

1 NEW YORK STATE SENATE

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3  
4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 May 11, 2022

11 11:48 a.m.

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13  
14 REGULAR SESSION

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17  
18 SENATOR ROXANNE J. PERSAUD, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

THE SECRETARY: In Senate, Tuesday  
May 10, 2022, the Senate met pursuant to  
adjournment. The Journal of Monday, May 9, 2022,  
was read and approved. On motion, the Senate  
adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Rivera

1 moves to discharge, from the Committee on Health,  
2 Assembly Bill Number 7712B and substitute it for  
3 the identical Senate Bill 6928, Third Reading  
4 Calendar 519.

5 Senator Kaplan moves to discharge,  
6 from the Committee on Transportation,  
7 Assembly Bill Number 9169 and substitute it for  
8 the identical Senate Bill Number 8262,  
9 Third Reading Calendar 633.

10 Senator Brisport moves to discharge,  
11 from the Committee on Children and Families,  
12 Assembly Bill Number 4908 and substitute it for  
13 the identical Senate Bill Number 8320,  
14 Third Reading Calendar 686.

15 Senator Rivera moves to discharge,  
16 from the Committee on Health, Assembly Bill  
17 Number 9288 and substitute it for the identical  
18 Senate Bill Number 8447, Third Reading Calendar  
19 709.

20 Senator Skoufis moves to discharge,  
21 from the Committee on Investigations and  
22 Government Operations, Assembly Bill Number 9821  
23 and substitute it for the identical Senate Bill  
24 Number 7360, Third Reading Calendar 796.

25 Senator Kaplan moves to discharge,

1 from the Committee on Corporations, Authorities  
2 and Commissions, Assembly Bill Number 9410 and  
3 substitute it for the identical Senate Bill  
4 Number 8573, Third Reading Calendar 846.

5 Senator Bailey move to discharge,  
6 from the Committee on Alcoholism and Drug Abuse,  
7 Assembly Bill Number 7818B and substitute it for  
8 the identical Senate Bill Number 3374B, Third  
9 Reading Calendar 933.

10 Senator Brooks moves to discharge,  
11 from the Committee on Consumer Protection,  
12 Assembly Bill Number 744 and substitute it for  
13 the identical Senate Bill Number 5262, Third  
14 Reading Calendar 1022.

15 Senator Martucci moves to discharge,  
16 from the Committee on Environmental Conservation,  
17 Assembly Bill Number 8510 and substitute it for  
18 the identical Senate Bill Number 7902, Third  
19 Reading Calendar 1044.

20 And Senator Brouk moves to  
21 discharge, from the Committee on Health,  
22 Assembly Bill Number 9098A and substitute it for  
23 the identical Senate Bill Number 8751,  
24 Third Reading Calendar 1079.

25 ACTING PRESIDENT PERSAUD: So

1 ordered.

2 Messages from the Governor.

3 Reports of standing committees.

4 Reports of select committees.

5 Communications and reports from  
6 state officers.

7 Motions and resolutions.

8 Senator Gianaris.

9 SENATOR GIANARIS: Madam President,  
10 can we begin by taking up previously adopted  
11 Resolution 2486, by Senator May, read its title  
12 only, and recognize Senator May.

13 ACTING PRESIDENT PERSAUD: The  
14 Secretary will read.

15 THE SECRETARY: Senate Resolution  
16 2486, by Senator May, congratulating Elizabeth  
17 "Libba" Cotten posthumously upon the occasion of  
18 being inducted into the Rock and Roll Hall of  
19 Fame.

20 ACTING PRESIDENT PERSAUD: Senator  
21 May on the resolution.

22 SENATOR MAY: Thank you,  
23 Madam President.

24 Folk singer Elizabeth "Libba"  
25 Cotten, who lived the latter years of her life in

1     Syracuse, will be inducted posthumously into the  
2     Rock and Roll Hall of Fame on November 5th. She  
3     will also be honored with the Early Influence  
4     Award.

5                 Libba began playing songs at the age  
6     of 8. One year later, she left school to work.  
7     And at the age of 12, she had a live-in job as a  
8     domestic worker in Chapel Hill, making \$1 a  
9     month. Her mother put the money aside to buy  
10    Libba her first guitar.

11                Libba was left-handed, and she  
12    taught herself to play her guitar holding it  
13    upside down and figuring out her own method of  
14    playing the bass lines with her fingers and the  
15    melody with her thumb.

16                She began to write her own songs and  
17    "Freight Train," which became one of her most  
18    famous songs, was written about a train that she  
19    could hear from her home.

20                In the 1940s she was hired as a  
21    domestic worker by the parents of future folk  
22    legends Pete and Peggy Seeger. The family  
23    encouraged her musical career. When "Freight  
24    Train" was falsely copyrighted by two British  
25    songwriters and sung on the Ed Sullivan Show, the

1 family helped her sue for copyright infringement.

2 In the spirit of Older Americans  
3 Month, I will note that Libba Cotten didn't begin  
4 performing publicly until she was in her sixties.  
5 She recorded influential albums and helped  
6 establish the folk music genre. In 1967, she  
7 released a single with her grandchildren called  
8 "Shake Sugaree."

9 After much success, Libba and her  
10 family moved to Syracuse, where she continued to  
11 tour and make music. She received her first  
12 Grammy Award at the age of 90 and was named  
13 Syracuse's first Living Treasure in 1983. She  
14 was also recognized by the Smithsonian  
15 Institution and was named a National Heritage  
16 Fellow by the National Endowment for the Arts.

17 Libba died in 1987 at the age of 92.  
18 In recognition of her many contributions to  
19 music, a grove named in her honor was established  
20 at the corner of South State Street and Castle  
21 Street in Syracuse. It features a bronze statute  
22 of her likeness playing guitar in her famous  
23 upside-down style.

24 I vote aye. Thank you.

25 ACTING PRESIDENT PERSAUD: Thank

1       you.

2                       The resolution was previously  
3       adopted on May 10th.

4                       Senator Gianaris.

5                       SENATOR GIANARIS:    Madam President,  
6       can we now move on to previously adopted  
7       Resolution 2535, also by Senator May, read its  
8       title only, and recognize Senator May.

9                       ACTING PRESIDENT PERSAUD:    The  
10      Secretary will read.

11                      THE SECRETARY:    Senate Resolution  
12      2535, by Senator May, honoring Sally Johnston  
13      upon the occasion of being inducted into the 2022  
14      New York State Disability Rights Hall of Fame.

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

17                      SENATOR MAY:    Thank you again,  
18      Madam President.

19                      I am thrilled to stand here and  
20      recognize Sally Johnston for this award.  She  
21      will be inducted into the New York State  
22      Disability Rights Hall of Fame.

23                      I got to know Sally because she's  
24      been a relentless advocate for Fair Pay for  
25      Home Care.  She spoke out many times about her

1 experience of trying to find home care workers.  
2 She's in her eighties and feels like she  
3 shouldn't be spending hours every week on the  
4 phone trying to recruit people to work for her.  
5 And so her voice in the fight for fair pay was  
6 critical to putting that on a lot of people's  
7 radar.

8 She also invited me into her home.  
9 I got to meet one of her home care workers. And  
10 she really wanted to educate people about what  
11 home care really is.

12 But that's not the reason Sally is  
13 being inducted into the Disability Rights Hall of  
14 Fame. Sally was the person who really came up  
15 with the idea for the Consumer-Directed Personal  
16 Assistance Program and shaped it into what we  
17 know now. And she helped found the Consumer  
18 Directed Personal Assistance Association of  
19 New York State, which has been, again, a very  
20 powerful advocate for people with disabilities  
21 and for home care workers as well.

22 So Sally has really changed the  
23 landscape of home care, of how we think about  
24 disability in this state and how our state cares  
25 for people with disabilities. So there's nobody

1       who deserves this award more, and I am very  
2       honored to support this resolution.

3                       Thank you.

4                       ACTING PRESIDENT PERSAUD:    Thank  
5       you.

6                       The resolution was previously  
7       adopted on May 10th.

8                       Senator Gianaris.

9                       SENATOR GIANARIS:    And now let's  
10      move on to previously adopted Resolution 2468, by  
11      Senator Hinchey, read its title and recognize  
12      Senator Hinchey.

13                      ACTING PRESIDENT PERSAUD:    The  
14      Secretary will read.

15                      THE SECRETARY:    Senate Resolution  
16      4468, by Senator Hinchey, memorializing Governor  
17      Kathy Hochul to proclaim May 2022 as Lyme Disease  
18      Awareness Month in the State of New York.

19                      ACTING PRESIDENT PERSAUD:    Senator  
20      Hinchey on the resolution.

21                      SENATOR HINCHEY:    Thank you,  
22      Madam President.

23                      I rise today in support and to  
24      sponsor a resolution proclaiming the month of May  
25      as Lyme Disease Awareness Month here in the State

1 of New York.

2 If you live in even a remotely rural  
3 community or spend any time in upstate New York,  
4 it is nearly impossible to not know someone who  
5 has suffered from Lyme disease, and now those  
6 numbers are only growing.

7 New York ranks second only to  
8 Pennsylvania for the most confirmed cases year  
9 after year.

10 Lyme disease can also be really hard  
11 to identify. We hear all the time that it's  
12 identified by a bull's-eye, but that's not always  
13 the case. It may not actually show up.

14 And what Lyme disease does is it can  
15 impact your neurological behaviors. It is a  
16 neurological disease that sometimes you may not  
17 even know you have it until months down the road.  
18 But we know that early detection is the best way  
19 to fight Lyme disease.

20 I know people in my community that  
21 suffer, will suffer for the rest of their lives  
22 because of undetected Lyme earlier when they were  
23 gardening or when they were hiking. And so as we  
24 have more and more people coming into our  
25 communities, more and more people exploring the

1 outdoors, more and more people realizing how  
2 important time outdoors is to our mental health  
3 and to our physical health, we have to take a  
4 moment to recognize Lyme disease and make  
5 everybody more aware of this disease.

6 We have a lot of work to do. We  
7 need a lot more funding. We need a lot more  
8 research. But this is where we can start.

9 So Lyme Disease Awareness Month is  
10 our opportunity to shine a light on this crisis,  
11 to shine a light on this issue, increase  
12 awareness and work towards both solutions to  
13 solve this incredibly large problem.

14 So with that, I thank the leader and  
15 I thank my colleagues in support of this  
16 resolution, and for that I vote aye.

17 ACTING PRESIDENT PERSAUD: Senator  
18 Serino on the resolution.

19 SENATOR SERINO: Thank you,  
20 Madam President.

21 And I'd like to say thank you to  
22 Senator Hinchey for bringing this resolution to  
23 the floor today.

24 May is Lyme Disease Awareness Month,  
25 and you'll often hear me say awareness is the key

1 to prevention. Here in New York we designate  
2 awareness months for a whole host of issues, all  
3 of equal importance. But when it comes to Lyme  
4 and tick-borne diseases, raising awareness is one  
5 of the few tools we have in our toolbox to  
6 actually combat the spread of these diseases.

7 I've been talking ticks for years  
8 now, and sometimes I feel like a broken record.  
9 But I know I'm really getting through when I hear  
10 from people like Senator Bailey, who mentioned  
11 checking for ticks. So thank you,  
12 Senator Bailey.

13 However, just when I think that the  
14 message is really getting through, I hear another  
15 harrowing story of someone who has been impacted  
16 by these terrible diseases who didn't know the  
17 signs and the symptoms, who had to fight for an  
18 accurate diagnosis, and who spent thousands of  
19 dollars tracking down effective treatment and  
20 care.

21 These are the stories that will stay  
22 with me for the rest of my life -- stories like  
23 the parent who had to bury their child they had  
24 lost to Lyme carditis. The husband who took his  
25 own life after struggling with the neurological

1     Lyme. The star athlete that suddenly couldn't  
2     compete because they were drained of their  
3     strength and coordination. And the family pet  
4     that was struck with tick paralysis or the  
5     fourth-grade student with her whole life ahead of  
6     her who came up to me and said, "Senator Sue" --  
7     shows me her hand -- "I have arthritic Lyme."

8                 The lives of too many New Yorkers  
9     have been changed forever because they did not  
10    know they could take some simple steps to stay  
11    tick-free. If the COVID pandemic taught us  
12    anything, it was the importance of preparedness  
13    in the face of a public health crisis.

14                New York State is home to the  
15    second-highest number of confirmed Lyme cases in  
16    the country. And because we know that the  
17    diagnostic test is often inaccurate, we really  
18    know that the statistic is likely a drastic  
19    undercount. But make no mistake, we are facing a  
20    health crisis when it comes to Lyme and  
21    tick-borne diseases, and New York must be better  
22    prepared to address it.

23                Declaring May as Lyme Disease  
24    Awareness Month is important, but it becomes an  
25    empty gesture when we don't back that effort with

1 real resources and meaningful action. I urge all  
2 of my colleagues here today to hear the voices of  
3 the thousands of New Yorkers who have suffered  
4 the devastating impacts of these diseases and  
5 commit to redoubling our efforts to more  
6 effectively combating the spread.

7 Thank you, Madam President.

8 ACTING PRESIDENT PERSAUD: Thank  
9 you.

10 The resolution was previously  
11 adopted -- sorry, Senator, there's a member  
12 behind you.

13 Senator May on the resolution.

14 SENATOR MAY: Thank you,  
15 Madam President.

16 I also want to thank Senator Hinchey  
17 for bringing this resolution and allowing me to  
18 cosponsor it with her.

19 I want to shout out to two  
20 organizations in my district that are doing  
21 really important work on Lyme disease.

22 One of them is the SUNY Upstate  
23 Medical University and SUNY College of  
24 Environmental Science and Forestry collaboration  
25 on a vector biology lab, which Senator Serino

1       came and toured in my district as well.

2                       They are doing incredible work on  
3       not just Lyme disease but the many other tick and  
4       tick-borne diseases that we are learning about.  
5       Dr. Saravanan Thangamani, a professor of  
6       microbiology and immunology at SUNY Upstate,  
7       leads that lab with a team of researchers, and it  
8       is very impressive what they do.

9                       Another organization in my district  
10      is doing the grassroots work of local advocacy,  
11      and they promote education and prevention  
12      awareness throughout Central New York. It's  
13      called the Central New York Lyme and Tick-Borne  
14      Disease Alliance, and their executive director,  
15      Royale Scuderi, has worked with my staff to  
16      partner on public events to get the word out  
17      about best practices for reducing Lyme.

18                      And I want her to know how much her  
19      work is appreciated and how much her efforts do  
20      to reach our communities.

21                      And then, finally, I also want to  
22      talk a little bit about the ecology of tick-borne  
23      diseases. We have to recognize the important  
24      role that wildlife play in not just spreading the  
25      disease -- everybody knows about mice and deer --

1 but in actually controlling the tick population.

2 Foxes and possums in particular do  
3 the work of reducing the mice population, and  
4 possums actually eat thousands of ticks every  
5 day.

6 I carry legislation to allow the DEC  
7 to suspend the taking of foxes in areas of the  
8 state with a high prevalence of Lyme disease.  
9 These kinds of measures to let natural  
10 prey/predator relationships continue are an  
11 important part of our whole approach to  
12 controlling tick-borne disease.

13 So again, I want to thank all the  
14 groups around the state that are working so hard  
15 to control this really devastating disease, and  
16 thank again the sponsor and the leadership for  
17 bringing this forward.

18 I vote aye. Thank you.

19 ACTING PRESIDENT PERSAUD: Senator  
20 Bailey on the resolution.

21 SENATOR BAILEY: Thank you,  
22 Madam President. I just wanted to thank Senator  
23 Hinchey for this important resolution and  
24 Senator Serino for her remarks in relation to  
25 this.

1                   And you can learn a lot about -- I  
2     think that's the beauty of a citizen legislature,  
3     right? Like you can learn a lot about regions  
4     that are not your own when you actually have  
5     meaningful conversations with people who live in  
6     regions that are not where you're at. Right?

7                   So in the Bronx, New York, we may  
8     not necessarily have the dense shrubbery that we  
9     have in other parts of rural New York or suburban  
10    New York, but we do have certain, I guess,  
11    enclaves that do have a significant portion of  
12    shrubbery. And so it's important to make sure  
13    that we're aware of these things and that we're  
14    conveying these issues to our constituents.

15                  And both Senators Serino and Hinchey  
16    need to be proud that on the front of my office  
17    there is a sign currently in the window -- and I  
18    can have staff take a picture of this and show it  
19    to you for verification -- that shows tick  
20    awareness.

21                  Because it's something that we do --  
22    we have Seton Falls Park in the Bronx. And we  
23    spoke about another borough's day yesterday and,  
24    you know, we're going to talk about the Bronx a  
25    little bit. And Seton Falls Park is a dense

1 parkland that has had, in the past, an incidence  
2 of some tick-borne diseases.

3 So we wanted to make sure that our  
4 community was aware of it. And even though it's  
5 just a small parcel of land, one tick bite is too  
6 many, one tick-borne disease is too many for an  
7 individual to have that can have significant and  
8 debilitating effects on them.

9 So I'm grateful to our colleagues  
10 for bringing this resolution to the floor and for  
11 speaking about it, and I look forward to  
12 continuing to learn about issues outside the  
13 scope of the best borough in New York City.

14 Thank you, Madam President.

15 ACTING PRESIDENT PERSAUD: Thank  
16 you.

17 The resolution was previously  
18 adopted on May 3rd.

19 Senator Gianaris.

20 SENATOR GIANARIS: Madam President,  
21 the sponsors of the various resolutions we took  
22 up today would like to open them for  
23 cosponsorship.

24 ACTING PRESIDENT PERSAUD: The  
25 resolutions are open for cosponsorship. Should

1     you choose not to be a cosponsor of the  
2     resolutions, please notify the desk.

3                 Senator Gianaris.

4                 SENATOR GIANARIS:    Please recognize  
5     Senator Reichlin-Melnick for an introduction.

6                 ACTING PRESIDENT PERSAUD:    Senator  
7     Reichlin-Melnick.

8                 SENATOR REICHLIN-MELNICK:    Thank  
9     you, Madam President.

10                I just want to briefly rise to  
11     introduce -- we've got some very dedicated  
12     students from Tappan Zee High School Youth and  
13     Government Club here joining us today. I've met  
14     with them at their school, spoken to their club.  
15     These are some of the most engaged and energetic  
16     and civic-minded high school students that I've  
17     had the pleasure of meeting.

18                And we welcome them to Albany today  
19     as they are visiting us and then heading over in  
20     a little bit to visit the Assembly. So thank you  
21     for joining us, and hope that this is an  
22     educational trip for you all.

23                ACTING PRESIDENT PERSAUD:    Thank  
24     you.

25                To our guests from Tappan Zee

1 High School, I welcome you on behalf of the  
2 Senate. We extend to you the privileges and  
3 courtesies of this house.

4 Please stand and be recognized.

5 (Standing ovation.)

6 ACTING PRESIDENT PERSAUD: Senator  
7 Gianaris.

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

10 ACTING PRESIDENT PERSAUD: The  
11 Secretary will read.

12 THE SECRETARY: Calendar Number  
13 238, Senate Print 3150A, by Senator Comrie, an  
14 act to amend the Executive Law.

15 ACTING PRESIDENT PERSAUD: Read the  
16 last section.

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

20 ACTING PRESIDENT PERSAUD: Call the  
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT PERSAUD: Announce  
24 the results.

25 THE SECRETARY: Ayes, 62.

1                   ACTING PRESIDENT PERSAUD:    The bill  
2   is passed.

3                   THE SECRETARY:    Calendar Number  
4   259, Senate Print 3468B, by Senator Kennedy, an  
5   act to amend the Executive Law.

6                   SENATOR LANZA:    Lay it aside.

7                   ACTING PRESIDENT PERSAUD:   Lay it  
8   aside.

9                   THE SECRETARY:    Calendar Number  
10   453, Senate Print 2012A, by Senator Jackson, an  
11   act to amend the Administrative Code of the City  
12   of New York.

13                  ACTING PRESIDENT PERSAUD:   Read the  
14   last section.

15                  THE SECRETARY:    Section 5.  This  
16   act shall take effect immediately.

17                  ACTING PRESIDENT PERSAUD:   Call the  
18   roll.

19                  (The Secretary called the roll.)

20                  ACTING PRESIDENT PERSAUD:   Announce  
21   the results.

22                  THE SECRETARY:    In relation to  
23   Calendar 453, those Senators voting in the  
24   negative are Senators Akshar, Borrello, Boyle,  
25   Gallivan, Griffo, Jordan, Lanza, Martucci,

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

3                     Ayes, 43.   Nays, 19.

4                     ACTING PRESIDENT PERSAUD:   The bill  
5     is passed.

6                     THE SECRETARY:   Calendar Number  
7     454, Senate Print 2013A, by Senator Jackson, an  
8     act to amend the Administrative Code of the City  
9     of New York.

10                    ACTING PRESIDENT PERSAUD:   Read the  
11    last section.

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

14                    ACTING PRESIDENT PERSAUD:   Call the  
15    roll.

16                    (The Secretary called the roll.)

17                    ACTING PRESIDENT PERSAUD:   Announce  
18    the results.

19                    THE SECRETARY:   In relation to  
20    Calendar Number 454, those Senators voting in the  
21    negative are Senators Akshar, Borrello, Boyle,  
22    Gallivan, Griffo, Helming, Jordan, Lanza,  
23    Martucci, Mattera, Oberacker, O'Mara, Ortt,  
24    Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and  
25    Weik.

1                   Ayes, 42.   Nays, 20.

2                   ACTING PRESIDENT PERSAUD:   The bill  
3   is passed.

4                   THE SECRETARY:   Calendar Number  
5   502, Senate Print 1019C, by Senator Kaminsky, an  
6   act to amend the Education Law.

7                   ACTING PRESIDENT PERSAUD:   Read the  
8   last section.

9                   THE SECRETARY:   Section 4.   This  
10   act shall take effect on the first of July.

11                   ACTING PRESIDENT PERSAUD:   Call the  
12   roll.

13                   (The Secretary called the roll.)

14                   ACTING PRESIDENT PERSAUD:   Announce  
15   the results.

16                   THE SECRETARY:   Ayes, 62.

17                   ACTING PRESIDENT PERSAUD:   The bill  
18   is passed.

19                   THE SECRETARY:   Calendar Number  
20   519, Assembly Print Number 7712B, by  
21   Assemblymember Gottfried, an act to amend the  
22   Public Health Law.

23                   ACTING PRESIDENT PERSAUD:   Read the  
24   last section.

25                   THE SECRETARY:   Section 2.   This

1 act shall take effect on the 180th day after it  
2 shall have become a law.

3 ACTING PRESIDENT PERSAUD: Call the  
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT PERSAUD: Announce  
7 the results.

8 THE SECRETARY: Ayes, 62.

9 ACTING PRESIDENT PERSAUD: The bill  
10 is passed.

11 THE SECRETARY: Calendar Number  
12 574, Senate Print 3960, by Senator Kennedy, an  
13 act to amend the Judiciary Law.

14 ACTING PRESIDENT PERSAUD: Read the  
15 last section.

16 THE SECRETARY: Section 2. This  
17 act shall take effect on the 30th day after it  
18 shall have become a law.

19 ACTING PRESIDENT PERSAUD: Call the  
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce  
23 the results.

24 THE SECRETARY: In relation to  
25 Calendar 574, those Senators voting in the

1 negative are Senators Akshar, Borrello and Lanza.

2 Ayes, 59. Nays, 3.

3 ACTING PRESIDENT PERSAUD: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number  
6 633, Assembly Print Number 9169, by  
7 Assemblymember Paulin, an act to amend  
8 Chapter 802 of the Laws of 1947.

9 ACTING PRESIDENT PERSAUD: Read the  
10 last section.

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

14 ACTING PRESIDENT PERSAUD: Call the  
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT PERSAUD: Announce  
18 the results.

19 THE SECRETARY: Ayes, 62.

20 ACTING PRESIDENT PERSAUD: The bill  
21 is passed.

22 THE SECRETARY: Calendar Number  
23 662, Senate Print 7744A, by Senator Breslin, an  
24 act to amend the Insurance Law.

25 ACTING PRESIDENT PERSAUD: Read the

1 last section.

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

4 ACTING PRESIDENT PERSAUD: Call the  
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT PERSAUD: Announce  
8 the results.

9 THE SECRETARY: Ayes, 62.

10 ACTING PRESIDENT PERSAUD: The bill  
11 is passed.

12 THE SECRETARY: Calendar Number  
13 686, Assembly Print Number 4908, by  
14 Assemblymember Solages, an act to establish a  
15 task force to identify evidence-based and  
16 evidence-informed solutions to reduce children's  
17 exposure to adverse childhood experiences.

18 ACTING PRESIDENT PERSAUD: Read the  
19 last section.

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

22 ACTING PRESIDENT PERSAUD: Call the  
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT PERSAUD: Announce

1 the results.

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT PERSAUD: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number  
6 709, Assembly Print Number 9288, by  
7 Assemblymember Gottfried, an act to amend the  
8 Social Services Law.

9 ACTING PRESIDENT PERSAUD: Read the  
10 last section.

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

13 ACTING PRESIDENT PERSAUD: Call the  
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT PERSAUD: Announce  
17 the results.

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT PERSAUD: The bill  
20 is passed.

21 THE SECRETARY: Calendar Number  
22 772, Senate Print 3211B, by Senator Ramos, an act  
23 to amend the Environmental Conservation Law.

24 ACTING PRESIDENT PERSAUD: Read the  
25 last section.

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

3 ACTING PRESIDENT PERSAUD: Call the  
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT PERSAUD: Announce  
7 the results.

8 THE SECRETARY: Ayes, 62.

9 ACTING PRESIDENT PERSAUD: The bill  
10 is passed.

11 THE SECRETARY: Calendar Number  
12 796, Assembly Bill Number 9821, by  
13 Assemblymember Jean-Pierre, an act to amend the  
14 Alcoholic Beverage Control Law.

15 ACTING PRESIDENT PERSAUD: Read the  
16 last section.

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

20 ACTING PRESIDENT PERSAUD: Call the  
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT PERSAUD: Announce  
24 the results.

25 THE SECRETARY: Ayes, 62.

1                   ACTING PRESIDENT PERSAUD:    The bill  
2   is passed.

3                   THE SECRETARY:    Calendar Number  
4   798, Senate Print 7655A, by Senator Hinchey, an  
5   act to amend the Alcoholic Beverage Control Law.

6                   ACTING PRESIDENT PERSAUD:   Read the  
7   last section.

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

10                  ACTING PRESIDENT PERSAUD:   Call the  
11   roll.

12                  (The Secretary called the roll.)

13                  ACTING PRESIDENT PERSAUD:   Announce  
14   the results.

15                  THE SECRETARY:    Ayes, 62.

16                  ACTING PRESIDENT PERSAUD:   The bill  
17   is passed.

18                  THE SECRETARY:    Calendar Number  
19   829, Senate Print 8080, by Senator Cleare, an act  
20   to amend the State Finance Law.

21                  ACTING PRESIDENT PERSAUD:   Read the  
22   last section.

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

1                   ACTING PRESIDENT PERSAUD:   Call the  
2   roll.

3                   (The Secretary called the roll.)

4                   ACTING PRESIDENT PERSAUD:   Announce  
5   the results.

6                   THE SECRETARY:   Ayes, 62.

7                   ACTING PRESIDENT PERSAUD:   The bill  
8   is passed.

9                   THE SECRETARY:   Calendar Number  
10   846, Assembly Print Number 9410, by  
11   Assemblymember Paulin, an act to amend  
12   Chapter 154 of the Laws of 1921.

13                  ACTING PRESIDENT PERSAUD:   Read the  
14   last section.

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

18                  ACTING PRESIDENT PERSAUD:   Call the  
19   roll.

20                  (The Secretary called the roll.)

21                  ACTING PRESIDENT PERSAUD:   Announce  
22   the results.

23                  THE SECRETARY:   Ayes, 62.

24                  ACTING PRESIDENT PERSAUD:   The bill  
25   is passed.

1                   THE SECRETARY:    Calendar Number  
2   863, Senate Print 5286, by Senator Parker, an act  
3   to amend the Social Services Law.

4                   ACTING PRESIDENT PERSAUD:   Read the  
5   last section.

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

9                   ACTING PRESIDENT PERSAUD:   Call the  
10  roll.

11                   (The Secretary called the roll.)

12                   ACTING PRESIDENT PERSAUD:   Announce  
13  the results.

14                   THE SECRETARY:    In relation to  
15  Calendar 863, those Senators voting in the  
16  negative are Senators Akshar, Borrello, Boyle,  
17  Helming, Martucci, Mattera, Oberacker and Ortt.

18                   Ayes, 54.  Nays, 8.

19                   ACTING PRESIDENT PERSAUD:   The bill  
20  is passed.

21                   THE SECRETARY:    Calendar Number  
22  875, Senate Print 3542, by Senator Stavisky, an  
23  act to amend the Education Law.

24                   ACTING PRESIDENT PERSAUD:   Read the  
25  last section.

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

3 ACTING PRESIDENT PERSAUD: Call the  
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT PERSAUD: Announce  
7 the results.

8 THE SECRETARY: Ayes, 62.

9 ACTING PRESIDENT PERSAUD: The bill  
10 is passed.

11 THE SECRETARY: Calendar Number  
12 933, Assembly Print Number 7818B, by  
13 Assemblymember Cruz, an act to amend the  
14 Alcoholic Beverage Control Law.

15 ACTING PRESIDENT PERSAUD: Read the  
16 last section.

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

20 ACTING PRESIDENT PERSAUD: Call the  
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT PERSAUD: Senator  
24 Bailey to explain his vote.

25 SENATOR BAILEY: Thank you,

1 Madam President.

2 I am grateful for the opportunity to  
3 be able to speak on this bill, and I thank  
4 Majority Leader Andrea Stewart-Cousins for  
5 bringing it to the floor.

6 And it's one of these bills in a  
7 package related to the scourge of human  
8 trafficking. We speak about our districts and  
9 about the good things, but sometimes we speak  
10 about the things that happen in our districts  
11 that are not so positive, but we look to  
12 ameliorate these things by virtue of legislation.

13 So in the North Bronx, in the City  
14 of Mount Vernon, there is a corridor that has  
15 been prone to significant portions of human  
16 trafficking. And some of these bills in this  
17 package are designed to ensure that we do  
18 everything that we can to show the individuals  
19 that are doing the trafficking that we are aware  
20 of what you're doing, and we're going to stop  
21 you.

22 And secondly, to the victims of  
23 human trafficking, we want you to know that  
24 there's a way out and that we want to make sure  
25 that we do everything that we can to show people

1       that there is a way out.

2                       And this bill would require certain  
3       establishments to simply display signs. And I  
4       say "simply" tongue in cheek, because there's no  
5       such thing as simple when it comes to freeing  
6       victims of human trafficking. One action can  
7       change the life of an individual. And if there's  
8       an individual that's walking into one of these  
9       establishments that's possibly being trafficked  
10      or feels under some sort of duress and they see  
11      this sign that shows the human trafficking  
12      hotline, the phone number to call, that can  
13      change the course of an individual's life.

14                     And so I'm grateful to our leader  
15      for putting this forward, to Speaker Heastie and  
16      Assemblymember Cruz -- they already passed it on  
17      their side, we're passing it here, so it will go  
18      on to the Governor's desk and hopefully she'll  
19      sign it so that we can try to save the lives of  
20      many trafficking victims. But if just saves one  
21      life -- just one life, Madam President -- this  
22      bill has done its job.

23                     I will be voting in the affirmative,  
24      and I thank you for the opportunity.

25                     ACTING PRESIDENT PERSAUD:     Senator

1 Bailey to be recorded in the affirmative.

2 Announce the results.

3 THE SECRETARY: Ayes, 62.

4 ACTING PRESIDENT PERSAUD: The bill  
5 is passed.

6 THE SECRETARY: Calendar Number  
7 966, Senate Print 351, by Senator Addabbo, an act  
8 to amend the General Business Law.

9 ACTING PRESIDENT PERSAUD: Read the  
10 last section.

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

14 ACTING PRESIDENT PERSAUD: Call the  
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT PERSAUD: Announce  
18 the results.

19 THE SECRETARY: Ayes, 62.

20 ACTING PRESIDENT PERSAUD: The bill  
21 is passed.

22 THE SECRETARY: Calendar Number  
23 995, Senate Print 793A, by Senator Hoylman, an  
24 act to amend the Judiciary Law.

25 ACTING PRESIDENT PERSAUD: Read the

1 last section.

2 THE SECRETARY: Section 3. This  
3 act shall take effect June 1, 2022.

4 ACTING PRESIDENT PERSAUD: Call the  
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT PERSAUD: Announce  
8 the results.

9 THE SECRETARY: In relation to  
10 Calendar Number 995, voting in the negative:  
11 Senators Oberacker and Serino.

12 Ayes, 60. Nays, 2.

13 ACTING PRESIDENT PERSAUD: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 1011, Senate Print 6619B, by Senator Gounardes,  
17 an act to amend the Retirement and Social  
18 Security Law.

19 ACTING PRESIDENT PERSAUD: Read the  
20 last section.

21 THE SECRETARY: Section 5. This  
22 act shall take effect on the first of April.

23 ACTING PRESIDENT PERSAUD: Call the  
24 roll.

25 (The Secretary called the roll.)

1                   ACTING PRESIDENT PERSAUD:   Announce  
2   the results.

3                   THE SECRETARY:    Ayes, 62.

4                   ACTING PRESIDENT PERSAUD:   The bill  
5   is passed.

6                   THE SECRETARY:    Calendar Number  
7   1022, Assembly Print Number 744, by  
8   Assemblymember Wallace, an act to amend the  
9   General Business Law.

10                  ACTING PRESIDENT PERSAUD:   Read the  
11   last section.

12                  THE SECRETARY:    Section 2.  This  
13   act shall take effect on the 180th day after it  
14   shall have become a law.

15                  ACTING PRESIDENT PERSAUD:   Call the  
16   roll.

17                  (The Secretary called the roll.)

18                  ACTING PRESIDENT PERSAUD:   Announce  
19   the results.

20                  THE SECRETARY:    Ayes, 62.

21                  ACTING PRESIDENT PERSAUD:   The bill  
22   is passed.

23                  THE SECRETARY:    Calendar Number  
24   1031, Senate Print 8209, by Senator Mannion, an  
25   act to amend the Private Housing Finance Law.

1                   ACTING PRESIDENT PERSAUD:   Read the  
2   last section.

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

6                   ACTING PRESIDENT PERSAUD:   Call the  
7   roll.

8                   (The Secretary called the roll.)

9                   ACTING PRESIDENT PERSAUD:   Announce  
10  the results.

11                   THE SECRETARY:   Ayes, 62.

12                   ACTING PRESIDENT PERSAUD:   The bill  
13  is passed.

14                   THE SECRETARY:   Calendar Number  
15  1042, Senate Print 6962, by Senator Ryan, an act  
16  to amend the Environmental Conservation Law.

17                   ACTING PRESIDENT PERSAUD:   Read the  
18  last section.

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

21                   ACTING PRESIDENT PERSAUD:   Call the  
22  roll.

23                   (The Secretary called the roll.)

24                   ACTING PRESIDENT PERSAUD:   Announce  
25  the results.

1                   THE SECRETARY:   In relation to  
2   Calendar Number 1042, those Senators voting in  
3   the negative are Senators Lanza, Oberacker and  
4   Ortt.

5                   Ayes, 59.   Nays, 3.

6                   ACTING PRESIDENT PERSAUD:   The bill  
7   is passed.

8                   THE SECRETARY:   Calendar Number  
9   1044, Assembly Bill Number 8510, by  
10   Assemblymember Gunther, an act to amend the  
11   Executive Law.

12                  ACTING PRESIDENT PERSAUD:   Read the  
13   last section.

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

16                  ACTING PRESIDENT PERSAUD:   Call the  
17   roll.

18                  (The Secretary called the roll.)

19                  ACTING PRESIDENT PERSAUD:   Announce  
20   the results.

21                  THE SECRETARY:   Ayes, 62.

22                  ACTING PRESIDENT PERSAUD:   The bill  
23   is passed.

24                  THE SECRETARY:   Calendar Number  
25   1062, Senate Print 8273, by Senator Brooks, an

1 act to amend the Highway Law.

2 ACTING PRESIDENT PERSAUD: Read the  
3 last section.

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

6 ACTING PRESIDENT PERSAUD: Call the  
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT PERSAUD: Announce  
10 the results.

11 THE SECRETARY: In relation to  
12 Calendar Number 1062, voting in the negative:  
13 Senator Brisport.

14 Ayes, 61. Nays, 1.

15 ACTING PRESIDENT PERSAUD: The bill  
16 is passed.

17 THE SECRETARY: Calendar Number  
18 1064, Senate Print 8305A, by Senator Gallivan, an  
19 act to amend the Highway Law.

20 ACTING PRESIDENT PERSAUD: Read the  
21 last section.

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

24 ACTING PRESIDENT PERSAUD: Call the  
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT PERSAUD: Announce  
3 the results.

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT PERSAUD: The bill  
6 is passed.

7 THE SECRETARY: Calendar Number  
8 1069, Senate Print 8688A, by Senator Thomas, an  
9 act to amend the Highway Law.

10 ACTING PRESIDENT PERSAUD: Read the  
11 last section.

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

14 ACTING PRESIDENT PERSAUD: Call the  
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT PERSAUD: Announce  
18 the results.

19 THE SECRETARY: In relation to  
20 Calendar Number 1069, voting in the negative:  
21 Senator Brisport.

22 Ayes, 61. Nays, 1.

23 ACTING PRESIDENT PERSAUD: The bill  
24 is passed.

25 THE SECRETARY: Calendar Number

1 1079, Assembly Print Number 9098A, by  
2 Assemblymember Paulin, an act to amend the  
3 Public Health Law.

4 ACTING PRESIDENT PERSAUD: Read the  
5 last section.

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

8 ACTING PRESIDENT PERSAUD: Call the  
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT PERSAUD: Announce  
12 the results.

13 THE SECRETARY: Ayes, 62.

14 ACTING PRESIDENT PERSAUD: The bill  
15 is passed.

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

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

20 ACTING PRESIDENT PERSAUD: The  
21 Secretary will ring the bell.

22 The Secretary will read.

23 THE SECRETARY: Calendar Number  
24 259, Senate Print 3468B, by Senator Kennedy, an  
25 act to amend the Executive Law.

1                   ACTING PRESIDENT PERSAUD:    Senator  
2   Lanza, why do you rise?

3                   SENATOR LANZA:    Madam President, I  
4   believe there's an amendment at the desk. I  
5   waive the reading of that amendment and ask that  
6   you recognize Senator Borrello to be heard.

7                   ACTING PRESIDENT PERSAUD:    Thank  
8   you, Senator Lanza.

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

12                  SENATOR LANZA:    Accordingly,  
13   Madam President, I appeal the ruling of the chair  
14   and ask that you recognize Senator Borrello.

15                  ACTING PRESIDENT PERSAUD:    The  
16   appeal has been made and recognized, and  
17   Senator Borrello may be heard.

18                  SENATOR BORRELLO:    Thank you,  
19   Madam President.

20                  I rise to appeal the ruling of the  
21   of the chair. The proposed amendment is germane  
22   to the bill at hand because just as it seeks to  
23   address equity and inclusivity, so too does  
24   school choice and the expansion of high-quality  
25   charter schools.

1 Charter schools provide quality  
2 public education alternatives to families in  
3 traditionally marginalized communities throughout  
4 New York State. And as Horace Mann famously  
5 said, "Education, then, beyond all other divides  
6 of human origin, is a great equalizer of  
7 conditions of men, the balance wheel of social  
8 machinery."

9 There are 731 school districts with  
10 4,411 schools in New York State. Yet by law, we  
11 are only allowed to have 460 charter schools  
12 throughout New York State. And even then,  
13 because of the distribution and certainly limits,  
14 caps in certain areas, there are actually only  
15 359 charter schools in New York State currently.

16 And because of that, we have lots of  
17 waiting lists, particularly in New York City.

18 You know, I live in an area where we  
19 don't have any charter schools. I am actually a  
20 product of a traditional public school. But I  
21 certainly think we should have that choice,  
22 particularly in areas where that choice yields  
23 some very good results.

24 In fact, charter schools continue to  
25 perform at high levels, reaching proficiency

1 standards, graduation rates, and rates of  
2 students attending college that often surpass  
3 that of the districts in which they are located.

4 Of the charter schools authorized by  
5 the SUNY Board of Trustees, 91 percent outperform  
6 their districts of location in mathematics.  
7 Eighty-eight percent outperform their district  
8 locations in reading and writing.

9 This success is made more important  
10 by the fact that 80 percent of SUNY-authorized  
11 charter school students are economically  
12 disadvantaged.

13 You know, I think that we should  
14 look at this as an opportunity to give our  
15 children choice. And I also believe that that is  
16 why this is germane to this bill, because it does  
17 ensure that all have access equally to something  
18 as important and vital as a good education.

19 Thank you, Madam President.

20 ACTING PRESIDENT PERSAUD: Thank  
21 you, Senator.

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

25 Those in favor of overruling the

1 chair, signify by saying aye.

2 SENATOR LANZA: Request a show of  
3 hands.

4 SENATOR GIANARIS: Madam President,  
5 we've agreed to waive the showing of hands and  
6 record each member of the Minority in the  
7 affirmative.

8 ACTING PRESIDENT PERSAUD: Without  
9 objection, so ordered.

10 Announce the results.

11 THE SECRETARY: Ayes, 20.

12 ACTING PRESIDENT PERSAUD: The  
13 ruling of the chair stands, and the bill-in-chief  
14 is before the house.

15 Are there any other Senators wishing  
16 to be heard?

17 Seeing and hearing none, the debate  
18 is closed.

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

21 THE SECRETARY: Section 2. This  
22 act shall take effect July 1, 2023.

23 ACTING PRESIDENT PERSAUD: Call the  
24 roll.

25 (The Secretary called the roll.)

1                   ACTING PRESIDENT PERSAUD:   Announce  
2   the results.

3                   THE SECRETARY:   In relation to  
4   Calendar 259, those Senators voting in the  
5   negative are Senators Akshar, Borrello, Boyle,  
6   Gallivan, Griffo, Helming, Jordan, Lanza,  
7   Martucci, Mattera, Oberacker, O'Mara, Ortt,  
8   Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and  
9   Weik.

10                   Ayes, 42.   Nays, 20.

11                   ACTING PRESIDENT PERSAUD:   The bill  
12   is passed.

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

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

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

19                   SENATOR GIANARIS:   There will be an  
20   immediate virtual meeting of the Health  
21   Committee.

22                   And I move to adjourn until Monday,  
23   May 16th, at 3:00 p.m., with intervening days  
24   being legislative days.

25                   ACTING PRESIDENT PERSAUD:   There

1 will be an immediate virtual meeting of the  
2 Health Committee.

3 On motion, the Senate stands  
4 adjourned until Monday, May 16th, at 3:00 p.m.,  
5 intervening days being legislative days.

6 (Whereupon, at 12:25 p.m., the  
7 Senate adjourned.)

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