NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 24, 2022

4:10 p.m.

REGULAR SESSION

SENATOR JAMAAL T. BAILEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT BAILEY: The Senate will come to order.

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

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

ACTING PRESIDENT BAILEY: In the absence of clergy, let us bow our heads in a moment of silent reflection or prayer.

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

ACTING PRESIDENT BAILEY: Reading of the Journal.

THE SECRETARY: In Senate, Monday, May 23, 2022, the Senate met pursuant to adjournment. The Journal of Sunday, May 22, 2022, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Myrie moves

to discharge, from the Committee on Crime Victims, Crime and Correction, Assembly Bill Number 8215 and substitute it for the identical Senate Bill 5981, Third Reading Calendar 494.

Senator Harckham moves to discharge, from the Committee on Alcoholism and Drug Abuse, Assembly Bill Number 9730 and substitute it for the identical Senate Bill 8219A, Third Reading Calendar 551.

Senator Hoylman moves to discharge, from the Committee on Housing, Construction and Community Development, Assembly Bill Number 9387A and substitute it for the identical Senate Bill 72A, Third Reading Calendar 689.

Senator Reichlin-Melnick moves to discharge, from the Committee on Insurance, Assembly Bill Number 7469 and substitute it for the identical Senate Bill 4856, Third Reading Calendar 761.

Senator Rivera moves to discharge, from the Committee on Insurance, Assembly Bill Number 1741A and substitute it for the identical Senate Bill 5299A, Third Reading Calendar 762.

Senator Kaminsky moves to discharge, from the Committee on Insurance, Assembly Bill

Number 3276 and substitute it for the identical Senate Bill 5909, Third Reading Calendar 764.

Senator Kaplan moves to discharge, from the Committee on Local Government, Assembly Bill Number 8299A and substitute it for the identical Senate Bill 8022A, Third Reading Calendar 781.

Senator Hoylman moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 7063A and substitute it for the identical Senate Bill 6291A, Third Reading Calendar 1041.

Senator Sepúlveda moves to discharge, from the Committee on Crime Victims, Crime and Correction, Assembly Bill Number 6977A and substitute it for the identical Senate Bill 643A, Third Reading Calendar 1140.

Senator Persaud moves to discharge, from the Committee on Social Services, Assembly Bill Number 10156 and substitute it for the identical Senate Bill 8980, Third Reading Calendar 1173.

Senator Kennedy moves to discharge, from the Committee on Judiciary, Assembly Bill Number 3081 and substitute it for the identical

Senate Bill 3933, Third Reading Calendar 1179.

Senator Harckham moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 6652 and substitute it for the identical Senate Bill 4162, Third Reading Calendar 1210.

Senator Rivera moves to discharge, from the Committee on Finance, Assembly Bill Number 8006 and substitute it for the identical Senate Bill 7626, Third Reading Calendar 1222.

Senator Kennedy moves to discharge, from the Committee on Higher Education, Assembly Bill Number 3202C and substitute it for the identical Senate Bill 5663A, Third Reading Calendar 1240.

Senator Rivera moves to discharge, from the Committee on Higher Education, Assembly Bill Number 8519 and substitute it for the identical Senate Bill 8465, Third Reading Calendar 1245.

Senator Stavisky moves to discharge, from the Committee on Higher Education, Assembly Bill Number 9967 and substitute it for the identical Senate Bill 8808, Third Reading Calendar 1246.

Senator Jackson moves to discharge, from the Committee on Finance, Assembly Bill Number 4080 and substitute it for the identical Senate Bill 8210, Third Reading Calendar 1255.

Senator Biaggi moves to discharge, from the Committee on Cultural Affairs, Tourism, Parks and Recreation, Assembly Bill Number 8562 and substitute it for the identical Senate Bill 8038, Third Reading Calendar 1263.

Senator Gaughran moves to discharge, from the Committee on Cultural Affairs, Tourism, Parks and Recreation, Assembly Bill Number 10105 and substitute it for the identical Senate Bill 8745, Third Reading Calendar 1264.

Senator Hinchey moves to discharge, from the Committee on Health, Assembly Bill Number 8880A and substitute it for the identical Senate Bill 8205A, Third Reading Calendar 1341.

Senator Breslin moves to discharge, from the Committee on Health, Assembly Bill Number 10186 and substitute it for the identical Senate Bill 8805, Third Reading Calendar 1343.

Senator May moves to discharge, from the Committee on Health, Assembly Bill Number 9542 and substitute it for the identical Senate

Bill 8903, Third Reading Calendar 1345.

Senator Stavisky moves to discharge, from the Committee on Codes, Assembly Bill Number 1202 and substitute it for the identical Senate Bill 6570, Third Reading Calendar 1360.

Senator Liu moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 6328A and substitute it for the identical Senate Bill 6586A, Third Reading Calendar 1361.

Senator Tedisco moves to discharge, from the Committee on Rules, Assembly Bill Number 7642A and substitute it for the identical Senate Bill 7238A, Third Reading Calendar 1365.

Senator Stec moves to discharge, from the Committee on Rules, Assembly Bill Number 8445A and substitute it for the identical Senate Bill 7504A, Third Reading Calendar 1366.

Senator Savino moves to discharge, from the Committee on Rules, Assembly Bill Number 9619 and substitute it for the identical Senate Bill 8568, Third Reading Calendar 1373.

Senator May moves to discharge, from the Committee on Rules, Assembly Bill Number 4261 and substitute it for the identical Senate

Bill 4413, Third Reading Calendar 1426.

Senator Mayer moves to discharge, from the Committee on Rules, Assembly Bill Number 7383A and substitute it for the identical Senate Bill 5557A, Third Reading Calendar 1429.

Senator O'Mara moves to discharge, from the Committee on Codes, Assembly Bill Number 7648 and substitute it for the identical Senate Bill 7081, Third Reading Calendar 1436.

Senator Rath moves to discharge, from the Committee on Local Government, Assembly Bill Number 10039A and substitute it for the identical Senate Bill 8835A, Third Reading Calendar 1459.

Senator Brooks moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 10200 and substitute it for the identical Senate Bill 9299, Third Reading Calendar 1470.

Senator Thomas moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 10161 and substitute it for the identical Senate Bill 9303, Third Reading Calendar 1471.

Senator Hoylman moves to discharge,

from the Committee on Judiciary, Assembly Bill Number 10221 and substitute it for the identical Senate Bill 9321, Third Reading Calendar 1472.

Senator Gaughran moves to discharge, from the Committee on Rules, Assembly Bill Number 8300 and substitute it for the identical Senate Bill 9330, Third Reading Calendar 1474.

Senator Addabbo moves to discharge, from the Committee on Racing, Gaming and Wagering, Assembly Bill Number 7508 and substitute it for the identical Senate Bill 9334, Third Reading Calendar 1476.

Senator Ramos moves to discharge, from the Committee on Labor, Assembly Bill Number 10197 and substitute it for the identical Senate Bill 9337, Third Reading Calendar 1478.

Senator Hinchey moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 10164 and substitute it for the identical Senate Bill 9339, Third Reading Calendar 1480.

Senator Sepúlveda moves to discharge, from the Committee on Elections, Assembly Bill Number 9960 and substitute it for the identical Senate Bill 9343, Third Reading

Calendar 1484.

Senator Cleare moves to discharge, from the Committee on Insurance, Assembly Bill Number 10229 and substitute it for the identical Senate Bill 9344, Third Reading Calendar 1485.

ACTING PRESIDENT BAILEY: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, amendments are offered to the following Third Reading Calendar bills:

By Senator Mayer, page 50, Calendar Number 1274, Senate Print 7427;

Senator Mannion, page 23, Calendar Number 828, Senate Print 7578B;

Senator Biaggi, page 33, Calendar Number 1039, Senate Print 4371C;

Senator Savino, page 34, Calendar Number 1058, Senate Print 7271;

Senator Rivera, page 36, Calendar Number 1100, Senate Print 3331A;

And Senator Addabbo, page 57, Calendar Number 1378, Senate Print 8816.

ACTING PRESIDENT BAILEY: The amendments on those bills are received, and those bills will retain their place on the Third Reading Calendar.

Senator Gianaris.

SENATOR GIANARIS: I also wish to call up the following bills, which were recalled from the Assembly and are now at the desk:

Senate Print Numbers 7862, 8398A, and 6617.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 871, Senate Print 7862, by Senator Bailey, an act to amend the State Finance Law.

Calendar Number 1120, Senate Print 8398A, by Senator Liu, an act to amend the Tax Law.

Calendar Number 267, Senate Print 6617, by Senator Gounardes, an act to amend the State Finance Law.

SENATOR GIANARIS: Move to reconsider the vote by which these bills were passed.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bills are restored to their places on the Third Reading Calendar.

SENATOR GIANARIS: I offer the following amendments.

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

SENATOR GIANARIS: I now wish to call up Calendar Number 485, Assembly Print Number 9307A.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 485, Assembly Print Number 9307A, by Assemblymember Griffin, an act to amend the General Municipal Law.

SENATOR GIANARIS: Move to

reconsider the vote by which the Assembly bill was substituted for Senate Print 7864A on May 16th.

ACTING PRESIDENT BAILEY: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

SENATOR GIANARIS: I now move that Assembly Bill Number 9307A be recommitted to the Committee on Local Government, and that the Senate bill be restored to the order of the Third Reading Calendar.

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

SENATOR GIANARIS: I now offer the following amendments.

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

Senator Gianaris.

SENATOR GIANARIS: I move to adopt the Resolution Calendar, with the exception of Resolutions 2733 and 2674.

ACTING PRESIDENT BAILEY: All those

in favor of adopting the Resolution Calendar, with the exceptions of Resolutions 2733 and 2674, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay.

(No response.)

ACTING PRESIDENT BAILEY: The Resolution Calendar is adopted.

Senator Gianaris.

SENATOR GIANARIS: Please recognize Senator Lanza.

ACTING PRESIDENT BAILEY: Senator Lanza.

SENATOR LANZA: Mr. President, Senator Weik moves to amend a bill recalled from the Assembly. I wish to call up Bill Print Number 4778A, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 936, Senate Print 4778A, by Senator Weik, an act in relation to authorizing the assessor of the Town of Brookhaven to accept an application for

exemption from real property taxes.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

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

SENATOR LANZA: I now offer the following amendments.

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

Senator Gianaris.

SENATOR GIANARIS: Mr. President, let's take up now Resolution 2733, by Leader Stewart-Cousins, read that resolution's title, and call on Senator John Brooks.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senate Resolution 2733, by Senator Stewart-Cousins, honoring the

distinguished veterans from the State of New York upon the occasion of their induction into the New York State Senate 2022 Veterans Hall of Fame.

ACTING PRESIDENT BAILEY: Senator Brooks on the resolution.

SENATOR BROOKS: Thank you, Mr. President. I rise in support of this resolution.

As a body, we are saluting 61 individuals who are veterans of all branches of the service in this resolution.

I've had the honor for the last several years to chair the Veterans Committee. We've done a great deal of work for our veterans, increasing benefits and providing new services.

This is a great tradition we have, where we honor -- each of us has an opportunity to select a veteran who we honor. Unfortunately, the last few years, because of the pandemic, we haven't been able to do it in person.

And the individual that I was selecting or had chosen, Captain Curtis Feggins, he is a senior intelligence officer. He managed to get activated between the time we nominated him and now, and right now he's over in Germany.

But all of us know that our veterans have given to this nation so much in their service and the protection of this country. In just a few days we'll reach Memorial Day, when we remember those who have given their lives in protection of the country.

We look on the map now, we have to look only to Europe to see how important our military is. And we look to Europe and see a country so small in size, so threatened, and so much in love with their home country that they are pushing back on one of the world's largest powers. It's incredible to see. But it just tells us how much country means to our people.

And for the veterans, the country is what they support, and they then -- they put their life on the line for this country. And what we're doing this week with this resolution and the videos and that that we'll be producing, is selecting one individual in each district to say thank you for your service, thank you for what you did.

I think it's great. I think it's unfortunate that we have to again do it without the veterans here. But I think in this chamber

throughout this year the support for our veterans has been heard loud and clear as different resolutions, different bills, different programs have been made available, additional funds put in the budget. We've elevated the Office of Veterans' Services. One thing we've done this year is remember the veteran, recognize what they do.

All of us are in a position -- each night as we lay down, we know we're safe because of our veterans. The particular veteran I have, we had notified him -- he's also a state trooper. And then right after stuff was done, the phone rang, he'd just got activated. But that's where they are. They're in a position, some of them, at any time they can be activated. And they go. The nation calls.

So it's a privilege to vote aye on this resolution. It's a privilege, it's been a privilege to serve as the chairman of that committee and do things that are meaningful for our veterans.

So I thank everybody in this chamber for their cooperation and support this year on the veterans issues, and I vote aye,

Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Brooks.

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

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay.

(No response.)

ACTING PRESIDENT BAILEY: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Now let's move on to previously adopted Resolution 2601, by Senator Hinchey, read that resolution in its entirety, and recognize Senator Hinchey.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senate Resolution 2601, by Senator Hinchey, mourning the death of Michael Lang, co-creator of the Woodstock Music & Art Fair, distinguished citizen and devoted member of his community.

"WHEREAS, Michael Lang of Brooklyn and Woodstock, New York, died on Saturday,

January 8, 2022, at the age of 77; and

"WHEREAS, Michael Lang was instrumental in sparking the international movement that transformed generations of young people who became forever connected through music, art, and spirituality; and

"WHEREAS, The Woodstock Music & Art Fair, August 15-17, 1969, also billed as 'three days of peace and music,' is considered the most famous music festival in the world, produced by Michael Lang and his partners Artie Kornfeld, Joel Rosenman and John Roberts; and

"WHEREAS, Michael Lang, at the age of 24, and his Woodstock Ventures partners planned the transformative 1969 festival on Max Yasgur's sprawling dairy farm in Bethel, New York, where more than half a million attendees were captivated by extraordinary performances from musical artists including Janis Joplin, Jefferson Airplane, Jimi Hendrix, the Who, Crosby, Stills and Nash, Richie Havens, Santana and more; and

"WHEREAS, Although anticipating 100,000 attendees, the total number of attendees who traveled to the festival ended up at more

than 450,000 fans, closing the New York State Thruway along the way; and

"WHEREAS, Battling weather issues, late venue changes, and far more attendees than anticipated, and under the able leadership of Michael Lang, Woodstock's free-wheeling ethos of 'peace, love and music' endured, confirming the festival as the defining moment in the decade's countercultural movement; and

"WHEREAS, The Woodstock Music Festival singularly defined a global generation, across all backgrounds, whose many adherents would go on to become future activists, iconic musicians, and cultural pioneers; and

"WHEREAS, Featured prominently in the Academy Award-winning 1970 documentary Woodstock, often seen riding across the festival grounds on his motorcycle, Michael Lang became one of the more recognizable faces behind the vast cultural change that followed the festival; and

"WHEREAS, Michael Lang continued to inspire new generations, producing the extraordinary 1989 East Berlin Music Festival celebrating the fall of the Berlin Wall and, with

his Woodstock Ventures partners, produced Woodstock '94 in Saugerties, New York, and Woodstock '99 in Rome, New York, and as head of the Michael Lang Organization, he developed a recording studio and managed prominent international musical artists; and

"WHEREAS, Born in Brooklyn, New York, Michael Lang briefly attended New York University before moving to Florida; it was there he got the idea for Woodstock after organizing the Miami Pop Festival in 1968, featuring Jimi Hendrix as the headliner; and

"WHEREAS, Michael Lang's commitment to excellence, his spirit of humanity, and passion for music carried over into all fields of enterprise, including charitable and civic endeavors; and

"WHEREAS, Michael Lang is survived by his wife, Tamara; his sons, Harry and Laszlo; three daughters, Lari Ann, Shala and Molly, and his sister Iris Brest; and

"WHEREAS, Armed with a humanistic spirit and imbued with a sense of compassion, Michael Lang leaves behind a legacy which will long endure the passage of time and will remain

as an inspiring memory to all he served and befriended; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to mourn the death of Michael Lang, and to express its deepest condolences to his family and friends; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to the family of Michael Lang."

ACTING PRESIDENT BAILEY: Senator Hinchey on the resolution.

SENATOR HINCHEY: Thank you, Mr. President.

I rise today to honor the life of long-time Ulster County resident Michael Lang, a man who changed the world and the trajectory of live music with his ideas and unparalleled love for humanity.

The legacy of the legendary 1969 Woodstock Festival is the legacy of Michael Lang, who was just 24 years old when he envisioned Woodstock, alongside cofounders Artie Kornfeld, Joel Rosenman, and John Roberts. Michael was a kid from Brooklyn who grew up on rock and roll --

Little Richard, Buddy Holly, Elvis Presley -- who spent his summers at camp in Sullivan County, just a stone's throw away from where he would later stage the Woodstock Festival as an adult, and who believed wholeheartedly and unabashedly in the ideals of peace, love and the kind of rock music that can inspire revolutions.

At a time of deep division and uncertainty in America, set against the backdrop of the Vietnam War, the struggle for civil rights, and the assassination of Dr. Martin Luther King -- which fractured our nation politically, generationally and economically -- Woodstock was born out of Michael Lang's hopeful vision for unity.

This was a man who saw darkness and wanted to create light, a man who so masterfully created a moment in time that would grow to define an entire generation. And that moment succeeded in igniting the defining counterculture event of the 1960s, which showed a divided nation and its leaders what peace and human bonding can truly look like.

Because of Michael Lang and nearly half a million like-minded individuals, Woodstock

has become an enduring symbol of unity -- not only an iconic landmark in rock history and the epitome of music festivals to end all music festivals, but a space where people were free to be themselves, to openly address political issues and the injustices of an unresponsive government, and a place where women's rights, gay rights and a growing concern for our environment took root.

Today more than ever we need visionaries like Michael himself, whose kindness, generosity and regard for all people shined through everything that he did.

Personally, I first met Michael when I was about 6 years old at Woodstock '94. And while I wasn't just running around the festival at 6 years old -- my mom was there, I was chaperoned -- but it was -- he still had a presence that was incredibly defining. Anyone who knew Michael knows exactly what I'm talking about. It was the kind of presence that would draw you in, make you feel comfortable, even as a 6-year-old at a music festival, and one that would lead you to believe deeply in the vision he was about to share.

It is a privilege to celebrate the

legacy of this great man and to have this opportunity to thank him for what he created and what he represents, not only to us in Woodstock but to people around the entire world.

I'd like to welcome the Lang family who is here with us today: Tamara Lang, Harry and Laszlo Lang, Shala Lang Moll and Paxton Moll, as well as Michael's great friends Rona Elliot, renowned music journalist, Neal Hitch, from the Museum at Bethel Woods, and of course my mom, Ilene Marder Hinchey.

Thank you all for sharing Michael with us and with the entire world.

Mr. President, I'd like to ask you to please welcome the Lang family to the Senate and extend to them the privileges of the chamber.

ACTING PRESIDENT BAILEY: Thank you, Senator Hinchey.

To our guests, I welcome you on behalf of the Senate. We extend to you all of the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: This resolution was previously -- Senator Griffo on

the resolution. Joe.

SENATOR GRIFFO: Thank you, Mr. President. I think we had notified the desk, so thank you for giving me this opportunity.

I would also like to join Senator Hinchey on speaking about Michael Lang.

Plato once wrote that "Music gives the soul to the universe, wings to the mind, flight to imagination, and life to everything." And I think Michael Lang personified that. He was full of life.

And it's so difficult, on a day like today -- because I know how much it must hurt to be here because we have lost him, but also how important, significant it is that we memorialize and remember him.

He truly will have a unique place in American history. In addition to Woodstock, he managed musical icons. He managed them but also worked with a number of musical legends. And he owned and operated his own business, his record label, his own record label.

One of the things I think he was probably most proud of is when he received a Muhammad Ali Foundation Lifetime Achievement for

his contributions to peace. And I think -- and he was an Emmy winner. And I know he was memorialized at the Emmys this year, and rightly so.

So while music has an incredible effect on all of us in so many different ways, I think Michael really represented so much more. I had the opportunity to meet Michael 23 years ago. I won't talk about my age at the time, Senator Hinchey --

(Laughter.)

SENATOR GRIFFO: But we were working on Woodstock -- the 30th anniversary of Woodstock. And I can tell you, meeting Michael from the very beginning, I was amazed how youthful he appeared. And I thought he had discovered the fountain of youth, because I know he wasn't 24 anymore, but he looked great.

And he was never frazzled, always -- despite the challenges, and there were many challenges -- to have a calm and cool demeanor. And I still remember how comfortable he would make so many people feel despite how contentious the issue may have been and what we were dealing with at the time.

So we developed a real rapport, and I think he was a true personality. And that resonated in so many different ways during that festival.

But I think the important thing, as we said, is that while he had this real desire to make a difference in the world through music, he had a true penchant for peace and love and goodwill. And I think that is something that he shares with his family.

And today we offer our condolences to Tamara and to his sons and daughters and grandchildren and friends, because we've lost a -- not only a legend in music who had this foresight and vision, but a good person who tried to make a difference by using the very talents that he had developed throughout his life.

So today I want to continue to offer my condolences, along with my colleagues here, to Tamara, to you and the family. And know that he will fondly be remembered and recorded in history.

But those who had experiences with him, I think the greatest measure is not achievements or awards or recognitions, but

whether or not we have made a difference in our communities and in another person's life. And Michael truly did that in so many different ways. And I think that is a great tribute to him as we remember him today.

So there was -- Dick Clark, who got his first start in Utica, New York, my district once said that "Music is the soundtrack of our life." And I think Michael had a great soundtrack throughout his entire career and life.

So our condolences. God bless you all. And it's a pleasure to join you all today to remember and commemorate Michael and his great life and what he's done for so many.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Griffo.

The resolution was previously adopted on May 17th.

Senator Gianaris.

SENATOR GIANARIS: All right, Mr. President. At this time we're going to simultaneously call an immediate meeting of the Rules Committee in Room 332 and move on to Resolution 2674, by Senator Thomas, read that

resolution's title, and recognize Senator Kevin Thomas.

ACTING PRESIDENT BAILEY: So, in order, there will be an immediate meeting of the Rules Committee in Room 332.

And the Secretary will read the resolution.

ACTING PRESIDENT BAILEY: Senate Resolution 2674, by Senator Thomas, mourning the death of Patrice Ann Davidson, distinguished citizen and devoted member of her community.

ACTING PRESIDENT BAILEY: Senator Thomas on the resolution.

SENATOR THOMAS: Thank you, Mr. President.

I rise to pay tribute, through this legislative body, for Patrice Davidson, beloved wife of Jim, loving mother of Tara, Stephen and Shamus, cherished daughter of Tom Kenny, and an admired teacher of the Valley Stream Central School District for 34 years.

I had the pleasure of meeting Patrice Davidson last year as my office organized a blood drive at the Farmingdale Public Library. She was there to help save others.

This is the story of a generous and inspiring individual who touched the lives of many. Patrice was born on November 28, 1965, in Queens, New York, to Thomas Kenny and Veronica Lyons. In 1983, Patrice graduated from Hicksville High School and went on to attend the State University of New York College at Geneseo, where she monitored students as a resident advisor and earned a Bachelor of Arts degree in education.

Patrice married the love of her life, James "Jim" Davidson of Hicksville -- they were high school sweethearts -- on July 22, 1989, and together they raised three children: Tara, Stephen and Shamus.

Tara Davidson is my director of constituent services, and her mom has greatly influenced her in her life. She grew up watching her mom volunteering and doing good for the community, so she went to school to be a social worker and uses her skill set in my office to help others.

Patrice was a teacher. She inspired her students, and the faculty truly loved her. For the past 34 years, Patrice distinguished

herself by her sincere dedication and substantial contribution to the welfare of her students and the community at the Valley Stream Central School District.

Patrice lived life to the fullest and loved traveling, cooking, spending time with her beloved family members and friends, and of course relaxing on her front porch.

Community service was a cornerstone of Patrice's life, and she was involved in several local organizations that were close to her heart, including Our Lady of Lourdes Roman Catholic Church and the Valley Stream Teachers Association.

Patrice Davidson died on Tuesday, May 3, 2022, at the age of 56. Her life was a gift, and she gave back even after death by saving the lives of five people through donating her organs.

Patrice Davidson leaves behind a legacy of generosity, positivity, hard work, and service that will long endure the passage of time and will remain as a comforting memory to all she served and befriended. Her story is a success story, and she will be deeply missed and truly

merits the tribute of this legislative body.

I want to welcome Jim Davidson and Tara Davidson to our chamber today.

Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator Thomas.

To our guests, I welcome you on behalf of the Senate. We extend to you all of the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: The question is on the resolution. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay.

(No response.)

ACTING PRESIDENT BAILEY: The resolution is adopted.

Senator Liu.

SENATOR LIU: Mr. President, please take up previously adopted Resolution 2586, by Senator Ortt, read that resolution in title only, and recognize Senator Ortt on the resolution.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senate Resolution 2586, by Senator Ortt, congratulating Dawn Harrington upon the occasion of her retirement after many years of distinguished service to the State of New York.

ACTING PRESIDENT BAILEY: Senator Ortt on the resolution.

SENATOR ORTT: Thank you, Mr. President.

I rise to speak in support of this resolution. Very often we get the chance to stand up and speak in support of resolutions recognizing people from our district, constituents -- but we are surrounded by extraordinary folks in this chamber and in this building on both sides of the aisle, and many of us know, if you've been here for longer than a second, that without the people who work in this building, we would not be able to do the things that we are elected to do.

And one such person is Dawn Harrington. Dawn has dedicated her professional life to improving the atmosphere of workers

within the New York State Senate. She has worked here for more than 30 years. She started when she was very, very, very young -- I think she was in middle school still.

(Laughter.)

SENATOR ORTT: But she -- 30 years, starting in 1987. And she's worked in various roles. In 1991 she was the office support representative for the Senate office automation project. She accepted the position of recruitment and training coordinator for the New York State Senate personnel office in 2000. She eventually ascended to the director of personnel in that office. And of course in 2019 she became the director of minority administration, the position from which she is now retiring from.

And a fun fact -- it's always fun to -- you know, we know these folks as staffers, we know these folks from being on the floor from the work they do. But sometimes there's all kinds of things they do outside of this building. She was a former dance instructor at Sharon's Bodies in Motion in Troy, New York.

Maybe there's some folks in here who

could take her up on that instruction, because she's going to have a lot of time for that going forward.

But I just think it's awesome for me to be able to stand up and recognize Dawn. Dawn has been an incredible member of my team, as leader. She's been through different administrations, different leadership administrations on the Senate Republican side, and that's always the sign of a true professional when you can -- when leaderships and people come and go at the top level, but she's able to constantly find a way to make sure that she was bringing the very best to whoever was leader to our conference.

Discreet, someone you could trust -- which is very important in a personnel role on all sides. I see Shontell nodding; she knows how important that is.

And after 30-plus years, you deserve to be able to retire and to move on and enjoy your retirement. And so on behalf of me, our conference, and I would even say on the Democratic Conference, because you're a true professional on both sides, we wish you the very

best in the next chapter of your life. All success.

And thank you for your service to this body and to the people of New York.

I speak in support of the resolution, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Ortt.

To Ms. Harrington, thank you for your years of service to the New York State Senate. Please rise and be recognized.

(Enthusiastic standing ovation.)

ACTING PRESIDENT BAILEY: The resolution was previously adopted on May 17th.

Senator Liu.

SENATOR LIU: Mr. President, please take up previously adopted Resolution 2380, by Senator Helming, read that resolution in title only, and recognize Senator Helming on the resolution.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senate Resolution 2380, by Senator Helming, congratulating the Newark High School Girls Bowling Team upon the

occasion of capturing the 2022 New York State Public High School Athletic Association Division II Championship.

ACTING PRESIDENT BAILEY: Senator Helming on the resolution.

SENATOR HELMING: Thank you, Mr. President.

I rise today to welcome the Newark High School Girls Bowling Team to the Senate chamber. It's been a long day, huh, girls?

But today it's truly a privilege to welcome the Newark High School Girls Bowling Team to our State Capitol. Congratulations to these fine athletes and their coaches on winning the 2022 State Division II Bowling Championship.

This is the first state bowling championship in the school's history. Ladies, what an incredible accomplishment this is, and what a testament to the dedication, perseverance and teamwork it takes to bring home a state title.

I'd like to recognize you each individually. As I read your name, I ask that you please stand up.

To Natalie Kent, Becca Spry, Emily

Lang, Abbie Olmstead, Savannah Smith, Hannah Kinslow, Kelly Minery, Sienna Hasseler, Ainsley Vandermark and Coach Mark Rowe, your achievements are absolutely outstanding and our community is so, so proud of you.

This team knocked down an impressive total of 5,385 pins in this championship, defeating 2018 Middleburgh High School by a margin of 307 pins to win the state title. Absolutely amazing.

Not only did you pick up a state championship title for your school and for all of Section 5, but you set your minds to something and accomplished your goal, and that's worth celebrating.

To Coach Rowe and to Coach Payne, congratulations to you as well, and a huge thank you on behalf of our entire community. Thank you for sharing your passion with these young ladies, for showing these girls that winning takes more than skill, and for teaching them valuable life lessons.

To the team, the lessons that you've learned this season from your coaches and each other will come in handy both off and on the

lanes -- cooperation, commitment and teamwork to name a few. But most importantly, you played with heart.

This entire experience is something you will never, ever forget. And when I say this entire experience, I'm not only talking about the championship but I'm talking about today. You can go back and share with people how exciting it was to try and get into the Capitol and get booted out.

(Laughter.)

SENATOR HELMING: But then how so many people came together, including the Secretary of the Senate and our amazing Sergeant-at-Arms, to make this possible to bring you here. There's a lesson in that, that when we work together, we can accomplish great things.

So congratulations again to all of you. Go, Reds!

Thank you.

ACTING PRESIDENT BAILEY: To our state champion guests, thank you for your perseverance, and we welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: The resolution was previously adopted on May 3rd.

Senator Liu.

SENATOR LIU: At the request of the sponsors, the resolutions are open for cosponsorship.

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

Senator Liu.

SENATOR LIU: Mr. President, please call on Senator Hinchey for an introduction.

ACTING PRESIDENT BAILEY: Senator Hinchey.

SENATOR HINCHEY: Thank you, Mr. President.

I am happy to rise for the purpose of two introductions. First, I would like to welcome Callum Abbasi, who is visiting us today, an eighth-grader from Guilderland Public Schools in my Senate district.

Callum -- or Cal, as we call him --

is an incredible young man. And at a time when we need more young people interested and involved in public service, it is really incredible and inspiring to meet someone like Cal, who is better-mannered than most people I know and has an absolute keen understanding of what public service is.

So we've had the privilege of showing him around today. Really excited that you are here. And Cal is joined by his grandmother, Rosemary Ippolito, who is here today with us.

Thank you both for coming to visit us today and, Cal, for your love, dedication, and interest in government.

Mr. President, I ask that you welcome Cal and his grandmother Rosemary and extend to them the privileges of our chamber.

ACTING PRESIDENT BAILEY: To Cal and his grandmother, we welcome you on behalf of the New York State Senate, and we extend to you all of the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: Senator Liu.

SENATOR LIU: Mr. President, please call on Senator May for the purpose of an introduction.

ACTING PRESIDENT BAILEY: Senator May.

SENATOR MAY: Thank you, Mr. President.

Syracuse, like many upstate cities, is blessed with a large population of new Americans, many of whom came as refugees to our shores. Monu Chhetri, who joins us today together with her husband, Jay Regmi, and their interpreter, Zenna Preli, represents two important groups of new Americans in Syracuse.

Originally from Bhutan, she grew up in a refugee camp in Nepal before coming to the U.S. and joining a significant number of other Bhutanese refugees, many of whom have gone on to start businesses, gain advanced degrees, or even run for local office in the Syracuse area.

Monu also represents a community of about 50 deaf refugees in the Syracuse area. Refugee camps do not typically have schools to

accommodate deaf children, so many deaf refugees arrive without being able to read or write, and only knowing the sign language of their country of origin. Once in the U.S., they are isolated, afraid to leave their homes, unable to communicate to get the help they need.

Monu has stepped forward to become their lifeline. With the assistance and support of Aurora of Central New York, an organization dedicated to promoting independence for people with vision or hearing loss, Monu learned both English and American sign language and immediately began working to connect and empower other deaf immigrants and new Americans.

If someone is hospitalized, for example, she will act as an intermediary interpreting from Nepali sign language to American sign language, with a second interpreter who can speak to the healthcare professionals.

She became a familiar face for local residents in 2020 when County Executive Ryan McMahon employed her to interpret for his televised COVID briefings.

Among her many community roles and interests, Monu has also become involved with

Salt City Harvest Farm, a New American farm and agriculture incubator located in the Syracuse area.

And I invite anybody to come and visit and see the joy with which 50 deaf new Americans are cultivating the soil, and all in -- talking above their plants with their hands and just -- the joy is just palpable.

So I am honored to have Monu here with us today and ask you to offer her the privileges of the house.

Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator May.

To our guests, I welcome you on behalf of the New York State Senate. We extend to you all of the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: Senator Liu.

SENATOR LIU: Mr. President, please call upon Senator Kennedy for an introduction.

SENATOR KENNEDY: Thank you very

much.

Mr. President, first of all, I'd like to ask this wonderful group visiting us here on the floor of the Senate to stand and be recognized, the Buffalo Colon Corps.

This is a wonderful group started by an extraordinary individual, a friend of ours out in Western New York who sadly is no longer with us, Kevin Hays, who was diagnosed with Stage 2 colorectal cancer at just 28 years old.

We lost Kevin this past October, seven years after his diagnosis. He leaves behind his beautiful wife and three children.

Part of Kevin's legacy is the establishment of the Buffalo Colon Corps, represented today by three great friends of our great Empire State: Martin Pasternak, Dylan Harrison, and Katie Martin. They continue Kevin's work in educating and making sure that folks all across our community and our great state recognize and understand and are educated on the importance of early detection and ultimately treatment for colorectal cancer.

Kevin was an extraordinary individual, and the one thing that he did when he

would ever walk into a room is he would light it up. His smile resonated. All I know about Kevin is his work -- he did it proudly, never wavering, and always thinking about everyone else while he and his family dealt with his own diagnosis.

His work in educating folks through the Buffalo Colon Corps on colorectal cancer was especially important among young people and getting the message out about that early screening and detection.

So welcome to the New York State Senate. We recognize Kevin's life and his legacy that you carry on through Buffalo Colon Corps, and we assure that through Kevin's work when he was with us and now as we continue his mission, we are saving lives through his efforts and that of those that have picked up the torch and carry on.

So with that, Mr. President, I ask that you extend the privileges of this house to our guests.

ACTING PRESIDENT BAILEY: Thank you, Senator Kennedy.

To our guests, I welcome you on behalf of the New York State Senate. We extend

to you the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President. I believe there's a report of the Rules Committee at the desk.

Please take that up.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senator Stewart-Cousins, from the Committee on Rules, reports the following bills:

Senate Print 139A, by Senator Thomas, an act to amend the Environmental Conservation Law;

Senate Print 441C, by Senator Hoylman, an act in relation to establishing a dyslexia and dysgraphia task force;

Senate Print 906B, by Senator Sanders, an act to amend the Insurance Law;

Senate Print 926C, by Senator Kaplan, an act to amend the Public Service Law;

Senate Print 956, by Senator Gaughran, an act to amend the Public Health Law;

Senate Print 1267, by Senator Gianaris, an act to amend the Public Authorities Law;

Senate Print 1275A, by Senator Krueger, an act to amend the Public Authorities Law;

Senate Print 1354, by Senator Serrano, an act to amend the Education Law;

Senate Print 1380A, by Senator Brooks, an act to amend the Public Service Law;

Senate Print 1389A, by Senator Brooks, an act to amend the Public Service Law;

Senate Print 1393, by Senator Brooks, an act in relation to authorizing the Town of Babylon to grant Long Island Teen Challenge of West Babylon a real property tax exemption;

Senate Print 3479A, by Senator Comrie, an act to amend the Public Service Law;

Senate Print 3530A, by Senator Kennedy, an act to amend the Public Health Law;

Senate Print 4539B, by Senator Kaplan, an act to amend the General Municipal Law and the Public Buildings Law;

Senate Print 4552, by Senator Kennedy, an act to amend the Executive Law;

Senate Print 5400, by Senator Hinchey, an act to amend the Public Health Law and the Insurance Law;

Senate Print 5605B, by Senator Sanders, an act to amend the Public Health Law;

Senate Print 5658, by Senator Parker, an act to amend the Banking Law;

Senate Print 5934, by Senator Parker, an act to authorize Top Community Development Corporation to file an application for a real property tax exemption;

Senate Print 6574A, by

Senator Kennedy, an act to amend the Insurance Law;

Senate Print 6981B, by Senator Gounardes, an act to amend the Retirement and Social Security Law;

Senate Print 6985B, by Senator Gounardes, an act to amend the Retirement and Social Security Law;

Senate Print 7211B, by Senator Savino, an act to amend the Penal Law;

Senate Print 7433, by Senator Helming, an act to amend the Criminal Procedure Law;

Senate Print 8422, by Senator Hoylman, an act to amend the Social Services Law;

Senate Print 8770, by Senator Mattera, an act to amend the Parks, Recreation and Historic Preservation Law;

Senate Print 8590A, by Senator Gaughran, an act to amend the Parks, Recreation and Historic Preservation Law;

Senate Print 8591A, by Senator Krueger, an act to amend the Public Health Law;

Senate Print 8744B, by Senator Weik, an act in relation to authorizing Ekklesia Long Island Center Ministries to file with the Town of Brookhaven assessor an application for certain real property tax exemptions;

Senate Print 8760, by Senator Mannion, an act to amend the Public Authorities Law;

Senate Print 8933, by Senator Hinchey, an act to amend the Executive Law;

Senate Print 9041, by Senator Brouk, an act in relation to establishing a temporary commission to study aging;

Senate Print 9111, by Senator Stewart-Cousins, an act authorizing the alienation of certain parkland; and

Senate Print 9355, by Senator Helming, an act to amend Chapter 152 of the Laws of 2020.

All bills reported direct to third reading.

SENATOR GIANARIS: Move to accept the report of the Rules Committee.

ACTING PRESIDENT BAILEY: All those

in favor of accepting the report of the Rules Committee signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay.

(No response.)

ACTING PRESIDENT BAILEY: The report of the Rules Committee is accepted.

Senator Gianaris.

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

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 210, Senate Print 6079B, by Senator Gounardes, an act to amend the Civil Rights Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 210, those Senators voting in the negative are Senators Felder, Gallivan, Helming, O'Mara and Ortt.

Ayes, 56. Nays, 5.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 461, Senate Print 3081A, by Senator Salazar, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 472, Senate Print 7854, by Senator Kennedy, an act to amend the Racing, Pari-Mutuel Wagering and

Breeding Law.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 473, Senate Print 7855, by Senator Kennedy, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law.

SENATOR GIANARIS: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 474, Senate Print 7856, by Senator Kennedy, an act to amend the Racing, Pari-Mutuel Wagering and

Breeding Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Kennedy to explain his vote.

SENATOR KENNEDY: Thank you, Mr. President.

I rise today to explain my vote on two bills that will reform the Western Region OTB and OTBs across New York State.

These bills were drafted in response to an audit released in September of 2021 by our great Comptroller, Tom DiNapoli, on the Western Regional Off-Track Betting Corporation, which showed a wide range of misuse of power and of funds.

Among those findings are results that show the corporation's board did not distribute marketing and promotional program

tickets in accordance with the New York State Gaming Commission's regulations and guidelines, often using tickets for personal use instead, as well as proof that the board of directors did not provide adequate oversight of take-home vehicles and, as a result, found that the CEO did not adhere to that policy.

This is just unacceptable. And it's certainly not the first time this state corporation has seen allegations of impropriety and misuse. For years there's been a pattern of dysfunction -- and today, we're going to change it.

These bills we're passing here today will ensure that the OTB are accountable and transparent. The first will cap the allowance for promotional items for certain members of the corporation. It's legislation that will make gift rules governing OTB associates consistent with the Public Officers Law, Legislative Law and Executive Law, where state employees can't receive any gift valued in amount more than $15. It's just leveling the playing field.

The second will prohibit OTB corporation vehicles from being used as take-home

vehicles.

Again, these are issues that the public has said: Enough is enough, we have to rein in the abuse of public funds. These are commonsense, good government reforms, and they're long overdue.

I've shared these pieces of legislation with the Comptroller's office. I'm pleased to say that he's incredibly supportive of the Legislature advancing them as well.

There should be no tolerance for the kind of behavior indicated in the Comptroller's report here in the State of New York, and with the passage of these bills today we're turning words into action and creating real accountability.

With that, Mr. President, I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

486, Senate Print 1413, by Senator Rivera, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 486, voting in the negative: Senator Gallivan.

Ayes, 60. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 494, Assembly Print Number 8215, by Assemblymember Meeks, an act to repeal subdivision 2 of Section 189 of the Correction Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 494, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 41. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 499, Senate Print 5046, by Senator Parker, an act in relation to alternative finance investment bonds.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 499, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 41. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 551, Assembly Print Number 9730, by Assemblymember Gunther, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 558, Senate Print 6785, by Senator Mayer, an act to amend the Labor Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 558, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Mattera, Oberacker, O'Mara, Ortt, Rath, Ritchie, Serino and Stec.

Ayes, 46. Nays, 15.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 651, Senate Print 1184A, by Senator Gianaris, an act to amend the Criminal Procedure Law and the Civil Practice Law and Rules.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 651, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 43. Nays, 18.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

689, Assembly Print Number 9387A, by the Assembly Committee on Rules, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 689, those Senators voting in the negative are Senators Helming, Oberacker and O'Mara.

Ayes, 58. Nays, 3.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 694, Senate Print 311A, by Senator Liu, an act to amend Chapter 802 of the Laws of 1947.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 694, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 42. Nays, 19.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 761, Assembly Print Number 7469, by Assemblymember Cruz, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 761, voting in the negative: Senator Ortt.

Ayes, 60. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 762, Assembly Print Number 1741A, by Assemblymember Gottfried, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the first of January.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill

is passed.

THE SECRETARY: Calendar Number 764, Assembly Print Number 3276, by Assemblymember Gunther, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 781, Assembly Print Number 8299A, by Assemblymember Ra, an act to amend the Nassau County Civil Divisions Act.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 783, Senate Print 8525, by Senator Gaughran, an act to amend the General Municipal Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 842, Senate Print 5701, by Senator Comrie, an act

to amend the Not-For-Profit Corporation Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 7. This act shall take effect on the first of January.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 857, Senate Print 2535A, by Senator Rivera, an act to amend the Elder Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

SENATOR ORTT: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 861, Senate Print 4438A, by Senator Skoufis, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 880, Senate Print 5489, by Senator Brouk, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 889, Senate Print 4150C, by Senator Reichlin-Melnick, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 973, Senate Print 6793A, by Senator Kaminsky, an act to amend the Abandoned Property Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 74. This act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 977, Senate Print 8617A, by Senator May, an act to amend the Elder Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 977, voting in the negative: Senator Helming.

Ayes, 60. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1007, Senate Print 4937C, by Senator Kavanagh, an act to amend the Multiple Dwelling Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1007, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt,

Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 41. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1041, Assembly Print Number 7063A, by Assemblymember Fahy, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect December 31, 2023.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1041, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Jordan, Lanza, Oberacker, O'Mara, Ortt, Rath, Ritchie and Stec.

Ayes, 49. Nays, 12.

ACTING PRESIDENT BAILEY: The bill

is passed.

THE SECRETARY: Calendar Number 1061, Senate Print Number 8258A, by Senator Reichlin-Melnick, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1095, Senate Print 7650A, by Senator Harckham, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1099, Senate Print 3232, by Senator Sanders, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

1106, Senate Print 8888A, by Senator Serino, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1116, Senate Print 3106, by Senator Kaplan, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator

Kaplan to explain her vote.

SENATOR KAPLAN: Thank you, Mr. President.

Here in New York, brunch has always been a great unifier, something that everyone can appreciate regardless of where you live or which side of the aisle you find yourself on.

But did you know, under our current laws, you can order a mimosa at a restaurant at 10 a.m. on a Sunday morning, but you can't buy the ingredients to make one at home?

The present situation isn't just unfair to New Yorkers in need of libation on a Sunday morning; it's also unfair to small businesses who are restricted from selling products that other establishments are able to. The bill before us will fix that inequity, and we can all drink to that.

I'm proud to sponsor this commonsense legislation, and I proudly vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill

is passed.

THE SECRETARY: Calendar Number 1127, Senate Print 8989, by Senator Skoufis, an act to amend the Alcoholic Beverage Control Law.

SENATOR GIANARIS: Lay it aside for the day.

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

(Remarks off the record; laughter.)

ACTING PRESIDENT BAILEY: The Queens delegation would like to lay the bill aside for the day.

THE SECRETARY: Calendar Number 1140, Assembly Print Number 6977A, by Assemblymember Davila, an act to amend the Correction Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1147, Senate Print 1543A, by Senator Kaminsky, an act to amend the Public Officers Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1147, those Senators voting in the negative are Senators Gallivan, Griffo, Jordan, Lanza, Oberacker, O'Mara, Rath, Stec and Tedisco.

Ayes, 52. Nays, 9.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1156, Senate Print 8314, by Senator Mannion, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1156, voting in the negative: Senator Oberacker.

Ayes, 60. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1168, Senate Print 3472, by Senator Biaggi, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1168, those Senators voting in the negative are Senators Felder, Helming, Jordan, Oberacker, O'Mara and Ortt.

Ayes, 55. Nays, 6.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1172, Senate Print 7449, by Senator Comrie, an act to amend the Social Services Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1172, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Jordan, Oberacker, O'Mara,

Ortt, Palumbo, Rath, Ritchie, Serino, Stec and Weik.

Ayes, 47. Nays, 14.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1173, Assembly Print Number 10156, by the Assembly Committee on Rules, an act to amend the Social Services Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1173, those Senators voting in the negative are Senators Borrello, Griffo, Martucci, O'Mara, Ortt and Weik.

Ayes, 55. Nays, 6.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1179, Assembly Print Number 3081, by Assemblymember Peoples-Stokes, an act to amend the Real Property Actions and Proceedings Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1179, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 43. Nays, 18.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1197, Senate Print 9031A, by Senator Kavanagh, an

act to amend the Public Authorities Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1197, voting in the negative: Senator Tedisco.

Ayes, 60. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1210, Assembly Print Number 6652, by Assemblymember Englebright, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1210, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, Oberacker, O'Mara, Ortt, Rath, Ritchie, Stec and Tedisco.

Ayes, 47. Nays, 14.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1222, Assembly Print Number 8006, by Assemblymember Gottfried, an act to amend the Public Health Law and the Social Services Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce

the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1234, Senate Print 2023C, by Senator May, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 13. This act shall take effect two years after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Serino to explain her vote.

SENATOR SERINO: Thank you, Mr. President.

I rise today to express my support for this bill, but also to point out another glaring loophole in the law that I hope the chamber will address.

This bill that we're taking up today makes athletic trainers mandated reporters under

the New York law. You know, this is a very important step, but what I think many parents would really be surprised to learn is that under current law, mandated reporters are only required to report instances of abuse that happen within a domestic setting or at the hands of a family member.

Because of a loophole in that law, if a mandated reporter believes that abuse is happening at the hands of someone outside of the family, someone in a position of authority or trust, for example, they are not required to report it.

I have sponsored a bill for years that would close this loophole and that would require any New Yorker who is directly employed with or volunteers with an organization that provides services to children to report suspected abuse.

This passed the Senate unanimously in 2018. And these are commonsense steps that we should be taking to better protect children, instead of taking a piecemeal approach. I think most parents today are really shocked to learn that this is not already law.

Many of us are parents in this chamber, so I really hope that you will reconsider and contemplate moving that bill.

But I vote aye on this bill. Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 1234, voting in the negative: Senator Kennedy.

Ayes, 60. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1240, Assembly Print Number 3202C, by Assemblymember McDonald, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1242, Senate Print 6717A, by Senator Stavisky, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1245, Assembly Print Number 8519, by Assemblymember Gottfried, an act to amend Chapter 357 of the Laws of 2017.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1246, Assembly Print Number 9967, by Assemblymember Glick, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1246, voting in the negative: Senator Griffo.

Ayes, 60. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1255, Assembly Print Number 4080, by Assemblymember Abbate, an act to amend the Civil Service Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1256, Senate Print 8481, by Senator Jackson, an act to amend the Civil Service Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the first of March.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1260, Senate Print 8974, by Senator Griffo, an act to authorize Jeffrey Chase of the Village of New York Mills to take the competitive civil service examination.

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

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1260, voting in the negative: Senator Brisport.

Ayes, 60. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1261, Senate Print 9051, by Senator Jackson, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

1263, Assembly Print Number 8562, by Assemblymember Fernandez, an act to amend Chapter 465 of the Laws of 1994.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1263, voting in the negative: Senator Akshar.

Ayes, 60. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1264, Assembly Print Number 10105, by Assemblymember Englebright, an act to amend the Navigation Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1264, voting in the negative: Senator Akshar.

Ayes, 60. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1267, Senate Print 2757B, by Senator Ramos, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Ramos to explain her vote.

SENATOR RAMOS: Thank you,

Mr. President.

I rise to thank my colleagues and Senate Majority Leader Andrea Stewart-Cousins for the passage of this bill. It's really important that we're legalizing cargo bikes as a means to reduce pollution. Each e-cargo bike that replaces a truck actually removes 7 tons of carbon dioxide from the atmosphere every year.

And, well, we know that with the proliferation of last-mile fulfillment centers and warehouses for Amazon, UPS, so many of these different companies, often these actually take place in communities that are environmental justice communities, like mine, including Asthma Alley -- well, that I'll represent until December, actually.

And unfortunately, of course, the trucks and the vans that cause so much of the traffic in New York City and are pumping exhaust into our air -- really, there are better options.

And this is why we're helping companies like Amazon and UPS be able to access e-cargo bikes as a better means to deliver packages, especially now when in New York City a typical household is receiving one to two package

deliveries every week, which is pretty incredible. And I have a firm suspicion that a lot of families are above that average, unfortunately.

But listen, you know, we -- this body in the past three years has not only legalized e-cargo bikes like today, but also e-scooters and e-bikes, which we did three years ago. And unfortunately I am yet to see action from New York City's Department of Transportation in actually creating a public education program, a brochure, anything, in order to really educate people who are using these vehicles to do so in a safe way. And of course be able to upgrade our street grids, our infrastructure to support these vehicles. We want people to choose these vehicles that actually emit next-to-zero carbon emissions.

So I'm hoping that with the billions of dollars coming from the federal government specifically for transit and infrastructure projects, New York should be leading on adapting our public spaces and our streets in approaches to meet our climate goals.

And that's why I'm voting aye on

this bill, Mr. President. Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 1267, those Senators voting in the negative are Senators Akshar, Felder, Krueger and Ortt.

Ayes, 57. Nays, 4.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1278, Senate Print 8679, by Senator Cleare, an act to amend the Public Authorities Law.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Cleare to explain her vote.

SENATOR CLEARE: Mr. President, I

rise today to explain my vote on Senate Bills 8679 and 8711A.

As chair of the Women's Issues Committee, I held a Caucus Weekend roundtable in April that focused on ways in which we can eradicate human trafficking. I am proud to say today that we passed the third and fourth bills that were generated from the discussion with experts, advocates and survivors.

Senate Bills 8679 and 8711A pertain to the MTA and Thruway Authority respectively, and ensure that in the facilities of each authority proactive information is conspicuously displayed, including information on human trafficking, support services for victims, and the National Human Trafficking Hotline telephone number.

We know that our transportation hubs and centers have often been used as both a source and a means to facilitate human trafficking, and ensuring that these areas are supportive and safe is essential to our goal of eradicating human trafficking. I'm heartened that we're taking another step today forward, and I vote aye.

Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1279, Senate Print 8711A, by Senator Cleare, an act to amend the Public Authorities Law.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1284, Senate Print 768, by Senator Gounardes, an act to amend the Workers' Compensation Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1284, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 41. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1293, Senate Print 6875, by Senator Persaud, an act to amend the Social Services Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect October 1, 2022.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1293, those Senators voting in the negative are Senators Borrello and Oberacker.

Ayes, 59. Nays, 2.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1314, Senate Print 483A, by Senator Myrie, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1316, Senate Print 1851A, by Senator Skoufis, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1316, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 41. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1324, Senate Print 6072A, by Senator Kaplan, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1335, Senate Print 6846A, by Senator Rivera, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1338, Senate Print 7499B, by Senator Salazar, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1338, those Senators voting in the negative are Senators Borrello, Boyle, Gallivan, Griffo, Helming, Martucci, Mattera, Oberacker, O'Mara, Reichlin-Melnick, Stec and Weik. Also Senator Jordan.

Ayes, 48. Nays, 13.

ACTING PRESIDENT BAILEY: The bill

is passed.

THE SECRETARY: Calendar Number 1341, Assembly Print Number 8880A, by Assemblymember Wallace, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1343, Assembly Print Number 10186, by the Assembly Committee on Rules, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 5. This

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1345, Assembly Print Number 9542, by Assemblymember Gottfried, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1356, Senate Print 4299A, by Senator Lanza, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1358, Senate Print 6302A, by Senator Weik, an act authorizing Michael J. Cappiello to purchase service credit for service with the Long Island Rail Road Company.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1360, Assembly Print Number 1202, by Assemblymember Seawright, an act to amend the Penal Law.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

(Off the record.)

THE SECRETARY: So that was Calendar Number 1360, Assembly Print Number 1202, by Assemblymember Seawright, an act to amend the

Penal Law.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1361, Assembly Print Number 6328A, by Assemblymember Cruz, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1361, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 42. Nays, 19.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1362, Senate Print 6800A, by Senator Gianaris, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1362, those Senators voting in the

negative are Senators Akshar, Borrello, Boyle, Griffo, Helming, Lanza, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 44. Nays, 17.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1365, Assembly Print Number 7642A, by Assemblymember Steck, an act to authorize the Town of Niskayuna, in the County of Schenectady, to offer certain retirement options to John F. Connor.

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

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1365, voting in the negative:

Senator Brisport.

Ayes, 60. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1366, Assembly Print Number 8445A, by Assemblymember Jones, an act to amend the Highway Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1366, voting in the negative: Senator Brisport.

Ayes, 60. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1369, Senate Print 8287, by Senator Bailey, an

act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1373, Assembly Print Number 9619, by Assemblymember Cruz, an act to amend Chapter 730 of the Laws of 2019.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1376, Senate Print 8706, by Senator Akshar, an act to amend the General Municipal Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1421, Senate Print 1737, by Senator Skoufis, an act to amend the Public Health Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it

aside.

THE SECRETARY: Calendar Number 1425, Senate Print 4102A, by Senator Savino, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1426, Assembly Print Number 4261, by Assemblymember Steck, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1426, those Senators voting in the negative are Senators Akshar, Borrello, Griffo, Helming, Lanza, Martucci, O'Mara, Ortt, Rath, Serino, Stec and Tedisco.

Ayes, 49. Nays, 12.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1427, Senate Print 4620C, by Senator Breslin, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect 180 days after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1427, those Senators voting in the negative are Senators Borrello, Gallivan, Oberacker, O'Mara and Rath.

Ayes, 56. Nays, 5.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1428, Senate Print 4686A, by Senator Helming, an act granting retroactive membership in the New York State and Local Employees' Retirement System to Justin Whitmore.

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

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1429, Assembly Print Number 7383A, by Assemblymember Abbate, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1436, Assembly Print Number 7648, by Assemblymember Palmesano, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1437, Senate Print 7577B, by Senator Brouk, an act to amend the Labor Law.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1437, those Senators voting in the

negative are Senators Borrello, Gallivan and Helming.

Ayes, 58. Nays, 3.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1438, Senate Print 7594A, by Senator Mannion, an act to amend the Social Services Law and the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1440, Senate Print 8191, by Senator Breslin, an act to amend the Insurance Law and the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1440, those Senators voting in the negative are Senators Akshar, Borrello, Oberacker, Palumbo, Rath and Tedisco.

Ayes, 55. Nays, 6.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1454, Senate Print 8754, by Senator Hoylman, an act to amend the Family Court Act.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect January 1, 2023.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Hoylman to explain his vote.

SENATOR HOYLMAN: Thank you, Mr. President.

This legislation would alleviate the unjust workload for our public servants and allows families justice by increasing the number of judges in Family Court within the City of New York from 56 to 60.

As my colleague in the Assembly, the Senate Judiciary chair counterpart Chuck Lavine says, this is a gut-wrenching system. We have a crisis in our Family Court systems. Our families are suffering because of the staggering case backlog in our Family Courts.

During the pandemic New York City's Family Courts were so overwhelmed that they put cases deemed nonessential on hold for a year. They included custody, visitation, child support and adoption cases.

How can a child's stability or future home be nonessential? That's how desperately overstretched our courts are, and's it's unacceptable.

A report by the New York City Bar Association and the Fund for Modern Courts exposed the disproportionate negative impact of the COVID-19 pandemic on Family Courts in New York City. Among the critiques of the report, the authors stated that "The caseload is far too large to be handled by the 56 statutorily authorized Family Court judges alone." So we change that today with this legislation by increasing it by four judges.

I want to thank in particular a trailblazing reporter, NBC's Melissa Russo, who has unquestionably shone a spotlight on this issue and caused us to act today.

I vote aye, Mr. President.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1458, Senate Print 8815, by Senator Krueger, an act to amend the State Finance Law.

ACTING PRESIDENT BAILEY: Read the

last section.

SENATOR LANZA: Lay the bill aside.

ACTING PRESIDENT BAILEY: Excuse me. Lay it aside.

THE SECRETARY: Calendar Number 1459, Assembly Print Number 10039A, by Assemblymember McMahon, an act to amend Chapter 424 of the Laws of 2012.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1469, Senate Print 9294A, by Senator Gounardes, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT BAILEY: Read the

last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1470, Assembly Print Number 10200, by the Assembly Committee on Rules, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1471, Assembly Print Number 10161, by the Assembly Committee on Rules, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1472, Assembly Print Number 10221, by the Assembly Committee on Rules, an act to amend Chapter 237 of the Laws of 2015.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1474, Assembly Print Number 8300, by Assemblymember McDonald, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1475, Senate Print Number 9332, by Senator Reichlin-Melnick, an act to amend the Real Property Tax Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1476, Assembly Print Number 7508, by Assemblymember Pheffer Amato, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Brouk moves to discharge, from the Committee on Rules, Assembly Bill Number 7652 and substitute it for the identical Senate Bill 9335, Third Reading Calendar 1477.

ACTING PRESIDENT BAILEY: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1477, Assembly Print Number 7652, by Assemblymember Gunther, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1478, Assembly Print Number 10197, by the Assembly Committee on Rules, an act to amend Chapter 831 of the Laws of 1981.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Ramos moves to discharge, from the Committee on Rules, Assembly Bill Number 10181 and substitute it for the identical Senate Bill 9338, Third Reading Calendar 1479.

ACTING PRESIDENT BAILEY: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1479, Assembly Budget Bill 10181, by the Assembly Committee on Rules, an act to amend Chapter 451 of the Laws of 2012.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1480, Assembly Print Number 10164, by the Assembly Committee on Rules, an act to amend Chapter 748 of the Laws of 1991.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1483, Senate Print 9342, by Senator Ryan, an act to amend Chapter 498 of the Laws of 2011.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1484, Assembly Print Number 9960, by Assemblymember Burgos, an act to repeal subdivision 9 of Section 8-400 of the Election Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1485, Assembly Print Number 10229, by the

Assembly Committee on Rules, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

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

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

ACTING PRESIDENT BAILEY: There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Thomas moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 4117 and substitute it for the identical Senate

Bill 139A, Third Reading Calendar 1487.

ACTING PRESIDENT BAILEY: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1487, Assembly Print Number 4117, by Assemblymember Englebright, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Hoylman moves to discharge, from the Committee on Education, Assembly Bill Number 2185B and

substitute it for the identical Senate Bill 441C, Third Reading Calendar 1488.

ACTING PRESIDENT BAILEY: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1488, Assembly Print 2185B, by Assemblymember Carroll, an act in relation to establishing a dyslexia and dysgraphia task force.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect January 1, 2023.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Hoylman to explain his vote.

SENATOR HOYLMAN: Thank you, Mr. President.

An Assemblymember saved my life. I don't know how many people can say that on the floor. But I was at a hearing a couple of years ago and leaned over to Assemblymember Bobby Carroll and described some unusual symptoms that

I saw in my daughter.

Assemblymember Carroll, who's dyslexic, immediately said: "Brad, your daughter, she might be dyslexic. You should have her evaluated."

Well, that's what happened. Months later we learned that she was in fact dyslexic, and it set us on a path toward her being able to learn to read. The problem, Mr. President, is that she at that point was in fourth grade. This is the trauma and the drama for hundreds of thousands of New York parents and children.

The bill that we are passing today with -- that I carry with Assemblymember Carroll will establish a task force on dyslexia to develop guidelines regarding screening, interventions and classroom support for students with dyslexia and related disorders, and develop a program of study for teachers to better understand such students.

The statistics suggest, Mr. President, that the findings could change the lives of up to 900,000 students statewide.

According to the New York City Department of Education, for the 2018-'19 school

year, 75,000 students in New York City have a learning disability. Just 16 percent of those students were proficient in reading on state tests in 2019, compared with 47 percent of general education students.

We need to screen students so parents are armed with that information. We need to help teachers be able to teach our kids how to read, whether they're dyslexic or normal readers. With this legislation, we take a very positive step forward in that way.

This is for my daughter and thousands of schoolkids across New York who are struggling with dyslexia. They can learn. They can be readers.

Thank you, Mr. President. I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Sanders moves to discharge, from the Committee on Insurance, Assembly Bill Number 2085A and substitute it for the identical Senate Bill 906B, Third Reading Calendar 1489.

ACTING PRESIDENT BAILEY: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1489, Assembly Print Number 2085A, by Assemblymember Dinowitz, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Kaplan moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 3318C and substitute it for the identical Senate Bill Number 926C, Third Reading Calendar 1490.

ACTING PRESIDENT BAILEY: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1490, Assembly Print Number 3318C, by Assemblymember Sayegh, an act to amend the Public Service Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1491, Senate Print 956, by Senator Gaughran, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: The bill is passed.

(Discussion off the record.)

SENATOR GIANARIS: Mr. President.

ACTING PRESIDENT BAILEY: Senator Gianaris.

SENATOR GIANARIS: Can we move to reconsider the vote by which Calendar 1491 was passed.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 1491, Senate Print 956, by Senator Gaughran, an act to amend the Public Health Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay the bill aside.

THE SECRETARY: Calendar Number 1492, Senate Print 1267, by Senator Gianaris, an act to amend the Public Authorities Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to

Calendar 1492, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec and Weik.

Ayes, 44. Nays, 17.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1493, Senate Print 1275A, by Senator Krueger, an act to amend the Public Authorities Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1493, those Senators voting in the negative are Senators Borrello, Boyle, Griffo, Mattera, Ortt and Tedisco.

Ayes, 55. Nays, 6.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1494, Senate Print 1354, by Senator Serrano, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Brooks moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 129A and substitute it for the identical Senate Bill Number 1380A, Third Reading Calendar 1495.

ACTING PRESIDENT BAILEY: Substitution so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1495, Assembly Print Number 129A, by Assemblymember Paulin, an act to amend the Public Service Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1495, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 43. Nays, 18.

ACTING PRESIDENT BAILEY: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Brooks moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 815A and substitute it for the identical Senate Bill 1389A, Third Reading Calendar 1496.

ACTING PRESIDENT BAILEY: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1496, Assembly Print Number 815A, by Assemblymember Jean-Pierre, an act to amend the Public Service Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1497, Senate Print 1393, by Senator Brooks, an act in relation to authorizing the Town of Babylon to grant Long Island Teen Challenge of Babylon a real property tax exemption.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1497, those Senators voting in the negative are Senators Akshar and O'Mara.

Ayes, 59. Nays, 2.

ACTING PRESIDENT BAILEY: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

ACTING PRESIDENT BAILEY: Senator

Comrie moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 563A and substitute it for the identical Senate Bill Number 3479A, Third Reading Calendar 1498.

ACTING PRESIDENT BAILEY: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1498, Assembly Print Number 563A, by Assemblymember Paulin, an act to amend the Public Service Law.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1498, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan,

Helming, Jordan, Martucci, Oberacker, O'Mara, Palumbo, Rath, Stec and Weik.

Ayes, 49. Nays, 12.

ACTING PRESIDENT BAILEY: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Kennedy moves to discharge, from the Committee on Health, Assembly Bill Number 3511A and substitute it for the identical Senate Bill 3530A, Third Reading Calendar 1499.

ACTING PRESIDENT BAILEY: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1499, Assembly Print Number 3511A, by Assemblymember Peoples-Stokes, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1500, Senate Print 4539B, by Senator Kaplan, an act to amend the General Municipal Law and the Public Buildings Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1500, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Helming, Jordan, Lanza, Mattera, Oberacker, O'Mara, Ortt, Rath, Serino, Stec and Weik.

Ayes, 46. Nays, 15.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1501, Senate Print 4552, by Senator Kennedy, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1502, Senate Print 5400, by Senator Hinchey, an act to amend the Public Health Law and the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 8. This act shall take effect six months after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Hinchey to explain her vote.

SENATOR HINCHEY: Thank you, Mr. President.

Healthcare really should be considered a right. But what we're seeing across all of upstate New York is disinvestment, underinvestment, and massive consolidation. And what that consolidation leads to is lack of healthcare services for community members who live in these often more rural areas.

Since 2003, more than 40 community hospitals in New York State have closed. And as a result, large healthcare systems now control more than 70 percent of hospital beds across our state, and consolidation continues on.

What that consolidation means is that if you live in a community and your hospital is consolidated, you may lose the healthcare that

you recently had just through that consolidation.

So what this bill does, our Hospital Transparency Bill, is make sure that people know what kinds of care are actually provided in the hospitals and the healthcare systems in which they seek care, specifically for policy-based exclusions: That is reproductive care, that is gender-affirming care and end-of-life care.

As you make choices with your doctor, you need to know what kind of care that doctor or that hospital provides. We've seen numerous people, including in my district, go into hospitals that have recently gone through a consolidation or a merger, thinking they were going to get some type of quality of care, some type of care access, and find out a few months later that they're denied, based solely on policy-based exclusions due to that consolidation.

This bill is profoundly important, now more than ever, so that people know what kinds of care they are actually able to access.

So I'm incredibly proud of this bill. We need to -- I'm so glad that we are passing it now. I thank my colleagues. I thank

the Majority Leader, Andrea Stewart-Cousins, for bringing this forward in this incredibly important moment where everybody needs to know what kind of care they have, especially reproductive care.

For that reason I vote aye.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1502, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Stec, Tedisco and Weik.

Ayes, 42. Nays, 19.

ACTING PRESIDENT BAILEY: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Sanders moves to discharge, from the Committee on Health, Assembly Bill Number 6430B and substitute it for the identical Senate Bill 5605B, Third Reading

Calendar 1503.

ACTING PRESIDENT BAILEY: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1503, Assembly Print Number 6430B, by Assemblymember Hyndman, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1504, Senate Print 5658, by Senator Parker, an act to amend the Banking Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1505, Senate Print 5934, by Senator Parker, an act to authorize Top Community Development Corporation to file an application for a real property tax exemption.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1505, voting in the negative: Senator Akshar.

Ayes, 60. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Kennedy moves to discharge, from the Committee on Insurance, Assembly Bill Number 1171A and substitute it for the identical Senate Bill 6574A, Third Reading Calendar 1506.

ACTING PRESIDENT BAILEY: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1506, Assembly Bill Number 1171A, by Assemblymember Bronson, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce

the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1507, Senate Print 6981B, by Senator Gounardes, an act to amend the Retirement and Social Security Law.

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

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1508, Senate Print 6985B, by Senator Gounardes, an act to amend the Retirement and Social Security Law.

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

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1509, Senate Print 7211B, by Senator Savino, an act to amend the Penal Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator

Savino to explain her vote.

SENATOR SAVINO: Thank you, Mr. President.

On March 30, 2009, Marti Wimmer and her husband Ronny went to their daughter's apartment because they were worried when they hadn't heard from her for a couple of days. They arrived there, they saw her car outside. The door to her apartment was open. They went in and they found their 26-year-old beautiful daughter Caroline brutally murdered. She had been beaten and strangled with an electrical cord.

They were devastated, they were horrified, as any family would be. They called 911. First responders came, EMS responded.

And in the days following this devastation, their other daughter, Chrissy, was horrified to discover that the EMT who had responded had taken photos on his cellphone of Caroline's body at the crime scene, disseminated them, posted them on Facebook like a souvenir.

He was subsequently reported to Richmond University Medical Center, where he worked. He was fired. But that wasn't enough. The Staten Island district attorney at the time,

Dan Donovan, was so incensed by this that he wanted to prosecute him, but I found that the law really did not have a way to prosecute him the way he felt it should. The most he could do was charge him with official misconduct, which he did.

And eventually the individual -- we won't say his name -- he pled down to disorderly conduct, which is essentially the equivalent of a parking violation. He got 200 hours of community service, no jail time. And to add insult to injury, Facebook refused to take the photos down of Caroline Wimmer at the worst moment in that family's life.

Marti and her husband sued Facebook -- unsuccessfully, because federal law continues to protect social media.

In March of 2011, on the anniversary of Caroline's death, we introduced a bill here in the New York State Senate called Caroline's Law. And we sought to make it a crime, to elevate the penalties. Many of you joined it. And every year the Senate has passed that bill unanimously.

The Assembly has never taken it up over there, for whatever reason. As we all know,

bills go to die in the Assembly Codes Committee.

Two years ago another horrific incident occurred to another family here in New York State, up in Utica. A beautiful young woman, Bianca Devins. On July 14, 2019, Bianca was murdered by a young man that she knew, someone that she trusted, someone that she had spent time with. He was considered a family friend. She had attended a concert that evening with him.

And not only did he murder her -- brutally -- but he videotaped it during the event. And he posted it on social media sites, on Instagram, on Facebook and others.

And her family has been brutalized and harassed online over and over by people who share the images on these social media platforms. And these platforms have refused to take responsibility for that. Until today.

We are stepping forward and acting in a way that California acted immediately two years ago when Kobe Bryant and his family and his friends crashed in a helicopter in California. Some of the first responders -- sheriffs, public servants -- took videos and pictures of Kobe

Bryant and his daughter and others. And the California Legislature was so appalled by that that they immediately took action to outlaw that.

It took us almost 11 years to get here, but we are here. And we are joined here today by the families of Caroline Wimmer and Bianca Devins. Marti Wimmer and her daughter Chrissy are up there in the gallery with us. Her father unfortunately passed away a couple of years ago, but I know Ronny's here in spirit.

And Bianca's mother and her grandfather -- Kimberly Devins is here, and Frank Williams, her grandfather -- are here.

They have not given up. This bill is one step in the process of holding social media platforms responsible, creating a private right of action, sending a strong message to anyone who tries to disseminate the images of a crime victim, whether they be a public servant or a private citizen, that New York State is not going to tolerate that. We are better than that. We are above that.

And I want to thank a couple of people, particularly Assemblywoman Marianne Buttenschon for bringing this forward in the

Assembly. Here in the Senate, Senator Griffo carried Bianca's Law. Senator Lanza and I carried Caroline's Law. In the Assembly, Mike Cusick carried Caroline's Law.

So we have combined the bills together so that we could get to the point where they could pass both houses and provide some measure of dignity and justice for these families.

And I especially want to thank the families themselves; of course my staff, Barbara O'Neill, and central counsel staff for helping us get to this point.

Eleven years was too long. But we are here today, and I know that finally Carol -- Marti, I told you I was going to get this done for you. I told you we were going to get this done. I didn't think it was going to take this long, but we are here. Thank you.

Thank you, Mr. President.

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

Senator Lanza to explain his vote.

SENATOR LANZA: Mr. President, to explain my vote.

You know, as I listened to Senator Savino recount what occurred those so many years ago, it still curdles my blood and just shakes me to the core as a father. But you don't have to be a father to know that what happened was wrong. And you don't need to be a father and everyone can understand, listening to Senator Savino -- which I really have nothing to add to what she said. She is so right. I can't imagine anyone who doesn't believe that this type of law is necessary.

In fact, Senator Savino, it's more necessary today than it was then with what's happening on social media.

So I'm obviously voting in the affirmative. But I just want to thank Senator Savino for her perseverance here. Eleven years. She never gave up. She made a promise to the family, and she kept it. And our colleagues together, Democrat and Republican, helped her keep her promise. And thank God the Assembly is on board this year.

So congratulations to the Senate, and especially Senator Savino, for getting this done. I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

(Applause.)

ACTING PRESIDENT BAILEY: Calendar Number 1510, Senate Print 7433, by Senator Hoylman, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1511, Senate Print 8422, by Senator Hoylman, an

act to amend the Social Services Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Hoylman to explain his vote.

SENATOR HOYLMAN: Thank you, Mr. President.

You know, on my computer I have a funeral card from the deceased Michelle Go, who was a constituent of mine and was pushed to her death from a subway platform, as I think many New Yorkers recall, earlier this year.

If you read about her assailant and his struggle with mental illness that led to this tragedy, you would understand that hospitals unfortunately in New York don't have incentives, because of a federal law, to keep patients covering stays who receive mental health or substance use treatment in a facility with over 16 beds. That does not seem to address this

moment of mental health crisis across our state and country.

This bill will address that issue by directing the State of New York to apply for a waiver allowing for payments of medical assistance funds for stays in large residential mental health institutions. The Department of Health would be able to issue guidance on admission and determine maximum allowable rates.

This bill will mean that people on Medicaid who need mental health treatment can start to receive it. There's currently a revolving door in which people who are in need of help are brought into our hospitals and then immediately put back out on the streets because there is no adequate care for them.

Mental health treatment can take time, and we need to provide access to care depending on the needs of the individual.

This legislation will build on the work that's being done here in this chamber on the budget, which saw an increase in funding for mental health services and hundreds of new psychiatric beds.

I vote aye, Mr. President.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1512, Senate Print 8770, by Senator Mattera, an act to amend the Parks, Recreation and Historic Preservation Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Mattera to explain his vote.

SENATOR MATTERA: Thank you, Mr. President, to explain my vote.

In the fall of 1969, Dr. Ashley Schiff died suddenly and unexpectedly at the age of 37, leaving behind a wife and a young family. His death shocked the Stony Brook community. He

was a popular professor of political science who joined Stony Brook university in 1965.

He was deeply respected among students for his accessibility, open-mindedness, and being brutally honest -- which I very much like -- and was committed to the practice and promotion of integrity within the university community.

The Ashley Schiff Preserve was first designated as a park preserve by Stony Brook University in 1969. This legislation will ensure that the Ashley Schiff Park Preserve will always remain in a natural state and will never be developed, 26.6 acres. It will be available as a field site for academic programs for future generations of Stony Brook University students, and for the enjoyment of faculty, staff, students and the surrounding community and all New Yorkers to enjoy.

I am happy to sponsor this bill. I will be voting yes.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1513, Senate Print 8590A, by Senator Gaughran, an act to amend the Parks, Recreation and Historic Preservation Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1514, Senate Print 8591A, by Senator Krueger, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This

act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1514, those Senators voting in the negative are Senators Akshar and O'Mara.

Ayes, 59. Nays, 2.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1515, Senate Print 8744B, by Senator Weik, an act in relation to authorizing the Ekklesia Long Island Center Ministries to file with the Town of Brookhaven assessor an application for certain real property tax exemptions.

SENATOR LANZA: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 1516, Senate Print 8760, by Senator Mannion, an act to amend the Public Authorities Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1517, Senate Print 8933, by Senator Hinchey, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Brouk moves to discharge, from the Committee on Mental Health and Developmental Disabilities, Assembly Bill 10139 and substitute it for the identical Senate Bill 9041, Third Reading Calendar 1518.

ACTING PRESIDENT BAILEY: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1518, Assembly Print Number 10139, by Assemblymember Gunther, an act in relation to establishing a temporary commission to study aging.

ACTING PRESIDENT BAILEY: Read the last section.

SENATOR BROOKS: Section 2. This act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce

the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1519, Senate Print Number 9111, by Senator Stewart-Cousins, an act authorizing the alienation of certain parkland.

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

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Helming moves to discharge, from the Committee on

Environmental Conservation, Assembly Bill Number 10167 and substitute it for the identical Senate Bill 9355, Third Reading Calendar 1520.

ACTING PRESIDENT BAILEY: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1520, Assembly Print Number 10167, by the Assembly Committee on Rules, an act to amend Chapter 152 of the Laws of 2020.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1520, voting in the negative: Senator Hoylman.

Ayes, 60. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

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

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

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 1421, Senate Print 1737, by Senator Skoufis, an act to amend the Public Health Law.

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

SENATOR GALLIVAN: Will the sponsor yield for a few questions.

ACTING PRESIDENT BAILEY: Will the sponsor yield for some questions?

SENATOR SKOUFIS: Of course.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: Thank you, Mr. President.

So in this legislation there is a -- the Commissioner of Health is supposed to get together with some interested stakeholders, specifically consultation with interested

stakeholders, to ultimately put this together. Who are the stakeholders?

SENATOR SKOUFIS: Through you, Mr. President. Certainly the department would have discretion in determining who those stakeholders are.

But I would speculate that the stakeholders would include certainly distributors, who are central to how this activity would work. But I'd also imagine they would include perhaps consumer advocates and certainly prescription drug companies as well.

SENATOR GALLIVAN: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor continue to yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: So the proposed legislation talks about importing prescription drugs from one or more other countries. Which countries does this bill make reference to?

SENATOR SKOUFIS: Through you, Mr. President, the bill does not limit itself to

any one country or multiple countries.

The department can seek out any number of countries from anywhere in the world if they'd like to. Certainly the activity of importation would be subject to FDA standards and everything else that would ensure that the prescriptions are safe.

But the bill does not -- certainly there's been a lot of attention on Canada, but the bill does not limit itself and this activity to Canada or any specific country.

SENATOR GALLIVAN: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor continue to yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: The governing federal law that would allow for states to enter into an importation program -- is the sponsor aware of any limitations on countries that may participate in this?

SENATOR SKOUFIS: Through you, Mr. President. So the federal law that is being

referenced was passed in 2003. It's the Medicare Modernization Act. And yes, the federal rules as they stand speak to Canada, but those are regulations and those are guidelines. They can be changed at any time.

The state bill before us does not speak to any specific country.

SENATOR GALLIVAN: Thank you.

Would the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor continue to yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: So of course the goal of this particular legislation and the ability of the state to enter into something where we can import prescription drugs from Canada -- the goal is to reduce prices.

The sponsor's memo talks about the price of -- the ultimate price of the prescription drugs, and I'll quote: The product will be "at the Canadian price without markup except for cost-based dispensing fee." Does the sponsor know what these costs will entail and

what the cost-based dispensing fee would be?

SENATOR SKOUFIS: Through you, Mr. President, the bill would authorize the department, after earning approval from the federal government, the FDA, to import drugs that they deem to materialize a substantial -- quote, unquote, substantial cost savings to New Yorkers.

And we look to Florida, I think, as a prime example. They were the first in 2019 to pass similar legislation. They are in the process, the final throes of setting up their program. And the agency head that is dealing with this in Florida estimates that of the drugs that they are looking to import, all or most of the drugs would materialize about a 50 percent savings to Florida residents because of this program.

And so yes, there are some start-up costs that of course would be associated. Many of them would be offset by the wholesaler fees as outlined or referenced in this bill. But certainly there will be a number of FTEs, employees in a new division, to oversee this within the Department of Health. Those would be the start-up costs.

But otherwise I believe that -- and the Assembly sponsor believes that the cost savings would be substantial if this bill were enacted into law.

SENATOR GALLIVAN: Will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor continue to yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: Thank you for the previous answer.

And there's two things that you mentioned, and I want to ask about two of these particular things. So I'll try to ask them both, because they come from your prior answer.

The first would be are any other states besides Florida pursuing this? And specifically, in dollars, what would the start-up costs be if something like this was implemented in New York?

SENATOR SKOUFIS: Through you, Mr. President, I appreciate both of those questions.

So on the first, in addition to Florida, Colorado in 2019 passed a similar measure to set up a similar program. I believe also Vermont has passed similar legislation. And I'm advised that New Mexico has also passed similar legislation.

Even though the federal authorization was passed in 2003, these states have only very recently -- since 2019 -- passed these state laws, enacted these state laws. And so none of these programs are standing up yet and importing drugs. They are in various stages of the federal approval process and standing up those programs in their respective states. But those are the other states that have passed similar measures.

And to your second question, I don't have a specific dollar figure for you. And that stands to reason because at the end of the day the Department of Health will have to determine just how many FTEs will be required to administer and oversee this program.

But that is -- you know, the state will not be involved in any, you know, construction or distribution itself. That is all

left to the private market. The only start-up costs that I foresee would be within this new division, new employees at the department.

SENATOR GALLIVAN: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Does the sponsor continue to yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: So this has not yet been implemented in any state that's pursuing it at this point in time.

Does the sponsor know if a drug supply is actually available from Canada that would support the program?

SENATOR SKOUFIS: Through you, Mr. President. So the short answer is yes.

And looking again to Florida, the agency that will be overseeing this program, they've actually set up regulations that would limit the importation to drugs in Canada that Canada has an excess supply of.

And so if there were ever a concern here in New York if this bill were enacted, we

could promulgate regulations similar to those that are in Florida.

SENATOR GALLIVAN: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor continue to yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: So if we have this program and a patient walks into a pharmacy, will the patient know if he or she is getting a prescription drug that's been imported under this program?

SENATOR SKOUFIS: Through you, Mr. President, the short answer is yes. And the bill would require labeling, importation labeling.

SENATOR GALLIVAN: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor continue to yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: If, God forbid, something goes wrong with one of these drugs -- they may be counterfeit or they weren't properly stored and they create problems for the patient, what recourse does the patient have? Does the bill address any recourse that the patient may have?

SENATOR SKOUFIS: Through you, Mr. President, certainly counterfeit drugs exist presently without importation here in New York and in the United States. And so no doubt there may well be attempts to export counterfeit or other problematic drugs.

However, it's important to note -- it's essential to note that the drugs that will be imported are subject to the same FDA standards once they hit the distribution facilities. And so, you know, whether it's the big three -- McKesson, AmerisourceBergen, Cardinal Health, or some of the smaller distributors, they are all subject to very strict FDA standards. And before any drugs are shipped out of their facilities, they are inspected, they are checked for exactly what you're describing.

SENATOR GALLIVAN: Will the sponsor

yield for one final question?

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: How will this program intersect with health insurance?

SENATOR SKOUFIS: Through you, Mr. President, could the -- could my colleague clarify his -- I'm not sure -- I don't follow. What are you asking?

ACTING PRESIDENT BAILEY: Senator Gallivan, can you clarify the question, please.

SENATOR GALLIVAN: So individual patients right now have health insurance; many cover in some way, shape or form prescription drugs as this all stands right now.

If this program is implemented, will mine or any other individual with health insurance, will their policies still cover this?

SENATOR SKOUFIS: Through you, Mr. President, I appreciate the question.

I see no reason why there would be any issue whatsoever with insurance coverage.

We're talking, you know, the same -- whether they be generic or otherwise -- drugs that would be imported.

And I would suggest that it's very likely, if not certain, that premiums would be driven down because the insurance companies would be outlaying fewer dollars to cover the costs of these cheaper imported drugs.

SENATOR GALLIVAN: On the bill, Mr. President.

ACTING PRESIDENT BAILEY: Senator Gallivan on the bill.

SENATOR GALLIVAN: I'd like to thank the sponsor for responding to these questions and trying to attack this issue with prescription drug prices that we all know are problematic, and we hear from our constituents time and time again. And of course we have all experienced -- many of us have experienced it with our own family and friends.

I will be opposing this bill at this point in time for a number of reasons. And the reasons really have to do with what I see as many unanswered questions. And I know the sponsor did try to answer this, answer some of these

questions. But the bill doesn't specifically address some of these things that I do think are important, including liability, supply chain, whether if in fact there will be a price reduction or not, and then of course insurance.

There's two things that I do want -- that I'd like to make reference to. One of them has to do with the supply coming from Canada. And various officials in Canada have spoken out opposing this. The -- just one of them I'll quote. This is an acting ambassador to the United States, a former one, who stated that the Canadian market is too small to have a real impact on U.S. drug prices. That concerns me.

The second area has to do with security and the tracking and tracing of these, and can this really happen.

A few years ago, in response to a proposal in a different state, the National Sheriffs Association approved a resolution opposing state importation legislation because such programs, in their words, would jeopardize law enforcement's ability to protect the public health, threaten the safety of our drug supply, endanger our law enforcement officers and other

first responders.

For these reasons I will be voting no. And I again thank the sponsor, first for bringing -- trying to tackle this very important issue and trying to explain some of the things in the bill.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1421, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Lanza, O'Mara, Palumbo, Rath and Stec.

Ayes, 52. Nays, 9.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1458, Senate Print 8815, by Senator Krueger, an act to amend the State Finance Law.

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

SENATOR BORRELLO: Thank you, Mr. President.

Will the sponsor yield for a question?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes, I will, Mr. President.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Through you, Mr. President.

Senator Krueger, thank you very much for waiting all this time for our turn.

SENATOR KRUEGER: We were reading other bills on our texts while we were waiting.

SENATOR BORRELLO: Yes, we were. Full disclosure.

I understand the need to want to crack down on those folks that are not paying

their taxes. That's a laudable goal. We should all, you know, endeavor to that.

But we already have vehicles in place to do that. We have, under the current Finance Law, the False Claims Act. And from what I can understand and read from your legislative justification is that you're saying that if someone files something falsely, the Attorney General can go after them. However, if they don't file at all, that the Attorney General cannot.

But I really don't read that in the language of the Finance Law. What precludes the Attorney General from actually going after someone who does not file? Under current law.

SENATOR KRUEGER: Through you, Mr. President, the dilemma is that when someone doesn't file taxes, there's no way to find that out without a whistleblower in some way letting us know.

So we do have a False Claims Act that covers people who falsely file. But the universe of people -- and again, these are only companies who would owe at least a million dollars, companies or individuals. Most often,

based on the data available, they are not living in New York but they are doing business in New York and they are not filing a tax here. So it's basically almost impossible for the AG's office or the State Department of Tax and Finance to even know about them because they're not showing us anything to look at and go, Wait a second here, something's wrong.

So the False Claims Act would ensure, through the fixing of a loophole, that if I knew that X Company was doing business in New York but wasn't paying their taxes, and I could bring a claim and report that, then the AG's office could go after it.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes, certainly.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So there's nothing in the law that actually prohibits it, you're just saying we wouldn't necessarily know about it.

So I guess what would be the next question -- you know, I'm a business owner myself, I pay a lot of taxes. I pay sales tax, for example. I actually have to pay sales tax monthly, which is a pain. But if I all of a sudden just stop filing -- I mean, it's not -- there's no loophole that says that, Well, the joke's on you, I didn't file this month, so you don't have -- you're not getting my sales tax.

I still don't understand why -- you can -- there are -- these are big companies you're talking about. You're talking about somebody that has a liability in excess of $350,000. I would say in almost every case these are not brand-new companies that sprang up out of nowhere, this is somebody that should be on the radar as having paid and now is not paying.

I just don't see -- and the reason I bring it up is not because it's just closing loopholes, because this bill does so many things beyond that that make it very gray. And we'll get into that in a moment.

So why would we -- again, why would we have to do this? It's not like it's a brand-new company out of nowhere, most likely.

SENATOR KRUEGER: Through you, Mr. President. We have no idea whether it's a brand-new company or not. In fact, we live in a world especially with the internet where brand-new companies are popping up constantly. And they can be anywhere in the world, they don't have to have a nexus in New York State or file anything to become a corporation in New York State in order to do business here, to be sending things here to be making money here.

And so I don't agree with my colleague that these would be people who had previously paid taxes and then stopped paying them. I actually think people who previously paid taxes probably would show up as potentially auditable by the Tax and Finance Department because they might have a unit that goes, Gee, they were paying for 10 years and then they stopped, let's check them out.

I think here we are talking about the situation where they are not filing their taxes in New York State, hence they can be getting away with avoiding significant amounts of tax payment, which is unfair to all the businesses who are paying their taxes correctly

and is giving the operator illegally not paying their taxes an advantage in a business climate when the other guys are actually filing their taxes and following the law.

And so it's a particularly disturbing thing for us to let companies avoid paying taxes and not choose to do anything about it.

And again, do I think it would be enormous numbers? No. In fact, the data shows that it won't be. But the Attorney General's office has highlighted that under the existing law that has now been in operation since 2010, approximately 200 of these cases have been filed. I believe that only -- so that's about 20 a year. Only 16 of the cases have been thrown out as having no legitimacy.

And the AG's office reports that in coordination with her office and the existing statute -- which has got this loophole in it -- the state has collected over $460 million in taxes we would not otherwise have received.

So I think it is a win/win. And I know the Attorney General supports the expansion of this legislation, I think for the exact

reasons I'm describing. It will give us another tool to go after companies that are failing to file their taxes in our state but are making money in our state.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Through you, Mr. President. Well, that answer actually kind of takes me to my next question, because that money that was recovered was done without closing this loophole.

Which brings me to the point that we really have a well-funded Tax Department right now that is vigorously pursuing this. But what this bill does, your bill does, is it actually brings in third parties that have no expertise in tax law, attorneys that can now -- essentially they're incentivized to aggressively go after people to get, you know, higher dollar settlements.

Why do we need to bring in third party attorneys that have no tax expertise to bring actions against companies when we already have a well-funded and, as you just pointed out, a successful and effective Tax Department that is bringing this. Why do we have to bring in third-party private entities?

SENATOR KRUEGER: Well, these third-party private entities are already in the system under the existing False Claims Act.

The 200 cases I referenced were actually qui tam cases brought by outside whistleblowers or attorneys and then taken up by the Attorney General's office, often in coordination with the Department of Tax and Finance.

So this would not be a new concept in state law. It exists in state law, and that's how we've already collected this 460, $470 million in not-paid taxes from people who filed false tax documents. Now we want to, just through a loophole-closer, make sure we can also go after people who fail to file their taxes at all. Because right now we have no mechanism for penalty on them.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So the bill mentions the word "obligations," which is a very vague term. So if we're going after nonfilers, why don't we just extend that False Claims Act right now to those taxpayers?

So in other words, if you're adding something as vague and as broad as "obligations," shouldn't we be a little concerned about that and how that's going to have an impact? Especially if we start talking about incentivizing third parties to go after aggressive claims.

SENATOR KRUEGER: So I believe "obligation" is referenced from the federal equivalent law.

But it basically could, you know, say to go after people who fail to pay their taxes intentionally -- again, this is -- you have to prove intent to defraud New York State

government. It's not anybody who fails to file, it's somebody who intended to commit fraud.

So "obligation" is simply saying we are going to go after you for your obligations to us, the tax money you owe us.

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

ACTING PRESIDENT BAILEY: Will the sponsor continue to yield?

SENATOR KRUEGER: Yes, sir.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Well, this is my last question for you, Senator Krueger.

But the bottom line is if this is just closing a loophole, why did Governor Hochul veto this bill last time? This is obviously a concern for her.

SENATOR KRUEGER: I'm so glad you asked that, because that was our question also.

And it was one of her last vetoes -- I believe I got notice of it around 6 p.m. on New Year's Eve. Again, she was a brand-new Governor, and her staff was brand-new, and there was really no way to try to have a conversation with anyone

that close to the deadline and most people already being gone for New Year's Eve by 6 p.m. on New Year's Eve.

And so we have had further conversations with her and her staff. We have made a few clarifications in the language of the bill since when we passed it last year. And I'm feeling very optimistic that we will not get a veto this time, because I think sincerely her counsel's office didn't quite understand all the ramifications of what the bill was and wasn't.

But we have had opportunities now to speak to them this year, which is why I'm feeling much more secure that when we do pass this bill through both houses -- which I hope we do -- it will be signed by the Governor.

SENATOR BORRELLO: Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Borrello on the bill.

SENATOR BORRELLO: Thank you, Senator Krueger, for your engagement again today.

You know, I think probably the biggest concern for me on this bill is that we are taking essentially people that are going to

become bounty hunters, lawyers that will be out there that are not experts in tax law, but are indeed experts in extracting money from others.

And that's what's probably most troubling about this, and I suspect was one of the reasons why the Governor vetoed it.

Now, it's mentioned that you have to do a million dollars in sales or more. You know, revenue, sales. A million dollars is not a lot of money when it comes to gross sales for a company. Quite frankly, it will be considered a very small business. But yet the obligation needs to be $350,000 or more. Which could be part of the penalties being pursued by those private entities.

So that concerns me, that we could be basically trumping up the amount of money owed in order to meet that $350,000 threshold for what could essentially be a small business. And I know that Senator Krueger is talking about out-of-state businesses, out-of-country businesses. But the reality is this applies to everyone in New York State.

So I worry that we're going to be sending bounty hunters after small businesses

because things are so vague. And it's probably why the Governor vetoed it last time.

I'm all in favor of closing loopholes. I don't want tax scofflaws when folks like myself who work hard, pay their taxes and operate a business -- which is a difficult thing to do in this state -- are following the rules and others are not. So we want to do the best to close that loophole. But we have to be cautious that we're not going to release the hounds, if you will, on small businesses that may not deserve to be treated that way.

So I will be voting no. Thank you, Mr. President.

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

Senator Krueger on the bill or to explain your vote?

SENATOR KRUEGER: On the bill.

ACTING PRESIDENT BAILEY: Senator Krueger on the bill.

SENATOR KRUEGER: Thank you so much.

I also -- I want to thank my colleague for the robust debate.

And I just want to emphasize, again, we do not have to worry about people who don't know what they're doing in tax policy rushing in and filing these court cases and somehow winning against innocent victims. It hasn't happened in the 10 years we've had the much broader False Claims Act. In fact, as shown through the Attorney General's data, that is not the story, and in fact it has been the larger companies who are proven to be in violation of the law knowingly.

This will open us up simply to an opportunity to have companies that fail to file any tax documents with us -- hence making it extremely easy to avoid identification through our Tax Department or our Attorney General's office -- to bring them into the light.

If you bring a bad case because you can't prove it, you will get thrown out of court, as we've seen on the first 200 cases where 16 did get thrown out. And I have no doubt that if someone comes along and tries to do a fast one or doesn't know anything about tax law or can't prove that this entity knowingly violated our laws, that those will also get thrown out.

And we also can see, with 10 years experience, there's no clogging up of the courts. There's nothing but sending a clear message that in the State of New York, if you expect to do business here, we expect you to pay your taxes. And if you don't, we're going to do something about it.

So I would urge all of my colleagues to vote yes. Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Krueger.

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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1458, those Senators voting in

the negative are Senators Akshar, Borrello, Helming, Jordan, Oberacker, O'Mara, Ortt, Palumbo, Stec, Tedisco and Weik.

Ayes, 50. Nays, 11.

ACTING PRESIDENT BAILEY: The bill is passed.

The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 1491, Senate Print 956, by Senator Gaughran, an act to amend the Public Health Law.

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

SENATOR BORRELLO: Hello again.

Mr. President, will the sponsor yield for a question.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GAUGHRAN: Of course.

ACTING PRESIDENT BAILEY: The sponsor of course yields.

SENATOR BORRELLO: All right. Through you, Mr. President. Thank you, Senator Gaughran.

Let me start off by saying that I am

actually voting in favor of this bill. And I just have some concerns. You know, you and I are both veterans of local government. And, you know, we had a situation recently somewhat related to this in my district, where the Village of Mayville found that they had firefighting foam, which is an emerging contaminant, that had contaminated their drinking water wells. And it was shut down and there were -- emergency grants came in to help them mitigate that. But as we know, this is probably something that's going to end up being either -- a class action lawsuit somewhere down the road.

And my concern is what your bill seems to do is it's going to -- I mean, correct me if I'm wrong. My first question is, does this bill basically have a retroactive impact on grants that would have to be considered as part of the compensation?

SENATOR GAUGHRAN: Through you, Mr. President, no. The law is effective immediately.

And if we were going to make something like this retroactive, the Court of Appeals has said over and over that we would have

to very specifically put in the language of the bill that it is effectively to be retroactive.

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

ACTING PRESIDENT BAILEY: Would the sponsor yield?

SENATOR GAUGHRAN: Of course.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So -- but going forward now, would there be a lookback on grants? In other words, is there a definition going forward as to how far back we can look at grants for that offset with these settlements?

SENATOR GAUGHRAN: Through you, Mr. President. This bill is pretty simple.

What we have seen happening -- since, by the way, this Senate and this Legislature and this state passed laws to give water districts and water authorities increased ability to go into court and sue polluters and to recover money for the taxpayers. What we have seen now with the implementation of our law is that there are some verdicts, there's mostly settlements. And they agree on what the monetary

amount is that should go back to the municipal water entity.

And then what the judge says is, Oh, we're going to reduce that amount of what you have to pay by the amount of state money that you got in the grant. Okay? Which means, again, that the taxpayers will continue to pay for pollution.

So what this simply does is it requires now that they can't do that. So that when the water authority, the water district gets back a certain amount of money, the amount of that state grant then, rather than just being a windfall for that district, will now go back to the state so that the state can put it right back in, through EFC, to give to other municipal water entities around the state to help deal with these pollution problems.

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

ACTING PRESIDENT BAILEY: Will the sponsor continue to yield?

SENATOR GAUGHRAN: Yes, Mr. President.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR BORRELLO: Thank you for that explanation. And I'm just trying to get to the concern that I have.

Let's say you're a local government and you had a situation like we had in Mayville, where we need an emergency fix, the grant funding comes in, but we know that somewhere down the road there's going to be some kind of an action that has to be taken.

Because of this, could we potentially be looking at a situation where the state government is going to essentially say to the local government: We're going to help you right now, but you need to guarantee us that you're going to pursue litigation, whether as a class action lawsuit or individually?

And for a small, you know, village -- it's not the Suffolk County Water Authority with a dozen lawyers on staff. It's, you know, a small village with a part-time attorney that's probably going to have to seek outside counsel, which could be very expensive. And the offset that they get might be less than what the lawyer's fees will be, the attorney's

fees for that.

So are we creating kind of that unintended consequence?

SENATOR GAUGHRAN: Through you, Mr. President. No, not at all.

This will only apply for those entities that choose to litigate against the polluters. And I cannot imagine a situation where EFC is going to say that, well, we're not going to give you the money unless you do X, Y and Z.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GAUGHRAN: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So one last question.

So right now, the situation I described in Mayville, if there is going to be an eventual lawsuit once this emerging contaminant officially becomes, I guess -- I'm not an expert -- becomes a contaminant.

So you're saying that that would not count against that award offset because it happened prior to this bill -- or this becoming law, I should say.

SENATOR GAUGHRAN: Yes.

SENATOR BORRELLO: Okay. All right. Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Borrello on the bill.

SENATOR BORRELLO: Senator Gaughran, thank you very much. Again, I appreciate that.

And my concern is I just don't want to -- I want to ensure that there isn't a financial calculation being made when we're in an emergency situation where a hazard has to be mitigated. And I just want to be very clear that this -- there isn't an unintended consequence.

And I think you've answered the questions well. I appreciate that. That there isn't a lookback at this point, we're all looking forward.

But even going forward as these laws get to be -- you know, this law gets to be further down the road, I am just concerned that

we never want the state to be in a situation where they're essentially acting kind of as a de facto revolving loan fund requiring the entities, the municipalities somewhere down the road to have to sue in order to recoup as much as possible of the taxpayers' money. Because the first concern for government is always the protection of its citizens, and water safety is certainly a foundation of something we need to protect.

So with that being said, I'm going to support this bill. And thank you for clarifying those questions.

SENATOR GAUGHRAN: Through you, Mr. President. Thank you so much, Senator Borrello.

And on the bill --

ACTING PRESIDENT BAILEY: Senator Gaughran on the bill.

SENATOR GAUGHRAN: It's pretty simple. You know, on Long Island we have a sole-source aquifer. We are now finding out that there are emerging contaminants, all sorts of contaminants that continue to get into our drinking water.

We as a state are spending hundreds and hundreds of millions of dollars for the municipalities. The municipalities are spending a lot more that they're putting right on the backs of the taxpayers. There is never going to be enough money from the state -- I wish the federal government would step up and provide more money for this -- so it's going to continue to be on the backs of the taxpayers.

What we're trying to do here is to say when somebody pollutes, when they get caught and they go into court and a judge is going to award money to that municipal entity, that that polluter cannot take advantage of the previous grant money that had already been given to the municipality. And so that that money can go back to the state to go back to localities.

So I will be voting in the affirmative. Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Gaughran.

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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

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

SENATOR GIANARIS: Thank you, Mr. President. Back to motions for a quick moment.

I offer amendments to the following bills on Third Reading Calendar and ask that they retain their place on said calendar:

By Senator Kennedy, page 11, Calendar 423, Senate Print 7855;

And by Senator Parker, page 25, Calendar 881, Senate Print 5891F.

ACTING PRESIDENT BAILEY: The amendments are received, and those bills will

retain their places on the Third Reading Calendar.

SENATOR GIANARIS: I wish to call up Senator Mannion's bill, Senate Print 7023, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 118, Senate Print 7023, by Senator Mannion, an act directing the Commissioner of Health to conduct a study on the rates of reimbursement made through the New York State Medicaid durable medical equipment.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

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

SENATOR GIANARIS: I offer the following amendments.

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

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

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

SENATOR GIANARIS: I move to adjourn until tomorrow, Wednesday, May 25th, at 11:00 a.m.

ACTING PRESIDENT BAILEY: On motion, the Senate stands adjourned until Wednesday, May 25th, at 11:00 a.m.

(Whereupon, at 7:11 p.m., the Senate adjourned.)