NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 18, 2022

11:27 a.m.

REGULAR SESSION

SENATOR ROXANNE J. PERSAUD, Acting President

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 17, 2022, the Senate met pursuant to adjournment. The Journal of Monday, May 16, 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 Kennedy

moves to discharge, from the Committee on Transportation, Assembly Bill Number 7599 and substitute it for the identical Senate Bill Number 7353, Third Reading Calendar 417.

Senator Biaggi moves to discharge, from the Committee on Children and Families, Assembly Bill Number 2263 and substitute it for the identical Senate Bill 813, Third Reading Calendar 424.

Senator Kaplan moves to discharge, from the Committee on Education, Assembly Bill Number 3719A and substitute it for the identical Senate Bill 117A, Third Reading Calendar 669.

Senator Comrie moves to discharge, from the Committee on Corporations, Authorities and Commissions, Assembly Bill Number 10157 and substitute it for the identical Senate Bill 7337, Third Reading Calendar 698.

Senator Persaud moves to discharge, from the Committee on Disabilities, Assembly Bill Number 7443C and substitute it for the identical Senate Bill 6195B, Third Reading Calendar 837.

Senator Serino moves to discharge, from the Committee on Commerce, Economic Development and Small Business, Assembly Bill

Number 7989A and substitute it for the identical Senate Bill 6927A, Third Reading Calendar 925.

Senator Skoufis moves to discharge, from the Committee on Health, Assembly Bill Number 6052 and substitute it for the identical Senate Bill 1785A, Third Reading Calendar 984.

Senator Harckham moves to discharge, from the Committee on Finance, Assembly Bill Number 8610A and substitute it for the identical Senate Bill 7866A, Third Reading Calendar 1012.

Senator Gounardes moves to discharge, from the Committee on Housing, Construction and Community Development, Assembly Bill Number 8809B and substitute it for the identical Senate Bill 8564, Third Reading Calendar 1032.

Senator Reichlin-Melnick moves to discharge, from the Committee on Transportation, Assembly Bill Number 9370A and substitute it for the identical Senate Bill 8298A, Third Reading Calendar 1063.

Senator Harckham moves to discharge, from the Committee on Disabilities, Assembly Bill Number 8540A and substitute it for the identical Senate Bill 7548A, Third Reading Calendar 1154.

Senator Brouk moves to discharge, from the Committee on Cities 2, Assembly Bill Number 8272A and substitute it for the identical Senate Bill 7389, Third Reading Calendar 1162.

Senator May moves to discharge, from the Committee on Education, Assembly Bill Number 9534A and substitute it for the identical Senate Bill 8615A, Third Reading Calendar 1170.

Senator Stavisky moves to discharge, from the Committee on Higher Education, Assembly Bill Number 9976 and substitute it for the identical Senate Bill 8945, Third Reading Calendar 1249.

Senator Hoylman moves to discharge, from the Committee on Codes, Assembly Bill Number 8599A and substitute it for the identical Senate Bill 7662A, Third Reading Calendar 1254.

And lastly, Senator Savino moves to discharge, from the Committee on Cultural Affairs, Tourism, Parks and Recreation, Assembly Bill Number 9227 and substitute it for the identical Senate Bill 8270, Third Reading Calendar 1266.

ACTING PRESIDENT PERSAUD: 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: On behalf of Senator Parker, on page 36 I offer the following amendments to Calendar Number 922, Senate Print 8491A, and ask that said bill retain its place on Third Reading Calendar.

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

Senator Gianaris.

SENATOR GIANARIS: Please recognize Senator Lanza.

ACTING PRESIDENT PERSAUD: Senator Lanza.

SENATOR LANZA: Madam President, Senator Serino moves to amend a bill on the calendar. On page 42, I offer the following amendments to Calendar Number 1106, Senate Print Number 8888, and ask that said bill retain its

place on Third Reading Calendar.

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

Senator Gianaris.

SENATOR GIANARIS: Please recognize Senator May.

ACTING PRESIDENT PERSAUD: Senator May.

SENATOR MAY: Thank you, Madam President.

I am honored and very pleased to introduce a few guests today. We have with us Jude Waddy and Aimee Brunelle, who are both athletic trainers, Jude with the NFL in Brooklyn, and Aimee with Colonie High School right here in Albany.

I am also very honored to represent the Syracuse University Falk College of Sport and Human Dynamics, where a lot of athletic trainers are trained, and to be the sponsor of a bill that we'll be bringing up next week about licensure for athletic trainers that makes sure that there is a more systemic way of licensing athletic trainers in New York State and also that they

become mandatory reporters of child abuse.

Which is really important because many athletic trainers are the only medical contact for a lot of young people as they are on sports teams and that sort of thing, so this piece of that legislation is really important.

So they're here to remind us how important athletic trainers are for our young people in particular -- how we want kids to participate in sports, we want them to have active, healthy lives, and we want them to do so in a safe manner that can carry through to their entire lives. And athletic trainers are at the forefront of helping young people, particularly, and professional athletes do their jobs in a safe way that is sustainable and helps them then have healthy lives throughout their lives.

So I want to thank our guests for being here and representing athletic trainers with us, and I ask you to welcome them to the Senate. Thank you.

ACTING PRESIDENT PERSAUD: Thank you.

To our guests, I welcome you on behalf of the Senate. We extend to you the

privileges and courtesies of this house.

Please rise and be recognized -- you're already standing.

(Standing ovation.)

ACTING PRESIDENT PERSAUD: Senator Gianaris.

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

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 231, Senate Print 423, by Senator Hoylman, an act to amend the Penal Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 417, Assembly Print Number 7599, by Assemblymember Darling, an act to amend the Vehicle and Traffic 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 417, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Felder, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 38. Nays, 21.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 424, Assembly Print Number 2263, by

Assemblymember Fernandez, an act to amend the Executive Law.

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

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

THE SECRETARY: Calendar Number 468, Senate Print 6187A, by Senator Skoufis, an act to amend the Penal Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. 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, 59.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 597, Senate Print 6809A, by Senator Reichlin-Melnick, an act to amend the State

Finance Law and the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator May to explain her vote.

SENATOR MAY: Thank you, Madam President.

I want to thank the sponsor of this bill and the sponsors of several bills on the agenda today that have to do with accountability and transparency in government.

We -- many of us ran on this issue of making sure that our government was more accountable to the people, and so we shouldn't be having contracts that are not being vetted, we shouldn't have IDAs that are outsourcing or competing with other parts of the state and, you know, sponsoring a race to the bottom in this state. We shouldn't have nondisclosure agreements.

There are a lot of really good bills on the agenda today, and I just want to thank all my colleagues for bringing them forward and everyone who supports these bills, because transparency and accountability in government are absolutely critical.

Thank you. I vote aye.

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

Senator Reichlin-Melnick to explain his vote.

SENATOR REICHLIN-MELNICK: Thank you very much, Madam President.

Thanks to Senator May for her kind words as well.

This is an important step in restoring transparency and accountability for New York State. Our former Governor stripped away, over many years, the power of our State Comptroller to review and authorize contracts before they're entered into.

And so what happens when you take away that audit power? You get corruption. You get the Buffalo Billion. You get contracts entered into with political cronies, with

friends, with people that should never have gotten a contract with the state, but they did, because there was no review.

And so this bill just says we're going to go back to the way it was about a decade ago, before we started taking those powers away from the State Comptroller, and to give his office back the power to review contracts and approve them before they go into effect.

That is a simple thing that we can do. It is going to make a big difference in making the people of New York have confidence that our contracting in New York State is fair, is open, is transparent, and that contracts will go to people that deserve it and who can actually deliver the goods and services that they promise, and not to political cronies or patronage appointments.

So I proudly support this bill, and I thank our Senate Majority Leader for bringing it to a vote.

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

Senator Borrello to explain his

vote.

SENATOR BORRELLO: Thank you, Madam President.

I also want to thank the sponsor. I spoke on this bill the last time it came through, and I agree 100 percent.

I think one thing that we have learned is that under the guise of trying to expedite things, our former Governor pushed things like this through that ultimately led to corruption and in some cases people going to jail.

I would add that I think another one that we need to address is the Office of Renewable Energy Siting, ORES, which is allowed to really override DEC regulations, local regulations, and the local input of people on the ground that are going to be impacted by these often harmful large-scale industrial wind and solar projects. They are allowed to punch through all that, to ignore the destruction of natural habitats, things like water resources, important things like that, in order to expedite the siting of renewable energy.

ORES needs to go away, just like the

things that we're addressing today, and have true oversight by the agencies that should have dominion in something as important as impacting the lives of so many New Yorkers.

So I vote aye, and thank you, Madam President.

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

Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 603, Senate Print 8062, by Senator Reichlin-Melnick, an act to amend the State Finance 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: Ayes, 59.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 640, Senate Print 1656A, by Senator Skoufis, 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: Announce the results.

THE SECRETARY: In relation to Calendar 640, those Senators voting in the negative are Senators Gallivan, Jordan, Martucci, Oberacker, O'Mara, Ortt, Rath, Ritchie and Serino.

Ayes, 51. Nays, 9.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 669, Assembly Print Number 3719A, by

Assemblymember Lavine, 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: Ayes, 60.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 682, Senate Print 5419B, by Senator Brisport, an act to amend the Social Services 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 682, those Senators voting in the negative are Senators Oberacker and Ortt.

Ayes, 58. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 695, Senate Print 1196, by Senator Gianaris, an act to amend the Urban Development Corporation Act.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Gianaris to explain his vote.

SENATOR GIANARIS: Thank you, Madam President.

I'm so pleased we're passing this package of reform bills today, because I think we can all, on both sides of the aisle, agree that

economic development process in this state has been broken for some time.

One of the more offensive things that occurs is when the state is engaging in a deal with a private company and that company insists that the state not tell anyone what the terms of the deal are.

These are public dollars we're talking about. And the lack of transparency and the insistence from a private entity that the public can't know what its government is doing in its name is completely outrageous and breeds the possibility for all sorts of trouble and malfeasance.

So this bill that we're passing here, which I'm proud to carry, would prohibit that type of nondisclosure agreement from being part of an economic development deal in New York. And I appreciate that my colleagues are supporting it today, and hopefully it will get us on track to give the public more confidence in the deals being done in its name.

Thank you, Madam President.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 698, Assembly Print Number 10157, by the Assembly Committee on Rules, an act to repeal subdivision 6 of Section 51 of the Public Authorities 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: Ayes, 60.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 807, Senate Print 215, by Senator Mayer, an act to amend the Election 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 Number 807, voting in the negative: Senator Martucci.

Ayes, 59. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 837, Assembly Print Number 7443C, by Assemblymember Abinanti, an act to amend the Social Services 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: Ayes, 60.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 845, Senate Print 8419A, by Senator Ramos, an act to amend the New York State Urban Development Corporation Act.

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: Ayes, 60.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 854, Senate Print 1594, by Senator Rivera, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 8. This act shall take effect on the first of April.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 855, Senate Print 1603, by Senator Gianaris, an act to amend the Public Housing 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: Senator Gianaris to explain his vote.

SENATOR GIANARIS: Thank you,

Madam President.

This bill would make sure that our NYCHA residents who are denied services that they are actually paying for be made whole. There has been a rash of outages, utility outages -- heat, hot water and so on -- at our NYCHA facilities throughout the city. And what a lot of people don't realize is that the rent that the tenants of NYCHA pay includes the cost of utilities.

So now we're at a point where they're being denied the services but still paying. And the least we can do is make sure that they are made whole, that if they are paying for a service they're not getting, that they be refunded that amount.

That's what this bill would do. It's a small step but an important one to help make the residents of NYCHA facilities whole. And I appreciate my colleagues' support for this bill.

Thank you, Madam President.

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

Announce the results.

THE SECRETARY: In relation to

Calendar 855, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Stec and Weik.

Ayes, 43. Nays, 17.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 864, Senate Print 5356, by Senator Breslin, an act to amend the State Finance Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number

867, Senate Print 5988B, by Senator Mattera, an act to amend the Vehicle and Traffic 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, 60.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 883, Senate Print 6882, by Senator Brouk, an act to amend the Education 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: Ayes, 60.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 903, Senate Print 8442, by Senator Mannion, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 180th 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, 60.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 925, Assembly Print Number 7989A, by Assemblymember Jacobson, an act to amend the Alcoholic Beverage Control 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: Ayes, 60.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 927, Senate Print 7535A, by Senator Sanders, an act to amend the Banking 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 927, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Stec, Tedisco and Weik. Also Senator Serino.

Ayes, 41. Nays, 19.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 928, Senate Print 8318, by Senator Myrie, an act to amend the Banking 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: Ayes, 60.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number

938, Senate Print 6925A, by Senator May, an act to amend Chapter 254 of the Laws of 2013.

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: Ayes, 60.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 939, Senate Print 7359A, by Senator Brooks, an act to amend the General Municipal 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, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 972, Senate Print 6300C, by Senator Mannion, an act to amend the Mental Hygiene 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: Senator Mannion to explain his vote.

SENATOR MANNION: Thank you, Madam President.

I want to thank our Majority Leader, Andrea Stewart-Cousins, for advancing this legislation, and thank my colleagues on the Disabilities Committee.

As chairman of that committee, I'm grateful to cross paths everyday with dynamic and

accomplished New Yorkers. These individuals have established companies and created jobs. They've successfully lobbied Congress for meaningful changes to federal law. They've founded social movements like self-advocacy and the Lots of Socks campaign in recognition of World Down Syndrome Day.

What they all have in common is that they have been diagnosed with a disability. That hasn't stopped them from living their lives to the fullest and contributing to the betterment of the State of New York.

These are the types of role models that will be highlighted as part of this public awareness campaign to combat the stigma and stereotyping of individuals with developmental disabilities.

And they aren't just role models for other people with disabilities, they're my role models. And they are role models for all New Yorkers.

The progress that has been achieved in the disabilities community in the half-century since Willowbrook is magnificent and impressive, and it is a success story that this body and the

people of the State of New York should be proud of.

But I'm sure we can all agree that the stigma persists and the community faces unfair obstacles. We must deconstruct the stigma and rebuild awareness. Our friends and family members and neighbors with disabilities can achieve anything. I've seen it, I believe it, and it will continue.

I look forward to seeing this multimedia campaign deployed across the state, and I proudly vote aye and carry this bill.

Thank you, Madam President.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 984, Assembly Bill Number 6052, by Assemblymember Lunsford, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect on the 60th day after it shall have become a law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 1012, Assembly Print Number 8610A, by Assemblymember Abinanti, an act providing that a student enrolled in an individualized education program during certain school years may continue to receive educational services.

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: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1032, Assembly Print Number 8809B, by

Assemblymember Eichenstein, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1063, Assembly Print Number 9370A, by Assemblymember Zebrowski, an act to amend the Highway 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 Reichlin-Melnick to explain his vote.

SENATOR REICHLIN-MELNICK: Thank you, Madam President.

This bill will memorialize and remember Firefighter Jared Lloyd by renaming a stretch of New York State Route 45 in the Town of Ramapo in his honor.

Jared was only 35 years old last year on March 23, 2021, when he responded, one of the first volunteer firefighters on the scene, to a horrific fire that had broken out at the Evergreen Court Adult Home in the Village of Spring Valley.

This was a facility that housed over 100 seniors and people with special needs, and it was engulfed in flames when he arrived. Heroically, he went in, along with so many of his fellow firefighters, and they saved 111 out of 112 people from that facility, which is almost a miracle.

Tragically, Jared got trapped in the facility, and he lost his life. He was 35 years old. He had two young children, one of whom

turned six the day after the fire.

And his loss has been felt by everybody in Rockland County, by volunteer firefighters from throughout the tri-state area and New York State. And so this is a fitting monument to his legacy as a hero who didn't have to do this. He volunteered. We don't have paid firefighters in Rockland County; we have volunteers who put their lives on the line and don't even ask to be paid for it.

And he did that, and he saved and helped his fellow firefighters save over 100 residents from this home. And so I am proud that we will be renaming part of Route 45, just a mile from where that incident took place, in his honor.

We stood with his parents earlier this year, Assemblyman Ken Zebrowski and I and others who are introducing this legislation. I know all of my Rockland colleagues are in support. And this is the least we can do. We've taken action in the last couple of weeks on fire safety and hope to take more. This is one simple thing that we will do to recognize so that Firefighter Jared Lloyd's memory will never be

forgotten in Rockland County.

I proudly support this bill.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1077, Senate Print 8575, by Senator Cleare, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Cleare to explain her vote.

SENATOR CLEARE: Madam President, to explain my vote.

Uterine fibroids, which are large

noncancerous growths in the uterine wall, have a disproportionate impact on women of color. Almost 75 percent of women will have a uterine fibroid in their lifetime, yet most people are unaware of the likelihood, symptoms and risks associated with the tumors.

This bill will require the Department of Health to conduct an education and outreach program concerning uterine fibroids, which will allow patients to have a greater awareness and understanding of this health condition.

The more that women know about the condition, the greater the likelihood that they can act decisively and confidently to seek timely medical attention. I believe this bill empowers women and will aid them in being healthier.

I vote aye. Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number

1122, Senate Print 8855, by Senator Kaminsky, an act to amend the Alcoholic Beverage Control Law.

SENATOR GIANARIS: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 1134, Senate Print 5876B, by Senator Brooks, an act to amend the Executive 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: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1141, Senate Print 8603A, by Senator Salazar, an act to amend the Executive 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, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1154, Assembly Print Number 8540A, by Assemblymember Burdick, 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: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1159, Senate Print 5645, by Senator Parker, 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: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1162, Assembly Print Number 8272A, by Assemblymember Woerner, an act to amend the General City 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: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1170, Assembly Print Number 9534A, by Assemblymember Stirpe, 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: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1178, Senate Print 3017, by Senator Sepúlveda, an act to amend the Real Property 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: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1194, Senate Print 8907, by Senator Cleare, an act to amend Chapter 154 of the Laws of 1921.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect upon the enactment into law by the State of New Jersey.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Cleare to explain her vote.

SENATOR CLEARE: Thank you, Madam President.

When I became chair of the Women's Issues Committee five months ago, one of the primary issues that I wanted to address was human trafficking. Thanks to the partnership and insight of Manhattan DA Alvin Bragg, countless front-line advocacy organizations and Assembly partners, we're set to pass a number of bills this year that will make a real difference.

The bill before us today recognizes the principle that our major transportation centers are still a primary source of trafficking. Thus, this bill empowers and expands the role of the Port Authority in proactively identifying, aiding and assisting youth in danger of exploitation.

Specifically, this bill codifies the youth services unit within the Port Authority Police Department tasked with identifying and aiding youth in danger of exploitation. It further directs the Port Authority to operate a

youth services unit at any bus terminal and airport operated by the authority at all Port Authority trans-Hudson stations and at the World Trade Center.

Human trafficking operates and proliferates in the shadows. This bill sends a clear signal that not only will we not tolerate this practice, but we'll proactively intervene in situations to stop it.

This is progress, but there's much more to be done to keep our young people safe.

Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1213, Senate Print 4915, by Senator Lanza, an act to amend the State Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 9. 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 1213, voting in the negative: Senator Brisport.

Ayes, 60. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1223, Senate Print 7899, by Senator Bailey, an act to amend the Labor Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 4. This act shall take effect one year after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you,

Madam President.

This is, in my mind, going to be referred to as the Velmanette Montgomery New York YouthBuild Act.

For years and years during her excellent service here in the State Senate, Senator Montgomery was a champion of the New York State YouthBuild Act. New York State YouthBuild, for those who don't know, is a not-for-profit organization that provides assistance and a path forward for individuals, young folks from the ages of 16 to 24, that are at risk, so to speak. And these programs have proven to be nothing short of masterful.

Earlier in the session I was on a Zoom with many members of the YouthBuild organization from throughout the state and hearing so many of the stories of these young people and how they were able to turn their lives around because of an opportunity. The opportunity that this program gave them showed them that people do care about them, that people do in fact believe in them.

And that when you give someone an opportunity and a chance to be able to grow,

those of us in the State of New York, those of us gardeners, to use a metaphor, Madam President, we have to water the seeds so that they grow properly.

The New York State YouthBuild Act gives an opportunity for all of us in the State Legislature to be those gardeners and sow the seeds for the future generations.

I'm hopeful that the Assembly will follow suit in passing this bill. I'm grateful to all of my colleagues in this august body for being able to support this piece of legislation year after year. And we should do this one for our children.

Thank you, Madam President. I'll be voting in the affirmative.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1224, Senate Print 8251, by Senator Ryan, an act to amend the Public Health 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: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1233, Senate Print 2019, by Senator Jackson, an act to amend the Education Law.

SENATOR GIANARIS: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 1249, Assembly Print Number 9976, by Assemblymember Gibbs, an act to amend Chapter 219 of the Laws of 2003.

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: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1252, Senate Print 4720, by Senator Stec, an act to amend the Civil Service Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1252, voting in the negative:

Senator Brisport.

Ayes, 60. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1254, Assembly Print Number 8599A, by Assemblymember Epstein, an act to amend the Civil Service 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: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1262, Senate Print 6208A, by Senator Serrano, an act to amend the Parks, Recreation and Historic Preservation Law.

ACTING PRESIDENT PERSAUD: Read the

last section.

THE SECRETARY: Section 2. This act shall take effect on the 180th 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, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1266, Assembly Print Number 9227, by Assemblymember Cusick, an act to amend the Navigation 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: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1301, Senate Print 4261, by Senator Griffo, an act to amend the Public Authorities 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: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

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

ACTING PRESIDENT PERSAUD: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 984, Assembly Bill Number 6052, by Assemblymember Lunsford, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Senator Borrello, why -- Senator Borrello --

SENATOR BORRELLO: Don't make me laugh.

(Laughter.)

ACTING PRESIDENT PERSAUD: Senator Borrello, why do you rise?

SENATOR BORRELLO: Thank you, Madam President.

Will the sponsor yield for a question?

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR SKOUFIS: Gladly.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: Thank you.

Thank you, Senator Skoufis. Good to see you.

So I think we can all agree we want to keep our seniors safe in nursing homes. And after what we saw in the pandemic, this is

obviously a top priority. And we all know that mistakes, errors were made.

But -- so my understanding with this bill is this notifies families, residents and other concerned stakeholders of an outbreak of some kind of infectious disease. But there is already a federal regulation which requires this notification.

Could you just tell me the difference here?

SENATOR SKOUFIS: Yes. Through you, Madam President.

The difference -- so yes, existing law requires -- and this is pursuant to federal guidelines. Existing law requires that facilities notify family members or some other designee of an infection of a resident and provide an update at least once per day to that family member or designee as to how things are going, the status of that resident.

What this bill does is it extends the notification requirement to the family members or designees of the other residents in the facility, not just the individual who is infected.

And, you know, as you rightly pointed out, there was -- there was mass tragedy throughout nursing homes and other places of congregation during the height of the pandemic. And I believe and the Assembly sponsor believes that it is of utmost importance that the other residents and family members be advised of when there is an infection because they could be infected.

And so this isn't just an issue that impacts the one individual, it impacts the entire facility.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: Through you, Madam President.

So obviously infection is a broad topic. So -- and in the federal regulation you're saying is that it notifies the family of the person that is infected, but now we're going

to extend this to everyone.

So are there any requirements -- like if one person at the facility gets the common cold, we notify everybody that this one person has the common cold?

SENATOR SKOUFIS: So no. A common cold is not generally classified as an infectious disease by health regulators. And so if it's something like the common cold, no, there wouldn't have to be some notification.

This is targeted more towards infection like we saw during the pandemic.

I will note, however, that this does not require, you know, the facility to sign up with some call center and make, you know, a hundred, 500 calls to family members. This can be done -- and it's actually specified in the bill language -- with a click of a mouse. This could be email notification, electronic notification. And so it's quite simple to get the word out to those family members.

But to answer your question, no, this wouldn't cover things like a common cold.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: All right, let's pick something a little bit more serious, if you will -- a lung infection, something, you know, like pneumonia.

Pneumonia obviously is something that can be deadly in a nursing home. If one patient has pneumonia, does the entire -- you know, the entire facility's families need to be notified?

SENATOR SKOUFIS: Through you, Madam President. If the disease is classified, first of all, as an infectious disease and it can be transmitted to other residents, then the answer to that is yes.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT PERSAUD: The

sponsor yields.

SENATOR BORRELLO: My understanding is that the federal regulation requires notification by 5:00 p.m. the next calendar day. But this requirement is by -- within 12 hours.

So does that require, then, a nursing home to give the same notification twice to the same people?

SENATOR SKOUFIS: Through you, Madam President. If you're looking at the overlap here, the overlap, even if it does apply, would be very, very narrow. We're talking about one family member.

And so, you know, if you have a hundred residents in a nursing home facility, yes, the current statute does require that by 5:00 p.m. that notification has to be made to that family member of the infected resident.

This new legislation would require notification to the other 99. If the facility wants to make another notice to the one, alongside the 99, that's their prerogative. I don't think it's all that cumbersome to add one more email address to an email that goes out to the other 99.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: You know, I think we can probably say that that there are a lot of burdens already. And again, we want to keep folks safe here. But, you know, when you start talking about this notification, one versus a whole group, I mean -- and let's talk about something like pneumonia, which is an infectious disease that can be spread.

Are we -- you know, are we -- I think the federal regulation and the reason you're notifying just that person is we don't want to spread panic. So do you have any concern that telling the other 99 that one person has pneumonia could potentially spread some panic?

Let's face it, we're all very concerned about our loved ones, especially vulnerable loved ones. But we don't want to spread panic. We don't want people coming to a

nursing home and pulling people out because someone has pneumonia. So perhaps that's the reason why. Do you have a concern with that?

SENATOR SKOUFIS: Through you, Madam President. I certainly appreciate that sentiment.

But what I can tell you is that over the course of the 20-plus hours of hearings that my committee, the Investigations Committee, held jointly with the Health Committee in 2020, we heard from a whole host of family members who had loved ones in nursing homes who were panicked not because of what you're describing, but were panicked because they were not being told what was going on in the nursing home where their loved one was.

And so to the contrary of what you're saying, I think you actually reduce the panic if you are providing the information to those family members that they can best respond -- however they think is appropriately -- and to take care of and protect their loved ones from an infection that might be in a nursing home.

SENATOR BORRELLO: Madam President,

will the sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So there is a requirement in this bill that you have to create special quarantine, if you will, areas. And those special quarantine areas are, according to the bill, for people that are not just infected but are suspected of being infected.

Now, the nursing home industry would call that cohorting: We're going to take people and put into them into a specific area in a cohort.

But when the language says suspected of being infected, aren't we putting people at risk of being quarantined with people that actually are infected, being -- not being confirmed of having the infection?

SENATOR SKOUFIS: Through you, Madam President, that's a fair question.

And first of all, I think it's important to note that most good-acting nursing

homes, most good-acting facilities already have something like this in place. They have an infectious disease plan in place. They have space within their facility to make sure that folks who are infected are quarantined from the rest of the residents.

And so really what this bill looks to do is bring up the bad-acting facilities to the level that the good-acting facilities are already at.

And so look, you know, if there is -- if a resident is suspected of being infected with a disease and the facility is concerned about cohorting, as you describe it, then the facility would be right to make sure that that person is not cohorting, they're in maybe another space, what have you, until there is confirmation that the individual is indeed infected.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT PERSAUD: The

sponsor yields.

SENATOR BORRELLO: We certainly want to ensure that the bad actors, those that aren't following those guidelines -- because there already are guidelines: CDC guidelines, best practices.

But you said something important now. You said, well, perhaps they could just move those people into a different facility, those that are suspected versus confirmed. But the legislation doesn't say that. The legislation says they will be cohorted together.

So what part of this legislation would ensure that the bad actors especially -- because we're concerned about the bad actors -- didn't do that and didn't just go ahead and follow the law to the letter of the law and put potentially infected people in with confirmed infected?

SENATOR SKOUFIS: Through you, Madam President. I first just want to clarify or correct -- I did not say -- I would not suggest that they be moved to a different facility, as you just mentioned. We're talking about the same facility, just a different space. Right?

And it's important to note that there's nothing in this legislation that constricts the facility to just having one space to deal with individuals like we're describing.

And so I don't see any restrictions that would -- that would prohibit a facility from making sure that suspected infected residents are not inappropriately cohorting with confirmed infected residents.

SENATOR BORRELLO: Madam President, on the bill.

ACTING PRESIDENT PERSAUD: Senator Borrello on the bill.

SENATOR BORRELLO: First of all, thank you, Senator Skoufis.

Again, I think we can all agree that our heart's in the right place on here. We want to protect those, especially after the tragedy that we saw -- unnecessary tragedy, I might add, from a bad decision by our former governor to send COVID-positive patients back into nursing homes.

And I think that unfortunate decision by someone who couldn't see the light of day beyond his own ego is why we all now have to

stand here and debate bills like this.

But that being said, we already have regulations that ask our nursing homes to do certain things. We already have best practices. And my concern here is not necessarily this being duplicative. You're right, if they want to notify it twice, that's fine.

But are we being clear? Are we following best practices and CDC guidelines? And importantly, are we following the patients' rights? These patients have rights. And I am very concerned because there really isn't a real clear definition as to how those cohorts should be made up.

We want to protect folks. But the government coming in after the fact is not going to solve the problem. The number-one concern for our nursing home operators is to protect their patients. We already burden them with all kinds of useless reports that nobody reads that have to be delivered every single day, and that takes away from the ability to do their job, to care for the residents, to care for those folks that are so vulnerable.

So now we're going to say one more

time let's put another brick on the back of those folks that care for our most vulnerable residents. And that's why I'm concerned here.

We want to protect those folks. We want an obligation, that the government says "this is what you have to do." But they know what they're supposed to do. Because if we really knew what was best for the residents of nursing homes, we wouldn't be having -- wasting time on ridiculous daily reports that nobody reads. We wouldn't have them wasting time on Monday-morning quarterbacking things that the government made them do.

I trust that those folks in this industry are in there because they care. I think we have a tremendous shortage of those who can and are willing to care for our most vulnerable citizens. We know we are short on nurses, on nursing aides, on everyone, really, that works in a nursing home. So we should be very careful and cautious when we start to take and put another brick on the back of those people that are charged with caring for our vulnerable loved ones.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you.

Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed.

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

THE SECRETARY: Section 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: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

SENATOR GIANARIS: Madam President, returning to motions for a second.

On behalf of yourself, I wish to call up Senate Print 532, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT PERSAUD: The Secretary will read.

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

SENATOR GIANARIS: Move to reconsider the vote by which the bill was passed.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

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

SENATOR GIANARIS: I offer the following amendments.

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

SENATOR GIANARIS: Thank you, Madam President.

Is there any further business at the desk?

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

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

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

ACTING PRESIDENT PERSAUD: There will be an immediate virtual meeting of the Health Committee.

The Senate stands adjourned until Monday, May 23rd, at 3:00 p.m., intervening days being legislative days.

(Whereupon, at 12:21 p.m., the Senate adjourned.)