

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 May 18, 2022

11 11:27 a.m.

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13
14 REGULAR SESSION

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18 SENATOR ROXANNE J. PERSAUD, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 Senator May moves to discharge, from
6 the Committee on Education, Assembly Bill Number
7 9534A and substitute it for the identical Senate
8 Bill 8615A, Third Reading Calendar 1170.

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

14 Senator Hoylman moves to discharge,
15 from the Committee on Codes, Assembly Bill Number
16 8599A and substitute it for the identical Senate
17 Bill 7662A, Third Reading Calendar 1254.

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

24 ACTING PRESIDENT PERSAUD: So
25 ordered.

1 Messages from the Governor.
2 Reports of standing committees.
3 Reports of select committees.
4 Communications and reports from
5 state officers.

6 Motions and resolutions.

7 Senator Gianaris.

8 SENATOR GIANARIS: On behalf of
9 Senator Parker, on page 36 I offer the following
10 amendments to Calendar Number 922, Senate Print
11 8491A, and ask that said bill retain its place on
12 Third Reading Calendar.

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

16 Senator Gianaris.

17 SENATOR GIANARIS: Please recognize
18 Senator Lanza.

19 ACTING PRESIDENT PERSAUD: Senator
20 Lanza.

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

1 place on Third Reading Calendar.

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

5 Senator Gianaris.

6 SENATOR GIANARIS: Please recognize
7 Senator May.

8 ACTING PRESIDENT PERSAUD: Senator
9 May.

10 SENATOR MAY: Thank you,
11 Madam President.

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

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

1 become mandatory reporters of child abuse.

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

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

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

22 ACTING PRESIDENT PERSAUD: Thank
23 you.

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

1 privileges and courtesies of this house.

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

4 (Standing ovation.)

5 ACTING PRESIDENT PERSAUD: Senator
6 Gianaris.

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

9 ACTING PRESIDENT PERSAUD: The
10 Secretary will read.

11 THE SECRETARY: Calendar Number
12 231, Senate Print 423, by Senator Hoylman, an act
13 to amend the Penal Law.

14 ACTING PRESIDENT PERSAUD: Read the
15 last section.

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

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, 59.

24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 417, Assembly Print Number 7599, by
3 Assemblymember Darling, an act to amend the
4 Vehicle and Traffic Law.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

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

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 Number 417, those Senators voting in the
16 negative are Senators Akshar, Borrello, Boyle,
17 Felder, Gallivan, Griffo, Helming, Jordan, Lanza,
18 Martucci, Mattera, Oberacker, O'Mara, Ortt,
19 Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and
20 Weik.

21 Ayes, 38. Nays, 21.

22 ACTING PRESIDENT PERSAUD: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 424, Assembly Print Number 2263, by

1 Assemblymember Fernandez, an act to amend the
2 Executive Law.

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

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

7 THE SECRETARY: Calendar Number
8 468, Senate Print 6187A, by Senator Skoufis, an
9 act to amend the Penal Law.

10 ACTING PRESIDENT PERSAUD: Read the
11 last section.

12 THE SECRETARY: Section 2. This
13 act shall take effect on the 30th 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, 59.

21 ACTING PRESIDENT PERSAUD: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 597, Senate Print 6809A, by Senator
25 Reichlin-Melnick, an act to amend the State

1 Finance Law and the Education Law.

2 ACTING PRESIDENT PERSAUD: Read the
3 last section.

4 THE SECRETARY: Section 9. 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: Senator
10 May to explain her vote.

11 SENATOR MAY: Thank you,
12 Madam President.

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

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

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

7 Thank you. I vote aye.

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

10 Senator Reichlin-Melnick to explain
11 his vote.

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

14 Thanks to Senator May for her kind
15 words as well.

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

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

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

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

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

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

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

25 Senator Borrello to explain his

1 vote.

2 SENATOR BORRELLO: Thank you,
3 Madam President.

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

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

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

25 ORES needs to go away, just like the

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

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

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

9 Announce the results.

10 THE SECRETARY: Ayes, 59.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 603, Senate Print 8062, by Senator
15 Reichlin-Melnick, an act to amend the
16 State Finance Law.

17 ACTING PRESIDENT PERSAUD: Read the
18 last section.

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

21 ACTING PRESIDENT PERSAUD: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT PERSAUD: Announce
25 the results.

1 THE SECRETARY: Ayes, 59.

2 ACTING PRESIDENT PERSAUD: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 640, Senate Print 1656A, by Senator Skoufis, an
6 act to amend the General Municipal Law.

7 ACTING PRESIDENT PERSAUD: Read the
8 last section.

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

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

21 Ayes, 51. Nays, 9.

22 ACTING PRESIDENT PERSAUD: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 669, Assembly Print Number 3719A, by

1 Assemblymember Lavine, an act to amend the
2 Education Law.

3 ACTING PRESIDENT PERSAUD: Read the
4 last section.

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

7 ACTING PRESIDENT PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Announce
11 the results.

12 THE SECRETARY: Ayes, 60.

13 ACTING PRESIDENT PERSAUD: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 682, Senate Print 5419B, by Senator Brisport, an
17 act to amend the Social Services Law.

18 ACTING PRESIDENT PERSAUD: Read the
19 last section.

20 THE SECRETARY: Section 3. 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: In relation to
3 Calendar 682, those Senators voting in the
4 negative are Senators Oberacker and Ortt.

5 Ayes, 58. Nays, 2.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 695, Senate Print 1196, by Senator Gianaris, an
10 act to amend the Urban Development Corporation
11 Act.

12 ACTING PRESIDENT PERSAUD: Read the
13 last section.

14 THE SECRETARY: Section 5. 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: Senator
20 Gianaris to explain his vote.

21 SENATOR GIANARIS: Thank you,
22 Madam President.

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

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

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

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

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

23 Thank you, Madam President.

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

1 Announce the results.

2 THE SECRETARY: Ayes, 60.

3 ACTING PRESIDENT PERSAUD: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 698, Assembly Print Number 10157, by the
7 Assembly Committee on Rules, an act to repeal
8 subdivision 6 of Section 51 of the
9 Public Authorities Law.

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: Ayes, 60.

20 ACTING PRESIDENT PERSAUD: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 807, Senate Print 215, by Senator Mayer, an act
24 to amend the Election Law.

25 ACTING PRESIDENT PERSAUD: Read the

1 last section.

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

5 ACTING PRESIDENT PERSAUD: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT PERSAUD: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar Number 807, voting in the negative:
12 Senator Martucci.

13 Ayes, 59. Nays, 1.

14 ACTING PRESIDENT PERSAUD: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 837, Assembly Print Number 7443C, by
18 Assemblymember Abinanti, an act to amend the
19 Social Services Law.

20 ACTING PRESIDENT PERSAUD: Read the
21 last section.

22 THE SECRETARY: Section 2. 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, 60.
5 ACTING PRESIDENT PERSAUD: The bill
6 is passed.
7 THE SECRETARY: Calendar Number
8 845, Senate Print 8419A, by Senator Ramos, an act
9 to amend the New York State Urban Development
10 Corporation Act.
11 ACTING PRESIDENT PERSAUD: Read the
12 last section.
13 THE SECRETARY: Section 2. This
14 act shall take effect immediately.
15 ACTING PRESIDENT PERSAUD: Call the
16 roll.
17 (The Secretary called the roll.)
18 ACTING PRESIDENT PERSAUD: Announce
19 the results.
20 THE SECRETARY: Ayes, 60.
21 ACTING PRESIDENT PERSAUD: The bill
22 is passed.
23 THE SECRETARY: Calendar Number
24 854, Senate Print 1594, by Senator Rivera, an act
25 to amend the Public Health Law.

1 ACTING PRESIDENT PERSAUD: Read the
2 last section.

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

5 ACTING PRESIDENT PERSAUD: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT PERSAUD: Announce
9 the results.

10 THE SECRETARY: Ayes, 60.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 855, Senate Print 1603, by Senator Gianaris, an
15 act to amend the Public Housing Law.

16 ACTING PRESIDENT PERSAUD: Read the
17 last section.

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

20 ACTING PRESIDENT PERSAUD: Call the
21 roll.

22 (The Secretary called the roll.)

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

25 SENATOR GIANARIS: Thank you,

1 Madam President.

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

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

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

21 Thank you, Madam President.

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

24 Announce the results.

25 THE SECRETARY: In relation to

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

6 Ayes, 43. Nays, 17.

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 864, Senate Print 5356, by Senator Breslin, an
11 act to amend the State Finance Law.

12 ACTING PRESIDENT PERSAUD: Read the
13 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Announce
21 the results.

22 THE SECRETARY: Ayes, 60.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 867, Senate Print 5988B, by Senator Mattera, an
2 act to amend the Vehicle and Traffic Law.

3 ACTING PRESIDENT PERSAUD: Read the
4 last section.

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

7 ACTING PRESIDENT PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Announce
11 the results.

12 THE SECRETARY: Ayes, 60.

13 ACTING PRESIDENT PERSAUD: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 883, Senate Print 6882, by Senator Brouk, an act
17 to amend the Education Law.

18 ACTING PRESIDENT PERSAUD: Read the
19 last section.

20 THE SECRETARY: Section 3. 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, 60.

3 ACTING PRESIDENT PERSAUD: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 903, Senate Print 8442, by Senator Mannion, an
7 act to amend the Mental Hygiene Law.

8 ACTING PRESIDENT PERSAUD: Read the
9 last section.

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

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, 60.

19 ACTING PRESIDENT PERSAUD: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 925, Assembly Print Number 7989A, by
23 Assemblymember Jacobson, an act to amend the
24 Alcoholic Beverage Control Law.

25 ACTING PRESIDENT PERSAUD: Read the

1 last section.

2 THE SECRETARY: Section 2. 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, 60.

10 ACTING PRESIDENT PERSAUD: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 927, Senate Print 7535A, by Senator Sanders, an
14 act to amend the Banking Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

17 THE SECRETARY: Section 2. This
18 act shall take effect on the 90th 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: In relation to

1 Calendar 927, those Senators voting in the
2 negative are Senators Akshar, Borrello, Boyle,
3 Gallivan, Griffo, Helming, Jordan, Martucci,
4 Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath,
5 Ritchie, Stec, Tedisco and Weik. Also
6 Senator Serino.

7 Ayes, 41. Nays, 19.

8 ACTING PRESIDENT PERSAUD: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 928, Senate Print 8318, by Senator Myrie, an act
12 to amend the Banking Law.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Announce
21 the results.

22 THE SECRETARY: Ayes, 60.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 938, Senate Print 6925A, by Senator May, an act
2 to amend Chapter 254 of the Laws of 2013.

3 ACTING PRESIDENT PERSAUD: Read the
4 last section.

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

7 ACTING PRESIDENT PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Announce
11 the results.

12 THE SECRETARY: Ayes, 60.

13 ACTING PRESIDENT PERSAUD: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 939, Senate Print 7359A, by Senator Brooks, an
17 act to amend the General Municipal Law.

18 ACTING PRESIDENT PERSAUD: Read the
19 last section.

20 THE SECRETARY: Section 4. 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, 61.

3 ACTING PRESIDENT PERSAUD: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 972, Senate Print 6300C, by Senator Mannion, an
7 act to amend the Mental Hygiene Law.

8 ACTING PRESIDENT PERSAUD: Read the
9 last section.

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

13 ACTING PRESIDENT PERSAUD: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT PERSAUD: Senator
17 Mannion to explain his vote.

18 SENATOR MANNION: Thank you,
19 Madam President.

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

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

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

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

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

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

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

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

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

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

13 Thank you, Madam President.

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

16 Announce the results.

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT PERSAUD: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 984, Assembly Bill Number 6052, by Assemblymember
22 Lunsford, an act to amend the Public Health Law.

23 ACTING PRESIDENT PERSAUD: Read the
24 last section.

25 THE SECRETARY: Section 3. This

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

3 SENATOR LANZA: Lay it aside.

4 ACTING PRESIDENT PERSAUD: Lay it
5 aside.

6 THE SECRETARY: Calendar Number
7 1012, Assembly Print Number 8610A, by
8 Assemblymember Abinanti, an act providing that a
9 student enrolled in an individualized education
10 program during certain school years may continue
11 to receive educational services.

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, 61.

22 ACTING PRESIDENT PERSAUD: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1032, Assembly Print Number 8809B, by

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

3 ACTING PRESIDENT PERSAUD: Read the
4 last section.

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

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, 61.

14 ACTING PRESIDENT PERSAUD: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1063, Assembly Print Number 9370A, by
18 Assemblymember Zebrowski, an act to amend the
19 Highway Law.

20 ACTING PRESIDENT PERSAUD: Read the
21 last section.

22 THE SECRETARY: Section 2. 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: Senator
3 Reichlin-Melnick to explain his vote.

4 SENATOR REICHLIN-MELNICK: Thank
5 you, Madam President.

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

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

16 This was a facility that housed over
17 100 seniors and people with special needs, and it
18 was engulfed in flames when he arrived.
19 Heroically, he went in, along with so many of his
20 fellow firefighters, and they saved 111 out of
21 112 people from that facility, which is almost a
22 miracle.

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

1 turned six the day after the fire.

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

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

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

1 forgotten in Rockland County.

2 I proudly support this bill.

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

6 Announce the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT PERSAUD: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1077, Senate Print 8575, by Senator Cleare, an
12 act to amend the Public Health Law.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

15 THE SECRETARY: Section 2. This
16 act shall take effect on the 180th 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: Senator
22 Cleare to explain her vote.

23 SENATOR CLEARE: Madam President,
24 to explain my vote.

25 Uterine fibroids, which are large

1 noncancerous growths in the uterine wall, have a
2 disproportionate impact on women of color.

3 Almost 75 percent of women will have a uterine
4 fibroid in their lifetime, yet most people are
5 unaware of the likelihood, symptoms and risks
6 associated with the tumors.

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

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

18 I vote aye. Thank you.

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

21 Announce the results.

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1122, Senate Print 8855, by Senator Kaminsky, an
2 act to amend the Alcoholic Beverage Control Law.

3 SENATOR GIANARIS: Lay it aside for
4 the day.

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

7 THE SECRETARY: Calendar Number
8 1134, Senate Print 5876B, by Senator Brooks, an
9 act to amend the Executive Law.

10 ACTING PRESIDENT PERSAUD: Read the
11 last section.

12 THE SECRETARY: Section 3. This
13 act shall take effect on the 120th 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, 61.

21 ACTING PRESIDENT PERSAUD: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1141, Senate Print 8603A, by Senator Salazar, an
25 act to amend the Executive Law.

1 ACTING PRESIDENT PERSAUD: Read the
2 last section.

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

5 ACTING PRESIDENT PERSAUD: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT PERSAUD: Announce
9 the results.

10 THE SECRETARY: Ayes, 61.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1154, Assembly Print Number 8540A, by
15 Assemblymember Burdick, an act to amend the
16 Education Law.

17 ACTING PRESIDENT PERSAUD: Read the
18 last section.

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

21 ACTING PRESIDENT PERSAUD: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT PERSAUD: Announce
25 the results.

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT PERSAUD: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1159, Senate Print 5645, by Senator Parker, an
6 act to amend the Education Law.

7 ACTING PRESIDENT PERSAUD: Read the
8 last section.

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

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, 61.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1162, Assembly Print Number 8272A, by
21 Assemblymember Woerner, an act to amend the
22 General City Law.

23 ACTING PRESIDENT PERSAUD: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT PERSAUD: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT PERSAUD: Announce
6 the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT PERSAUD: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1170, Assembly Print Number 9534A, by
12 Assemblymember Stirpe, an act to amend the
13 Education Law.

14 ACTING PRESIDENT PERSAUD: Read the
15 last section.

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

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, 61.

24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1178, Senate Print 3017, by Senator Sepúlveda, an
3 act to amend the Real Property Law.

4 ACTING PRESIDENT PERSAUD: Read the
5 last section.

6 THE SECRETARY: Section 3. 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, 61.

14 ACTING PRESIDENT PERSAUD: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1194, Senate Print 8907, by Senator Cleare, an
18 act to amend Chapter 154 of the Laws of 1921.

19 ACTING PRESIDENT PERSAUD: Read the
20 last section.

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

24 ACTING PRESIDENT PERSAUD: Call the
25 roll.

1 (The Secretary called the roll.)

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

4 SENATOR CLEARE: Thank you,
5 Madam President.

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

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

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

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

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

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

12 Thank you.

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

15 Announce the results.

16 THE SECRETARY: Ayes, 61.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1213, Senate Print 4915, by Senator Lanza, an act
21 to amend the State Law.

22 ACTING PRESIDENT PERSAUD: Read the
23 last section.

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

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: In relation to
7 Calendar Number 1213, voting in the negative:
8 Senator Brisport.

9 Ayes, 60. Nays, 1.

10 ACTING PRESIDENT PERSAUD: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1223, Senate Print 7899, by Senator Bailey, an
14 act to amend the Labor Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

17 THE SECRETARY: Section 4. This
18 act shall take effect one year after it shall
19 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 This is, in my mind, going to be
3 referred to as the Velmanette Montgomery New York
4 YouthBuild Act.

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

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

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

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

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

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

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

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

19 Announce the results.

20 THE SECRETARY: Ayes, 61.

21 ACTING PRESIDENT PERSAUD: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1224, Senate Print 8251, by Senator Ryan, an act
25 to amend the Public Health Law.

1 ACTING PRESIDENT PERSAUD: Read the
2 last section.

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

5 ACTING PRESIDENT PERSAUD: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT PERSAUD: Announce
9 the results.

10 THE SECRETARY: Ayes, 61.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1233, Senate Print 2019, by Senator Jackson, an
15 act to amend the Education Law.

16 SENATOR GIANARIS: Lay it aside for
17 the day.

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

20 THE SECRETARY: Calendar Number
21 1249, Assembly Print Number 9976, by
22 Assemblymember Gibbs, an act to amend Chapter 219
23 of the Laws of 2003.

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, 61.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1252, Senate Print 4720, by Senator Stec, an act
13 to amend the Civil Service Law.

14 ACTING PRESIDENT PERSAUD: There is
15 a home-rule message at the desk.

16 Read the last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

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

1 Senator Brisport.

2 Ayes, 60. Nays, 1.

3 ACTING PRESIDENT PERSAUD: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1254, Assembly Print Number 8599A, by
7 Assemblymember Epstein, an act to amend the
8 Civil Service 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, 61.

19 ACTING PRESIDENT PERSAUD: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1262, Senate Print 6208A, by Senator Serrano, an
23 act to amend the Parks, Recreation and Historic
24 Preservation Law.

25 ACTING PRESIDENT PERSAUD: Read the

1 last section.

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

5 ACTING PRESIDENT PERSAUD: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT PERSAUD: Announce
9 the results.

10 THE SECRETARY: Ayes, 61.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1266, Assembly Print Number 9227, by
15 Assemblymember Cusick, an act to amend the
16 Navigation Law.

17 ACTING PRESIDENT PERSAUD: Read the
18 last section.

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

21 ACTING PRESIDENT PERSAUD: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT PERSAUD: Announce
25 the results.

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT PERSAUD: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1301, Senate Print 4261, by Senator Griffo, an
6 act to amend the Public Authorities Law.

7 ACTING PRESIDENT PERSAUD: Read the
8 last section.

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

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, 61.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

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

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

23 ACTING PRESIDENT PERSAUD: The
24 Secretary will ring the bell.

25 The Secretary will read.

1 THE SECRETARY: Calendar Number
2 984, Assembly Bill Number 6052, by Assemblymember
3 Lunsford, an act to amend the Public Health Law.

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

6 SENATOR BORRELLO: Don't make me
7 laugh.

8 (Laughter.)

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

11 SENATOR BORRELLO: Thank you,
12 Madam President.

13 Will the sponsor yield for a
14 question?

15 ACTING PRESIDENT PERSAUD: Will the
16 sponsor yield?

17 SENATOR SKOUFIS: Gladly.

18 ACTING PRESIDENT PERSAUD: The
19 sponsor yields.

20 SENATOR BORRELLO: Thank you.

21 Thank you, Senator Skoufis. Good to
22 see you.

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

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

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

9 Could you just tell me the
10 difference here?

11 SENATOR SKOUFIS: Yes. Through
12 you, Madam President.

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

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

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

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

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

15 ACTING PRESIDENT PERSAUD: Does the
16 sponsor yield?

17 SENATOR SKOUFIS: Yes.

18 ACTING PRESIDENT PERSAUD: The
19 sponsor yields.

20 SENATOR BORRELLO: Through you,
21 Madam President.

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

1 to extend this to everyone.

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

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

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

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

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

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

1 ACTING PRESIDENT PERSAUD: Does the
2 sponsor yield?

3 SENATOR SKOUFIS: Yes.

4 ACTING PRESIDENT PERSAUD: The
5 sponsor yields.

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

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

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

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

22 ACTING PRESIDENT PERSAUD: Does the
23 sponsor yield?

24 SENATOR SKOUFIS: Yes.

25 ACTING PRESIDENT PERSAUD: The

1 sponsor yields.

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

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

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

14 And so, you know, if you have a
15 hundred residents in a nursing home facility,
16 yes, the current statute does require that by
17 5:00 p.m. that notification has to be made to
18 that family member of the infected resident.

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

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

3 ACTING PRESIDENT PERSAUD: Does the
4 sponsor yield?

5 SENATOR SKOUFIS: Yes.

6 ACTING PRESIDENT PERSAUD: The
7 sponsor yields.

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

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

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

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

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

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

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

25 SENATOR BORRELLO: Madam President,

1 will the sponsor continue to yield?

2 ACTING PRESIDENT PERSAUD: Does the
3 sponsor yield?

4 SENATOR SKOUFIS: Yes.

5 ACTING PRESIDENT PERSAUD: The
6 sponsor yields.

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

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

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

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

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

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

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

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

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

22 ACTING PRESIDENT PERSAUD: Does the
23 sponsor yield?

24 SENATOR SKOUFIS: Yes.

25 ACTING PRESIDENT PERSAUD: The

1 sponsor yields.

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

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

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

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

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

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

10 SENATOR BORRELLO: Madam President,
11 on the bill.

12 ACTING PRESIDENT PERSAUD: Senator
13 Borrello on the bill.

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

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

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

1 stand here and debate bills like this.

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

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

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

25 So now we're going to say one more

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

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

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

25 Thank you, Madam President.

1 ACTING PRESIDENT PERSAUD: Thank
2 you.

3 Are there any other Senators wishing
4 to be heard?

5 Seeing and hearing none, debate is
6 closed.

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

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

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, 61.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

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

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

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

1 ACTING PRESIDENT PERSAUD: The
2 Secretary will read.

3 THE SECRETARY: Calendar Number
4 452, Senate Print 532, by Senator Persaud, an act
5 to amend the Executive Law.

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

8 ACTING PRESIDENT PERSAUD: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 61.

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

15 SENATOR GIANARIS: I offer the
16 following amendments.

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

20 SENATOR GIANARIS: Thank you,
21 Madam President.

22 Is there any further business at the
23 desk?

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

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

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

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

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

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

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