara, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 45. Nays, 17.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 500, Senate Print 8073, by Senator Cleare, an act to amend the Banking Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 607, Senate Print 3471, by Senator Kennedy, an act to amend the Economic Development Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 607, voting in the negative: Senator Skoufis.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 631, Senate Print Number 4733A, by Senator Reichlin-Melnick, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you,

Madam President.

First of all, I'd like to thank the sponsor for this bill. I think it's an incredibly responsible thing for us to do.

And what this bill does is takes someone's prior convictions on operating a vehicle under the influence of alcohol and making sure that that is allowed to be taken into consideration by a judge if someone does it again.

I think it's important to point out that this is exactly what we've been asking for for a long time, which is to give judges the discretion to understand a person's prior record when applying a sentence. This makes a lot of sense here, but it makes a lot of sense everywhere. Which is why judges' discretion is so incredibly important -- a key component of our criminal justice system that should apply not just in this particular case, but in every case that's being adjudicated in New York State.

So I'm voting aye. Thank you, Madam President.

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

Senator Reichlin-Melnick to explain his vote.

SENATOR REICHLIN-MELNICK: Thank you, Madam President. I rise to speak about Bryan Johnson's Law.

On a warm night in June 2012, Ossining resident Bryan Johnson went out for a nighttime boat ride with his friends. Bryan and several others on the boat decided to go for a swim off the back of the boat, and at that point the operator of the boat, who was under the influence of alcohol, played what he thought was a prank, speeding off and leaving Bryan and his friends in the water. By the time the driver came back, Bryan had drowned. He was just 26 years old.

Bryan was described by everybody who knew him as generous, soft-spoken, with a kind word for everyone and a willingness to help anyone. Sometimes it takes a tragedy to make us take commonsense actions that will make the world safer in the future.

A year after Bryan's death, New York State began to require a boating safety course to operate a mechanically-propelled vessel. That

law phased in boating course requirements starting with 18-year-olds. Now we need to close an additional loophole that allows those convicted of drunk driving offenses to escape full accountability even if they've previously been convicted of drunk boating offenses.

Under current law, a person could face a DWI charge and be perceived as a first-time offender despite having a history of boating while intoxicated. When a defendant demonstrates a pattern of reckless behavior, they rightfully face much harsher penalties.

New York is home to many beautiful rivers and lakes, and as the weather warms up, a lot of folks are going to be eager to spend these beautiful sunny days out on the water. So we need to do all that we can to protect people. And a vote in support of this bill today will bring us one step closer to making Bryan Johnson's Law a reality.

New York must demonstrate that we take the crime of boating while intoxicated very seriously. Drunk boaters must be held accountable for their dangerous behavior. And so I thank my colleagues in the Senate for

supporting this bill last year and supporting this bill today.

My colleague in the Assembly, Assemblywoman Sandy Galef, has introduced this bill again this year, and I hope it will pass so that Bryan Johnson's bill will become Bryan Johnson's Law.

His death was a tragedy for his family, his friends, and the entire community in Ossining that I represent. Passing this law will not heal the eternal ache that his family is feeling or bring him back. But if it can save other families from experiencing this same loss, it will be worth it.

I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 638, Senate Print 7378A, by Senator Harckham, an act to amend the Tax Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 642, Senate Print 2728, by Senator Kaminsky, an act to amend the General Municipal Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you,

Madam President.

I spent 10 years in county government, and I can tell you that a lot of good work is done there, especially when it comes to economic development.

One of the biggest challenges we face, quite frankly, when we're trying to attract a new business or improve a business or retain a business -- which has been our biggest problem here in New York State as they flee -- is our ability to actually give them the incentives that gives New York at least a level playing field with surrounding states, which is very important where I live because my district shares about a hundred-mile border with the State of Pennsylvania.

So what this bill proposes to do is essentially take away, under the guise of improving accountability -- but just take away the ability for our local governments, that are on the front lines of economic development, to be able to properly and effectively continue to do economic development.

And what it may return us to is to the old days, when it was all political patronage

and pork barrel politics. That's not what we want. We want good policy. And there's no better way to do it than ensuring that local governments, the people that are in many cases the part-timers, the people that are a county legislator as well as sitting on an IDA board, the business owners that sit on those IDA boards, the people that understand business and can really effectively administer those incentives -- they should be the ones. Not here in Albany, not so far away from where the things are actually happening.

So I'm opposed to this bill, and I would strongly encourage my colleagues to be the same.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 642, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt, Rath, Ritchie, Serino, Stec and Tedisco.

Ayes, 48. Nays, 14.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 643, Senate Print 3220, by Senator Tedisco, an act allowing for the creation of a joint police department for the Towns of Webb and Inlet.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 662, Senate Print 7744, by Senator Breslin, an act to amend the Insurance Law.

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

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

THE SECRETARY: Calendar Number 671, Senate Print 4243A, by Senator Gaughran, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 671, those Senators voting in the negative are Senators Jordan, Oberacker, Serino and Tedisco.

Ayes, 58. Nays, 4.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

SENATOR LIU: Madam President, please go to the reading of the controversial calendar.

ACTING PRESIDENT PERSAUD: The

Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 500, Senate Print 8073, by Senator Cleare, an act to amend the Banking Law.

ACTING PRESIDENT PERSAUD: Senator Borrello.

SENATOR BORRELLO: Thank you, Madam President.

As the ranking member of the Banks Committee, I have some concerns and some questions. So will the sponsor yield for a question?

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR CLEARE: The sponsor yields.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: Thank you so much, Senator Cleare. Appreciate it.

My first question is, you know, this is obviously about investments and who can invest in what kind of things in New York State. So will this bill apply to all banks and all

financial institutions that could potentially invest in private prisons?

SENATOR CLEARE: Banks that are chartered by New York State, yes.

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR CLEARE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So just to be clear, only state-chartered banks. Because most banks in New York State are actually federally chartered, and of course we have investment companies -- New York State is the investment capital of the United States, perhaps the world.

So this only applies to state-chartered banks, is that correct?

SENATOR CLEARE: Yes.

SENATOR BORRELLO: Okay, thank you for that clarification.

Madam President, will the sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Will the

sponsor yield?

SENATOR CLEARE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So isn't the intention of this bill to have basically a direct impact on how other states are doing business with contractors and the federal government? I mean, it's really not about New York State, we're trying to impact things -- because in New York State we no longer allow private prisons. Private prisons are outlawed.

So isn't this really trying to affect the financial decisions made by New York-based state-chartered banks and how they do business in other states.

SENATOR CLEARE: Yes, it's about -- we banned private prisons in New York State in 2007, and we don't want any loopholes. We don't want anybody investing in private banking -- I mean, I'm sorry, private prisons.

SENATOR BORRELLO: Thank you.

Madam President, will the sponsor continue to yield?

SENATOR CLEARE: Yes.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR CLEARE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So then the sole purpose of this is to -- because New York State, as you've mentioned, does not allow for private prisons. The sole purpose of this is to impact the operation and the I guess the construction and operation of private prisons in other states.

So what's that based on? Why is that -- what's the basis for that?

SENATOR CLEARE: Well, for one, you know, in my community advocacy and public career I have had to help constituents in my district who have been in private prisons. They are poorly run, they are unsafe for both the workers and the inmates.

The experience is horrible. It's a horrible experience. And I think that they are just -- these private prisons allow for lobbying of elected officials to increase incarceration. And I don't think prisons should be for-profit. They're there for correction and for

rehabilitation.

Oh, there it is. Private prisons are an inherently problematic industry as they make money through incarceration. The purpose of prisons is ultimately, like I said, correction and rehabilitation, not profit. Better said.

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR CLEARE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So you brought something up that actually brought up a question in my mind. You said that in the case of a private prison that elected officials could be lobbied to increase incarceration.

I mean, just -- could you please explain that?

SENATOR CLEARE: They are lobbied to create ways to increase incarceration. We have had -- historically, there have been cases and maybe not just elected officials, but judges who have been corrupt and sentencing young people

to these private prisons for some sort of a kickback.

And we don't want to encourage that kind of behavior. We want to make sure that our prisons are there to rehabilitate and to provide a corrective course and to stop recidivism. But we don't want people incarcerated because there's profit involved.

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

SENATOR CLEARE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: Sorry, one more.

SENATOR CLEARE: No, don't be sorry. I feel left out.

SENATOR BORRELLO: No, and I appreciate that. But you made I think a pretty serious accusation that judges are taking bribes to encourage people to be sentenced to prison directly so that it can be -- a profit can be generated from the companies that operate the prison.

Have we had cases of that? Has that occurred in other parts of the United States? Or

do we have any evidence of that?

SENATOR CLEARE: Yes. There was a case -- let me just -- hold on one minute.

It's the kids for cash scandal, but I'm trying to find it for you. And yes, it does occur.

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR CLEARE: Yes.

SENATOR BORRELLO: So I will -- I'll take your word on that.

SENATOR CLEARE: I'll send it to you too.

SENATOR BORRELLO: Please do. Appreciate that.

But, you know, the biggest issue here is that the vast majority of financial institutions in New York State -- banks, investment firms, people that would actually be in -- the companies that would actually be investing in these private prisons are not state-chartered banks. And in fact state-chartered banks are our community banks.

So with that being said, I'm reminded of the fact that the Bank of New York, which used to invest in private prisons, actually stopped doing so because of advocacy, strong advocacy of folks like yourself.

So wouldn't the better path be to engage those folks that are depositors, people that have mortgages and do business with these banks, to organize, if private prisons are as bad as you say, and just encourage them to actually divest?

Because getting the Bank of New York to divest from private prisons is much more significant than a local community bank that's likely a state-chartered bank. Wouldn't that be a better path?

SENATOR CLEARE: Both are good paths. But I think we have to make sure that it's clear that we don't support private prisons, and use the tools that we have in our hands right now. And I think we need to prohibit our banks from investing in them.

SENATOR BORRELLO: Madam President, on the bill.

ACTING PRESIDENT PERSAUD: Senator

Borrello on the bill.

SENATOR BORRELLO: Senator Cleare, I don't know if that was your first debate or not, but --

SENATOR CLEARE: It was.

SENATOR BORRELLO: Thank you very much. I appreciate the engagement and indulgence today. Thank you.

As I've said many times in the Banks Committee, what we do in the Banks Committee is -- and the Legislature in general -- only impacts state-chartered banks. These are our community banks.

So in the end, I can't find much evidence of any investment in private prisons by our state-chartered banks.

But this actually sets a bad precedent. What we're saying is to every financial institution in New York, but particularly those that are state-chartered banks, that we are going to tell you what you can and cannot invest in.

And I understand that Senator Cleare's experience is very different from mine and others. But the facts, the data, doesn't

support the fact that private prisons are any less good, quite frankly, than government-operated prisons. The data just isn't there.

There's always anecdotal evidence. We can find that in any situation, anecdotal evidence of a certain situation. But holistically, on a broad scale, they are not operated more poorly. And in fact they have an incentive, because they are making profit, to make sure that they are -- they do remain the contractors to provide that service.

But that being said, I'm not going to dispute that issue at that granular level. But just to say that here in New York, we have lost our state-chartered banks in large numbers -- I believe 40 percent, just in the last decade or so. It's very easy, quite frankly, for them to become either a federally chartered bank or get out of the business in New York altogether, which is what many unfortunately have chosen to do.

And what does that do? That reduces the small community banks that give loans to people that otherwise would not be able to get a

loan, that take those risks because they're the people in the community, the people that are on the board, the people in management. They know the community.

So every time we put another nail in the coffin of our state-chartered banks, we're putting another nail in the coffin of New Yorkers, particularly New Yorkers on a lower income level, to be able to do things like buy a car, own a home, send their kids to college. And this is just another example of setting a bad precedent with bad financial decisions.

Thank you, Madam President.

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

Seeing none, debate is closed.

The Secretary will ring the bell.

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Cleare to explain her vote.

SENATOR CLEARE: Thank you.

This bill sets a very clear moral and policy principle which follows upon the fact that we already prohibit the operation of private prisons in New York State, per Section 121 of the Correction Law.

Senate Bill 8073 extends this principle further by prohibiting any state-chartered banking institution from providing financing or investing in the stock, securities or other obligations of an entity that owns or operates a private correctional facility.

New York has been wise enough to ban the very existence of private prisons in the state, and thus it is extraordinarily logical to prohibit banks chartered by the very same state from investing in an activity that we have declared as not only prohibited but morally outrageous.

As we stand here today, over 115,000 people in this country are in private prisons, and the number being detained by ICE only adds to this alarming figure.

In my public service career and community advocacy, I have helped numerous

constituents who had family members in private prisons, and the experience was horrible. It's often difficult and sometimes impossible to make contact with the facilities and get information on relatives, set up visits, or perform any kind of wellness check. There's virtually no accountability, no care, compassion -- and often no one answers the phone.

Given the fact that private prisons pose glaring moral and ethical conflicts and are filled with lax safety standards for incarcerated individuals and employees, this bill makes complete sense. New York banks should not be allowed to profit from institutions that the state itself deems impermissible to even exist. Prisons should be for correction, not for profit, plain and simple.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 500, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza,

Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 42. Nays, 20.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

SENATOR LIU: Madam President, there's a report of the Finance Committee at the desk.

Please take that up and recognize Senator Krueger on the report.

ACTING PRESIDENT PERSAUD: The Secretary will read.

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

As Welfare Inspector General, Lucy Lang.

ACTING PRESIDENT PERSAUD: Senator Krueger.

SENATOR KRUEGER: Thank you very much, Madam President.

I don't believe we have our

confirmee with us, so I do not plan to use a lot of time here, just to say that Lucy Lang, who is already functioning as the Inspector General for the State of New York, is now being confirmed -- with our support -- to the Welfare Inspector General position as well, and that she came through multiple committees and had the support of the committees.

Some of us know Lucy from when she was a Manhattan ADA who actually ran for the DA slot, I guess about a year ago now, and that she has a long history of working on many complex issues.

I was personally very glad to hear her talk about the experience, as the Welfare Inspector General, finding vendors and companies who are exploiting our programs and actually taking money away from the people who deserve and need this money, low-income New Yorkers, and, rather, exploit situations to take advantage and even steal the money from the government and from the low-income New Yorkers.

And so that she does have a very broad understanding of how fraud and abuse can take place, but is most likely to take place in

these programs with vendor participation.

And she answered all of our questions, and I believe that people felt confidence in her to continue her mission. She also talked about the new problems with Department of Labor fraud and abuse growing out of the large numbers of people applying and new benefits which had different rules to them during COVID.

So, you know, the job of government is to continue to make sure we self-police ourselves and that we are all following our laws, and inspector generals play very important positions. And I believe that we have confidence that Lucy Lang will do exactly that in her second or third position -- I think she's also the IG of one other agency already, but we have confidence in her handling this additional position as well.

So I do nominate her. Thank you, Madam President.

ACTING PRESIDENT PERSAUD: The question is on the nomination.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce

the results.

THE SECRETARY: In relation to the nomination of Welfare Inspector General Lucy Lang, those Senators voting in the negative are Senators Oberacker, Stec and Tedisco.

ACTING PRESIDENT PERSAUD: The nomination is confirmed.

Senator Liu.

SENATOR LIU: Madam President, is there any further business at the desk?

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

SENATOR LIU: Then I move to adjourn until Monday, May 2nd, at 3:00 p.m., the intervening days being legislative days.

ACTING PRESIDENT PERSAUD: On motion, the Senate stands adjourned until Monday, May 2nd, at 3:00 p.m., intervening days being legislative days.

(Whereupon, at 1:28 p.m., the Senate adjourned.)