NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 9, 2022

3:17 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.

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

ACTING PRESIDENT BAILEY: The reading of the Journal.

THE SECRETARY: In Senate, Sunday, May 8, 2022, the Senate met pursuant to adjournment. The Journal of Saturday, May 7, 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.

The Secretary will read.

THE SECRETARY: Senator Kaplan

moves to discharge, from the Committee on Transportation, Assembly Bill Number 3593E and substitute it for the identical Senate Bill 7554, Third Reading Calendar 241.

ACTING PRESIDENT BAILEY: So ordered.

THE SECRETARY: Senator Borrello moves to discharge, from the Committee on Finance, Assembly Bill Number 5338 and substitute it for the identical Senate Bill 1753, Third Reading Calendar 997.

ACTING PRESIDENT BAILEY: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, before I turn to motions and resolutions, let me just thank my colleagues for their well wishes over the last couple of weeks, and particularly Senators Kennedy and Liu for filling in while I

was out of commission.

So it is good to be back. And with that, I have many motions for you.

Amendments are offered to the following Third Reading Calendar bills:

By Senator Gaughran, page 6, Calendar Number 89, Senate Print 978;

Senator Reichlin-Melnick, page 7, Calendar Number 116, Senate Print 3966A;

Senator Skoufis, page 10, Calendar Number 338, Senate Print 6199A;

Senator Savino, page 17, Calendar Number 542, Senate Print 8182;

Senator Harckham, page 17, Calendar Number 550, Senate Print 8057;

Senator Kaplan, page 29, Calendar Number 781, Senate Print 8022;

Senator Hoylman, page 39, Calendar Number 897, Senate Print 5746A;

Senator Sanders, page 41, Calendar Number 927, Senate Print 7535;

Senator Kavanagh, page 52, Calendar Number 1033, Senate Print 8793;

Senator Bailey, page 20, Calendar Number 599, Senate Print 3390;

Senator Cooney, page 55, Calendar Number 1067, Senate Print 8681;

Senator Ramos, page 32, Calendar Number 822, Calendar Number 7859;

And Senator Addabbo, page 40, Calendar Number 906, Senate Print 3834.

ACTING PRESIDENT BAILEY: Those amendments have all been received, and those bills will retain their place on the Third Reading Calendar.

Senator Gianaris.

SENATOR GIANARIS: On behalf of Senator Kaplan, I wish to call up Senate Print 23A, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 123, Senate Print 23A, by Senator Kaplan, an act to amend the State Finance Law and the Labor Law.

SENATOR GIANARIS: I 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, 61.

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

SENATOR GIANARIS: I offer the following amendments.

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

SENATOR GIANARIS: On behalf of Senator Gaughran, I wish to call up Senate 7610, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 483, Senate Print 7610A, by Senator Gaughran, an act in relation to permitting India Pentecostal Assembly, Inc., to file an application for a real property tax exemption.

SENATOR GIANARIS: 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, 61.

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

SENATOR GIANARIS: I offer the following amendments.

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

SENATOR GIANARIS: On behalf of Senator Brooks, I wish to call up Senate 7864, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 485, Senate Print 7864, by Senator Brooks, an act to amend the General Municipal Law and the Public Authorities Law.

SENATOR GIANARIS: 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, 61.

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

SENATOR GIANARIS: I offer the following amendments.

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

SENATOR GIANARIS: On behalf of Senator Gaughran, I wish to call up Senate 968, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 520, Senate Print 968, by Senator Gaughran, an act to amend the Public Authorities Law.

SENATOR GIANARIS: 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, 61.

ACTING PRESIDENT BAILEY: The bill is restored to its place on the Third Reading

Calendar.

SENATOR GIANARIS: I offer the following amendments.

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

SENATOR GIANARIS: Also from Senator Gaughran, I wish to call up Senate 5237B, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 713, Senate Print 5237B, by Senator Gaughran, an act to amend the Public Authorities Law.

SENATOR GIANARIS: 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, 61.

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

SENATOR GIANARIS: I offer the

following amendments.

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

SENATOR GIANARIS: Please recognize Senator Lanza.

ACTING PRESIDENT BAILEY: Senator Lanza.

SENATOR LANZA: Mr. President, on behalf of Senator Stec, I wish to call up Bill Print Number 5333, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 575, Senate Print 5333, by Senator Stec, Concurrent Resolution of the Senate and Assembly proposing an amendment to Section 1 of Article 14 of the Constitution.

SENATOR LANZA: I now move to reconsider the vote by which this bill was passed.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

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

SENATOR LANZA: 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 LANZA: Mr. President, on behalf of Senator Weik, on page number 50 I offer the following amendments to Calendar Number 1016, Senate Print 8750, and ask that said bill retain its place on Third Reading Calendar.

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

SENATOR LANZA: Perfect, thank you.

ACTING PRESIDENT BAILEY: Senator Gianaris.

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

ACTING PRESIDENT BAILEY: The Secretary will read.

(Off the record.)

THE SECRETARY: Calendar Number 116, Senate Print Number 3966A, by Senator Reichlin-Melnick, an act to amend the Public Authorities Law and the Social Services Law.

SENATOR GIANARIS: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 208, Senate Print 3178A, by Senator Sanders, an act to amend the Social Services Law.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 239, Senate Print 3823, by Senator Griffo, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 241, Assembly Print Number 3593E, by Assemblymember Solages, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 241, voting in the negative: Senators Skoufis and Palumbo.

Ayes, 59. Nays, 2.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 254, Senate Print 774B, by Senator Hoylman, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Hoylman to explain his vote.

SENATOR HOYLMAN: Thank you, Mr. President.

This bill would require the collection of certain demographic information about the sexual orientation and gender identity or expression of residents by state agencies, boards and commissions. And the bill's goal is to keep a more accurate and relevant public record of populations by sexual orientation and gender identity or expression in the State of New York.

While gay, lesbian, bisexual, transgender and those of nonconforming gender identity or expression in the state share geographical and cultural commonalities, they also experience diverse social, educational, health and economic differences that are unique to their life experiences.

And given the diversity of the population, separating data for these areas of the population and making the data publicly accessible are critical for enhancing our state's understanding of the needs and experiences of these communities.

And while other states are regressing on LGBTQIA rights, New York is moving forward to improve the services and support for

all LGBTQIA New Yorkers.

The bottom line is, Mr. President, data saves lives. And for decades the struggle of the LGBTQIA community has been to stop being invisible. And when you don't have data about a community, at times it can seem that that community doesn't exist at all.

So with this bill we are changing that, Mr. President, and I proudly vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 254, those Senators voting in the negative are Senators Akshar, Borrello, Griffo, Jordan, Lanza, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 46. Nays, 15.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 339, Senate Print 6210A, by Senator Skoufis, an act to amend the Executive Law and the Energy Law.

ACTING PRESIDENT BAILEY: Read the

last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 339, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec and Tedisco.

Ayes, 44. Nays, 17.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 455, Senate Print 4708, by Senator Comrie, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 455, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Jordan, Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath, Serino, Stec and Tedisco.

Ayes, 47. Nays, 14.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 470, Senate Print 6443B, by Senator Mayer, an act to amend the Criminal Procedure Law and the Family Court Act.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 7. This act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 470, 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, 46. Nays, 15.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 588, Senate Print 1830, by Senator Skoufis, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 588, voting in the negative: Senator Martucci.

Ayes, 60. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

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

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 6. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 770, Senate Print 1232, by Senator Gianaris, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 770, those Senators voting in the negative are Senators Akshar, Borrello, Griffo, Jordan, Oberacker, O'Mara, Rath, Stec and Tedisco.

Ayes, 52. Nays, 9.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 771, Senate Print 2937, by Senator Kaminsky, an act to amend the Environmental Conservation Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 814, Senate Print 240B, by Senator Mayer, an act to amend the Multiple Residence Law and the Multiple Dwelling Law.

ACTING PRESIDENT BAILEY: Read the

last section.

THE SECRETARY: Section 3. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Mayer to explain her vote.

SENATOR MAYER: Thank you, Mr. President.

And I want to thank the Majority Leader, Senator Stewart-Cousins, for bringing this package of bills involving fire to the floor.

I can't think of anything more disastrous in so many of our districts than the continued risk of fire in residential placements. And in January we all know we witnessed the horrors of the high-rise fire in the Bronx, which killed 17 people, including eight children.

And before and since then, there have been fires in which first responders have had a challenge responding because they do not have a full and accurate list of the occupants of

the building.

In 2019, in a fire in a Yonkers apartment building in my district, 86 people were displaced, 60 firefighters were on the scene, and there was extensive damage to the building.

Fortunately, in large part due to the incredible work of the first responders and the firefighters particularly, no one was injured. But during the blaze, first responders had no way to determine who was still in the building and if everyone was safely evacuated.

This bill was a response to this fire and ensures that in a fire or natural disaster requiring evacuation, emergency personnel have access to residents' names and contact information to locate them and confirm they have safely exited the building.

This bill grants tenants the right and option to withhold this information if they choose to do so.

In an emergency, every second counts, and first responders can most effectively do their jobs and prevent loss of life when they are able to determine the residents they expect to find in the building and know that all

residents are safely evacuated.

We should not let this day go by without publicly acknowledging the work of our first responders, particularly police and firefighters, who are the first on the scene, the last to leave, put their lives in great personal danger, and are there to protect us during these most dangerous, dangerous of circumstances.

Thank you for allowing this bill to come to the floor, and I urge my colleagues to vote aye. I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 814, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec and Tedisco.

Ayes, 44. Nays, 17.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 819, Senate Print 5093A, by Senator Kennedy, an

act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 820, Senate Print 6089A, by Senator Jackson, an act to amend the Multiple Dwelling Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Mr. President.

My colleagues, I rise to speak in support of my bill.

Fire in residential buildings and small businesses has had a devastating impact on our communities, and we have witnessed an uptick in fire emergencies occurring in the last two years.

As our building stock and its infrastructures get older, we have to make sure our safety protocols correspond with the realities that more people are using appliances and technology.

And today, New York City continues to mourn the victims who lost their lives as a result of fires caused by multiple factors that are a product of landlord and property management not living up to their responsibilities to ensure their properties comply with applicable fire and safety codes.

In the very district that I represent, within a year two terrible fires occurred on the same property in Inwood, resulting in the displacement of dozens of

families during the winter. In early 2021, half of this building went up in flames. The cause? Quote, unquote, accidental electric wiring.

Over 30 families lost everything. And my office connected them with legal support which led to a lawsuit against the landlord. However, not even a lawsuit resulting from the first fire was enough to pressure the property owner to do the right thing and inspect the wiring in the entire building.

Sadly, a second fire happened in the other half of the building, the cause the same as the first: Faulty electric wiring.

We hear every other month that multiple fires are reported in my district and across New York due to the lack of accountability from the owners. These fires were 100 percent preventable. These fires were not only tragic but also a clear sign of housing injustice.

It would seem evident that apartment buildings in working class communities are often more vulnerable to fires. Flickering lights or the electricity going out if you use the toaster or an AC shouldn't be the clearest situation -- it should be a cause of alarm that something

needs to upgraded or inspected.

But this bill is about being proactive and accountable for the safety of the tenants. A history of management neglect, violations and complaints, including lack of heat and ventilation, make the buildings in the Black and brown working class communities much more susceptible to devastating fires than most of the housing stock in the city.

This must end, Mr. President. We cannot continue to lose lives due to the lack of safety measures provided in many New York properties. I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 820, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec and Tedisco.

Ayes, 43. Nays, 18.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 824, Senate Print 8795A, by Senator Rivera, an act to amend the Executive Law and the Administrative Code of the City of New York.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Rivera to explain his vote.

SENATOR RIVERA: Thank you, Mr. President.

On Sunday, January 19th of this year, as I'm sure that you're all aware, Twin Parks North West, a building just a couple of blocks from my district office in the Bronx, had a terrible fire -- a terrible fire which was worse than any that we've seen in years, certainly in the Bronx. As has been referenced by some of my colleagues, 17 people lost their lives, including eight children.

And the fact is that what caused it,

as has also been pointed out by some of my colleagues, the fire in this building but not only that, in buildings in other parts of the city, has been many times negligence and things that could have been fixed.

In the case of Twin Parks North West, it was a series of space heaters in a building -- in an apartment that actually caused the fire. And in turn, once the fire started, self-closing doors that were not operational were left open, therefore spreading the fire to other parts of the building, trapping so many folks on upper levels, because this only happened on the second floor of this multistory building.

So there's a series of bills that we're passing today. And the one that is my bill, Mr. President, in particular, relates to increasing fines for building and fire code violations. We know that in many instances -- and we talk about it constantly -- there's certain folks that consider fines -- if they're not large enough, they consider it part of doing business.

And we want to make sure that we change that as it relates to this. In this case,

these penalties and fines were established 30 years ago, Mr. President. And we believe that we need to raise them to make sure that it can serve as a deterrence.

It is not the only thing that we are doing, Mr. President. There's a couple of other bills, including one by my colleague Cordell Cleare, who also had a tragic fire in her district, coming up a little bit later which deals specifically with space heaters.

But in this case I rise to certainly support this legislation, asking my colleagues to do the same. And certainly, Mr. President, while we certainly can't get the lives back that we lost that day, we can do things legislatively to try to force those folks who are, as my colleague Senator Jackson said, sometimes not being responsible with their property and not doing what they should to maintain these properties that sometimes leads to deaths -- we can make sure that at the very least it costs them. And that we can potentially change the way that they act so that we can save lives in the future.

I'll vote in the affirmative. Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 824, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Felder, Gallivan, Griffo, Helming, Jordan, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 41. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 997, Assembly Print Number 5338, by Assemblymember Giglio, an act to amend Chapter 264 of the Laws of 1981.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce

the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1001, Senate Print 3606, by Senator Bailey, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Tedisco to explain his vote. Oh, on the next bill.

(Laughter.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1001, 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, 41. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1023, Senate Print 6761A, by Senator Savino, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Tedisco to explain his vote.

SENATOR GIANARIS: We were on the noncontroversial reading of the calendar, it was not laid aside. And so if the Senator would like to explain his vote, he's of course welcome to do that.

ACTING PRESIDENT BAILEY: Thank

you, Senator Gianaris.

Senator Tedisco.

SENATOR TEDISCO: Thank you.

Yeah, my concern about this piece of legislation is it falls in line with the goose is as good as the gander, I guess.

In Senator Savino's district, the licensing procedure there -- I believe I'm correct on this -- is the businesses and the construction owner has a license. And all the workers under that construction owner are not necessarily -- and are not licensed. The construction owner is licensed.

What this piece of legislation does, it basically exempts I believe Senator Savino's district -- it does not apply to Staten Island or New York City. But it does provide for a licensing procedure. But the procedure is not the same as what is taking place in her district.

The procedure in this bill says that every single worker for a construction owner and company -- if it's 50, if it's a hundred, if it's 150 fire suppression professionals -- all of them have to be licensed.

So I'm not quite understanding why

there's a different procedure from the sponsor's district of saying construction owner, licensed, all the workers who are professionals in that field don't have to be licensed. But the legislation for upstate, where I'm being contacted by the upstate American Fire Sprinkler Association with a memo of opposition, every single worker for that construction company and the construction owner has to have all of their individuals go through a process of training and be licensed.

So I'm not understanding, if it's a good system in the sponsor's district, why that system wouldn't be a good system for upstate New York. So I'm a bit concerned that it might be more cumbersome for the small businesses and the businesses which relate to this in my upstate district.

So in that regard, I'm going to have to vote no on this particular piece.

Thank you for the time, Mr. President.

ACTING PRESIDENT BAILEY: Senator Tedisco to be recorded in the negative.

Senator Mattera to explain his vote.

SENATOR MATTERA: Yes, thank you, Mr. President.

I first want to thank Senator Savino for all of her hard work on this bill.

As a former member of the Suffolk County Consumer Affairs Force Licensing Board on Fire Protection and Plumbing for 10 years -- for over 10 years -- and as a proud cosponsor of this bill, I know how important this legislation is. Fire suppression systems are critical for life and for property safety.

And New York City, Nassau and Suffolk County contractors who construct this work need to be licensed for fire suppression systems. However, no one needs to be licensed in the rest of the state to perform this work, fire suppression systems.

To perform this work -- you need to have certain licenses to cut hair, to work at a nail salon to paint nails. To be a librarian, you need to have a license. You need to be licensed to install fire alarms, but guess what, not to install the fire suppression system.

That's why this is so important, that the men and women installing these systems

need to be licensed. Installing all the piping and mechanical equipment, an occupation license is needed and required, that they are all qualified and have the same proper knowledge and skill that will protect New York citizens and firefighters from these not having the skills or training to install fire sprinklers.

This legislation will make sure that the safety is a priority. Mr. President, I am proud to vote yes. Thank you.

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

Senator Savino to explain her vote.

SENATOR SAVINO: Thank you. Thank you, Mr. President.

I want to thank Senator Mattera for that excellent explanation of this piece of legislation. As someone who's done the work, he understands how important it is.

And I appreciate Senator Tedisco's concern. There are differences between New York City and Nassau and Suffolk County and the rest of the state. Namely, this has been in place in New York City and Nassau and Suffolk for quite some time now.

And there is another difference with respect to New York City. Under the current law, in the City of New York, Nassau and Suffolk they issue licenses and registration to fire suppression contractors. Under the city code, a person seeking to obtain a license must complete an examination, have requisite experience, and be subject to a background check. The contractors in these localities -- Nassau, Suffolk and New York City -- also oversee the apprenticeship programs for this work.

So there is a little bit of a difference in the way they operate in New York City and the way they would operate in the rest of the state.

This bill, though, has come before this house before. This is not the first time we're passing it. In fact, it's the same bill that we passed in 2019 -- we didn't take it up in 2020. And I would point out, Senator Tedisco, that you voted for the bill in 2019.

Nothing's changed between then and now except the Assembly has still not taken it up.

The issue of fire suppression and

fire safety equipment and water-based fire protection systems is critically important.

So I understand the concern you have, but what we're doing is we are increasing safety and protection around the rest of the state that we currently have in the City of New York and Nassau and Suffolk County.

I vote in the affirmative. Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1023, those Senators voting in the negative are Senators Akshar, Borrello, Helming, Jordan, O'Mara, Rath, Serino and Tedisco.

Ayes, 54. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1024, Senate Print 7863A, by Senator Cleare, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

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

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

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 771, Senate Print 2937, by Senator Kaminsky, an act to amend the Environmental Conservation Law.

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

SENATOR LANZA: Mr. President, I believe there's an amendment at the desk. I waive the reading of that amendment and ask that

you recognize Senator Weik to be heard.

ACTING PRESIDENT BAILEY: Thank you, Senator Lanza.

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

SENATOR LANZA: Accordingly, Mr. President, I appeal the ruling of the chair and ask that you recognize Senator Weik.

ACTING PRESIDENT BAILEY: The appeal has been made and recognized, and Senator Weik may be heard.

SENATOR WEIK: Thank you, Mr. President.

This amendment is germane to the bill-in-chief because both are intended to protect the health and safety of our most vulnerable from dangers in their environment.

Right now we're facing the highest levels of inflation in 40 years, thanks to policies put in place by our federal and state governments. We are paying more for everything, from basic necessities like clothes and groceries and food to dining out and travel.

In this house we already took a

small step to help consumers by slightly reducing a tax paid at the pump for gasoline. But more than 1 million New Yorkers are facing another surprise in the form of fuel oil prices they will be paying to heat their homes.

Now it's almost 70 degrees out today, and you're wondering why are we bringing this issue up today. Right now homeowners across the state are receiving their fuel oil contracts for next winter and they don't know how they're going to be able to pay for it. This is especially worrisome for Long Islanders in Suffolk County and in Nassau County.

I represent Suffolk County, and almost half of the homeowners rely on fuel oil as their primary heat source. In Nassau County it's about one-third. And it's not because they have a choice. Many parts of Long Island are not served by natural gas. And we pay among the highest electric rates in the nation, so electric heat is not an option either.

According to NYSERDA, the average price of heating fuel on Long Island last month was $5.13. That's 62 percent higher than last year.

This is an especially acute problem for our seniors and those living on a fixed income. We all know how important it is for these New Yorkers to stay warm and safe, yet our recent budget did nothing to provide additional help for low-income New Yorkers to pay their heating bills.

Senator Kaminsky's bill seeks to phase out a type of fuel that's rarely used in home heating outside of New York City. But with this amendment, that bill could have a large impact on homeowners all across this state. We found hundreds of millions of dollars to fund a new football stadium. This amendment -- to deliver at least some relief to hardworking New Yorkers when they desperately need it -- is so important.

I ask that you reconsider your ruling and that my colleagues support this rebate proposal to help families in my region and all across the state.

ACTING PRESIDENT BAILEY: Thank you, Senator Weik.

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

ruling of the chair.

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

SENATOR LANZA: Request a show of hands.

SENATOR GIANARIS: Mr. President, we're going to waive the showing of hands and agree to record each member of the Minority in the affirmative.

ACTING PRESIDENT BAILEY: Without objection, so ordered.

Announce the results.

THE SECRETARY: Ayes, 20.

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

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to

Calendar 771, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 44. Nays, 18.

ACTING PRESIDENT BAILEY: The bill is passed.

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

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

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

SENATOR GIANARIS: Move to adjourn until tomorrow, Tuesday, May 10th, at 3:00 p.m.

ACTING PRESIDENT BAILEY: On motion, the Senate stands adjourned until Tuesday, May 10th, at 3:00 p.m.

(Whereupon, at 3:57 p.m., the Senate adjourned.)