

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 June 1, 2022

11 1:12 p.m.

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13
14 REGULAR SESSION

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18 SENATOR ROXANNE J. PERSAUD, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

2 ACTING PRESIDENT PERSAUD: The
3 Senate will come to order.

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

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

8 ACTING PRESIDENT PERSAUD: Imam
9 Izak-EL Pasha, resident Imam of the Historical
10 Masjid Malcolm Shabazz, in New York City, will
11 give today's invocation.

12 Imam?

13 IMAM PASHA: I wish to thank the
14 presiding officer and thank also the Majority
15 Leader, Ms. Cousins, and the Minority Leader,
16 Rob Ortt, and my special Senator, Cordell Cleare,
17 for inviting me here today.

18 We say with God's name the merciful
19 Benefactor, the merciful Redeemer, witnessing to
20 God and begging for His guidance for humanity,
21 for our first identity as human beings, above all
22 the other identities that we may take on that
23 cause confusion.

24 We ask God to bless this chamber and
25 all the members of the Senate and all those who

1 help and assist you, to give you good and nothing
2 but good to you and your families as you
3 discharge the duties and responsibility to all
4 the people of New York State.

5 We ask for God's mercy. We ask for
6 His peace be unto you and to all of us, that we
7 work together for our human dignity, the dignity
8 that we all identify with as one human family,
9 not separate from each other, and blood of the
10 same blood and the need and the love for all good
11 things.

12 Thank you. May God's peace be upon
13 you. Asalamu Alaikum.

14 (Response from the assemblage.)

15 ACTING PRESIDENT PERSAUD: The
16 reading of the Journal.

17 THE SECRETARY: In Senate, Tuesday,
18 May 31, 2022, the Senate met pursuant to
19 adjournment. The Journal of Monday, May 30,
20 2022, was read and approved. On motion, the
21 Senate adjourned.

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

24 Presentation of petitions.

25 Messages from the Assembly.

1 The Secretary will read.

2 THE SECRETARY: Senator Skoufis
3 moves to discharge, from the Committee on
4 Housing, Construction and Community Development,
5 Assembly Bill Number 6231 and substitute it for
6 the identical Senate Bill 6085, Third Reading
7 Calendar 337.

8 Senator Ryan moves to discharge,
9 from the Committee on Judiciary, Assembly Bill
10 Number 3241 and substitute it for the identical
11 Senate Bill 6721, Third Reading Calendar 705.

12 Senator Myrie moves to discharge,
13 from the Committee on Elections, Assembly Bill
14 Number 7933C and substitute it for the identical
15 Senate Bill 6901B, Third Reading Calendar 810.

16 Senator Rivera moves to discharge,
17 from the Committee on Health, Assembly Bill
18 Number 1880A and substitute it for the identical
19 Senate Bill 2534A, Third Reading Calendar 986.

20 Senator Rivera moves to discharge,
21 from the Committee on Health, Assembly Bill
22 Number 10152 and substitute it for the identical
23 Senate Bill 8978, Third Reading Calendar 1349.

24 Senator Hoylman moves to discharge,
25 from the Committee on Insurance, Assembly Bill

1 Number 807 and substitute it for the identical
2 Senate Bill 688, Third Reading Calendar 1521.

3 Senator Jordan moves to discharge,
4 from the Committee on Finance, Assembly Bill
5 Number 357A and substitute it for the identical
6 Senate Bill 2089B, Third Reading Calendar 1524.

7 Senator Kennedy moves to discharge,
8 from the Committee on Finance, Assembly Bill
9 Number 8936A and substitute it for the identical
10 Senate Bill 3897, Third Reading Calendar 1527.

11 Senator Palumbo moves to discharge,
12 from the Committee on Local Government,
13 Assembly Bill Number 4217 and substitute it for
14 the identical Senate Bill 4025, Third Reading
15 Calendar 1528.

16 Senator May moves to discharge, from
17 the Committee on Local Government, Assembly Bill
18 Number 8295 and substitute it for the identical
19 Senate Bill 7531, Third Reading Calendar 1545.

20 Senator Martucci moves to discharge,
21 from the Committee on Codes, Assembly Bill Number
22 8578 and substitute it for the identical Senate
23 Bill 7900, Third Reading Calendar 1549.

24 Senator Skoufis moves to discharge,
25 from the Committee on Local Government,

1 Assembly Bill Number 9650A and substitute it for
2 the identical Senate Bill 8587, Third Reading
3 Calendar 1566.

4 Senator Mattera moves to discharge,
5 from the Committee on Environmental Conservation,
6 Assembly Bill Number 10187 and substitute it for
7 the identical Senate Bill 9140, Third Reading
8 Calendar 1594.

9 Senator Sepúlveda moves to
10 discharge, from the Committee on Agriculture,
11 Assembly Bill Number 4570A and substitute it for
12 the identical Senate Bill 3212A, Third Reading
13 Calendar 1637.

14 Senator Hinchey moves to discharge,
15 from the Committee on Transportation,
16 Assembly Bill Number 3848 and substitute it for
17 the identical Senate Bill 3449, Third Reading
18 Calendar 1638.

19 Senator Ortt moves to discharge,
20 from the Committee on Civil Service and Pensions,
21 Assembly Bill Number 9353 and substitute it for
22 the identical Senate Bill 3722A, Third Reading
23 Calendar 1639.

24 Senator Mannion moves to discharge,
25 from the Committee on Rules, Assembly Bill

1 Number 8915B and substitute it for the identical
2 Senate Bill 7746B, Third Reading Calendar 1653.

3 Senator Skoufis moves to discharge,
4 from the Committee on Finance, Assembly Bill
5 Number 9448A and substitute it for the identical
6 Senate Bill 7857A, Third Reading Calendar 1654.

7 Senator Felder moves to discharge,
8 from the Committee on Rules, Assembly Bill
9 Number 8933A and substitute it for the identical
10 Senate Bill 8031A, Third Reading Calendar 1656.

11 Senator Cleare moves to discharge,
12 from the Committee on Health, Assembly Bill
13 Number 879 and substitute it for the identical
14 Senate Bill 8113, Third Reading Calendar 1658.

15 Senator Savino moves to discharge,
16 from the Committee on Health, Assembly Bill
17 Number 9348 and substitute it for the identical
18 Senate Bill 8516, Third Reading Calendar 1665.

19 Senator Harckham moves to discharge,
20 from the Committee on Veterans, Homeland Security
21 and Military Affairs, Assembly Bill Number 9526A
22 and substitute it for the identical Senate Bill
23 8553A, Third Reading Calendar 1669.

24 Senator Brouk moves to discharge,
25 from the Committee on Consumer Protection,

1 Assembly Bill Number 9814 and substitute it for
2 the identical Senate Bill 8678, Third Reading
3 Calendar 1672.

4 Senator Brouk moves to discharge,
5 from the Committee on Transportation,
6 Assembly Bill Number 9406 and substitute it for
7 the identical Senate Bill 8710, Third Reading
8 Calendar 1674.

9 Senator Mannion moves to discharge,
10 from the Committee on Corporations, Authorities
11 and Commissions, Assembly Bill Number 9819A and
12 substitute it for the identical Senate Bill
13 Number 8736A, Third Reading Calendar 1675.

14 Senator Kennedy moves to discharge,
15 from the Committee on Corporations, Authorities
16 and Commissions, Assembly Bill Number 9154 and
17 substitute it for the identical Senate Bill 9098,
18 Third Reading Calendar 1700.

19 Senator Mannion moves to discharge,
20 from the Committee on Civil Service and Pensions,
21 Assembly Bill Number 10189 and substitute it for
22 the identical Senate Bill 9102, Third Reading
23 Calendar 1701.

24 Senator Persaud moves to discharge,
25 from the Committee on Social Services,

1 Assembly Bill Number 2549 and substitute it for
2 the identical Senate Bill 9106, Third Reading
3 Calendar 1702.

4 Senator Reichlin-Melnick moves to
5 discharge, from the Committee on Local
6 Government, Assembly Bill Number 10155A and
7 substitute it for the identical Senate Bill 9131,
8 Third Reading Calendar 1705.

9 Senator Biaggi moves to discharge,
10 from the Committee on Rules, Assembly Bill Number
11 10230 and substitute it for the identical Senate
12 Bill 9138, Third Reading Calendar 1706.

13 Senator Gounardes moves to
14 discharge, from the Committee on Transportation,
15 Assembly Bill Number 3964 and substitute it for
16 the identical Senate Bill 9163, Third Reading
17 Calendar 1709.

18 Senator Rivera moves to discharge,
19 from the Committee on Health, Assembly Bill
20 Number 9764 and substitute it for the identical
21 Senate Bill 9185, Third Reading Calendar 1713.

22 Senator Jackson moves to discharge,
23 from the Committee on Rules, Assembly Bill
24 Number 9922A and substitute it for the identical
25 Senate Bill 9370, Third Reading Calendar 1726.

1 Senator Kaminsky moves to discharge,
2 from the Committee on Environmental Conservation,
3 Assembly Bill Number 7710A and substitute it for
4 the identical Senate Bill 9419, Third Reading
5 Calendar 1732.

6 Senator Brooks moves to discharge,
7 from the Committee on Rules, Assembly Bill Number
8 10330 and substitute it for the identical Senate
9 Bill 9318, Third Reading Calendar 1720.

10 ACTING PRESIDENT PERSAUD: So
11 ordered.

12 Messages from the Governor.

13 Reports of standing committees.

14 Reports of select committees.

15 Communications and reports from
16 state officers.

17 Motions and resolutions.

18 Senator Gianaris.

19 SENATOR GIANARIS: Madam President,
20 on behalf of Senator Brooks, I wish to call up
21 Senate Print 1271A, recalled from the Assembly,
22 which is now at the desk.

23 ACTING PRESIDENT PERSAUD: The
24 Secretary will read.

25 THE SECRETARY: Calendar Number

1 235, Senate Print 1271A, by Senator Brooks, an
2 act to amend the Vehicle and Traffic Law.

3 ACTING PRESIDENT PERSAUD: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 57.

7 SENATOR GIANARIS: That was, I
8 believe, the vote on the motion to reconsider the
9 vote by which the bill was passed.

10 And is it now on Third Reading
11 Calendar, Madam President?

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

15 SENATOR GIANARIS: Thank you,
16 Madam President.

17 I offer the following amendments.

18 ACTING PRESIDENT PERSAUD: The
19 amendments are received.

20 SENATOR GIANARIS: Please recognize
21 Senator Lanza.

22 ACTING PRESIDENT PERSAUD: Senator
23 Lanza.

24 SENATOR LANZA: Madam President,
25 Senator Weik moves to call up Bill Print

1 Number 9146, recalled from the Assembly, which is
2 now at the desk.

3 ACTING PRESIDENT PERSAUD: The
4 Secretary will read.

5 THE SECRETARY: Calendar Number
6 1596, Senate Print 9146, by Senator Weik, an act
7 to amend Chapter 397 of the Laws of 1996.

8 SENATOR LANZA: Madam President, I
9 now move to reconsider the vote by which the bill
10 was passed.

11 ACTING PRESIDENT PERSAUD: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 57.

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

18 SENATOR LANZA: Madam President, I
19 now offer the following amendments.

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

23 Senator Gianaris.

24 SENATOR GIANARIS: Madam President,
25 much like yesterday's session, we're going to try

1 and do multiple things simultaneously. So let's
2 begin by adopting the Resolution Calendar, with
3 the exception of Resolution 2763.

4 ACTING PRESIDENT PERSAUD: All
5 those in favor of adopting the
6 Resolution Calendar, with the exception of
7 Resolution 2763, please signify by saying aye.

8 (Response of "Aye.")

9 ACTING PRESIDENT PERSAUD: Opposed,
10 nay.

11 (No response.)

12 ACTING PRESIDENT PERSAUD: The
13 Resolution Calendar is adopted.

14 Senator Gianaris.

15 SENATOR GIANARIS: Now,
16 Madam President, as we begin with -- the first
17 resolution we're taking up is previously adopted
18 Resolution 2729, by Senator Cleare, which I would
19 ask to be read, and then recognize
20 Senator Cleare.

21 But we're simultaneously going to
22 call a Rules Committee meeting in Room 332.

23 ACTING PRESIDENT PERSAUD: There
24 will be an immediate meeting of the
25 Rules Committee in Room 332.

1 The Secretary will read.

2 THE SECRETARY: Senate Resolution
3 2729, by Senator Cleare, congratulating the
4 Juneteenth Committee of Masjid Malcolm Shabazz
5 upon the occasion of hosting their 29th Annual
6 Juneteenth Parade.

7 ACTING PRESIDENT PERSAUD: Senator
8 Cleare on the resolution.

9 SENATOR CLEARE: Good afternoon.
10 Thank you, Madam President.

11 I rise with great pride to speak on
12 Resolution 2729 congratulating the Juneteenth
13 Committee of Masjid Malcolm Shabazz upon the
14 occasion of hosting their 29th Annual Juneteenth
15 Parade.

16 We are blessed to have members of
17 the Juneteenth Committee and the masjid here with
18 us today, including Imam Izak-EL M. Pasha, and
19 Elbert Shamsid-Deen, senior advisor to the -- and
20 CEO to Ruff Ryders Entertainment.

21 When I think about the community I
22 represent and the community that I grew up in,
23 became active in, and lovingly care for, I think
24 of the Juneteenth Committee and the Masjid
25 Malcolm Shabazz, which serves not only the

1 religious and spiritual needs of so many, but the
2 cultural, social and educational goals of our
3 community as well.

4 Juneteenth only became an official
5 New York State holiday in 2021. And as we stand
6 here today, this year's celebration, the second
7 of our state and the 29th for the community of
8 Harlem, represented by the Juneteenth Committee
9 we return in limited ways to a pre-pandemic type
10 of celebration.

11 As originally conceived in 1993 by
12 Imam W.D. Mohammed and executed by Imam Ali
13 Rashid and Imam Pasha, the mission of the
14 Juneteenth committee was to spread formative
15 knowledge about the African-American experience
16 through the lens of Juneteenth.

17 The movement that began 29 years ago
18 was pioneering and full of foresight, and clearly
19 distinguishes the Juneteenth Committee as the
20 oldest and most formidable Juneteenth Committee
21 in New York State. In the wake of the murder of
22 George Floyd and other abhorrent acts of violence
23 against people of color, federal, state and city
24 governments have now declared Juneteenth an
25 official holiday. However, to those of us in the

1 Harlem community and those who have been
2 longstanding members of the Juneteenth Committee,
3 it has always been a day of reverence,
4 remembrance, and righteous reflection.

5 2022 will mark the first time in
6 well over two years that we can celebrate
7 Juneteenth with the style and in the manner the
8 day observes, as we emerge from a pandemic that
9 has not only tested us but reminded us that the
10 fight for equity is still waged day in and day
11 out.

12 I firmly believe that the next step
13 we must take is to make sure that the full
14 history of all Black people -- the achievements,
15 the traditions, the innovations, the family, the
16 struggles and the triumphs -- is taught in
17 schools and all over in a meaningful way.

18 I believe that if we rally around
19 the cause and the history of Juneteenth, it would
20 prevent -- it would hinder similar tragedies like
21 the one that happened in Buffalo the other day.
22 The more we learn about each other, the more we
23 know about each other, the more we respect one
24 another.

25 So I respectfully today, with great

1 pride, vote aye on the resolution celebrating the
2 29th anniversary of the Juneteenth Committee in
3 New York.

4 ACTING PRESIDENT PERSAUD: Thank
5 you, Senator Cleare.

6 Senator Bailey on the resolution.

7 SENATOR BAILEY: Thank you,
8 Madam President.

9 And I want to thank my colleague
10 Senator Cleare for introducing this resolution.

11 And greetings to you, brothers and
12 sisters from the Village of Harlem. I hail from
13 a little bit further north of you, in the
14 boogie-down Bronx. But no matter what county
15 we're in, Juneteenth remains the same.

16 I was lucky that I grew up knowing
17 the traditions of what Juneteenth was. I was
18 taken to festivals, whether it was in Harlem or
19 in Brooklyn or other places throughout the
20 metropolitan region, by my parents, who imparted
21 upon me what the meaning of Juneteenth was.

22 But as Senator Cleare aptly put, it
23 just made a state holiday a couple of years
24 ago -- last year. And so as we continue to
25 educate people on what Juneteenth is and what

1 it's not, I will say that I hope it doesn't
2 become a commercialized holiday where they say
3 half off for some items made by some Black folks.
4 I would hope that it would not be something that
5 would be written off as just another day off from
6 work. I would hope that it is what it was taught
7 to me as: When we were released from bondage --
8 actually, just physical bondage, because mentally
9 we come from kings and queens, the strongest of
10 those.

11 So I'll simply say congratulations
12 on your anniversary. Continue to uplift and
13 build all communities. Because the work that you
14 do is resounding not just in your community, but
15 throughout the state.

16 Thank you, Madam President. I'm
17 going to be voting aye.

18 ACTING PRESIDENT PERSAUD: Thank
19 you, Senator.

20 Are there any other Senators wishing
21 to be heard on the resolution?

22 Seeing none, to our guests, I
23 welcome you on behalf of the Senate. We extend
24 to you the privileges and courtesies of this
25 house.

1 Please stand and be recognized.

2 (Standing ovation.)

3 ACTING PRESIDENT PERSAUD: Senator
4 Liu.

5 SENATOR LIU: Madam President,
6 please take up Resolution 2799, by Senator Mayer,
7 read that resolution in title only, and recognize
8 Senator Mayer on the resolution.

9 ACTING PRESIDENT PERSAUD: The
10 Secretary will read.

11 THE SECRETARY: Senate Resolution
12 2799, by Senator Mayer, commemorating the
13 125th Anniversary of the New York State Parent
14 Teacher Association.

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

17 SENATOR MAYER: Thank you,
18 Madam Speaker.

19 And it truly is a pleasure and an
20 honor to speak on this resolution commemorating
21 the 125th anniversary of the New York State PTA.
22 And for everyone who has ever had a child in
23 school, in public school, the millions of
24 children in public school, you know the PTA on
25 Day One, because they are there to speak for your

1 child, to speak for your school and speak for the
2 interests that you as a parent have.

3 And so it is truly an honor to have
4 so many members of the board and leadership of
5 the New York State PTA. And I won't name them
6 all, except a few I must name to say that the
7 New York State PTA has become a powerful voice
8 for the public school parents of New York. Their
9 advocacy now on issues that really matter -- and
10 after the last few weeks, the issues of concern
11 to our parents and our young students could not
12 be more paramount. And this is the time that the
13 New York State PTA has shown its leadership, its
14 courage, and frankly its ability to coalesce
15 about issues that are so important.

16 You know, there are 2.6 million
17 schoolchildren in New York State, and the PTA
18 has nearly 250,000 volunteers in 12 regions in
19 more than 1450 school buildings. And I recall
20 saying earlier in my career that many of my
21 colleagues in politics should have learned to
22 start in the PTA, because that is where you learn
23 to compromise, to build coalitions, to
24 acknowledge and celebrate diversity, and to have
25 a unified vision.

1 Wish that all of my colleagues in
2 politics learned at the ground level what the PTA
3 can teach us.

4 So I know we're joined by many, but
5 the current president of the New York State PTA,
6 Dana Platin; the indomitable executive director
7 of the New York State PTA, Kyle Belokopitsky.
8 And I certainly would be remiss if I didn't
9 mention Rob Rijos, from the City of Yonkers,
10 former president of our PTA and a true leader.

11 It has been my honor to be a loud
12 champion for the parents and the PTAs of every
13 school in New York, and I appreciate your
14 leadership, your willingness to roll up your
15 sleeves. And congratulations on 125 years. May
16 there be many, many more of leadership and the
17 courage and the unified vision on behalf of our
18 children that the New York State PTA has shown.

19 Thank you, Madam Speaker. I'll be
20 voting aye.

21 ACTING PRESIDENT PERSAUD: Thank
22 you, Senator.

23 Are there any other Senators wishing
24 to speak on the resolution?

25 To our guests, I welcome you on

1 behalf of the Senate. And we extend to you the
2 privileges and courtesies of this house.

3 Please stand and be recognized.

4 (Standing ovation.)

5 ACTING PRESIDENT PERSAUD: Senator
6 Liu.

7 SENATOR LIU: Madam President,
8 please take up previously adopted
9 Resolution 2142, by Senator Jordan, read that
10 resolution in title only, and recognize
11 Senator Jordan on that resolution.

12 ACTING PRESIDENT PERSAUD: The
13 Secretary will read.

14 THE SECRETARY: Senate Resolution
15 2142, by Senator Jordan, congratulating
16 Carter Cukerstein upon the occasion of capturing
17 the Boys 55-Meter Dash at the New York State
18 Public High School Athletic Association Indoor
19 Track and Field Championships on March 5, 2022.

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

22 SENATOR JORDAN: Madam President, I
23 rise to speak on the resolution before us.

24 I'm very proud to congratulate
25 Carter Cukerstein on winning the Boys 55-Meter

1 Dash at the NYSPHSAA Indoor Track and Field
2 Championships on March 5, 2022.

3 Athletics bring out the very best of
4 us, and Shenendehowa High School's Carter
5 Cukerstein certainly proved that. Number-one
6 seed Carter won the Boys 55-Meter Dash with an
7 outstanding time of 6.28 seconds. That's fast.
8 And then there's also Carter Cukerstein fast,
9 which is the fastest.

10 Carter's big win took place at the
11 NYSPHSAA Indoor Track and Field Championships at
12 the Ocean Breeze Athletic Complex in
13 Staten Island. A large, loyal following of
14 family and friends enthusiastically supported
15 Carter Cukerstein throughout his season's journey
16 that successfully culminated in the championship.

17 Sports instill the timeless
18 important values of preparation, teamwork, goal
19 setting, pride and accomplishment. These values
20 will serve Carter well throughout his entire
21 life.

22 Carter Cukerstein has clearly
23 contributed to the spirit of athletic excellence
24 that's such a long-standing tradition at
25 Shenendehowa High School.

1 Carter and his family are us with us
2 today. Carter, I'm proud to congratulate you and
3 recognize your incredible performance in
4 capturing the Boys 55-Meter Dash at the NYSPHSAA
5 Indoor Track and Field Championships. You are a
6 true credit to Shenendehowa, your family and your
7 community.

8 Once again, I congratulate you on
9 your achievement and give you the best of wishes
10 for your success at the University of Oklahoma.

11 Thank you, Madam President.

12 ACTING PRESIDENT PERSAUD: Thank
13 you, Senator.

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

17 Please rise and be recognized.
18 Congratulations, Carter.

19 (Standing ovation.)

20 ACTING PRESIDENT PERSAUD: The
21 resolution was previously adopted on May 24th.

22 Senator Liu.

23 SENATOR LIU: Madam President,
24 please take up previously adopted
25 Resolution 2596, by Senator Kennedy, read that

1 resolution in title only, and recognize
2 Senator Kennedy on the resolution.

3 ACTING PRESIDENT PERSAUD: The
4 Secretary will read.

5 THE SECRETARY: Senate Resolution
6 2596, by Senator Kennedy, mourning the death of
7 John P. Scanlon, renowned public servant,
8 distinguished citizen and devoted member of his
9 community.

10 ACTING PRESIDENT PERSAUD: Senator
11 Kennedy on the resolution.

12 SENATOR KENNEDY: Thank you,
13 Madam President.

14 I rise today to honor the life of
15 John Scanlon, an outstanding public servant and
16 South Buffalo native who passed away earlier this
17 spring at the age of 83.

18 John "Scanoots" Scanlon was one of a
19 kind. Hailing from Buffalo's Old First Ward,
20 John proudly served his country as a member of
21 the United States Army, where he was stationed in
22 Germany.

23 Once he retired from overseas --
24 returned from overseas, John went on to serve as
25 a top advisor to the late Buffalo Mayor Jimmy

1 Griffin, and worked diligently to make the
2 Queen City a better place to live and raise a
3 family.

4 John was an old school political
5 mind, focused on helping the community he loved
6 by working hard and playing by the rules. As a
7 distinguished leader, John helped countless
8 people begin their careers in the City of Buffalo
9 and in government, transforming their lives and
10 the lives of their families. These working men
11 and women made the City of Good Neighbors what it
12 is today, and remained great and loyal friends
13 with John throughout the rest of his life.

14 After serving with the Griffin
15 administration, John transitioned to working for
16 the incoming mayor, Anthony Masiello, where he
17 brought the same tireless work ethic, expertise,
18 and service to the city's leadership.

19 But for John there was nothing more
20 important than his role as a husband and a
21 father. John and his wife Paula shared seven
22 children and were deeply committed to raising
23 kind and compassionate kids. Kara, John, Mark,
24 Michael, Brian, Chris and Patrick are better
25 people because they had John as their father.

1 All of his children have taken up
2 the mantle of service to others in their own
3 lives, each of them well-respected members of our
4 community. The Scanlon family's rich tradition
5 of government service established by John many
6 years ago is carried on through his son Chris,
7 our great South District councilman.

8 John was also proud to have earned
9 the role as grandfather -- recently,
10 great-grandfather -- because to him nothing was
11 more important than family.

12 Like any true South Buffalonian,
13 John's Irish heritage was important to him and he
14 and Paula passed that passion for their roots
15 along to their family and loved ones. His
16 commitment to his heritage and his entire
17 community was recognized in the 2009 Old
18 Neighborhood St. Patrick's Day Parade, where he
19 was named Grand Marshal.

20 John epitomized the Irish, and he
21 epitomized Buffalo. He was sincerely loved and
22 respected by those who he worked with, those he
23 served with, and those who called him family and
24 were lucky enough to call him a friend.

25 John was a man of action, of

1 integrity and of generosity. And while we mourn
2 his passing, we know without a doubt that his
3 legacy will live on in the beautiful family that
4 he created with his wife and the many lives that
5 he touched throughout his own.

6 The City of Buffalo won't be the
7 same, but it is better because John was a part of
8 it. May John Scanlon rest in peace.

9 Thank you, Madam President.

10 ACTING PRESIDENT PERSAUD: Thank
11 you, Senator.

12 The resolution was adopted on 5/17.

13 Senator Liu.

14 SENATOR LIU: Madam President,
15 please take up previously adopted
16 Resolution 2548, by Senator Kaplan, read that
17 resolution in title only, and recognize
18 Senator Kaplan on the resolution.

19 ACTING PRESIDENT PERSAUD: The
20 Secretary will read.

21 THE SECRETARY: Senate Resolution
22 2548, by Senator Kaplan, congratulating Sahar
23 Juliet Tartak upon the occasion of capturing
24 first place in the International DECA competition
25 in Atlanta, March 23-26, 2022.

1 ACTING PRESIDENT PERSAUD: Senator
2 Kaplan on the resolution.

3 SENATOR KAPLAN: Thank you,
4 Madam President.

5 I rise today to introduce all of you
6 to a rising star from my district. And while
7 this may be the first time you hear her name, I
8 can guarantee it won't be the last. Sahar Juliet
9 Tartak is a graduating senior at Great Neck North
10 High School who isn't just a rock star academic,
11 she's also an internationally recognized emerging
12 leader.

13 Each year DECA, an international
14 student leadership organization with
15 175,000 members across 3200 schools, holds a
16 series of competitions at the state, regional and
17 international levels, with only about 200
18 qualifiers reaching the international level from
19 a pool of thousands.

20 This year Sahar participated in the
21 human resource management competition, where
22 competitors are given a briefing on a difficult
23 human resources situation and are given only
24 10 minutes to prepare a solution, then present it
25 to a panel of judges. Out of thousands who

1 entered, she won at the state level, then the
2 regional level, and ultimately took first place
3 out of the 200 international competitors.

4 But wait, there's more. She didn't
5 just win the international competition this year,
6 she was also elected to be the executive
7 president of the New York Chapter of DECA, which
8 has thousands of members. Oh, and just one more
9 thing. She's also graduating as her class
10 valedictorian.

11 I couldn't be more proud of Sahar,
12 and that is why I invited her and her family
13 today to be recognized for these great
14 achievements.

15 Congratulations again. I'm proud to
16 represent you, and thank you so much for joining
17 us today.

18 Thank you, Madam President.

19 ACTING PRESIDENT PERSAUD: Thank
20 you, Senator.

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

24 Please stand and be recognized.
25 Congratulations, Sahar.

1 (Standing ovation.)

2 ACTING PRESIDENT PERSAUD: The
3 resolution was adopted on 5/17.

4 Senator Liu.

5 SENATOR LIU: Madam President,
6 please take up Resolution 2763, by
7 Senator Hoylman, read that resolution in title
8 only, and recognize Senator Hoylman on the
9 resolution.

10 ACTING PRESIDENT PERSAUD: The
11 Secretary will read.

12 THE SECRETARY: Senate Resolution
13 2763, by Senator Hoylman, memorializing
14 Governor Kathy Hochul to proclaim June 2022 as
15 LGBTQ Pride Month in the State of New York.

16 ACTING PRESIDENT PERSAUD: Senator
17 Hoylman on the resolution.

18 SENATOR HOYLMAN: Thank you, Madam
19 President. Happy Pride.

20 Today is June 1st and the start of
21 Pride Month. And it's not only time to celebrate
22 queerness and honor the contributions of our
23 community, my community, but to affirm the right
24 of LGBTQ+ folks to love and exist freely.

25 Here in New York we've worked

1 vigorously to protect our LGBTQ+ population and
2 ensure that they can find a safe and welcoming
3 home in our state. Prior to just last week, it
4 was incredibly difficult for many New Yorkers to
5 get the identification documents they require for
6 travel, to get a job, and even to go to school.
7 But now, thanks to the efforts of this chamber,
8 Governor Hochul, the DMV, and TGGNC activists,
9 all gender-nonconforming, transgender, nonbinary
10 and intersex New Yorkers can receive IDs that
11 accurately reflect their identity.

12 Is there anything more basic than
13 having an identity card that reflects who you
14 are? I don't think so.

15 In this year's budget we also
16 secured a million dollars for the Transgender and
17 Gender Nonconforming Wellness and Equity Fund,
18 which provides housing, mental health resources,
19 health services and cultural initiatives to our
20 state's most vulnerable populations, and we're
21 passing legislation to help put that fund into
22 statute hopefully today.

23 Again, thank you to my colleagues
24 for their support of this historic effort. And
25 thanks to the activists -- particularly those in

1 the transgender community -- who came to us with
2 this idea and made this possible through their
3 advocacy, through organizing, through coming to
4 the floor. Senator Ramos knows how important
5 these activists are to our community, of course
6 Senator Brisport as well.

7 And we can't forget the other
8 critical legislation we passed historically in
9 this chamber. GENDA, which is the human rights
10 law for transgender and gender-nonconforming
11 folks. The ban on so-called conversion therapy,
12 which is essentially child abuse in another name.
13 Trying to convince a queer kid that they're not
14 doesn't work. And the repeal of the
15 Walking While Trans ban, which really was
16 profiling in another name for
17 gender-nonconforming and transgender individuals.

18 However, this isn't the reality,
19 though, Madam President, today for many LGBT+
20 folks across the country. States like Texas,
21 Florida, Alabama, Arizona, Idaho and Louisiana
22 are horrifically attacking transgender kids who
23 simply ask to show up as themselves -- not just
24 attacking the children, but also the parents.

25 That's why I hope soon New York

1 State, much as we're going to be a refuge for
2 those seeking reproductive help, will be a refuge
3 for families seeking gender-affirming care for
4 their loved ones.

5 Other state governments are banning
6 gender-affirming care, preventing transgender
7 kids from participating in sports. What is the
8 obsession with transgender folks in sports? I
9 think you need to ask who is calling for this
10 rather than who they're targeting. And also
11 making it illegal to even talk about gender
12 identity and sexual orientation in schools.

13 I have seen few things more
14 despicable than the "Don't Say Gay" laws that
15 have passed in a number of states, including the
16 State of Florida. Well, I say gay, gay, gay,
17 gay, gay, and will continue to say it in the
18 State of New York and here in this chamber.

19 We've come a long way as a country,
20 but we're watching a heartbreaking regression
21 that none of us has seen in our lifetimes. And
22 it means that New York has to quicken our pace.
23 Today we just confirmed, in the Senate Judiciary
24 Committee, the first openly gay man to the New
25 York State Court of Claims. That's historic.

1 But it's kind of amazing that it took this long.

2 Pride Month is more than a march or
3 a parade, isn't it, Senator Brisport? It's the
4 acknowledgment of how far we've come as a
5 community in remembering the people who fought
6 before us, such as Marsha P Johnson, Sylvia
7 Rivera, and Edie Windsor. We must make our queer
8 forefathers, our queer foremothers and
9 foreparents proud by standing up to this
10 nationwide wave of hatred and uncertainty with
11 unprecedented vigor.

12 This Pride we're going to celebrate
13 louder than before. As a major piece of my
14 service here in the Senate, it has been to
15 protect all members of the LGBTQ+ community when
16 I was the only openly gay member of the Senate
17 until our wonderful colleague Senator Brisport
18 joined us in 2019. Now he says he wants to be
19 the number-one gay. But I'm telling him, I'm not
20 leaving quite yet.

21 (Laughter.)

22 SENATOR HOYLMAN: He might be more
23 gay than me, though. I don't know we'll have
24 to -- we'll have to get a metric scale to see how
25 that works.

1 But here's to making New York the
2 leader of LGBTQ+ equality and continuing the hard
3 work that we need just to do that. Thank you to
4 my colleagues. Thank you to all New Yorkers.
5 Happy Pride.

6 ACTING PRESIDENT PERSAUD: Thank
7 you, Senator.

8 (Applause.)

9 ACTING PRESIDENT PERSAUD: Senator
10 May on the resolution.

11 SENATOR MAY: Thank you,
12 Madam President.

13 And I want to thank Senator Hoylman
14 for bringing this resolution and for his brave
15 advocacy over the years.

16 I also want to mention that we know
17 we focus on New York City as a center of gay
18 pride going back to the Stonewall riots in 1969,
19 but Central New York has also been a leader. In
20 1974 the first Gay Pride Field Days were held in
21 Thornham Park near Syracuse University, and since
22 then CNY Pride Festival has become a premier
23 festival in this region. And so we have a lot of
24 gay pride in Central New York as well.

25 I wanted to single out one person,

1 though, an author named Seamus Kirst, who wrote a
2 book called Papa, Daddy and Riley, for children.
3 It's a beautiful story about a girl who is trying
4 to understand why people think her family is
5 strange because she has a papa and a daddy.

6 And this book has been banned in
7 some schools and libraries. And it's become a
8 kind of symbol of the rising oppression that is
9 facing the LGBTQ community all around the
10 country.

11 It is such an uplifting and sweet
12 story. And the idea that it would be somehow
13 offensive or inappropriate for other children to
14 read is shocking, frankly. And so I stand here
15 in support of Seamus, but also of everyone who is
16 having to be brave about being -- just being who
17 they are and understanding who they are and
18 sharing with those around them who they are and
19 who they love.

20 So I am very proud to support this
21 resolution and excited for this whole month of
22 Pride Month.

23 Thank you.

24 ACTING PRESIDENT PERSAUD: Thank
25 you, Senator.

1 The question is on the resolution.

2 All in favor signify by saying aye.

3 (Response of "Aye.")

4 ACTING PRESIDENT PERSAUD: Opposed,
5 nay.

6 (No response.)

7 ACTING PRESIDENT PERSAUD: The
8 resolution is adopted.

9 Senator Liu.

10 SENATOR LIU: Madam President,
11 please take up previously adopted Resolution
12 1786, by Senator Serino, read that resolution
13 title only, and recognize Senator Serino on the
14 resolution.

15 ACTING PRESIDENT PERSAUD: The
16 Secretary will read.

17 THE SECRETARY: Senate Resolution
18 1786, by Senator Serino, memorializing
19 Governor Kathy Hochul to proclaim June 15, 2022,
20 as Elder Abuse Awareness Day in the State of
21 New York.

22 ACTING PRESIDENT PERSAUD: Senator
23 Serino on the resolution.

24 SENATOR SERINO: Thank you,
25 Madam President.

1 On June 15th people from around the
2 world will come together to observe Elder Abuse
3 Awareness Day, in an effort to shed light on an
4 epidemic that has flown under the radar for far
5 too long. While the statistics vary, we know
6 that for every case of elder abuse reported,
7 studies estimate that at least 20 cases actually
8 go unreported. Financial exploitation costs
9 American seniors billions of dollars each year.

10 I brought this resolution before the
11 Senate for years, but never has it been more
12 important than it is now. Abusers count on their
13 victims to be socially isolated, and throughout
14 the pandemic our seniors especially have been
15 isolated like never before.

16 As we work to rebuild in the wake of
17 the COVID-19 pandemic, we will need to redouble
18 our efforts and direct extensive resources to
19 combating abuse to better protect our most
20 vulnerable. That starts by holding a
21 Senate oversight hearing to get to the bottom of
22 why over 35,000 complaints regarding New York's
23 nursing homes went unanswered or unsubstantiated
24 during the pandemic.

25 As many of you know, a recent

1 investigative report published in Lohud revealed
2 this shocking number, and it cannot be ignored.
3 You know, during the pandemic families, loved
4 ones and ombudsmen were shut out of these
5 facilities in the name of public health. It is
6 these individuals who so often act as the eyes
7 and ears for vulnerable residents and play a
8 critical role in keeping them safe from abuse.

9 With no alternative plan in place to
10 ensure safety and adequate treatment during this
11 time, despite comprehensive legislation I put
12 forward in 2020 to ensure any claims of abuse
13 were received and promptly investigated, it seems
14 once again these vulnerable New Yorkers were an
15 afterthought to the state. And it is absolutely
16 unacceptable.

17 You know, it's never too late to do
18 the right thing, and we cannot let another Elder
19 Abuse Awareness Day go by without taking the
20 steps necessary to ensure that the mistakes of
21 our past are never repeated. That means by
22 completing a bipartisan investigation into the
23 state's handling of the pandemic and nursing home
24 deaths, and launching a legislative oversight
25 hearing to figure out how over 35,000 calls for

1 help could possibly have languished like they
2 did.

3 I urge all of my colleagues here
4 today to leverage the full strength of the Senate
5 to do right by these residents and these families
6 by taking these steps immediately.

7 Thank you, Madam President.

8 ACTING PRESIDENT PERSAUD: Thank
9 you, Senator.

10 Senator Borrello on the resolution.

11 SENATOR BORRELLO: Thank you,
12 Madam President.

13 I'd like to first of all thank
14 Senator Serino and associate myself with her
15 comments. She's done an amazing job as a
16 champion for seniors as the ranking member of the
17 Aging Committee.

18 I also want to take an opportunity
19 to also thank an organization that I have been
20 involved with since my days as a county
21 legislator and county executive, and that's the
22 Center for Elder Law and Justice. So on
23 June 15th, as we recognize Elder Abuse Awareness
24 Month, I want to recognize those that are
25 actually doing something about this.

1 And during the pandemic we saw a
2 dramatic spike in those seniors that were taken
3 advantage of as part of the scams that were so
4 common, all too often and very common, in our --
5 during this pandemic. And the center for Elder
6 Law and Justice has done an amazing job to try
7 and counter that. We've held informational
8 meetings in my district and elsewhere.

9 And I think it's important to
10 recognize that our senior citizens are not only
11 vulnerable, but they care. And they are often
12 taken advantage of by con artists and scammers
13 because they care, because they trust. And
14 that's probably the most egregious part about a
15 crime against our vulnerable senior citizens.

16 So thank you to everyone that stands
17 up to help them.

18 Thank you, Madam President.

19 ACTING PRESIDENT PERSAUD: Thank
20 you, Senator.

21 The resolution was previously
22 adopted on February 8th.

23 Senator Liu.

24 SENATOR LIU: Madam President, at
25 the request of the sponsors, the resolutions are

1 open for cosponsorship.

2 ACTING PRESIDENT PERSAUD: The
3 resolutions are open for cosponsorship. Should
4 you choose not to be a cosponsor of the
5 resolutions, please notify the desk.

6 Senator Liu.

7 SENATOR LIU: Madam President,
8 there is a report of the Rules Committee at the
9 desk. Please take that up.

10 ACTING PRESIDENT PERSAUD: The
11 Secretary will read.

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

15 Senate Print 932A, by
16 Senator Kaplan, an act to amend the
17 Public Service Law and the Public Authorities
18 Law;

19 Senate Print 947A, by Senator
20 Gaughran, an act to amend the Navigation Law and
21 the Penal Law;

22 Senate Print 1020, by
23 Senator Kaminsky, an act to amend the Tax Law;

24 Senate Print 1039, by
25 Senator Krueger, an act to amend the

1 Election Law;

2 Senate Print 1151C, by
3 Senator Kaplan, an act to amend the
4 Education Law;

5 Senate Print 1443B, by
6 Senator Addabbo, an act to amend the Racing,
7 Pari-Mutuel Wagering and Breeding Law;

8 Senate Print 1810A, by
9 Senator Skoufis, an act to amend the Town Law;

10 Senate Print 1852B, by
11 Senator Skoufis, an act to amend the
12 Executive Law;

13 Senate Print 2239, by
14 Senator Hoylman, an act to amend the
15 Executive Law;

16 Senate Print 2924A, by
17 Senator Parker, an act to amend the
18 Public Service Law and the State Finance Law;

19 Senate Print 2935A, by
20 Senator Kaminsky, an act to authorize the widow
21 of Howard Mahler to file a retirement option
22 election form;

23 Senate Print 3080A, by
24 Senator Salazar, an act directing the New York
25 State Energy Research and Development Authority

1 to establish a Ride Clean rebate program;

2 Senate Print 3532A, by
3 Senator Kennedy, an act to amend the Vehicle and
4 Traffic Law;

5 Senate Print 3932, by
6 Senator Savino, an act to amend the
7 Public Health Law;

8 Senate Print 4104A, by
9 Senator Breslin, an act to amend the
10 General Business Law;

11 Senate Print 4142, by
12 Senator Stavisky, an act to amend the
13 Public Health Law;

14 Senate Print 4339B, by
15 Senator Skoufis, an act to amend the
16 Not-For-Profit Corporation Law;

17 Senate Print 4479A, by
18 Senator Sanders, an act to authorize the New York
19 State Energy Research and Development Authority
20 to prepare a report on the establishment of a
21 New York renewal energy laboratory;

22 Senate Print 4871B, by
23 Senator Breslin, an act to amend the Vehicle and
24 Traffic Law;

25 Senate Print 5097A, by

1 Senator Sanders, an act to amend the
2 Real Property Law;

3 Senate Print 5456C, by
4 Senator Bailey, an act to amend the
5 Education Law;

6 Senate Print 5542, by
7 Senator Brooks, an act to amend the Military Law;

8 Senate Print 6028, by
9 Senator Breslin, an act to amend the
10 Insurance Law;

11 Senate Print 6093A, by
12 Senator Gounardes, an act to amend the
13 Retirement and Social Security Law;

14 Senate Print 6156, by Senator Boyle,
15 an act to amend the Highway Law;

16 Senate Print 6348A, by Senator May,
17 an act to amend the Social Services Law;

18 Senate Print 6385B, by
19 Senator Hoylman, an act to amend the
20 Domestic Relations Law;

21 Senate Print 6598B, by
22 Senator Cooney, an act to amend the Vehicle and
23 Traffic Law;

24 Senate Print 6665, by
25 Senator Savino, an act to amend the

1 General Business Law;

2 Senate Print 6789A, by
3 Senator Persaud, an act to amend the
4 Social Services Law;

5 Senate Print 6842A, by
6 Senator Comrie, an act to amend the
7 Environmental Conservation Law;

8 Senate Print 6857, by
9 Senator Bailey, an act to amend the
10 Criminal Procedure Law;

11 Senate Print 6949, by
12 Senator Kennedy, an act to amend the Banking Law;

13 Senate Print 7042B, by Senator Ryan,
14 an act to amend the Vehicle and Traffic Law;

15 Senate Print 7224A, by
16 Senator Serino, an act to amend the Highway Law;

17 Senate Print 7313A, by
18 Senator Harckham, an act to amend the
19 Criminal Procedure Law.

20 Senate Print 7377, by Senator Mayer,
21 an act to amend the Mental Hygiene Law;

22 Senate Print 7445B, by
23 Senator Comrie, an act to amend the
24 General Municipal Law;

25 Senate Print 7493A, by

1 Senator Hoylman, an act to amend the
2 General Obligations Law;

3 Senate Print 7585, by
4 Senator Persaud, an act to amend the
5 Agriculture and Markets Law;

6 Senate Print 8157, by
7 Senator Cleare, an act to amend the
8 Social Services Law;

9 Senate Print 8369B, by
10 Senator Gounardes, an act to amend the Labor Law;

11 Senate Print 8381B, by
12 Senator Thomas, an act to amend the
13 Public Authorities Law;

14 Senate Print 8409A, by
15 Senator Kennedy, an act to amend the
16 Education Law;

17 Senate Print 8482, by
18 Senator Akshar, an act to amend Chapter 433 of
19 the Laws of 2013;

20 Senate Print 8505, by Senator Stec,
21 an act to authorize Nicholas Moore, Joshua Golden
22 and Nathan Kasprzak to receive certain service
23 credit under Section 384-d;

24 Senate Print 8551, by
25 Senator O'Mara, an act to amend the Town Law;

1 Senate Print 8884A, by
2 Senator Hoylman, an act to amend the
3 Public Health Law;

4 Senate Print 8893, by
5 Senator Persaud, an act to amend the
6 Public Health Law;

7 Senate Print 8895A, by
8 Senator Kaplan, an act authorizing the Village of
9 Mineola, County of Nassau, to alienate certain
10 parklands for use in the Village of Mineola;

11 Senate Print 8922A, by
12 Senator Ramos, an act to amend the Labor Law;

13 Senate Print 9026, by Senator Stec,
14 an act granting retroactive Tier IV status in the
15 New York State and Local Employees' Retirement
16 System to Kimberly Kinblom;

17 Senate Print 9112, by
18 Senator Oberacker, an act to authorize
19 Donald Kane of the Village of Mohawk to take the
20 competitive civil service examination;

21 Senate Print 9132, by
22 Senator Mannion, an act to amend the
23 Education Law;

24 Senate Print 9134, by
25 Senator Mannion, an act to amend the

1 Education Law;

2 Senate Print 9354, by
3 Senator Skoufis, an act to amend the
4 Executive Law;

5 Senate Print 9377, by
6 Senator Sepúlveda, an act to amend the New York
7 City Civil Court Act;

8 Senate Print 9382, by
9 Senator Parker, an act to amend the
10 Executive Law;

11 Senate Print 9409A, by
12 Senator Salazar, an act to amend the
13 Public Housing Law;

14 Senate Print 9414, by
15 Senator Comrie, an act to amend the
16 Public Service Law;

17 Senate Print 9425, by
18 Senator Reichlin-Melnick, an act authorizing the
19 Commissioner of General Services to transfer and
20 convey certain unappropriated state land to the
21 Sing Sing Prison Museum;

22 Senate Print 9428, by
23 Senator Savino, an act to amend the Vehicle and
24 Traffic Law;

25 Senate Print 9438, by

1 Senator Cleare, an act to amend the
2 Education Law;

3 Senate Print 9439, by
4 Senator Kaplan, an act in relation to authorizing
5 the County of Nassau assessor to accept an
6 application for a real property tax exemption;

7 Senate Print 9441, by
8 Senator Kennedy, an act to amend the
9 State Finance Law;

10 Senate Print 9449, by Senator Brouk,
11 an act to amend the Education Law;

12 Senate Print 9452, by
13 Senator Krueger, an act to amend the Tax Law.

14 All bills reported direct to third
15 reading.

16 ACTING PRESIDENT PERSAUD: Senator
17 Liu.

18 SENATOR LIU: Madam President, I
19 move to accept the report of the Rules Committee.

20 ACTING PRESIDENT PERSAUD: All
21 those in favor of accepting the Rules Committee
22 report signify by saying aye.

23 (Response of "Aye.")

24 ACTING PRESIDENT PERSAUD: Opposed,
25 nay.

1 (No response.)

2 ACTING PRESIDENT PERSAUD: The
3 report of the Rules Committee is accepted.
4 Senator Liu.

5 SENATOR LIU: Madam President,
6 please take up the reading of the calendar.

7 ACTING PRESIDENT PERSAUD: The
8 Secretary will read.

9 THE SECRETARY: Calendar Number
10 337, Assembly Print Number 6231, by
11 Assemblymember Thiele, an act to amend the
12 Real Property Law.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

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

18 ACTING PRESIDENT PERSAUD: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT PERSAUD: Announce
22 the results.

23 THE SECRETARY: In relation to
24 Calendar 337, those Senators voting in the
25 negative are Senators Akshar, Borrello, Griffo,

1 Helming, Jordan, Mattera, O'Mara, Ritchie,
2 Serino, Tedisco and Weik.

3 Ayes, 52. Nays, 11.

4 ACTING PRESIDENT PERSAUD: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 339, Senate Print 6210B, by Senator Skoufis, an
8 act to amend the Executive Law and the
9 Energy Law.

10 ACTING PRESIDENT PERSAUD: Read the
11 last section.

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

14 ACTING PRESIDENT PERSAUD: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT PERSAUD: Announce
18 the results.

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

25 Ayes, 46. Nays, 17.

1 ACTING PRESIDENT PERSAUD: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 599, Assembly Print Number 9259A, by
5 Assemblymember Peoples-Stokes, an act to amend
6 the Executive Law and the State Finance Law.

7 ACTING PRESIDENT PERSAUD: Read the
8 last section.

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

11 ACTING PRESIDENT PERSAUD: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT PERSAUD: Announce
15 the results.

16 THE SECRETARY: Ayes, 63.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 600, Senate Print 3391, by Senator Bailey, an act
21 to amend the Executive Law.

22 ACTING PRESIDENT PERSAUD: Read the
23 last section.

24 THE SECRETARY: Section 3. This
25 act shall take effect on the 90th day after it

1 shall have become a law.

2 ACTING PRESIDENT PERSAUD: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT PERSAUD: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Calendar 600, those Senators voting in the
9 negative are Senators Borrello, Helming, Jordan,
10 Oberacker, O'Mara, Ortt, Rath and Tedisco.

11 Ayes, 55. Nays, 8.

12 ACTING PRESIDENT PERSAUD: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 652, Senate Print 1408, by Senator Gianaris, an
16 act to amend the Criminal Procedure Law and the
17 Civil Practice Law and Rules.

18 ACTING PRESIDENT PERSAUD: Read the
19 last section.

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

22 ACTING PRESIDENT PERSAUD: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT PERSAUD: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar 652, those Senators voting in the
4 negative are Senators Akshar, Borrello, Felder,
5 Gallivan, Griffo, Helming, Jordan, Lanza,
6 Martucci, Mattera, Oberacker, O'Mara, Ortt,
7 Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and
8 Weik.

9 Ayes, 43. Nays, 20.

10 ACTING PRESIDENT PERSAUD: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 705, Assembly Print Number 3241, by
14 Assemblymember McDonald, an act to amend the
15 Real Property Actions and Proceedings Law.

16 ACTING PRESIDENT PERSAUD: Read the
17 last section.

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

20 ACTING PRESIDENT PERSAUD: Call the
21 roll.

22 (The Secretary called the roll.)

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

25 SENATOR RYAN: Thank you,

1 Madam President.

2 I want to start by thanking my
3 Assembly -- former Assembly colleague John
4 McDonald for his hard work on the Assembly side
5 on this. He brought this bill to my attention,
6 and we've worked on it over the last year.

7 This bill will bring a receivership
8 program that's been authorized in New York City
9 for several years to be used in the rest of the
10 state. It will help to ensure that tenants
11 across New York have a safe and habitable place
12 to live.

13 So there's a problem in New York
14 State with residential landlords who don't
15 maintain their property. And what's a tenant to
16 do? Well, under the old rules a tenant would
17 actually have to bring a lawsuit in a city court
18 or a town court. But we all know that's
19 complicated, it's confusing, it's expensive and
20 time-consuming, and you don't really know what
21 the result is going to be.

22 This bill will give local
23 governments the authority to step into the
24 tenant's shoes and say that the property is not
25 being maintained to the proper standards. But

1 the government steps in, and they would go to
2 court. And if they get a ruling from the judge
3 that the standards are not upheld, the tenants
4 continue to pay their rent but the court appoints
5 a receiver. And the receiver makes sure that the
6 repairs are done and that the property comes up
7 to a safe and a habitable premises.

8 So we all want New Yorkers to live
9 in apartments that are safe and secure, and this
10 bill is a key step in that direction. Which is
11 why I'm honored to sponsor it, and I proudly vote
12 aye.

13 Thank you, Madam Speaker --
14 Madam President.

15 ACTING PRESIDENT PERSAUD: Senator
16 Ryan to be recorded in the affirmative.

17 Announce the results.

18 THE SECRETARY: In relation to
19 Calendar 705, those Senators voting in the
20 negative are Senators Akshar, Borrello, Felder,
21 Gallivan, Griffo, Helming, Jordan, Lanza,
22 Martucci, Mattera, Oberacker, O'Mara, Ortt,
23 Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and
24 Weik.

25 Ayes, 43. Nays, 20.

1 ACTING PRESIDENT PERSAUD: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 810, Assembly Print Number 7933C, by
5 Assemblymember González-Rojas, an act to amend
6 the Election Law.

7 ACTING PRESIDENT PERSAUD: Read the
8 last section.

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

11 ACTING PRESIDENT PERSAUD: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT PERSAUD: Senator
15 Jackson to explain his vote.

16 SENATOR JACKSON: Thank you,
17 Madam President.

18 And my colleagues, I rise to speak
19 in support of my colleague Senator Myrie's
20 legislation, Bill S6901B.

21 Continuously we see other states
22 introduce laws that target LGBTQ+ and
23 gender-nonconforming communities based on
24 prejudice. It is our duty as a state that
25 believes in true democracy to remove barriers for

1 nonbinary candidates. We must adopt measures to
2 adapt existing rules intended to establish gender
3 diversity.

4 Diversity is at New York's core, and
5 our leaders should be representative of different
6 gender identities and expressions. Limiting
7 nonbinary people to choosing among the two
8 traditional genders, male and female, to run for
9 most political party offices is a glaring defect
10 in our Election Law that amounts to erasure and
11 exclusion.

12 This legislation corrects the
13 injustice. Nonbinary individuals who want to
14 serve are entitled to the opportunity to run and
15 be elected to state committees and district
16 leaders just as much as their other-genders
17 neighbors do.

18 And I am a proud cosponsor of this
19 bill and believe it's time that we do away with
20 the binary-gendered way of engaging New Yorkers.
21 On our first day of Pride Month, this bill
22 enhances political participation and demonstrates
23 commitment to the broad range of identities that
24 we know will move our state forward.

25 Madam President, I proudly vote aye

1 at the beginning of Pride Month.

2 ACTING PRESIDENT PERSAUD: Senator
3 Jackson to be recorded in the affirmative.

4 Announce the results.

5 THE SECRETARY: In relation to
6 Calendar 810, those Senators voting in the
7 negative are Senators Akshar, Borrello, Felder,
8 Griffo, Helming, Jordan, Martucci, Oberacker,
9 O'Mara, Ortt, Palumbo, Stec and Tedisco.

10 Ayes, 50. Nays, 13.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 825, Senate Print 3736, by Senator Comrie, an act
15 to amend the Executive Law.

16 ACTING PRESIDENT PERSAUD: Read the
17 last section.

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

21 ACTING PRESIDENT PERSAUD: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT PERSAUD: Announce
25 the results.

1 THE SECRETARY: Ayes, 63.

2 ACTING PRESIDENT PERSAUD: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 851, Senate Print 707, by Senator Kaplan, an act
6 to direct the Empire State Development
7 Corporation to conduct a study on the feasibility
8 of a minority and women-owned business capacity
9 enterprise mentorship program.

10 ACTING PRESIDENT PERSAUD: Read the
11 last section.

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

14 ACTING PRESIDENT PERSAUD: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT PERSAUD: Announce
18 the results.

19 THE SECRETARY: In relation to
20 Calendar Number 851, voting in the negative:
21 Senator O'Mara.

22 Ayes, 62. Nays, 1.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 891, Senate Print 8278, by Senator Hoylman, an
2 act to amend the Public Health Law.

3 ACTING PRESIDENT PERSAUD: Read the
4 last section.

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

7 ACTING PRESIDENT PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Senator
11 Hoylman to explain his vote.

12 SENATOR HOYLMAN: Thank you,
13 Madam President. I rise to support this
14 legislation that will amend the Public Health Law
15 in relation to requiring the Department of Health
16 to conduct a public information and outreach
17 campaign on medically unnecessary treatments on
18 persons born with intersex traits or variation in
19 sex characteristics.

20 You know, there are over 30
21 combinations of male and female biological
22 traits, called intersex variations, that occur in
23 at least 1.7 percent, 1.7 percent of the
24 population. In the majority of these cases,
25 infants and children born with variations in sex

1 characteristics don't require medical treatments
2 for their immediate physical health.

3 Nevertheless, many intersex youth
4 are subject to non-emergency medical procedures,
5 including sterilization, to make them fit -- to
6 make them fit into restrictive male, female,
7 binary categories, the ones that Senator Jackson
8 was just speaking on. These non-emergency
9 medical procedures are classified as human rights
10 violations by the United Nations.

11 This bill aims to respond to those
12 harms and bring attention to the natural
13 existence of people born with intersex traits and
14 the risks associated with non-emergency medical
15 procedures often recommended for and performed on
16 them.

17 It encourages the Department of
18 Health to conduct public outreach campaigns to
19 inform parents and the medical establishment
20 about the nature and implications of such
21 procedures. These procedures -- which continue
22 to this day in New York State, even though such
23 procedures may result in lasting harm -- have
24 been deemed human rights violations by the U.N.
25 and other multiple international agencies.

1 These procedures are often performed
2 before a child reaches the age of two, despite no
3 urgent medical considerations that would require
4 immediacy in the majority of cases. Meaning the
5 individual is needlessly subjected to
6 irreversible procedures that they haven't
7 requested and that cause harm in many cases.

8 There's evidence that these
9 procedures can cause severe psychological and
10 physiological harm, especially when performed
11 without the express informed consent of the
12 individual. These harms can last a lifetime and
13 include scarring, chronic pain, sterilization,
14 loss of future sexual sensation and function,
15 recurring complications requiring repeated
16 follow-up procedures, depression, posttraumatic
17 stress disorder, suicidality, and incorrect
18 gender assignment.

19 I vote aye, Madam President. Thank
20 you.

21 ACTING PRESIDENT PERSAUD: Senator
22 Hoylman to be recorded in the affirmative.

23 Announce the results.

24 THE SECRETARY: In relation to
25 Calendar 891, those Senators voting in the

1 negative are Senators Akshar, Borrello, Felder,
2 Gallivan, Griffo, Helming, Jordan, Lanza,
3 Martucci, Mattera, Oberacker, O'Mara, Ortt,
4 Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and
5 Weik.

6 Ayes, 43. Nays, 20.

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 986, Assembly Bill Number 1880A, by
11 Assemblymember Dinowitz, an act relating to
12 requiring home health aides and nurse's aides to
13 receive training in working with patients of
14 diverse sexual orientations.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar 986, those Senators voting in the

1 negative are Senators Borrello, Felder and
2 Serino.

3 Ayes, 60. Nays, 3.

4 ACTING PRESIDENT PERSAUD: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1127, Senate Print 8989A, by Senator Skoufis, an
8 act to amend the Alcoholic Beverage Control Law.

9 ACTING PRESIDENT PERSAUD: Read the
10 last section.

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

13 ACTING PRESIDENT PERSAUD: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT PERSAUD: Announce
17 the results.

18 THE SECRETARY: Ayes, 63.

19 ACTING PRESIDENT PERSAUD: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1219, Senate Print 6501B, by Senator May, an act
23 to amend the Executive Law.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

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

4 ACTING PRESIDENT PERSAUD: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT PERSAUD: Senator
8 May to explain her vote.

9 SENATOR MAY: Thank you,
10 Madam President. I am proud to join many of my
11 colleagues with bills on this package for
12 Pride Month. And my bill would create a LGBT
13 permanent advisory board.

14 So the Executive and the Legislature
15 have enjoyed a good relationship with the LGBT
16 community through organizations like Equality
17 New York and the New Pride Agenda and SAGE, which
18 I have worked with very closely because they're
19 dedicated to supporting aging and older LGBT
20 people.

21 But by establishing a permanent
22 advisory board, we will ensure that these
23 relationships will remain robust and that the
24 LGBT community will always have a seat at the
25 table in New York State. So I proudly vote aye.

1 Thank you.

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

4 Announce the results.

5 THE SECRETARY: In relation to
6 Calendar Number 1219, voting in the negative:
7 Senator Felder.

8 Ayes, 62. Nays, 1.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1288, Senate Print 8271A, by Senator Sanders, an
13 act to amend the Workers' Compensation Law.

14 ACTING PRESIDENT PERSAUD: Read the
15 last section.

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

18 ACTING PRESIDENT PERSAUD: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT PERSAUD: Announce
22 the results.

23 THE SECRETARY: In relation to
24 Calendar 1288, those Senators voting in the
25 negative are Senators Akshar, Borrello, Gallivan,

1 Griffo, Helming, Jordan, Martucci, Mattera,
2 Oberacker, O'Mara, Ortt, Rath, Ritchie, Serino,
3 Stec and Tedisco.

4 Ayes, 47. Nays, 16.

5 ACTING PRESIDENT PERSAUD: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1339, Senate Print 7618, by Senator Brisport, an
9 act to amend the Social Services Law.

10 ACTING PRESIDENT PERSAUD: Read the
11 last section.

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

15 ACTING PRESIDENT PERSAUD: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT PERSAUD: Announce
19 the results.

20 THE SECRETARY: In relation to
21 Calendar 1339, those Senators voting in the
22 negative are Senators Akshar, Borrello, Gallivan,
23 Griffo, Helming, Jordan, Lanza, Martucci,
24 Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath,
25 Ritchie, Stec, Tedisco and Weik.

1 Ayes, 45. Nays, 18.

2 ACTING PRESIDENT PERSAUD: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1349, Assembly Print Number 10152, by the
6 Assembly Committee on Rules, an act to amend the
7 Social Services Law.

8 ACTING PRESIDENT PERSAUD: Read the
9 last section.

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

12 ACTING PRESIDENT PERSAUD: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT PERSAUD: Announce
16 the results.

17 THE SECRETARY: Ayes, 63.

18 ACTING PRESIDENT PERSAUD: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1419, Senate Print 541B, by Senator Kaplan, an
22 act to amend the Executive Law.

23 ACTING PRESIDENT PERSAUD: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT PERSAUD: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT PERSAUD: Announce
6 the results.

7 THE SECRETARY: Ayes, 63.

8 ACTING PRESIDENT PERSAUD: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1467, Senate Print 9069, by Senator Helming, an
12 act to amend the Alcoholic Beverage Control Law.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Announce
21 the results.

22 THE SECRETARY: Ayes, 63.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1486, Senate Print 9351, by Senator Sanders, an
2 act to amend the New York City Charter.

3 ACTING PRESIDENT PERSAUD: Read the
4 last section.

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

7 ACTING PRESIDENT PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar Number 1486, voting in the negative:
14 Senator Weik.

15 Ayes, 62. Nays, 1.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1521, Assembly Print Number 807, by
20 Assemblymember O'Donnell, an act to amend the
21 Insurance Law.

22 ACTING PRESIDENT PERSAUD: Read the
23 last section.

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

1 ACTING PRESIDENT PERSAUD: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT PERSAUD: Senator
5 Hoylman to explain his vote.

6 SENATOR HOYLMAN: Thank you,
7 Madam President.

8 Even before the recent attacks on
9 LGBTQ+ people by our country's state governments,
10 queer folks faced tremendous barriers to be able
11 to live freely and healthily. Social and
12 structural issues such as HIV stigma, homophobia,
13 discrimination, poverty, and limited access to
14 high-quality healthcare influence health outcomes
15 and continue to drive inequalities.

16 It's no secret that HIV
17 disproportionately impacts LGBTQ+ people. A
18 service called AIDSVu reports that in 2019, gay
19 and bisexual men living with HIV represented over
20 half, 56 percent, of all people living with HIV
21 in the U.S. This bill helps address these health
22 and income inequalities that much of our LGBTQ+
23 community battles.

24 Pre-exposure prophylaxis, otherwise
25 known as PrEP, and post-exposure prophylaxis,

1 otherwise known as PEP, are two important tools
2 for preventing the spread of HIV. According to
3 the Centers for Disease Control, PrEP has been
4 shown to reduce the risk of HIV infection in
5 people at high risk of contracting HIV up to
6 92 percent when taken consistently.

7 PEP regimens are anti-retroviral
8 drugs taken to stop the spread of HIV after a
9 single high-risk event. PEP can be used to treat
10 healthcare workers who have been exposed to blood
11 or bodily fluids of HIV-positive patients as well
12 as people who have been exposed to HIV through
13 unprotected sex, needle sharing, or sexual
14 assault.

15 Allowing access to PrEP and PEP is
16 an important part of the fight to end the AIDS
17 epidemic in New York. This legislation that I
18 carry with Assemblymember O'Donnell will ensure
19 that insurance policies covering prescription
20 drugs include coverage for PrEP and PEP. Let's
21 make our healthcare system a little more
22 inclusive, keep our LGBTQ+ community safe, and
23 pass this common-sense bill.

24 I vote aye, Madam President. Thank
25 you.

1 ACTING PRESIDENT PERSAUD: Senator
2 Hoylman to be recorded in the affirmative.

3 Announce the results.

4 THE SECRETARY: In relation to
5 Calendar 1521, those Senators voting in the
6 negative are Senators Borrello, Gallivan, Griffo,
7 Jordan, Martucci, O'Mara, Ortt, Rath, Stec and
8 Tedisco.

9 Ayes, 53. Nays, 10.

10 ACTING PRESIDENT PERSAUD: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1524, Assembly Print Number 357A, by
14 Assemblymember Magnarelli, an act to amend the
15 Military Law.

16 ACTING PRESIDENT PERSAUD: Read the
17 last section.

18 THE SECRETARY: Section 3. This
19 act shall take effect on the 120th day after it
20 shall have become a law.

21 ACTING PRESIDENT PERSAUD: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT PERSAUD: Announce
25 the results.

1 THE SECRETARY: In relation to
2 Calendar Number 1524, voting in the negative:
3 Senator Brisport.

4 Ayes, 62. Nays, 1.

5 ACTING PRESIDENT PERSAUD: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1525, Senate Print 3192, by Senator Ortt, an act
9 relating to authorizing the Village of Lewiston
10 to reduce the speed limit on certain public
11 roadways.

12 ACTING PRESIDENT PERSAUD: There is
13 a home-rule message at the desk.

14 Read the last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Announce
21 the results.

22 THE SECRETARY: Ayes, 63.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1527, Assembly Print Number 8936A, by
2 Assemblymember Fahy, an act to amend the
3 Highway Law.

4 ACTING PRESIDENT PERSAUD: Read the
5 last section.

6 THE SECRETARY: Section 2. This
7 act shall take effect one year after it shall
8 have become a law.

9 ACTING PRESIDENT PERSAUD: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Announce
13 the results.

14 THE SECRETARY: Ayes, 63.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1528, Assembly Print Number 4217, by
19 Assemblymember Thiele, an act to amend the
20 Real Property Tax Law.

21 ACTING PRESIDENT PERSAUD: Read the
22 last section.

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

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce
4 the results.

5 THE SECRETARY: Ayes, 63.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1531, Senate Print 4987, by Senator Lanza, an act
10 to amend the Vehicle and Traffic Law.

11 ACTING PRESIDENT PERSAUD: Read the
12 last section.

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

16 ACTING PRESIDENT PERSAUD: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT PERSAUD: Announce
20 the results.

21 THE SECRETARY: Ayes, 63.

22 ACTING PRESIDENT PERSAUD: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1532, Senate Print 5040, by Senator Parker, an

1 act to amend the Civil Practice Law and Rules.

2 ACTING PRESIDENT PERSAUD: Read the
3 last section.

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

6 ACTING PRESIDENT PERSAUD: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT PERSAUD: Announce
10 the results.

11 THE SECRETARY: In relation to
12 Calendar 1532, those Senators voting in the
13 negative are Senators Borrello, Gallivan, Griffo,
14 Helming, Jordan, Martucci, Oberacker, O'Mara,
15 Ortt, Rath, Serino, Stec, Tedisco and Weik.

16 Ayes, 49. Nays, 14.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1536, Senate Print 6313C, by Senator Ortt, an act
21 in relation to authorizing the County of Niagara
22 to transfer ownership of certain parkland to the
23 Town of Lockport.

24 ACTING PRESIDENT PERSAUD: There is
25 a home-rule message at the desk.

1 Read the last section.

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

4 ACTING PRESIDENT PERSAUD: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT PERSAUD: Announce
8 the results.

9 THE SECRETARY: Ayes, 63.

10 ACTING PRESIDENT PERSAUD: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1537, Senate Print 7029, by Senator Skoufis, an
14 act to amend the Real Property Tax Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar Number 1537, voting in the negative:

1 Senator Lanza.

2 Ayes, 62. Nays, 1.

3 ACTING PRESIDENT PERSAUD: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1538, Senate Print 7030, by Senator Skoufis, an
7 act to amend the Real Property Tax Law.

8 ACTING PRESIDENT PERSAUD: Read the
9 last section.

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

12 ACTING PRESIDENT PERSAUD: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT PERSAUD: Announce
16 the results.

17 THE SECRETARY: In relation to
18 Calendar Number 1538, voting in the negative:
19 Senator Lanza.

20 Ayes, 62. Nays, 1.

21 ACTING PRESIDENT PERSAUD: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1541, Senate Print 7286A, by Senator Breslin, an
25 act to authorize William Schumaker and Mark

1 Hennessey to receive certain service credit under
2 Section 384-d of the Retirement and Social
3 Security Law.

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

6 ACTING PRESIDENT PERSAUD: Lay it
7 aside for the day.

8 THE SECRETARY: Calendar Number
9 1545, Assembly Print Number 8295, by
10 Assemblymember Salka, an act to amend the
11 General Municipal Law.

12 ACTING PRESIDENT PERSAUD: Read the
13 last section.

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

16 ACTING PRESIDENT PERSAUD: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT PERSAUD: Announce
20 the results.

21 THE SECRETARY: Ayes, 63.

22 ACTING PRESIDENT PERSAUD: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1549, Assembly Print Number 8578, by

1 Assemblymember Gunther, an act to amend the
2 Criminal Procedure Law.

3 ACTING PRESIDENT PERSAUD: Read the
4 last section.

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

7 ACTING PRESIDENT PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Announce
11 the results.

12 THE SECRETARY: Ayes, 63.

13 ACTING PRESIDENT PERSAUD: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1550, Senate Print 8024, by Senator Kaplan, an
17 act to amend the Highway Law.

18 ACTING PRESIDENT PERSAUD: Read the
19 last section.

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

22 ACTING PRESIDENT PERSAUD: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT PERSAUD: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar Number 1550, voting in the negative:
4 Senator Brisport.

5 Ayes, 62. Nays, 1.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1554, Senate Print 8130, by Senator Kennedy, an
10 act to amend the Labor Law.

11 ACTING PRESIDENT PERSAUD: Read the
12 last section.

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

15 ACTING PRESIDENT PERSAUD: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT PERSAUD: Announce
19 the results.

20 THE SECRETARY: In relation to
21 Calendar Number 1554, those Senators voting in
22 the negative are Senators Akshar, Borrello,
23 Helming, Jordan, Lanza, Martucci, Oberacker,
24 O'Mara, Ortt, Palumbo, Rath, Serino, Stec,
25 Tedisco and Weik.

1 Ayes, 48. Nays, 15.

2 ACTING PRESIDENT PERSAUD: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1555, Senate Print 8156, by Senator Persaud, an
6 act to amend the Insurance Law and the
7 Social Services Law.

8 ACTING PRESIDENT PERSAUD: Read the
9 last section.

10 THE SECRETARY: Section 5. This
11 act shall take effect on the 30th day after it
12 shall have become a law.

13 ACTING PRESIDENT PERSAUD: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT PERSAUD: Announce
17 the results.

18 THE SECRETARY: Ayes, 63.

19 ACTING PRESIDENT PERSAUD: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1557, Senate Print 8218, by Senator Gounardes, an
23 act to amend the Real Property Tax Law.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

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

4 ACTING PRESIDENT PERSAUD: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT PERSAUD: Announce
8 the results.

9 THE SECRETARY: Ayes, 63.

10 ACTING PRESIDENT PERSAUD: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1562, Senate Print 8472B, by Senator Mannion, an
14 act to amend the Highway Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Senator
23 Borrello to explain his vote.

24 SENATOR BORRELLO: Thank you,
25 Madam President.

1 First of all, I want to thank the
2 sponsor, Senator Mannion, and the cosponsors for
3 this bill.

4 This is a long time coming, removing
5 this senseless resurveying fee. This has really
6 hindered broadband expansion, particularly in our
7 rural areas. I have said on the floor in the
8 past that I'm not an expert on telephone poles,
9 but I do know that they don't just get up and
10 walk around. And that is really the basis of the
11 senselessness of having to resurvey these poles.

12 This is a cost of approximately
13 \$5,000 to \$15,000 per mile that's unnecessary,
14 and it's once again hindered broadband
15 development. It's actually the second part of
16 another effort that we've accomplished, to remove
17 the unnecessary Department of Transportation
18 right-of-way fees that were also hindering the
19 expansion of broadband throughout New York State.

20 So I'm glad to see that this
21 bipartisan effort has resulted in something that
22 will truly expand what is now a critically needed
23 service. Just like electricity and water and
24 sewer, broadband is critical to the expansion and
25 improvement of our lives here in New York State.

1 The expansion of small business, of working
2 remotely, of educating remotely, everything else
3 that we noticed during the pandemic was sadly
4 lacking, we are now correcting that today with
5 this bill.

6 I'm proud to be a cosponsor, and I'm
7 proud to vote aye. Thank you.

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

10 Announce the results.

11 THE SECRETARY: Ayes, 63.

12 ACTING PRESIDENT PERSAUD: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1566, Assembly Print Number 9650A, by
16 Assemblymember Jacobson, an act to amend the
17 General Municipal Law.

18 ACTING PRESIDENT PERSAUD: There is
19 a home-rule message at the desk.

20 Read the last section.

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

23 ACTING PRESIDENT PERSAUD: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT PERSAUD: Announce
2 the results.

3 THE SECRETARY: Ayes, 63.

4 ACTING PRESIDENT PERSAUD: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1577, Senate Print 8829A, by Senator Hoylman, an
8 act to amend the Tax Law.

9 ACTING PRESIDENT PERSAUD: Read the
10 last section.

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

13 ACTING PRESIDENT PERSAUD: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT PERSAUD: Announce
17 the results.

18 THE SECRETARY: In relation to
19 Calendar 1577, those Senators voting in the
20 negative are Senators Akshar, Helming, Jordan,
21 Martucci, Ortt, Serino, Skoufis, Stec and
22 Tedisco.

23 Ayes, 54. Nays, 9.

24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1584, Senate Print 9019, by Senator Gaughran, an
3 act in relation to establishing a Caumsett State
4 Park fire readiness study.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

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

9 ACTING PRESIDENT PERSAUD: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Announce
13 the results.

14 THE SECRETARY: Ayes, 63.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1585, Senate Print 9023, by Senator Brooks, an
19 act to amend the Highway Law.

20 ACTING PRESIDENT PERSAUD: Read the
21 last section.

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

24 ACTING PRESIDENT PERSAUD: Call the
25 roll.

1 (The Secretary called the roll.)
2 ACTING PRESIDENT PERSAUD: Announce
3 the results.
4 THE SECRETARY: In relation to
5 Calendar Number 1585, voting in the negative:
6 Senator Brisport.
7 Ayes, 62. Nays, 1.
8 ACTING PRESIDENT PERSAUD: The bill
9 is passed.
10 THE SECRETARY: Calendar Number
11 1586, Senate Print 9028, by Senator Cooney, an
12 act to amend the Highway Law.
13 ACTING PRESIDENT PERSAUD: Read the
14 last section.
15 THE SECRETARY: Section 3. This
16 act shall take effect immediately.
17 ACTING PRESIDENT PERSAUD: Call the
18 roll.
19 (The Secretary called the roll.)
20 ACTING PRESIDENT PERSAUD: Announce
21 the results.
22 THE SECRETARY: Ayes, 63.
23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.
25 THE SECRETARY: Calendar Number

1 1587, Senate Print 9029A, by Senator Ramos, an
2 act to amend the Social Services Law.

3 ACTING PRESIDENT PERSAUD: Read the
4 last section.

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

7 ACTING PRESIDENT PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Senator
11 Brisport to explain his vote.

12 SENATOR BRISPORT: Thank you,
13 Madam President.

14 You know, by now I expect some of
15 you are tired of hearing me speak about
16 childcare, so I will ask humbly for your
17 continued care and patience. Because as tired as
18 we may be about talking and hearing about it,
19 parents are infinitely more tired of living with
20 the consequences of our current broken system.

21 Parents are tired of turning in a
22 form three times only to be told after the fact
23 that they needed a slightly different form. They
24 are tired of having to ask their bosses to do
25 them the favor of writing employment letters and

1 then to redo those letters because they weren't
2 signed in the right spot. They are tired of
3 turning down job offers because they can't get
4 approved for childcare subsidies quickly enough
5 to accept. They are tired of struggling for
6 months on end through a bureaucratic maze only to
7 end up still lacking childcare.

8 So while the intention of
9 means-testing childcare subsidies may have been
10 to target resources to the families with the most
11 need, in reality those are the very families
12 least likely to have the capacity, knowledge and
13 resources to successfully navigate the process.

14 Anyone paying the slightest bit of
15 attention has seen that means testing has been a
16 monumental disaster for New York's families, for
17 the childcare sector, and for our entire economy.

18 I want to thank Senator Ramos for
19 introducing this bill to reduce the frequency of
20 means testing and for her support on moving
21 New York towards universal childcare, as well as
22 the 22 other Senators who have cosponsored the
23 Universal Childcare Act.

24 Today we are limited to reducing the
25 damage caused by means testing, a system that we

1 have allowed to continue. But if we all stand
2 together and redouble our efforts beginning now,
3 we will have the opportunity in next year's
4 budget to right that wrong.

5 So I'm asking that every Senator
6 join together in voting yes today, but also that
7 every Senator who does so, acknowledging the
8 extraordinary harms of means testing through that
9 yes vote, immediately join the 23 cosponsors of
10 the Universal Childcare Act to finally replace
11 this disastrous system.

12 Madam President, I vote aye on this
13 bill.

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

16 Senator Ramos to explain her vote.

17 SENATOR RAMOS: Thank you,
18 Madam President. I rise, of course, to explain
19 my vote in support of this legislation.

20 You know, I came to the Senate as a
21 mom. I have a third-grader and a fifth-grader.
22 And I can't tell you how difficult it was to
23 obtain childcare before they entered their former
24 schooling. And that's why, with the budget
25 process that we underwent just a few months ago,

1 I wanted to prioritize, through the Early
2 Learning Childcare Act, serious changes to our
3 crumbling childcare infrastructure here in the
4 State of New York in order to not only take care
5 of parents but of childcare providers as well.

6 Childcare providers are underpaid.
7 We don't value their work as we should here in
8 our society. And quite frankly, businesses need
9 parents to get back to work, and that's not going
10 to happen until we have a serious childcare
11 system that actually addresses all of these
12 inequalities.

13 And so this bill, by allowing
14 providers and parents to prove their eligibility
15 every two years instead of every year, not only
16 takes away some of the paperwork, some of that
17 burden from parents and providers, but it
18 actually helps providers get paid more so on
19 time, which has traditionally been a serious
20 issue for many of our childcare providers.

21 And so I just want to say that I'm
22 very proud of this small but mighty step that
23 we're taking before the end of our session, but
24 there is obviously a lot more work to do in order
25 to make sure that every single New Yorker

1 receives the childcare they deserve, regardless
2 of their immigration status in our state.

3 Thank you.

4 ACTING PRESIDENT PERSAUD: Senator
5 Ramos to be recorded in the affirmative.

6 Announce the results.

7 THE SECRETARY: Ayes, 63.

8 ACTING PRESIDENT PERSAUD: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1593, Senate Print 9126, by Senator Weik, an act
12 in relation to authorizing the assessor of the
13 Town of Islip, County of Suffolk, to accept an
14 application for exemption from real property
15 taxes.

16 ACTING PRESIDENT PERSAUD: Read the
17 last section.

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

20 ACTING PRESIDENT PERSAUD: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT PERSAUD: Announce
24 the results.

25 THE SECRETARY: In relation to

1 Calendar Number 1593, voting in the negative:
2 Senator O'Mara.

3 Ayes, 62. Nays, 1.

4 ACTING PRESIDENT PERSAUD: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1594, Assembly Print Number 10187, by the
8 Assembly Committee on Rules, an act to amend the
9 Environmental Conservation Law.

10 ACTING PRESIDENT PERSAUD: Read the
11 last section.

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

15 ACTING PRESIDENT PERSAUD: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT PERSAUD: Announce
19 the results.

20 THE SECRETARY: Ayes, 63.

21 ACTING PRESIDENT PERSAUD: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1619, Senate Print 9408, by Senator Parker, an
25 act to amend the Mental Hygiene Law.

1 ACTING PRESIDENT PERSAUD: Read the
2 last section.

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

5 ACTING PRESIDENT PERSAUD: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT PERSAUD: Announce
9 the results.

10 THE SECRETARY: Ayes, 63.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1629, Senate Print 954, by Senator Gaughran, an
15 act to amend the Vehicle and Traffic Law.

16 ACTING PRESIDENT PERSAUD: Read the
17 last section.

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

21 ACTING PRESIDENT PERSAUD: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT PERSAUD: Announce
25 the results.

1 THE SECRETARY: Ayes, 63.

2 ACTING PRESIDENT PERSAUD: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1630, Senate Print 1358A, by Senator Serrano, an
6 act to amend the Arts and Cultural Affairs Law.

7 ACTING PRESIDENT PERSAUD: Read the
8 last section.

9 THE SECRETARY: Section 2. This
10 act shall take effect on the 120th day after it
11 shall have become a law.

12 ACTING PRESIDENT PERSAUD: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT PERSAUD: Announce
16 the results.

17 THE SECRETARY: Ayes, 63.

18 ACTING PRESIDENT PERSAUD: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1631, Senate Print 1553D, by Senator Myrie, an
22 act to amend the Criminal Procedure Law.

23 SENATOR PALUMBO: Lay it aside.

24 ACTING PRESIDENT PERSAUD: Lay it
25 aside.

1 THE SECRETARY: Calendar Number
2 1633, Senate Print 1903A, by Senator Skoufis, an
3 act to amend the Highway Law.

4 ACTING PRESIDENT PERSAUD: Read the
5 last section.

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

8 ACTING PRESIDENT PERSAUD: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT PERSAUD: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar Number 1633, voting in the negative:
15 Senator Brisport.

16 Ayes, 62. Nays, 1.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1634, Senate Print 2045, by Senator Tedisco, an
21 act to amend the County Law.

22 ACTING PRESIDENT PERSAUD: Read the
23 last section.

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

1 ACTING PRESIDENT PERSAUD: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT PERSAUD: Announce
5 the results.

6 THE SECRETARY: Ayes, 63.

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1636, Senate Print 3164A, by Senator Sepúlveda,
11 an act to amend the Surrogate's Court Procedure
12 Act.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

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

18 ACTING PRESIDENT PERSAUD: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT PERSAUD: Announce
22 the results.

23 THE SECRETARY: In relation to
24 Calendar 1636, those Senators voting in the
25 negative are Senators Akshar, Borrello, Griffo,

1 Helming, Jordan, Lanza, Martucci, Mattera,
2 Oberacker, O'Mara, Ortt, Rath, Serino, Stec,
3 Tedisco and Weik.

4 Ayes, 47. Nays, 16.

5 ACTING PRESIDENT PERSAUD: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1637, Assembly Print Number 4570A, by
9 Assemblymember Gottfried, an act to amend the
10 Agriculture and Markets Law.

11 ACTING PRESIDENT PERSAUD: Read the
12 last section.

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

15 ACTING PRESIDENT PERSAUD: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT PERSAUD: Announce
19 the results.

20 THE SECRETARY: Ayes, 63.

21 ACTING PRESIDENT PERSAUD: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1638, Assembly Print Number 3848, by the Assembly
25 Committee on Rules, an act to amend the

1 Highway Law.

2 ACTING PRESIDENT PERSAUD: Read the
3 last section.

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

6 ACTING PRESIDENT PERSAUD: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT PERSAUD: Announce
10 the results.

11 THE SECRETARY: Ayes, 63.

12 ACTING PRESIDENT PERSAUD: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1639, Assembly Print Number 9353, by
16 Assemblymember Hawley, an act to authorize the
17 County of Orleans to offer an optional 20-year
18 retirement plan to Kevin Colonna.

19 ACTING PRESIDENT PERSAUD: There is
20 a home-rule message at the desk.

21 Read the last section.

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

24 ACTING PRESIDENT PERSAUD: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT PERSAUD: Announce
3 the results.

4 THE SECRETARY: In relation to
5 Calendar Number 1639, voting in the negative:
6 Senator Brisport.

7 Ayes, 62. Nays, 1.

8 ACTING PRESIDENT PERSAUD: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1641, Senate Print 4869A, by Senator Gaughran, an
12 act granting retroactive membership with Tier II
13 status in the New York State Teachers' Retirement
14 System to Lori Cohen.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

24 THE SECRETARY: Ayes, 63.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1642, Senate Print 5013A, by Senator Palumbo, an
4 act to provide procedures related to the adoption
5 and submission of an annual budget by the
6 Trustees of the Freeholders and Commonality of
7 the Town of Southampton.

8 ACTING PRESIDENT PERSAUD: There is
9 a home-rule message at the desk.

10 Read the last section.

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

13 ACTING PRESIDENT PERSAUD: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT PERSAUD: Announce
17 the results.

18 THE SECRETARY: Ayes, 63.

19 ACTING PRESIDENT PERSAUD: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1643, Senate Print 5406A, by Senator
23 Reichlin-Melnick, an act in relation to
24 authorizing Harvey Eilbaum to file a request for
25 change of beneficiary with the New York State and

1 Local Employees' Retirement System.

2 ACTING PRESIDENT PERSAUD: Read the
3 last section.

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

6 ACTING PRESIDENT PERSAUD: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT PERSAUD: Announce
10 the results.

11 THE SECRETARY: Ayes, 63.

12 ACTING PRESIDENT PERSAUD: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1644, Senate Print 6223A, by Senator
16 Reichlin-Melnick, an act in relation to
17 authorizing Thomas Collins to file a request for
18 a change of benefit coverage for the New York
19 State Teachers' Retirement System.

20 ACTING PRESIDENT PERSAUD: Read the
21 last section.

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

24 ACTING PRESIDENT PERSAUD: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT PERSAUD: Announce
3 the results.

4 THE SECRETARY: Ayes, 63.

5 ACTING PRESIDENT PERSAUD: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1645, Senate Print 6224A, by Senator
9 Reichlin-Melnick, an act to authorize Jodi Manne
10 to receive a refund from the New York State
11 Teachers' Retirement System.

12 ACTING PRESIDENT PERSAUD: Read the
13 last section.

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

16 ACTING PRESIDENT PERSAUD: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT PERSAUD: Announce
20 the results.

21 THE SECRETARY: Ayes, 63.

22 ACTING PRESIDENT PERSAUD: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1646, Senate Print 6453C, by Senator Parker, an

1 act to amend the Public Authorities Law.

2 SENATOR PALUMBO: Lay it aside.

3 ACTING PRESIDENT PERSAUD: Lay it
4 aside.

5 THE SECRETARY: Calendar Number
6 1647, Senate Print 6544C, by Senator Gallivan, an
7 act to amend the Highway Law.

8 ACTING PRESIDENT PERSAUD: Read the
9 last section.

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

12 ACTING PRESIDENT PERSAUD: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT PERSAUD: Announce
16 the results.

17 THE SECRETARY: In relation to
18 Calendar Number 1647, voting in the negative:
19 Senator Brisport.

20 Ayes, 62. Nays, 1.

21 ACTING PRESIDENT PERSAUD: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1648, Senate Print 6589A, by Senator Persaud, an
25 act to amend the Social Services Law.

1 ACTING PRESIDENT PERSAUD: Read the
2 last section.

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

5 ACTING PRESIDENT PERSAUD: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT PERSAUD: Announce
9 the results.

10 THE SECRETARY: Ayes, 63.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1649, Senate Print 7199A, by Senator Gounardes,
15 an act to amend the Insurance Law.

16 ACTING PRESIDENT PERSAUD: Read the
17 last section.

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

20 ACTING PRESIDENT PERSAUD: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT PERSAUD: Announce
24 the results.

25 THE SECRETARY: In relation to

1 Calendar 1649, those Senators voting in the
2 negative are Senators Borrello, Gallivan, Griffo,
3 Helming, Martucci, Mattera, Oberacker, O'Mara,
4 Ortt, Rath, Serino, Tedisco and Weik.

5 Ayes, 50. Nays, 13.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1650, Senate Print 7240A, by Senator Rath, an act
10 granting retroactive Tier III membership in the
11 New York State and Local Employees' Retirement
12 System to Steven R. Grice.

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

15 Read the last section.

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

18 ACTING PRESIDENT PERSAUD: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT PERSAUD: Announce
22 the results.

23 THE SECRETARY: Ayes, 63.

24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1651, Senate Print 7413, by Senator Ortt, an act
3 to amend Chapter 20 of the Laws of 1985.

4 ACTING PRESIDENT PERSAUD: Read the
5 last section.

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

8 ACTING PRESIDENT PERSAUD: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT PERSAUD: Announce
12 the results.

13 THE SECRETARY: Ayes, 63.

14 ACTING PRESIDENT PERSAUD: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1652, Senate Print 7739C, by Senator Palumbo, an
18 act in relation to authorizing the County of
19 Suffolk to transfer ownership of certain parkland
20 to the Town of Southold.

21 ACTING PRESIDENT PERSAUD: There is
22 a home-rule message at the desk.

23 Read the last section.

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

1 ACTING PRESIDENT PERSAUD: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT PERSAUD: Announce
5 the results.

6 THE SECRETARY: Ayes, 63.

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1653, Assembly Print Number 8915B, by
11 Assemblymember Burdick, an act in relation to
12 directing the New York State Office for People
13 with Developmental Disabilities to establish a
14 voluntary training and certification program for
15 employers that have taken the EmployAbility
16 Pledge.

17 ACTING PRESIDENT PERSAUD: Read the
18 last section.

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

21 ACTING PRESIDENT PERSAUD: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT PERSAUD: Announce
25 the results.

1 THE SECRETARY: Ayes, 63.

2 ACTING PRESIDENT PERSAUD: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1654, Assembly Print Number 9448A, by
6 Assemblymember Stirpe, an act in relation to
7 requiring the Commissioner of Taxation and
8 Finance to study the frequency of residents who
9 are being assessed library taxes.

10 ACTING PRESIDENT PERSAUD: Read the
11 last section.

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

14 ACTING PRESIDENT PERSAUD: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT PERSAUD: Announce
18 the results.

19 THE SECRETARY: In relation to
20 Calendar Number 1654, voting in the negative:
21 Senator Brisport.

22 Ayes, 62. Nays, 1.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1655, Senate Print 7903B, by Senator Martucci, an
2 act to amend the Highway Law.

3 ACTING PRESIDENT PERSAUD: Read the
4 last section.

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

7 ACTING PRESIDENT PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar Number 1655, voting in the negative:
14 Senator Brisport.

15 Ayes, 62. Nays, 1.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1656, Assembly Print Number 8933A, by
20 Assemblymember Eichenstein, an act to amend the
21 Vehicle and Traffic Law.

22 ACTING PRESIDENT PERSAUD: Read the
23 last section.

24 THE SECRETARY: Section 2. This
25 act shall take effect on the 180th day after it

1 shall have become a law.

2 ACTING PRESIDENT PERSAUD: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT PERSAUD: Announce
6 the results.

7 THE SECRETARY: Ayes, 63.

8 ACTING PRESIDENT PERSAUD: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1657, Senate Print 8033A, by Senator Bailey, an
12 act to amend the Tax Law.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

15 THE SECRETARY: Section 3. This
16 act shall take effect on the first day of the
17 sales tax quarterly period.

18 ACTING PRESIDENT PERSAUD: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT PERSAUD: Senator
22 Bailey to explain his vote.

23 SENATOR BAILEY: Thank you,
24 Madam President.

25 You know, as a father, diapers have

1 been incredibly critical to fatherhood and
2 motherhood, and doing everything that we can to
3 ensure that they remain affordable is really
4 important. And so reducing the amount of
5 taxation on such essential items is something
6 that I just think that we should be doing as a
7 matter of public policy.

8 But this bill goes beyond just
9 diapers for children. There are adult-use
10 diapers as well, and they should also be exempted
11 from these taxes.

12 So I just wanted to thank so many of
13 the organizations, such as the diaper banks and
14 so many local organizations, such as Every Bottom
15 Covered, for illuminating how important it is to
16 make sure that we cut the taxes on these very
17 important essential products.

18 I will be voting in the affirmative.
19 Thank you, Madam President.

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

22 Announce the results.

23 THE SECRETARY: Ayes, 63.

24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1658, Assembly Bill Number 879, by Assemblymember
3 Gottfried, an act to amend the Public Health Law
4 and the Insurance Law.

5 SENATOR PALUMBO: Lay it aside.

6 SENATOR GIANARIS: For the day,
7 please.

8 ACTING PRESIDENT PERSAUD: The bill
9 is laid aside for the day.

10 THE SECRETARY: Calendar Number
11 1659, Senate Print 8146A, by Senator Skoufis, an
12 act to amend the State Finance Law and the
13 Real Property Tax Law.

14 ACTING PRESIDENT PERSAUD: Read the
15 last section.

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

18 ACTING PRESIDENT PERSAUD: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT PERSAUD: Announce
22 the results.

23 THE SECRETARY: Ayes, 63.

24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1661, Senate Print 8430A, by Senator Comrie, an
3 act to amend the Real Property Actions and
4 Proceedings Law.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

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

9 ACTING PRESIDENT PERSAUD: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Announce
13 the results.

14 THE SECRETARY: In relation to
15 Calendar Number 1661, voting in the negative:
16 Senator Lanza.

17 Ayes, 62. Nays, 1.

18 ACTING PRESIDENT PERSAUD: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1662, Senate Print 8451, by Senator Cooney, an
22 act to amend the Labor Law.

23 ACTING PRESIDENT PERSAUD: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT PERSAUD: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT PERSAUD: Announce
6 the results.

7 THE SECRETARY: Ayes, 63.

8 ACTING PRESIDENT PERSAUD: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1663, Senate Print 8474, by Senator Sanders, an
12 act to amend the Environmental Conservation Law.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Announce
21 the results.

22 THE SECRETARY: In relation to
23 Calendar Number 1663, those Senators voting in
24 the negative are Senators Akshar, Borrello,
25 Gallivan, Griffo, Jordan, Lanza, Martucci,

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

3 Ayes, 48. Nays, 15.

4 ACTING PRESIDENT PERSAUD: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1664, Senate Print 8477, by Senator Jackson, an
8 act to amend the Retirement and Social Security
9 Law.

10 ACTING PRESIDENT PERSAUD: Read the
11 last section.

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

15 ACTING PRESIDENT PERSAUD: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT PERSAUD: Senator
19 Ryan to explain his vote. Where is Ryan? He's
20 not here.

21 Senator Jackson to explain his vote.

22 SENATOR JACKSON: Madam President,
23 our colleague who requested to speak on the bill
24 is not here.

25 Let me just say this is part of the

1 Civil Service and Pension Committee, which I
2 represent, and obviously I was supportive of the
3 bill moving forward. And that's why we're here
4 today.

5 So in respect to all of the people
6 that this will impact, I wholeheartedly support
7 the bill, Madam President. Thank you.

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

10 Announce the results.

11 THE SECRETARY: In relation to
12 Calendar Number 1664, voting in the negative:
13 Senator Brisport.

14 Ayes, 62. Nays, 1.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1665, Assembly Print Number 9348, by
19 Assemblymember Cusick, an act in relation to
20 establishing the Fentanyl Abuse and Overdose
21 Prevention Task Force.

22 ACTING PRESIDENT PERSAUD: Read the
23 last section.

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

1 ACTING PRESIDENT PERSAUD: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT PERSAUD: Announce
5 the results.

6 THE SECRETARY: Ayes, 63.

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1666, Senate Print 8523A, by Senator Savino, an
11 act to amend the General Business Law.

12 ACTING PRESIDENT PERSAUD: Read the
13 last section.

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

16 ACTING PRESIDENT PERSAUD: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT PERSAUD: Announce
20 the results.

21 THE SECRETARY: Ayes, 63.

22 ACTING PRESIDENT PERSAUD: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1667, Senate Print 8527, by Senator Comrie, an

1 act to amend the Public Authorities Law.

2 ACTING PRESIDENT PERSAUD: Read the
3 last section.

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

6 ACTING PRESIDENT PERSAUD: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT PERSAUD: Announce
10 the results.

11 THE SECRETARY: Ayes, 63.

12 ACTING PRESIDENT PERSAUD: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1668, Senate Print 8536A, by Senator Thomas, an
16 act to amend the Education Law.

17 ACTING PRESIDENT PERSAUD: Read the
18 last section.

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

22 ACTING PRESIDENT PERSAUD: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT PERSAUD: Senator

1 Boyle to explain his vote.

2 SENATOR BOYLE: Thank you,
3 Madam President, to explain my vote.

4 This bill is long overdue, and I
5 want to thank my colleague for bringing it up.
6 We have a situation in our schools where years
7 ago, as you may recall, we had a young man
8 tragically die, a child tragically die being hit
9 by a baseball. And we subsequently put automatic
10 defibrillators in every single school in our
11 state.

12 This airway device needs to be
13 brought to schools because a lot more kids are
14 going to suffer potential choking. We've had a
15 number of students die over the years from
16 choking and no way to open the airway. This bill
17 is going to allow it to happen. This airway
18 opening device should be brought into every
19 single school in the State of New York, and I
20 guarantee you it will save lives in the years to
21 come.

22 I proudly vote yes.

23 ACTING PRESIDENT PERSAUD: Senator
24 Boyle to be recorded in the affirmative.

25 Announce the results.

1 THE SECRETARY: In relation to
2 Calendar Number 1668, voting in the negative:
3 Senator Brooks.

4 Ayes, 62. Nays, 1.

5 ACTING PRESIDENT PERSAUD: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1669, Assembly Print Number 9526A, by
9 Assemblymember Lupardo, an act to amend the
10 Executive Law.

11 ACTING PRESIDENT PERSAUD: Read the
12 last section.

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

15 ACTING PRESIDENT PERSAUD: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT PERSAUD: Announce
19 the results.

20 THE SECRETARY: Ayes, 63.

21 ACTING PRESIDENT PERSAUD: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1672, Assembly Print Number 9814, by
25 Assemblymember Paulin, an act to amend the

1 General Business Law.

2 ACTING PRESIDENT PERSAUD: Read the
3 last section.

4 THE SECRETARY: Section 2. This
5 act shall take effect on the 60th day after it
6 shall have become a law.

7 ACTING PRESIDENT PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Announce
11 the results.

12 THE SECRETARY: Ayes, 63.

13 ACTING PRESIDENT PERSAUD: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1673, Senate Print 8689B, by Senator Thomas, an
17 act in relation to authorizing the County of
18 Nassau assessor to accept an application for a
19 real property tax exemption.

20 ACTING PRESIDENT PERSAUD: Read the
21 last section.

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

24 ACTING PRESIDENT PERSAUD: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT PERSAUD: Announce
3 the results.

4 THE SECRETARY: In relation to
5 Calendar Number 1673, voting in the negative:
6 Senator O'Mara.

7 Ayes, 62. Nays, 1.

8 ACTING PRESIDENT PERSAUD: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1674, Assembly Print Number 9406, by
12 Assemblymember Paulin, an act to amend the
13 Transportation Law.

14 ACTING PRESIDENT PERSAUD: Read the
15 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

24 THE SECRETARY: Ayes, 63.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1675, Assembly Print Number 9819A, by
4 Assemblymember Magnarelli, an act to amend the
5 Public Authorities Law.

6 ACTING PRESIDENT PERSAUD: Read the
7 last section.

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

10 ACTING PRESIDENT PERSAUD: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT PERSAUD: Announce
14 the results.

15 THE SECRETARY: Ayes, 63.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1677, Senate Print 8763A, by Senator Gaughran, an
20 act to amend the Civil Practice Law and Rules.

21 ACTING PRESIDENT PERSAUD: Read the
22 last section.

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

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar Number 1677, those Senators voting in
7 the negative are Senators Borrello, Boyle,
8 Brisport, Lanza, Martucci and Oberacker.

9 Ayes, 57. Nays, 6.

10 ACTING PRESIDENT PERSAUD: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1683, Senate Print 8837, by Senator Savino, an
14 act to amend the Public Health Law and the Social
15 Services Law.

16 SENATOR PALUMBO: Lay it aside.

17 ACTING PRESIDENT PERSAUD: Lay it
18 aside.

19 THE SECRETARY: Calendar Number
20 1684, Senate Print 8862, by Senator Cleare, an
21 act directing the Metropolitan Transportation
22 Authority to study the transportation and housing
23 needs of Randalls and Wards Islands.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

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

3 ACTING PRESIDENT PERSAUD: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT PERSAUD: Announce
7 the results.

8 THE SECRETARY: Ayes, 63.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1688, Senate Print 8887A, by Senator Cooney, an
13 act to amend the General Municipal Law.

14 ACTING PRESIDENT PERSAUD: Read the
15 last section.

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

18 ACTING PRESIDENT PERSAUD: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT PERSAUD: Announce
22 the results.

23 THE SECRETARY: Ayes, 63.

24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1689, Senate Print 8930, by Senator
3 Reichlin-Melnick, an act to authorize a study on
4 proposed improvements of State Route 303 in the
5 Town of Orangetown.

6 ACTING PRESIDENT PERSAUD: Read the
7 last section.

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

10 ACTING PRESIDENT PERSAUD: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT PERSAUD: Senator
14 Reichlin-Melnick to explain his vote.

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

17 I rise to support this bill, which
18 is long overdue. State Route 303 in the Town of
19 Orangetown was built in about 1940, more than
20 80 years ago, and yet there have been very few
21 major improvements on this road.

22 It's a four-lane highway, and yet
23 for most of it there is no median. The speed
24 limit's 45, but cars routinely go 55, 60,
25 65 miles an hour. It's been the site of many

1 accidents, unfortunately some of them fatal
2 accidents. And yet there has been, except at one
3 intersection, almost no major work that New York
4 State DOT has put in for many years.

5 So this bill is long overview,
6 because we will require the Department of
7 Transportation to conduct a comprehensive study
8 to evaluate what safety improvements need to be
9 built on this road, how can we get it done, and
10 make sure that people that drive along 303 every
11 day have a safe path to and from their homes and
12 their work.

13 Since the road was built, the
14 surrounding area has grown in population. And
15 most recently, it's grown with a lot of light
16 industry. There's a FedEx warehouse, an Amazon
17 warehouse, several small factories, other light
18 industrial buildings -- and yet there have been
19 no major improvements to keep the public safe.

20 So I'm happy that we're passing this
21 bill, I hope the Assembly can do likewise, and I
22 hope that the Governor would sign it into law.
23 And if we can't, we'll be back here next year
24 trying to get the money in the budget to make
25 sure that we get this study done and we get

1 people in Orangetown and Rockland protected along
2 this dangerous stretch of road.

3 I proudly vote aye.

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

7 Senator Stavisky to explain her
8 vote.

9 SENATOR STAVISKY: Yeah, thank you,
10 Madam President. And thank you, Senator
11 Reichlin-Melnick, for introducing this bill.

12 I have been on Route 303 many, many
13 times, and I agree with everything that you said.
14 But it's really a -- people go to other parts of
15 the state, and we should have the same good roads
16 that we have elsewhere.

17 Thank you. I vote aye.

18 ACTING PRESIDENT MAYER: Senator
19 Stavisky to be recorded in the affirmative.

20 Announce the results.

21 THE SECRETARY: Ayes, 63.

22 ACTING PRESIDENT MAYER: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1692, Senate Print 8956C, by Senator Mannion, an

1 act to amend the Public Authorities Law.

2 ACTING PRESIDENT MAYER: Read the
3 last section.

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

6 ACTING PRESIDENT MAYER: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MAYER: Announce
10 the results.

11 THE SECRETARY: In relation to
12 Calendar 1692, those Senators voting in the
13 negative are Senators Borrello, Griffio, Helming,
14 Jordan, Lanza, Oberacker, O'Mara, Ortt, Palumbo,
15 Ritchie, Serino, Tedisco and Weik.

16 Ayes, 50. Nays, 13.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1696, Senate Print 8985, by Senator Mayer, an act
21 to amend the Judiciary Law.

22 ACTING PRESIDENT MAYER: Read the
23 last section.

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

1 ACTING PRESIDENT MAYER: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT MAYER: Announce
5 the results.

6 THE SECRETARY: Ayes, 63.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1698, Senate Print 9060A, by Senator
11 Reichlin-Melnick, an act to amend the Tax Law.

12 ACTING PRESIDENT MAYER: Read the
13 last section.

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

16 ACTING PRESIDENT MAYER: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MAYER: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 1698, those Senators voting in the
23 negative are Senators Brooks, Felder, Gallivan,
24 Gaughran, Griffo, Harckham, Helming, Hinchey,
25 Jordan, Kaplan, Kennedy, Lanza, Mannion,

1 Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath,
2 Ritchie, Serino, Skoufis, Tedisco, Thomas and
3 Weik.

4 Ayes, 38. Nays, 25.

5 ACTING PRESIDENT MAYER: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1699, Senate Print 9093, by Senator Hoylman, an
9 act to amend the Alcoholic Beverage Control Law.

10 ACTING PRESIDENT MAYER: Read the
11 last section.

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

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MAYER: Announce
18 the results.

19 THE SECRETARY: Ayes, 63.

20 ACTING PRESIDENT MAYER: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1700, Assembly Print Number 9154, by
24 Assemblymember Wallace, an act to amend the
25 Public Authorities Law.

1 ACTING PRESIDENT MAYER: Read the
2 last section.

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

5 ACTING PRESIDENT MAYER: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT MAYER: Announce
9 the results.

10 THE SECRETARY: Ayes, 63.

11 ACTING PRESIDENT MAYER: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1701, Assembly Print Number 10189, by the
15 Assembly Committee on Rules, an act to direct the
16 Department of Civil Service to study certain
17 airport-related titles.

18 ACTING PRESIDENT MAYER: Read the
19 last section.

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

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

2 THE SECRETARY: Ayes, 63.

3 ACTING PRESIDENT MAYER: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1702, Assembly Print Number 2549, by
7 Assemblymember Fahy, an act to amend the
8 Social Services Law.

9 ACTING PRESIDENT MAYER: Read the
10 last section.

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

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Announce
17 the results.

18 THE SECRETARY: In relation to
19 Calendar Number 1702, those Senators voting in
20 the negative are Senators Akshar, Borrello,
21 Boyle, Gallivan, Griffo, Jordan, Lanza, Martucci,
22 Mattera, Oberacker, O'Mara, Ortt, Ritchie,
23 Serino, Stec, Tedisco and Weik.

24 Ayes, 46. Nays, 17.

25 ACTING PRESIDENT MAYER: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1703, Senate Print 9121, by Senator Mayer, an act
4 to amend Chapter 667 of the Laws of 2021.

5 ACTING PRESIDENT MAYER: Read the
6 last section.

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

9 ACTING PRESIDENT MAYER: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT MAYER: Announce
13 the results.

14 THE SECRETARY: In relation to
15 Calendar Number 1703, voting in the negative:
16 Senator Skoufis.

17 Ayes, 62. Nays, 1.

18 ACTING PRESIDENT MAYER: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1704, Senate Print 9128A, by Senator Breslin, an
22 act to amend the Navigation Law.

23 ACTING PRESIDENT MAYER: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect January 1, 2023.

2 ACTING PRESIDENT MAYER: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MAYER: Announce
6 the results.

7 THE SECRETARY: Ayes, 63.

8 ACTING PRESIDENT MAYER: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1705, Assembly Print Number 10155A, by the
12 Assembly Committee on Rules, an act to amend the
13 Real Property Tax Law.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

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

18 ACTING PRESIDENT MAYER: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT MAYER: Senator
22 Reichlin-Melnick to explain his vote.

23 SENATOR REICHLIN-MELNICK: Thank
24 you, Madam President.

25 And I'm very grateful to the

1 Senate Majority for bringing this legislation to
2 the floor.

3 We all know the volunteer
4 firefighters in our districts, in our
5 communities, are heroes. These are guys and
6 women who don't ask to be paid, and yet when they
7 see a building on fire, they run in and they try
8 to put it out and they try to save the people
9 that are there.

10 And so what this bill will do is
11 allow every local government in New York State to
12 offer a 10 percent property tax exemption to any
13 member of a volunteer fire department who's got
14 at least two years' service in their community.

15 Many of us who represent areas with
16 all-volunteer departments understand the
17 challenge these departments are having recruiting
18 new members, because it's not easy. It takes
19 time. There's training. There's drills. And
20 there are fires that put people's lives at risk.

21 And so the least that we can do is
22 to allow our local governments to give these
23 folks who put their lives on the line for all of
24 us a property tax exemption. I think it is a
25 long-overdue step, and I'm very grateful, again,

1 to the majority for bringing it up, and I proudly
2 vote aye.

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

6 Announce the results.

7 THE SECRETARY: Ayes, 63.

8 ACTING PRESIDENT MAYER: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1706, Assembly Print Number 10230, by the
12 Assembly Committee on Rules, an act to amend the
13 Vehicle and Traffic Law.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

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

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar Number 1706, voting in the negative are

1 Senators Skoufis and Serino.

2 Ayes, 61. Nays, 2.

3 ACTING PRESIDENT MAYER: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1708, Senate Print 9162A, by Senator Thomas, an
7 act extending the time within which certain
8 appointed officials may take or file their oaths
9 of office or official undertakings.

10 ACTING PRESIDENT MAYER: Read the
11 last section.

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

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MAYER: Announce
18 the results.

19 THE SECRETARY: In relation to
20 Calendar 1708, those Senators voting in the
21 negative are Senators Borrello, Griffo, Jordan,
22 Martucci, Oberacker, O'Mara, Ortt and Stec.

23 Ayes, 55. Nays, 8.

24 ACTING PRESIDENT MAYER: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1709, Assembly Print Number 3964, by
3 Assemblymember Colton, an act to amend the
4 Vehicle and Traffic Law.

5 ACTING PRESIDENT MAYER: Read the
6 last section.

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

9 ACTING PRESIDENT MAYER: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT MAYER: Announce
13 the results.

14 THE SECRETARY: Ayes, 63.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1710, Senate Print 9170A, by Senator Comrie, an
19 act to amend the Not-For-Profit Corporation Law.

20 ACTING PRESIDENT MAYER: Read the
21 last section.

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

24 ACTING PRESIDENT MAYER: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT MAYER: Announce
3 the results.

4 THE SECRETARY: Ayes, 63.

5 ACTING PRESIDENT MAYER: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1711, Senate Print 9172, by Senator Comrie, an
9 act to amend the Education Law.

10 ACTING PRESIDENT MAYER: Read the
11 last section.

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

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MAYER: Senator
18 Stavisky to explain her vote.

19 SENATOR STAVISKY: Thank you,
20 Madam President.

21 I ask to be recorded as abstaining
22 on this vote, on this bill, because of a personal
23 conflict.

24 Thank you, Madam President.

25 ACTING PRESIDENT MAYER: So

1 ordered.

2 Announce the results.

3 THE SECRETARY: In relation to
4 Calendar Number 1711, abstaining from voting:
5 Senator Stavisky.

6 Ayes, 62.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1712, Senate Print 9177B, by Senator Cooney, an
11 act to amend the Executive Law.

12 ACTING PRESIDENT MAYER: Read the
13 last section.

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

16 ACTING PRESIDENT MAYER: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MAYER: Senator
20 Cooney to explain his vote.

21 SENATOR COONEY: Thank you,
22 Madam President.

23 While AAPI Month literally just
24 ended yesterday, it's important that we recognize
25 the diversity of our communities year-round. I'm

1 so proud and honored to carry this bill
2 establishing the first-ever New York
3 Asian American Pacific Islander Commission. This
4 is especially, of course, meaningful to me as the
5 first upstate member, AAPI community member to be
6 elected from outside of the greater New York City
7 area.

8 And I'll also make a note that the
9 other chamber's sponsor is Jenifer Rajkumar, who
10 is the first South Asian woman to be elected into
11 that Assemblymember's chamber body.

12 So it's exciting to be able to be
13 part of this new generation of AAPI leaders in
14 public service. We know that Asian American and
15 Pacific Islanders are the fastest-growing racial
16 or ethnic group in the country, with their
17 population increasing over 80 percent since the
18 year 2000.

19 And dozens of AAPI groups have made
20 New York home, seeking social and economic
21 benefits and opportunities like so many other
22 New Yorkers that have come before us. However,
23 many of these groups, due to language barriers
24 and certain harmful stereotypes, have not been
25 able to take advantage of the various state and

1 local resources and programs.

2 And so during the month of May, I
3 had the opportunity to hear directly from members
4 of the community. I had a workshop during Caucus
5 Weekend in which we identified issues of
6 visibility for the AAPI community, as well as I
7 attended a judicial panel in the 7th Judicial
8 District where we talked about some of the
9 barriers in the court system for Asian Americans.

10 And so we listened and we want to do
11 things differently. And I believe by having a
12 commission that we bring representatives from
13 across the state to talk about what are the
14 programs, what are the opportunities, where are
15 the gaps, what we can do to fix and improve the
16 lives of these residents in our state, those who
17 are making neighborhoods in upstate and downstate
18 and are proud members of this community, to make
19 them better.

20 And I really hope that we can set
21 the example here in New York State and join other
22 states across the country that have done this
23 before us. And I will support this legislation.

24 Thank you, Madam President.

25 ACTING PRESIDENT MAYER: Senator

1 Cooney to be recorded in the affirmative.

2 Announce the results.

3 THE SECRETARY: Ayes, 63.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1713, Assembly Print Number 9764, by
8 Assemblymember De Los Santos, an act to amend the
9 Public Health Law.

10 ACTING PRESIDENT MAYER: Read the
11 last section.

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

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MAYER: Announce
18 the results.

19 THE SECRETARY: In relation to
20 Calendar Number 1713, those Senators voting in
21 the negative are Senators Akshar, Borrello,
22 Gallivan, Griffo, Jordan, Lanza, Martucci,
23 Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath,
24 Serino, Stec, Tedisco and Weik.

25 Ayes, 46. Nays, 17.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1719, Senate Print 9310, by Senator Breslin, an
5 act authorizing the City of Troy to lease
6 subsurface parkland property referred to as
7 Riverfront Park.

8 ACTING PRESIDENT MAYER: Read the
9 last section.

10 THE SECRETARY: Section 6. This
11 act shall take effect immediately.

12 ACTING PRESIDENT MAYER: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT MAYER: Announce
16 the results.

17 THE SECRETARY: Ayes, 63.

18 ACTING PRESIDENT MAYER: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1720, Assembly Print Number 10330, by the
22 Assembly Committee on Rules, an act to amend the
23 Tax Law.

24 ACTING PRESIDENT MAYER: Read the
25 last section.

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

3 ACTING PRESIDENT MAYER: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT MAYER: Announce
7 the results.

8 THE SECRETARY: In relation to
9 Calendar Number 1720, those Senators voting in
10 the negative are Senators Akshar, Borrello,
11 Boyle, Felder, Gallivan, Griffo, Harckham,
12 Helming, Hinchey, Jordan, Kaplan, Kennedy, Lanza,
13 Mannion, Martucci, Oberacker, O'Mara, Ortt,
14 Palumbo, Rath, Ritchie, Serino, Skoufis, Tedisco,
15 Thomas and Weik.

16 Ayes, 37. Nays, 26.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1724, Senate Print 9367, by Senator Breslin, an
21 act to amend the Insurance Law.

22 ACTING PRESIDENT MAYER: Read the
23 last section.

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

1 ACTING PRESIDENT MAYER: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT MAYER: Announce
5 the results.

6 THE SECRETARY: In relation to
7 Calendar Number 1724, voting in the negative:
8 Senator Weik. Also Senator Oberacker and
9 Senator Helming.

10 Ayes, 60. Nays, 3.

11 ACTING PRESIDENT MAYER: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1725, Senate Print 9369A, by Senator
15 Reichlin-Melnick, an act to authorize the
16 assessor of the Town of Ramapo, County of
17 Rockland, to accept an application for a real
18 property tax exemption.

19 ACTING PRESIDENT PERSAUD: Read the
20 last section.

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

23 ACTING PRESIDENT PERSAUD: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT PERSAUD: Announce
2 the results.

3 THE SECRETARY: In relation to
4 Calendar Number 1725, voting in the negative:
5 Senators Akshar and O'Mara.

6 Ayes, 61. Nays, 2.

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1726, Assembly Print Number 9922A, by the
11 Assembly Committee on Rules, an act to amend the
12 Workers' Compensation Law.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Announce
21 the results.

22 THE SECRETARY: Ayes, 63.

23 ACTING PRESIDENT PERSAUD: Hold it.
24 Sorry. Senator Jackson to explain his vote.

25 SENATOR JACKSON: Thank you,

1 Madam President.

2 My colleagues, I rise today to
3 support my bill, S9370, an act to amend the
4 Workers' Compensation Law in relation to
5 presumptive evidence for individuals who
6 participated in the World Trade Center rescue,
7 recovery and cleanup operations.

8 There's no doubt that the
9 World Trade Center rescue and recovery workers
10 exposed to toxins during cleanup operations have
11 experienced extensive and serious damage to their
12 health. Many rescue and recovery workers
13 developed respiratory symptoms and pulmonary
14 disease due to their extensive World Trade Center
15 dust cloud exposure.

16 The association between exposure
17 present at the World Trade Center site and the
18 risks of several specific types of cancer has
19 been reported among rescue and recovery workers.
20 The CDC World Trade Center Health Program has
21 defined a list of certified illnesses caused by
22 this exposure, Madam President. The program
23 provides funding to first responders for medical
24 treatment and complications derived from their
25 response to the 9/11 terrorist attack.

1 And at the moment, the Workers'
2 Compensation Law does not compel the New York
3 State Workers' Compensation Board to accept the
4 CDC's World Trade Center Health Program's
5 certifications as presumptive causation of
6 certified illnesses. Many of the first
7 responders and rescue and recovery workers who
8 responded to the 9/11 terrorist attack, have had
9 their illnesses certified by the CDC World Trade
10 Center Health Program, and have filed a timely
11 claim for benefits with the New York State
12 Workers' Compensation Board, have been denied
13 without cause.

14 Other dependents of workers who died
15 of 9/11 certified illnesses are barred from
16 filing claims for workers' compensation benefits
17 because the statute of limitations has expired.

18 This legislation, Madam President,
19 will help first responders and rescue and
20 recovery workers who contracted an illness or
21 died of a certified illness get the benefits they
22 and their families rightfully deserve.

23 For these reasons, I ask all my
24 colleagues to join me in voting aye on this bill.

25 Thank you.

1 ACTING PRESIDENT PERSAUD: Senator
2 Jackson to be recorded in the affirmative.
3 Announce the results.
4 THE SECRETARY: Ayes, 63.
5 ACTING PRESIDENT PERSAUD: The bill
6 is passed.
7 THE SECRETARY: Calendar Number
8 1727, Senate Print 9374, by Senator
9 Reichlin-Melnick, an act to amend the
10 Public Officers Law and the Village Law.
11 ACTING PRESIDENT PERSAUD: Read the
12 last section.
13 THE SECRETARY: Section 3. This
14 act shall take effect immediately.
15 ACTING PRESIDENT PERSAUD: Call the
16 roll.
17 (The Secretary called the roll.)
18 ACTING PRESIDENT PERSAUD: Announce
19 the results.
20 THE SECRETARY: Ayes, 63.
21 ACTING PRESIDENT PERSAUD: The bill
22 is passed.
23 THE SECRETARY: Calendar Number
24 1728, Senate Print 9403A, by Senator Ramos, an
25 act to amend the Labor Law.

1 ACTING PRESIDENT PERSAUD: Read the
2 last section.

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

5 ACTING PRESIDENT PERSAUD: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT PERSAUD: Senator
9 Ramos to explain her vote.

10 SENATOR RAMOS: Thank you,
11 Madam President.

12 I rise again to thank our conference
13 and our Majority Leader, Andrea Stewart-Cousins,
14 for helping me address a very serious issue of
15 pay inequity in our society.

16 Of course, as women, equal pay has
17 been an issue since probably the beginning of
18 time. And as we know, we all know the
19 statistics, a white woman makes 80 cents to a
20 white man's dollar, Black women make 62 cents to
21 a white man's dollar, Indigenous women make
22 57 cents to a white man's dollar, and if you're a
23 Latina like me, well, you're lucky if you get to
24 rub two quarters together to a white man's
25 dollar.

1 And so what we're doing with this
2 bill is really urging and demanding that
3 employers disclose salaries to prospective and
4 current employees in order to begin to address
5 this issue.

6 I've said it here on the floor
7 before, that really the best answer to pay equity
8 is a collective bargaining agreement. And
9 actually when you organize a union, anyone in the
10 labor movement will tell you that the first step
11 is actually to get the workers to talk about how
12 much they make so that you know what inequities,
13 what injustices are taking place at that very
14 basic level in a workplace.

15 And so right here what we're doing
16 is building on what New York City has already
17 done in disclosing salaries across industries.

18 And I'm very proud to vote aye on
19 this bill, Madam President. Thank you.

20 ACTING PRESIDENT PERSAUD: Senator
21 Ramos to be recorded in the affirmative.

22 Announce the results.

23 THE SECRETARY: Ayes, 63.

24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1729, Senate Print 9413, by Senator
3 Stewart-Cousins, an act to amend the
4 Real Property Tax Law and the Real Property Law.
5 ACTING PRESIDENT PERSAUD: Read the
6 last section.
7 THE SECRETARY: Section 3. This
8 act shall take effect immediately.
9 ACTING PRESIDENT PERSAUD: Call the
10 roll.
11 (The Secretary called the roll.)
12 ACTING PRESIDENT PERSAUD: Announce
13 the results.
14 THE SECRETARY: Ayes, 63.
15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.
17 THE SECRETARY: Calendar Number
18 1732, Assembly Print Number 7710A, by
19 Assemblymember Englebright, an act to amend the
20 Environmental Conservation Law.
21 ACTING PRESIDENT PERSAUD: Read the
22 last section.
23 THE SECRETARY: Section 2. This
24 act shall take effect immediately.
25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce
4 the results.

5 THE SECRETARY: Ayes, 63.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1733, Senate Print 9423, by Senator Salazar, an
10 act to amend the Correction Law.

11 ACTING PRESIDENT PERSAUD: Read the
12 last section.

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

16 ACTING PRESIDENT PERSAUD: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT PERSAUD: Senator
20 Borrello to explain his vote.

21 SENATOR BORRELLO: Thank you,
22 Madam President.

23 I'm voting no on this bill today for
24 a number of reasons. First and foremost, we're
25 talking about trying to secure the safety of

1 inmates during a state of emergency. Well, if
2 this panel existed right now -- we are currently
3 operating under a state of emergency, and this
4 panel could actually act independently and start
5 releasing potentially dangerous people onto our
6 streets.

7 And while we are certainly concerned
8 about natural disasters and emergencies like a
9 pandemic, this body has continued to ignore the
10 manmade disaster of the violence inside of our
11 prisons that we are seeing continually, again and
12 again, against both the hardworking state
13 employees that risk their lives to keep the rest
14 of us safe, as well as the inmates that are in
15 the facilities that are also being harmed by
16 things like the HALT bill.

17 So this is a bad bill, but more
18 importantly, it's another symptom of a broken
19 system that puts criminals above law-abiding
20 citizens. I'm a hard no.

21 Thank you.

22 ACTING PRESIDENT PERSAUD: Senator
23 Borrello to be recorded in the negative.

24 Announce the results.

25 THE SECRETARY: In relation to

1 Calendar 1733, those Senators voting in the
2 negative are Senators Akshar, Borrello, Boyle,
3 Gallivan, Gaughran, Griffo, Helming, Jordan,
4 Lanza, Martucci, Mattera, Oberacker, O'Mara,
5 Ortt, Rath, Ritchie, Serino, Stec, Tedisco and
6 Weik.

7 Ayes, 43. Nays, 20.

8 ACTING PRESIDENT PERSAUD: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1734, Senate Print 9424, by Senator Kennedy, an
12 act to amend the Workers' Compensation Law.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Announce
21 the results.

22 THE SECRETARY: Ayes, 63.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1735, Senate Print 9427A, by Senator Ramos, an
2 act to amend the Labor Law.

3 ACTING PRESIDENT PERSAUD: Read the
4 last section.

5 THE SECRETARY: Section 2. This
6 act shall take effect on the 270th day after it
7 shall have become a law.

8 ACTING PRESIDENT PERSAUD: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT PERSAUD: Senator
12 Ramos to explain her vote. No, she's not.

13 Announce the results.

14 THE SECRETARY: In relation to
15 Calendar 1735, those Senators voting in the
16 negative are Senators Akshar, Borrello, Gallivan,
17 Griffo, Helming, Jordan, Lanza, Martucci, O'Mara,
18 Ortt, Palumbo, Rath, Ritchie, Serino, Stec,
19 Tedisco and Weik.

20 Ayes, 46. Nays, 17.

21 ACTING PRESIDENT PERSAUD: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1736, Senate Print 9432, by Senator Mayer, an act
25 to amend the Public Authorities Law.

1 ACTING PRESIDENT PERSAUD: Read the
2 last section.

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

6 ACTING PRESIDENT PERSAUD: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT PERSAUD: Announce
10 the results.

11 THE SECRETARY: Ayes, 63.

12 ACTING PRESIDENT PERSAUD: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1737, Senate Print 9445, by Senator Gianaris, an
16 act to amend the Agriculture and Markets Law.

17 ACTING PRESIDENT PERSAUD: Read the
18 last section.

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

22 ACTING PRESIDENT PERSAUD: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT PERSAUD: Announce

1 the results.

2 THE SECRETARY: Ayes, 63.

3 ACTING PRESIDENT PERSAUD: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1738, Senate Print 9446, by Senator Myrie, an act
7 to amend the Tax Law.

8 ACTING PRESIDENT PERSAUD: Read the
9 last section.

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

12 ACTING PRESIDENT PERSAUD: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT PERSAUD: Senator
16 Bailey to explain his vote.

17 SENATOR BAILEY: Thank you,
18 Madam President. Thank you for allowing me to
19 speak on Calendar Number 1738, a very important
20 bill about exempting income from poll workers.

21 And I think this is one of these
22 things that we want to incentivize poll workers
23 to be able to come out and do the job, the
24 essential job, and to say what's up and hello to
25 the voters that come to their polling sites.

1 So a very important bill by
2 Senator Myrie. I just wanted to cast my vote in
3 the affirmative. Thank you, Madam President.

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

6 Announce the results.

7 THE SECRETARY: Ayes, 63.

8 ACTING PRESIDENT PERSAUD: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1739, Senate Print 9450, by Senator Gianaris, an
12 act to amend the Labor Law.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Announce
21 the results.

22 THE SECRETARY: In relation to
23 Calendar 1739, those Senators voting in the
24 negative are Senators Akshar, Borrello, Gallivan,
25 Griffo, Helming, Jordan, O'Mara, Ortt, Palumbo,

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

2 Ayes, 48. Nays, 15.

3 ACTING PRESIDENT PERSAUD: The bill
4 is passed.

5 Senator Gianaris.

6 SENATOR GIANARIS: Madam President,
7 I understand there was an error in the recording
8 of the vote for Calendar 1720. Can we please go
9 back to that and just have the no votes read
10 again.

11 ACTING PRESIDENT PERSAUD: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar 1720, those Senators voting in the
15 negative are Senators Akshar, Borrello, Boyle,
16 Felder, Gallivan, Griffio, Harckham, Helming,
17 Hinchey, Jordan, Kaplan, Kennedy, Lanza, Mannion,
18 Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath,
19 Ritchie, Serino, Skoufis, Tedisco, Thomas and
20 Weik.

21 Ayes, 37. Nays, 26.

22 ACTING PRESIDENT PERSAUD: The bill
23 is passed.

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

1 SENATOR GIANARIS: Thank you,
2 Madam President.

3 Can we now return to motions and
4 resolutions. I understand the clerk needs to
5 read some substitutions.

6 ACTING PRESIDENT PERSAUD: The
7 Secretary will read.

8 THE SECRETARY: Senator Kaplan
9 moves to discharge, from the Committee on Energy
10 and Telecommunications, Assembly Bill Number
11 3258A and substitute it for the identical Senate
12 Bill 932A, Third Reading Calendar 1635.

13 Senator Gaughran moves to discharge,
14 from the Committee on Rules, Assembly Bill Number
15 911A and substitute it for the identical Senate
16 Bill 947A, Third Reading Calendar 1670.

17 Senator Skoufis moves to discharge,
18 from the Committee on Finance, Assembly Bill
19 Number 6710B and substitute it for the identical
20 Senate Bill 1852B, Third Reading Calendar 1740.

21 Senator Hoylman moves to discharge,
22 from the Committee on Procurements and Contracts,
23 Assembly Bill Number 5773 and substitute it for
24 the identical Senate Bill 2239, Third Reading
25 Calendar 1741.

1 Senator Parker moves to discharge,
2 from the Committee on Rules, Assembly Bill Number
3 3144A and substitute it for the identical Senate
4 Bill 2924A, Third Reading Calendar 1742.

5 Senator Kennedy moves to discharge,
6 from the Committee on Transportation,
7 Assembly Bill Number 811A and substitute it for
8 the identical Senate Bill 3532A, Third Reading
9 Calendar 1746.

10 Senator Savino moves to discharge,
11 from the Committee on Aging, Assembly Bill Number
12 2211 and substitute it for the identical Senate
13 Bill 3932, Third Reading Calendar 1747.

14 Senator Stavisky moves to discharge,
15 from the Committee on Health, Assembly Bill
16 Number 5061 and substitute it for the identical
17 Senate Bill 4142, Third Reading Calendar 1749.

18 Senator Sanders moves to discharge,
19 from the Committee on Energy and
20 Telecommunications, Assembly Bill Number 7404A
21 and substitute it for the identical Senate
22 Bill 4479A, Third Reading Calendar 1751.

23 Senator Sanders moves to discharge,
24 from the Committee on Finance, Assembly Bill
25 Number 3714 and substitute it for the identical

1 Senate Bill 5097A, Third Reading Calendar 1753.

2 Senator Breslin moves to discharge,
3 from the Committee on Insurance, Assembly Bill
4 Number 6877 and substitute it for the identical
5 Senate Bill 6028, Third Reading Calendar 1756.

6 Senator May moves to discharge, from
7 the Committee on Social Services, Assembly Print
8 Number 9118A and substitute it for the identical
9 Senate Number 6348A, Third Reading Calendar 1759.

10 Senator Hoylman moves to discharge,
11 from the Committee on Judiciary, Assembly Bill
12 Number 2375C and substitute it for the identical
13 Senate Bill 6385B, Third Reading Calendar 1760.

14 Senator Persaud moves to discharge,
15 from the Committee on Disabilities, Assembly Bill
16 Number 7882A and substitute it for the identical
17 Senate Bill 6789A, Third Reading Calendar 1763.

18 Senator Harckham moves to discharge,
19 from the Committee on Alcoholism and Substance
20 Abuse, Assembly Bill Number 8163A and substitute
21 it for the identical Senate Bill 7313A,
22 Third Reading Calendar 1769.

23 Senator Cleare moves to discharge,
24 from the Committee on Health, Assembly Bill
25 Number 8604 and substitute it for the identical

1 Senate Bill 8157, Third Reading Calendar 1774.

2 Senator Kennedy moves to discharge,
3 from the Committee on Elections, Assembly Bill
4 Number 9423A and substitute it for the identical
5 Senate Bill 8409A, Third Reading Calendar 1777.

6 Senator Stec moves to discharge,
7 from the Committee on Civil Service and Pensions,
8 Assembly Bill Number 9517 and substitute it for
9 the identical Senate Bill 8505, Third Reading
10 Calendar 1779.

11 Senator O'Mara moves to discharge,
12 from the Committee on Local Government,
13 Assembly Bill Number 9700 and substitute it for
14 the identical Senate Bill 8551, Third Reading
15 Calendar 1780.

16 Senator Stec moves to discharge,
17 from the Committee on Civil Service and Pensions,
18 Assembly Bill Number 10218 and substitute it for
19 the identical Senate Bill 9026, Third Reading
20 Calendar 1786.

21 Senator Mannion moves to discharge,
22 from the Committee on Education, Assembly Bill
23 Number 10191 and substitute it for the identical
24 Senate Bill 9132, Third Reading Calendar 1788.

25 Senator Mannion moves to discharge,

1 from the Committee on Education, Assembly Bill
2 Number 10192 and substitute it for the identical
3 Senate Bill 9134, Third Reading Calendar 1789.

4 ACTING PRESIDENT PERSAUD:
5 Substitutions so ordered.

6 Senator Gianaris.

7 SENATOR GIANARIS: Thank you,
8 Madam President.

9 Can we move on to the supplemental
10 calendar, please.

11 ACTING PRESIDENT PERSAUD: The
12 Secretary will read.

13 THE SECRETARY: Calendar Number
14 1635, Assembly Print Number 3258A, by the
15 Assembly Committee on Rules, an act to amend the
16 Public Service Law.

17 ACTING PRESIDENT PERSAUD: Read the
18 last section.

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

21 ACTING PRESIDENT PERSAUD: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT PERSAUD: Senator
25 Kaplan to explain her vote.

1 SENATOR KAPLAN: Thank you,
2 Madam President.

3 During PSEG's failed response to
4 Tropical Storm Isaias, we learned a lot of hard
5 lessons about the importance of thoroughly
6 planning for emergencies, one of which was the
7 importance of coordinating between all parties
8 engaged in the restoration and recovery effort.

9 I spoke to so many crews on the
10 ground in the aftermath of the storm who told me
11 they were showing up at sites to do restoration
12 work but couldn't do their job until the work of
13 another crew or another utility was done first,
14 and they were forced to wait hours because that
15 other crew or utility was never notified of the
16 fact or often never showed up.

17 Residents were right to be outraged,
18 seeing workers ready willing and able to help but
19 unable to do so because they had been -- there
20 had been no coordination with other stakeholders.

21 This legislation will require
22 electric companies to submit a plan for review on
23 how they will coordinate with other entities
24 during an emergency response situation. And
25 hopefully it will help us to be much better

1 prepared for the next storm.

2 I vote aye. Thank you.

3 ACTING PRESIDENT PERSAUD: Senator
4 Kaplan to be recorded in the affirmative.

5 Announce the results.

6 THE SECRETARY: Ayes, 63.

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1670, Assembly Print Number 911A, by
11 Assemblymember Jean-Pierre, an act to amend the
12 Navigation Law and the Penal Law.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Announce
21 the results.

22 THE SECRETARY: Ayes, 63.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1678, Senate Print 1020, by Senator Kaminsky, an
2 act to amend the Tax Law.

3 ACTING PRESIDENT PERSAUD: Read the
4 last section.

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

7 ACTING PRESIDENT PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Senator
11 Kaminsky to explain his vote.

12 SENATOR KAMINSKY: Thanks so much,
13 Madam President.

14 We need to do everything we can in
15 our state to expand the use of solar energy. And
16 this may be a simply and very discrete, narrow
17 bill. What it does is allow people who cannot
18 put solar on their primary residence, but who
19 have another residence, to put solar there and to
20 take advantage of the same tax credit.

21 But I'd like to use this opportunity
22 to urge the state to try to be expanding solar
23 energy wherever it can, and wherever we can.

24 There's always going to be a reason
25 in a given instance why solar may not work here

1 or may not work there, but we need to step back
2 and realize that to meet our CLCPA goals we have
3 to be bold, we have to be tough about it, and
4 we're going to have to get creative and do things
5 we may not want to do otherwise. Because that's
6 the direction our state is committed in going,
7 and we need to have all hands on deck to reach
8 it.

9 I vote in the affirmative. Thank
10 you, Madam President.

11 ACTING PRESIDENT PERSAUD: Senator
12 Kaminsky to be recorded in the affirmative.

13 Announce the results.

14 THE SECRETARY: Ayes, 63.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1680, Senate Print 1039, by Senator Krueger, an
19 act to amend the Election Law.

20 ACTING PRESIDENT PERSAUD: Read the
21 last section.

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

24 ACTING PRESIDENT PERSAUD: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT PERSAUD: Announce
3 the results.

4 THE SECRETARY: In relation to
5 Calendar 1680, those Senators voting in the
6 negative are Senators Gallivan, Lanza, Oberacker
7 and Weik.

8 Ayes, 59. Nays, 4.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1707, Senate Print 1151C, by Senator Kaplan, an
13 act to amend the Education Law.

14 ACTING PRESIDENT PERSAUD: Read the
15 last section.

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

18 ACTING PRESIDENT PERSAUD: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT PERSAUD: Announce
22 the results.

23 THE SECRETARY: Ayes, 63.

24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1723, Senate Print 1443B, by Senator Addabbo, an
3 act to amend the Racing, Pari-Mutuel Wagering and
4 Breeding Law.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

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

9 ACTING PRESIDENT PERSAUD: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Announce
13 the results.

14 THE SECRETARY: In relation to
15 Calendar 1723, those Senators voting in the
16 negative are Senators Griffo, Lanza, Oberacker,
17 O'Mara, Ortt, Palumbo and Serino.

18 Ayes, 56. Nays, 7.

19 ACTING PRESIDENT PERSAUD: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1730, Senate Print 1810A, by Senator Skoufis, an
23 act to amend the Town Law.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

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

3 ACTING PRESIDENT PERSAUD: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT PERSAUD: Announce
7 the results.

8 THE SECRETARY: In relation to
9 Calendar Number 1730, those Senators voting in
10 the negative are Senators Akshar, Borrello,
11 Brooks, Felder, Gallivan, Gaughran, Griffo,
12 Helming, Jordan, Kennedy, Lanza, Mattera,
13 Oberacker, O'Mara, Ortt, Palumbo, Rath,
14 Reichlin-Melnick, Serino, Stec, Tedisco, Thomas
15 and Weik.

16 Ayes, 40. Nays, 23.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1740, Assembly Print Number 6710B, by
21 Assemblymember Zebrowski, an act to amend the
22 Executive Law.

23 ACTING PRESIDENT PERSAUD: Read the
24 last section.

25 THE SECRETARY: Section 4. This

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

3 ACTING PRESIDENT PERSAUD: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT PERSAUD: Announce
7 the results.

8 THE SECRETARY: Ayes, 63.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1741, Assembly Print Number 5773, by
13 Assemblymember Glick, an act to amend the
14 Executive Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar Number 1741, those Senators voting in

1 the negative are Senators Akshar, Borrello,
2 Gallivan, Griffo, Jordan, Martucci, Oberacker,
3 O'Mara, Ortt, Rath, Ritchie, Serino, Stec and
4 Tedisco.

5 Ayes, 49. Nays, 14.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1742, Assembly Print Number 3144A, by
10 Assemblymember Pretlow, an act to amend the
11 Public Service Law and the State Finance Law.

12 ACTING PRESIDENT PERSAUD: Read the
13 last section.

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

16 ACTING PRESIDENT PERSAUD: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT PERSAUD: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar Number 1742, those Senators voting in
23 the negative are Senators Akshar, Borrello,
24 Jordan, Martucci, Oberacker, O'Mara and Ortt.

25 Ayes, 56. Nays, 7.

1 ACTING PRESIDENT PERSAUD: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1743, Senate Print 2935A, by Senator Kaminsky, an
5 act to authorize the widow of Howard Mahler to
6 file a retirement option election form.

7 ACTING PRESIDENT PERSAUD: Read the
8 last section.

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

11 ACTING PRESIDENT PERSAUD: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT PERSAUD: Announce
15 the results.

16 THE SECRETARY: Ayes, 63.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1744, Senate Print 3080A, by Senator Salazar, an
21 act directing the New York State Energy Research
22 and Development Authority to establish a Ride
23 Clean rebate program.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

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

3 ACTING PRESIDENT PERSAUD: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT PERSAUD: Announce
7 the results.

8 THE SECRETARY: In relation to
9 Calendar 1744, those Senators voting in the
10 negative are Senators Felder, Helming and
11 Oberacker.

12 Ayes, 60. Nays, 3.

13 ACTING PRESIDENT PERSAUD: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1746, Assembly Print Number 811A, by
17 Assemblymember Wallace, an act to amend the
18 Vehicle and Traffic Law.

19 ACTING PRESIDENT PERSAUD: Read the
20 last section.

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

24 ACTING PRESIDENT PERSAUD: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT PERSAUD: Announce
3 the results.

4 THE SECRETARY: Ayes, 63.

5 ACTING PRESIDENT PERSAUD: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1747, Assembly Bill Number 2211, by
9 Assemblymember Simon, an act to amend the
10 Public Health Law.

11 ACTING PRESIDENT PERSAUD: Read the
12 last section.

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

15 ACTING PRESIDENT PERSAUD: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT PERSAUD: Senator
19 Serino to explain her vote.

20 SENATOR SERINO: Thank you,
21 Madam President.

22 You know, while I understand and
23 very much support the intent of this bill -- to
24 get residents time to find a suitable alternative
25 in the event of a closure -- this body hasn't

1 done anything to get to the root of the problem
2 and actually prevent these closures to ensure
3 continuity for their residents.

4 I know we all want our seniors and
5 those in need of assistance like those provided
6 in these facilities be able to age in place and
7 at home in the communities that they love. But
8 that simply is not the reality for all
9 New Yorkers. And our assisted living facilities
10 play a critical role in allowing New Yorkers to
11 age with the independence that they desire, but
12 with a little extra help.

13 But we are losing these facilities
14 left and right because the state refuses to
15 ensure that they have the resources that they
16 need to keep their doors open. We have
17 drastically underfunded the SSI rate and other
18 supports that they receive, and those that are
19 being hurt by this are our most vulnerable, many
20 of whom are being moved to nursing homes as a
21 rule.

22 We can do better to prevent the
23 closures of high-quality facilities that
24 thousands of New Yorkers depend on, and we must.
25 So while I support the intent of this bill, no

1 one should be removed from their home without
2 proper notice and planning.

3 I'll be voting no today, because
4 what we should be doing instead is supporting
5 this critical piece of our care continuum.

6 Thank you, Madam President.

7 ACTING PRESIDENT PERSAUD: Senator
8 Serino to be recorded in the negative.

9 Announce the results.

10 THE SECRETARY: In relation to
11 Calendar 1747, those Senators voting in the
12 negative are Senators Akshar, Borrello, Felder,
13 Gallivan and Serino.

14 Ayes, 58. Nays, 5.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1748, Senate Print 4104A, by Senator Breslin, an
19 act to amend the General Business Law.

20 ACTING PRESIDENT PERSAUD: Read the
21 last section.

22 SENATOR LANZA: Lay it aside.

23 ACTING PRESIDENT PERSAUD: Lay it
24 aside.

25 THE SECRETARY: Calendar Number

1 1749, Assembly Print Number 5061, by the
2 Assemblymember Committee on Rules, an act to
3 amend the Public Health Law.

4 ACTING PRESIDENT PERSAUD: Read the
5 last section.

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

9 ACTING PRESIDENT PERSAUD: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Announce
13 the results.

14 THE SECRETARY: In relation to
15 Calendar 1749, those Senators voting in the
16 negative are Senators Gallivan, Griffio, Helming,
17 Jordan, O'Mara, Ortt and Stec.

18 Ayes, 56. Nays, 7.

19 ACTING PRESIDENT PERSAUD: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1750, Senate Print 4339B, by Senator Skoufis, an
23 act to amend the Not-For-Profit Corporation Law.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

1 THE SECRETARY: Section 11. This
2 act shall take effect on the 30th day after it
3 shall have become a law.

4 ACTING PRESIDENT PERSAUD: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT PERSAUD: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar 1750, those Senators voting in the
11 negative are Senators Akshar, Borrello, Gallivan,
12 Griffo, Helming, Jordan, Martucci, O'Mara, Ortt,
13 Palumbo, Rath, Ritchie, Serino, Tedisco and Weik.

14 Ayes, 48. Nays, 15.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1751, Assembly Print Number 7404A, by
19 Assemblymember Steck, an act to amend the
20 New York State Energy Research and Development
21 Authority to prepare a report on the
22 establishment of a New York renewable energy
23 laboratory.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

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

3 ACTING PRESIDENT PERSAUD: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT PERSAUD: Announce
7 the results.

8 THE SECRETARY: Ayes, 63.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1752, Senate Print 4871B, by Senator Breslin, an
13 act to amend the Vehicle and Traffic Law.

14 ACTING PRESIDENT PERSAUD: Read the
15 last section.

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

18 ACTING PRESIDENT PERSAUD: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT PERSAUD: Announce
22 the results.

23 THE SECRETARY: Ayes, 63.

24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1753, Assembly Print Number 3714, by
3 Assemblymember Rosenthal, an act to amend the
4 Real Property Law.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

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

10 ACTING PRESIDENT PERSAUD: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT PERSAUD: Announce
14 the results.

15 THE SECRETARY: In relation to
16 Calendar 1753, those Senators voting in the
17 negative are Senators Akshar, Borrello, Gallivan,
18 Griffo, Helming, Jordan, Martucci, Mattera,
19 Oberacker, Ortt, Palumbo, Rath, Ritchie, Serino,
20 Stec, Tedisco and Weik.

21 Ayes, 46. Nays, 17.

22 ACTING PRESIDENT PERSAUD: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1754, Senate Print 5456C, by Senator Bailey, an

1 act to amend the Education Law.

2 ACTING PRESIDENT PERSAUD: Read the
3 last section.

4 THE SECRETARY: Section 4. This
5 act shall take effect on the 30th day after it
6 shall have become a law.

7 ACTING PRESIDENT PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Announce
11 the results.

12 THE SECRETARY: Ayes, 63.

13 ACTING PRESIDENT PERSAUD: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1755, Senate Print 5542, by Senator Brooks, an
17 act to amend the Military Law.

18 ACTING PRESIDENT PERSAUD: Read the
19 last section.

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

22 ACTING PRESIDENT PERSAUD: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT PERSAUD: Announce

1 the results.

2 THE SECRETARY: Ayes, 63.

3 ACTING PRESIDENT PERSAUD: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1756, Assembly Print Number 6877, by
7 Assemblymember Zebrowski, an act to amend the
8 Insurance Law.

9 ACTING PRESIDENT PERSAUD: Read the
10 last section.

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

13 ACTING PRESIDENT PERSAUD: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT PERSAUD: Senator
17 Weik to explain her vote.

18 SENATOR WEIK: Thank you,
19 Madam President. I rise to explain my vote today
20 on this devastating piece of legislation.

21 Who performs these inspections?
22 Mom-and-pop service stations, our local
23 businesses. About 300 jobs in my district that
24 pay good salaries, 80,000-plus. These are
25 careers.

1 The purpose of these inspections are
2 to identify after-accident damage or fraud
3 involving swapping out different vehicles.
4 According to the Suffolk County Deputy Sheriffs
5 Association, Reg 79 has been among the most
6 effective tools for law enforcement and insurers
7 to detect and prevent auto theft -- which, as you
8 know, has been increasing, especially in New York
9 City, where we saw thefts double in the last
10 year.

11 Without these inspections, how will
12 insurers be able to determine if a claim is
13 valid? We've spent a great deal of time dealing
14 with crime issues in this chamber, but
15 unfortunately the steps the Majority has taken
16 have not led to decreasing crime, they've made us
17 less safe.

18 Once again it appears we're about to
19 eliminate a tool that has been valuable and
20 effective in preventing property crime --
21 car theft, which we've seen endless amounts of on
22 the news lately no matter where you live in
23 New York State. And no matter where we go, we're
24 going to continue to see that rise without this
25 regulation in place.

1 We don't want to see more fraud, we
2 don't want to see more theft. And we certainly
3 do not want to see insurance rates rise because
4 of car theft. And for that reason and for the
5 loss of so many jobs in my district, I'll be
6 voting no.

7 ACTING PRESIDENT PERSAUD: Senator
8 Weik to be recorded in the negative.

9 Announce the results. Oh, sorry,
10 Senator Boyle to explain his vote.

11 SENATOR BOYLE: Thank you,
12 Madam President.

13 And I'd just like to associate
14 myself with Senator Weik's remarks in explaining
15 my vote in the negative.

16 We have seen so much fraud and abuse
17 of the system of insurance, it makes no sense
18 whatsoever that we would get rid of this system
19 that has worked well for so long. It's a minor
20 inconvenience for the automobile owner, but it
21 makes a big difference to law enforcement and to
22 root out fraud by our insurance industry.

23 I vote in the negative.

24 ACTING PRESIDENT PERSAUD: Senator
25 Boyle to be recorded in the negative.

1 Announce the results.

2 THE SECRETARY: In relation to
3 Calendar Number 1756, those Senators voting in
4 the negative are Senators Boyle, Gaughran, Lanza,
5 Mattera, Palumbo, Tedisco and Weik.

6 Ayes, 56. Nays, 7.

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1757, Senate Print 6093A, by Senator Gounardes,
11 an act to amend the Retirement and
12 Social Security Law.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Announce
21 the results.

22 THE SECRETARY: Ayes, 63.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1758, Senate Print 6156, by Senator Boyle, an act
2 to amend the Highway Law.

3 ACTING PRESIDENT PERSAUD: Read the
4 last section.

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

7 ACTING PRESIDENT PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar Number 1758, voting in the negative:
14 Senator Brisport.

15 Ayes, 62. Nays, 1.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1759, Assembly Print Number 9118A, by
20 Assemblymember Rosenthal, an act to amend the
21 Social Services Law.

22 ACTING PRESIDENT PERSAUD: Read the
23 last section.

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

1 ACTING PRESIDENT PERSAUD: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT PERSAUD: Senator
5 Borrello to explain his vote.

6 SENATOR BORRELLO: Thank you,
7 Madam President.

8 I understand that the idea is to
9 make it easier for people to file things
10 electronically. But what we've learned is -- I
11 am on the right bill, aren't I? 1759? Yes. I
12 don't want to make the same mistake twice. Yes,
13 I'm right? Okay, good. Thank you.

14 Sorry, I'll start over again. The
15 issue I have with that is that I've seen -- not
16 only have I seen a tremendous amount of fraud
17 that occurred during the pandemic when we tried
18 to help with unemployment insurance claims, but
19 also I was a victim of such fraud. Someone
20 applied for unemployment insurance in the State
21 of Kentucky in my name. They opened up a
22 checking account in the State of Kentucky in my
23 name. I've never worked in Kentucky, I've never
24 lived in Kentucky. It's a nice place, but I
25 certainly shouldn't be collecting unemployment

1 there.

2 And what this bill does is it makes
3 it easier for people to commit fraud. And we
4 have billions and billions of dollars in fraud
5 that have occurred with unemployment insurance,
6 it has occurred elsewhere -- even the Excluded
7 Workers Fund had significant fraud in it, because
8 it was much easier to just file electronically
9 and not prove that anyone is who they say they
10 are.

11 We need to stop that. And I think
12 if you're going to collect money courtesy of the
13 taxpayers, you can show up and file in person.

14 So I'll be a no. Thank you.

15 ACTING PRESIDENT PERSAUD: Senator
16 Borrello to be recorded in the negative.

17 Announce the results.

18 THE SECRETARY: In relation to
19 Calendar 1759, those Senators voting in the
20 negative are Senators Akshar, Borrello, Helming,
21 Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt,
22 Palumbo, Rath, Serino, Stec and Tedisco.

23 Ayes, 49. Nays, 14.

24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1760, Assembly Print Number 2375C, by
3 Assemblymember Dinowitz, an act to amend the
4 Domestic Relations Law and the Executive Law.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

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

10 ACTING PRESIDENT PERSAUD: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT PERSAUD: Senator
14 Hoylman to explain his vote.

15 SENATOR HOYLMAN: Thank you,
16 Madam President.

17 This is a shocking statistic.
18 According to the Center for Judicial Excellence,
19 more than 700 children across the nation have
20 been killed by a parent or parental figure during
21 circumstances involving divorce, separation,
22 custody, visitation or child support just since
23 2008. And at least 98 children in 40 states have
24 been killed by a parent or parental figure after,
25 after a Family Court allowed unsupervised contact

1 with the child after the court was informed
2 beforehand about a parent's or parental figure's
3 violent history, mental illness, or risk of
4 harming a child.

5 In Family Court custody of a child
6 can be heavily influenced by court-appointed
7 forensic evaluators, though their training or
8 educational and professional experiences vary
9 greatly across our state. Even though these
10 court-appointed evaluators typically conduct
11 mental health evaluations, they currently aren't
12 required to be licensed mental health
13 professionals. They've produced reports that are
14 often foundational in forming the court's
15 decision of a custody or visitation dispute.

16 Currently no mandatory standards or
17 training exists for court-appointed evaluators,
18 nor are they established for competence in the
19 nuances of domestic violence-involved child
20 custody cases.

21 Tragically, and despite the
22 existence of an evaluative process, there have
23 been many instances in New York where children
24 have been killed after the court granted
25 unsupervised visitation to their murderer.

1 In an effort to address this
2 deficiency in the court system, our bill will
3 require evaluators appointed on behalf of the
4 court to be a psychologist, social worker or
5 psychiatrist who has undergone the required
6 biennial domestic violence-related training.

7 This bill requires the Office for
8 the Prevention of Domestic Violence to contract
9 with the New York State Coalition Against
10 Domestic Violence to develop a training program
11 for such individuals that covers various aspects
12 related to domestic violence. With training and
13 an awareness of the impact domestic violence has
14 on victims, custody evaluators will be better
15 prepared to provide evaluations that are in the
16 best interests of a child.

17 In order to keep our kids safe from
18 these troubling family matters, Madam President,
19 I vote aye. Thank you.

20 ACTING PRESIDENT PERSAUD: Senator
21 Hoylman to be recorded in the affirmative.

22 Announce the results.

23 THE SECRETARY: Ayes, 63.

24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1761, Senate Print 6598B, by Senator Cooney, an
3 act to amend the Vehicle and Traffic Law and the
4 Penal Law.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

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

9 ACTING PRESIDENT PERSAUD: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Announce
13 the results.

14 THE SECRETARY: Ayes, 63.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1762, Senate Print 6665, by Senator Savino, an
19 act to amend the General Business Law.

20 ACTING PRESIDENT PERSAUD: Read the
21 last section.

22 THE SECRETARY: Section 12. This
23 act shall take effect one year after it shall
24 have become a law.

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar Number 1762, voting in the negative:
7 Senator Akshar.

8 Ayes, 62. Nays, 1.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1763, Assembly Print Number 7882A, by
13 Assemblymember Abinanti, an act to amend the
14 Social Services Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

24 THE SECRETARY: Ayes, 63.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1764, Senate Print 6842A, by Senator Comrie, an
4 act to amend the Environmental Conservation Law.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

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

9 ACTING PRESIDENT PERSAUD: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Announce
13 the results.

14 THE SECRETARY: Ayes, 63.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1765, Senate Print 6857, by Senator Bailey, an
19 act to amend the Criminal Procedure Law.

20 ACTING PRESIDENT PERSAUD: Read the
21 last section.

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

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar Number 1765, those Senators voting in
7 the negative are Senators Akshar, Borrello,
8 Gallivan, Griffo, Helming, Jordan, Lanza,
9 Martucci, Oberacker, Ortt, Palumbo, Rath,
10 Ritchie, Serino, Stec, Tedisco and Weik. Also
11 Senator O'Mara.

12 Ayes, 45. Nays, 18.

13 SENATOR HELMING: The bill is
14 passed.

15 THE SECRETARY: Calendar Number
16 1766, Senate Print 6949, by Senator Kennedy, an
17 act to amend the Banking Law.

18 ACTING PRESIDENT PERSAUD: Read the
19 last section.

20 THE SECRETARY: Section 5. This
21 act shall take effect on the 30th day after it
22 shall have become a law.

23 ACTING PRESIDENT PERSAUD: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT PERSAUD: Announce
2 the results.

3 THE SECRETARY: Ayes, 63.

4 ACTING PRESIDENT PERSAUD: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1767, Senate Print 7042B, by Senator Ryan, an act
8 to amend the Vehicle and Traffic Law and the
9 Real Property Law.

10 ACTING PRESIDENT PERSAUD: Read the
11 last section.

12 THE SECRETARY: Section 9. This
13 act shall take effect one year after it shall
14 have become a law.

15 ACTING PRESIDENT PERSAUD: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT PERSAUD: Announce
19 the results.

20 THE SECRETARY: Ayes, 63.

21 ACTING PRESIDENT PERSAUD: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1768, Senate Print 7224A, by Senator Serino, an
25 act to amend the Highway Law.

1 ACTING PRESIDENT PERSAUD: Read the
2 last section.

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

5 ACTING PRESIDENT PERSAUD: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT PERSAUD: Senator
9 Serino to explain her vote.

10 SENATOR SERINO: Thank you,
11 Madam President.

12 I rise today to thank my colleagues
13 for supporting a piece of legislation that means
14 so much to so many in the Putnam Valley
15 community.

16 This bill would officially rename
17 the Pudding Street Overpass the "Putnam Valley
18 First Responders Bridge." And I'm sure a lot of
19 my colleagues travel on the Taconic Parkway and
20 they see that wonderful overpass now.

21 You know, when I first took office,
22 the Putnam Valley community made it clear to me
23 that their top priority was constructing an
24 overpass at an incredibly dangerous point on the
25 Taconic State Parkway, In fact, I think it was

1 one of the top three most dangerous spots. It
2 was a point notorious for serious car accidents
3 and a point that busloads of local schoolchildren
4 traveled every day.

5 And you know what, I will never
6 forget taking the ride that day on a school bus,
7 and you can imagine driving across the Taconic
8 State Parkway -- and a big bus doesn't have a lot
9 of power, and all you see is all these cars
10 coming at you. It was extremely upsetting.

11 So the residents and local officials
12 and first responders there let me know that they
13 had been working for over 20 years to get an
14 overpass constructed to improve safety and to
15 better protect visitors and residents alike.

16 I got to work right away and
17 ultimately secured the funding necessary to make
18 the long-awaited overpass a reality. I'm proud
19 to say that the overpass was completed on time
20 and on budget, and to this day it remains one of
21 my proudest accomplishments in office.

22 Putnam Valley first responders are
23 an integral part of our local community. They
24 put their lives on the line daily to serve. And
25 it was thanks in large part to their push for

1 change that the long-awaited Pudding Street
2 Overpass ultimately became a reality.

3 You know, to have the opportunity to
4 name this bridge in their honor is a truly
5 meaningful moment, not only for me but every
6 single resident who worked tirelessly through the
7 years to get this project over the finish line.

8 And, you know, it's really one small
9 way that we can thank them for their selfless
10 service, and one way that we can remind that they
11 always have a grateful community behind them.

12 I want to thank all of our local
13 partners and our partners at the State DOT for
14 never giving up on this project.

15 Thank you, Madam President. I vote
16 aye.

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

19 SENATOR GIANARIS: Madam President,
20 can we just stand at ease for a moment. We're
21 waiting for the Assembly substitution on this
22 bill to arrive.

23 ACTING PRESIDENT PERSAUD: The
24 Senate will stand at ease.

25 (Whereupon, the Senate stood at ease

1 at 4:09 p.m.)

2 (Whereupon, the Senate reconvened at
3 4:09 p.m.)

4 ACTING PRESIDENT PERSAUD: The
5 Senate will return to order.

6 SENATOR GIANARIS: We're back,
7 Madam President. I understand the substitution
8 has arrived.

9 ACTING PRESIDENT PERSAUD: There is
10 a substitution at the desk.

11 The Secretary will read.

12 THE SECRETARY: Senator Serino
13 moves to discharge, from the Committee on Rules,
14 Assembly Bill Number 8455A and substitute it for
15 the identical Senate Bill 7224A, Third Reading
16 Calendar 1768.

17 ACTING PRESIDENT PERSAUD: The
18 substitution is so ordered.

19 The Secretary will read.

20 THE SECRETARY: Calendar Number
21 1768, Assembly Print Number 8455A, by
22 Assemblymember Byrne, an act to amend the
23 Highway Law.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

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

3 ACTING PRESIDENT PERSAUD: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT PERSAUD: Announce
7 the results.

8 THE SECRETARY: In relation to
9 Calendar Number 1768, voting in the negative:
10 Senator Brisport.

11 Ayes, 62. Nays, 1.

12 ACTING PRESIDENT PERSAUD: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1769, Assembly Print Number 8163A, by
16 Assemblymember Epstein, an act to amend the
17 Criminal Procedure Law and the Penal Law.

18 ACTING PRESIDENT PERSAUD: Read the
19 last section.

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

23 ACTING PRESIDENT PERSAUD: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT PERSAUD: Announce
2 the results.

3 THE SECRETARY: In relation to
4 Calendar 1769, those Senators voting in the
5 negative are Senators Akshar, Borrello, Gallivan,
6 Griffo, Helming, Martucci, Mattera, Oberacker,
7 O'Mara, Ortt, Palumbo, Ritchie, Tedisco and Weik.

8 Ayes, 49. Nays, 14.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1770, Senate Print 7377, by Senator Mayer, an act
13 to amend the Mental Hygiene Law.

14 ACTING PRESIDENT PERSAUD: Read the
15 last section.

16 THE SECRETARY: Section 5. This
17 act shall take effect on the 60th day after it
18 shall have become a law.

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

24 THE SECRETARY: Ayes, 63.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1771, Senate Print 7445B, by Senator Comrie, an
4 act to amend the General Municipal Law.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

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

9 ACTING PRESIDENT PERSAUD: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Announce
13 the results.

14 THE SECRETARY: In relation to
15 Calendar 1771, those Senators voting in the
16 negative are Senators Borrello, Martucci and
17 Rath.

18 Ayes, 60. Nays, 3.

19 ACTING PRESIDENT PERSAUD: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1772, Senate Print 7493A, by Senator Hoylman, an
23 act to amend the General Obligations Law.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

1 THE SECRETARY: Section 8. This
2 act shall take effect on the 30th day after it
3 shall have become a law.

4 ACTING PRESIDENT PERSAUD: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT PERSAUD: Senator
8 Hoylman to explain his vote.

9 SENATOR HOYLMAN: Thank you,
10 Madam President.

11 You know, in my district and I think
12 in a few of our districts, this is something you
13 see as you walk along the West Side Highway or
14 parts of the Brooklyn waterfront or even parts of
15 the East Side of Manhattan. And what that is are
16 our constituents raising their fists to
17 helicopters that fly very low across our
18 districts.

19 In fact, helicopter noise is one of
20 the things I hear most frequently about from my
21 constituents. And it's not just my office. From
22 2020 to 2021, helicopter-related noise complaints
23 to 311 increased from 10,359 to more than double,
24 25,821, with over 21,000 of these complaints
25 coming from Manhattan alone. There has been a

1 2,329 percent increase -- a 2,329 percent
2 increase in these complaints to 311 in just the
3 last five years.

4 Helicopters take off and land
5 hundreds of times during the week, flying over
6 and near people's homes, near parks, emitting
7 high-decibel noise, and guzzling fossil fuels.
8 New Yorkers can't work from home any longer
9 comfortably, enjoy a walk along our Hudson River
10 Park or keep a napping child asleep because of
11 the incessant noise and vibrations from
12 nonessential chopper use.

13 And choppers aren't just a simple
14 annoyance perpetrated by the ultra-rich. They
15 are a bona fide public nuisance. Noise pollution
16 can have serious health effects such as hearing
17 loss, stress, memory impairment, high blood
18 pressure, muscle tension, ulcers, fatigue, sleep
19 problems -- oh, my God, this is a horrible
20 list -- and can reduce cognitive ability in
21 children and adults.

22 Helicopters are a threat to our
23 environment and detract from New Yorkers' ability
24 to meet the goals of the Climate Leadership and
25 Community Protection Act. One helicopter

1 produces 43 times more carbon dioxide per hour
2 than an average car.

3 Chopper noise is not just a public
4 nuisance, it can be deadly. A new study from
5 Rutgers found that noise pollution from
6 transportation causes 5 percent of New Jersey
7 heart attacks. If that is the case in
8 New Jersey, I can't imagine what it is in
9 New York City.

10 This bill is finally going to
11 address this problem and "Stop the Chop." First,
12 it's going to empower the Attorney General and
13 private citizens whose use and enjoyment of their
14 property or public parks has been negatively
15 impacted to bring an action against chopper
16 companies that flout our local, state and federal
17 laws and create an unreasonable level of noise at
18 ground level, such as the plague of sight-seeing
19 flights coming from New Jersey that hover over
20 Central Park and ruin the park for thousands for
21 the enjoyment and comfort of just a select few.

22 Second, it's going to significantly
23 restrict the use of the Hudson River Park
24 Heliport in my Senate district to prevent
25 choppers and operators that engage in any

1 prohibited type of flight from accessing the
2 heliport for any reason.

3 This bill will substantially improve
4 quality of life across our city and maybe even
5 save some lives. I vote aye.

6 Thank you, Madam President.

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

9 Announce the results.

10 THE SECRETARY: In relation to
11 Calendar 1772, those Senators voting in the
12 negative are Senators Akshar, Borrello, Gallivan,
13 Helming, Jordan, Martucci, Oberacker, O'Mara,
14 Ortt, Rath and Stec. Also Senator Tedisco.

15 Ayes, 51. Nays, 12.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1773, Senate Print 7585, by Senator Persaud, an
20 act to amend the Agriculture and Markets Law.

21 ACTING PRESIDENT PERSAUD: Read the
22 last section.

23 THE SECRETARY: Section 3. This
24 act shall take effect on the 120th day after it
25 shall have become a law.

1 ACTING PRESIDENT PERSAUD: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT PERSAUD: Announce
5 the results.

6 THE SECRETARY: Ayes, 63.

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1774, Assembly Print Number 8604, by
11 Assemblymember Forrest, an act to amend the
12 Social Services Law.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Announce
21 the results.

22 THE SECRETARY: In relation to
23 Calendar Number 1774, voting in the negative:
24 Senator Oberacker.

25 Ayes, 62. Nays, 1.

1 ACTING PRESIDENT PERSAUD: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1775, Senate Print 8369B, by Senator Gounardes,
5 an act to amend the Labor Law.

6 ACTING PRESIDENT PERSAUD: Read the
7 last section.

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

11 ACTING PRESIDENT PERSAUD: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT PERSAUD: Senator
15 Gounardes to explain his vote.

16 SENATOR GOUNARDES: Thank you,
17 Madam President.

18 I rise today in support of this
19 legislation because, as we know, it is incredibly
20 important that we extend labor protections to all
21 workers across our state. More than one-third of
22 our workforce here in New York are freelancers
23 who don't have the benefit of working with
24 contracts, who don't have the benefit of getting
25 support in terms of being paid on time, of having

1 rights that they can enforce when they're not
2 paid or if they're not paid their full amounts,
3 and when they're doing work especially in this
4 post-pandemic economy, as more and more people
5 are engaging in different types of freelance
6 work.

7 That's why this bill, the Freelance
8 Isn't Free bill, is so incredibly important for
9 us to pass. This legislation is modeled on the
10 successful program that has worked in New York
11 City for the last few years that has recovered
12 \$1.6 billion for freelance workers in unpaid
13 wages and allowed them and empowered them to be
14 able to work with dignity and to be fairly
15 compensated for it.

16 So I'm very proud of this
17 legislation. This is a huge step forward for
18 workers in this state. And whether you are a
19 nurse on strike in Buffalo or a barista in
20 Brooklyn organizing a union or a freelance worker
21 who is trying to get paid fairly and on time, all
22 workers deserve these rights.

23 And I'm very proud to vote aye.
24 Thank you.

25 ACTING PRESIDENT PERSAUD: Senator

1 Gounardes to be recorded in the affirmative.

2 Announce the results.

3 THE SECRETARY: In relation to
4 Calendar 1775, those Senators voting in the
5 negative are Senators Akshar, Borrello, Boyle,
6 Gallivan, Griffo, Helming, Jordan, Lanza,
7 Martucci, Mattera, Oberacker, O'Mara, Ortt,
8 Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and
9 Weik.

10 Ayes, 43. Nays, 20.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1776, Senate Print 8381B, by Senator Thomas, an
15 act to amend the Public Authorities Law.

16 SENATOR LANZA: Lay it aside.

17 ACTING PRESIDENT PERSAUD: Lay it
18 aside.

19 THE SECRETARY: Calendar Number
20 1777, Assembly Print Number 9423A, by
21 Assemblymember Peoples-Stokes, an act to amend
22 the Education Law.

23 ACTING PRESIDENT PERSAUD: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT PERSAUD: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT PERSAUD: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Calendar Number 1777, those Senators voting in
9 the negative are Senators Helming and Martucci.

10 Ayes, 61. Nays, 2.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1778, Senate Print 8482, by Senator Akshar, an
15 act to amend Chapter 433 of the Laws of 2013.

16 ACTING PRESIDENT PERSAUD: There is
17 a home-rule message at the desk.

18 Read the last section.

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

21 ACTING PRESIDENT PERSAUD: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT PERSAUD: Announce
25 the results.

1 THE SECRETARY: Ayes, 63.

2 ACTING PRESIDENT PERSAUD: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1779, Assembly Print Number 9517, by
6 Assemblymember Jones, an act to authorize
7 Nicholas Moore, Joshua Golden and Nathan Kasprzak
8 to receive certain service credit under
9 Section 384-d of the Retirement and
10 Social Security Law.

11 ACTING PRESIDENT PERSAUD: There is
12 a home-rule message at the desk.

13 Read the last section.

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

16 ACTING PRESIDENT PERSAUD: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT PERSAUD: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar Number 1779, voting in the negative:
23 Senator Brisport.

24 Ayes, 62. Nays, 1.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1780, Assembly Print Number 9700, by
4 Assemblymember Palmesano, an act to amend the
5 Town Law and the Public Officers Law.

6 ACTING PRESIDENT PERSAUD: Read the
7 last section.

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

10 ACTING PRESIDENT PERSAUD: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT PERSAUD: Announce
14 the results.

15 THE SECRETARY: Ayes, 63.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1781, Senate Print 8884A, by Senator Hoylman, an
20 act to amend the Public Health Law and the
21 State Finance Law.

22 ACTING PRESIDENT PERSAUD: Read the
23 last section.

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

1 ACTING PRESIDENT PERSAUD: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT PERSAUD: Announce
5 the results.

6 THE SECRETARY: In relation to
7 Calendar 1781, those Senators voting in the
8 negative are Senators Akshar, Borrello, Felder,
9 Gallivan, Griffo, Helming, Jordan, Lanza,
10 Martucci, Mattera, Oberacker, O'Mara, Ortt,
11 Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and
12 Weik.

13 Ayes, 43. Nays, 20.

14 ACTING PRESIDENT PERSAUD: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1782, Senate Print 8893, by Senator Persaud, an
18 act to amend the Public Health Law.

19 ACTING PRESIDENT PERSAUD: Read the
20 last section.

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

23 ACTING PRESIDENT PERSAUD: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT PERSAUD: Senator
2 Ramos to explain her vote.

3 (Off the record.)

4 ACTING PRESIDENT PERSAUD: Senator
5 May to explain her vote.

6 SENATOR MAY: Thank you,
7 Madam President. I am happy to rise and thank my
8 colleague Senator Ramos for introducing this bill
9 and to explain why I'm voting aye on it.

10 Amazon workers in New York had an
11 injury rate in warehouses in 2020 of 5.5 per 100,
12 and that number rose to 9 per 100 in 2021.
13 That's a huge increase in injuries. And nine out
14 of a hundred people getting injured -- many of
15 them so that they can't even do the job that they
16 were doing before.

17 So we need to stand up for these
18 workers. We definitely need to support warehouse
19 workers who are being given quotas that are
20 simply insupportable, and to make sure that the
21 conditions for these workers are reasonable
22 conditions.

23 So I am grateful to Senator Ramos
24 for this bill, and I vote aye.

25 ACTING PRESIDENT PERSAUD: Just for

1 clarification, this is Calendar Number 1782.

2 Announce the results.

3 THE SECRETARY: Ayes, 63.

4 ACTING PRESIDENT PERSAUD: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1783, Senate Print 8895A, by Senator Kaplan, an
8 act authorizing the Village of Mineola, County of
9 Nassau, to alienate certain parklands for the use
10 in the Village of Mineola.

11 ACTING PRESIDENT PERSAUD: There is
12 a home-rule message at the desk.

13 Read the last section.

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

16 ACTING PRESIDENT PERSAUD: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT PERSAUD: Announce
20 the results.

21 THE SECRETARY: Ayes, 63.

22 ACTING PRESIDENT PERSAUD: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1784, Senate Print 8922A, by Senator Ramos, an

1 act to amend the Labor Law.

2 ACTING PRESIDENT PERSAUD: Read the
3 last section.

4 THE SECRETARY: Section 5. This
5 act shall take effect on the 60th day after it
6 shall have become a law.

7 ACTING PRESIDENT PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Senator
11 Ramos to explain her vote.

12 SENATOR RAMOS: There's a lot of
13 confusion going on, Madam President. I'm so
14 sorry.

15 But I rise, of course, to -- in
16 support of my own bill. I want to talk a little
17 bit about the Amazon warehouse workers. I know I
18 spoke about them a few -- actually, last week.
19 Just last week I was asking Senator Lanza to
20 actually consider cosponsoring my bill given the
21 fact that he represents the warehouse with the
22 greatest number of injuries in the entire state.

23 But, you know, I'm happy that we're
24 actually passing this today, even if it's without
25 his support, in order to regulate this algorithm

1 and a quota system that really does put a big
2 burden on warehouse workers when -- especially
3 when they're not even able to understand exactly
4 how the algorithm works. And it honestly just
5 pressures them into working harder, into working
6 faster, and it has led to grave injuries on many
7 of these sites.

8 And it really is our responsibility
9 to keep these workers safe. You know, these are
10 our modern-day factories. Warehouse work is
11 increasing across our state, given the high
12 demand of online purchases. So we want to make
13 sure that we are really dealing with the human
14 consequence of that high demand of online
15 purchases and of on-time delivery.

16 So I'm very thankful to my
17 conference and to the Majority Leader for letting
18 us at least get this part done as soon as
19 possible before the end of session. And I'm
20 looking forward to tackling a lot more of what's
21 going on in these warehouses next session with
22 everyone who gets back.

23 Thank you, Madam President.

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

1 Senator Savino to explain her vote.

2 SENATOR SAVINO: Thank you,
3 Madam President.

4 I also rise in support of this bill,
5 and I want to commend Senator Ramos for her work
6 on this incredibly important issue.

7 She's absolutely right. What is
8 happening not just in Amazon warehouses but in
9 warehouses across the country and across this
10 state is devastating to workers. The pressure
11 that's being placed on them to compete against
12 robotics and artificial intelligence is leading
13 to some of the highest levels of workplace injury
14 that we have seen since the dawn of the
15 Industrial Revolution. And that is a remarkable
16 thing when you think about 50, 60, 70 years since
17 the implementation of occupational safety and
18 health rules and workers' compensation, and we
19 are seeing workers harmed more often now than
20 before. And that is largely --

21 ACTING PRESIDENT PERSAUD: Can we
22 have order, please.

23 SENATOR SAVINO: That is largely
24 because of the pressures that are being placed on
25 warehouse workers by the use of algorithms, by

1 the use of artificial intelligence and robotics.

2 Two and a half years ago this
3 Legislature passed the creation of a task force
4 to study AI and robotics on workers. It was
5 stalled because of the pandemic. I have called
6 upon the Governor to immediately implement that
7 task force and asked for her to appoint the head
8 of the Amazon labor union as one of her
9 appointees to study this.

10 The new industrial revolution is
11 harming workers in a greater rate than it did in
12 the past. We need to do something about it.
13 This piece of legislation is a step in that
14 direction. I proudly vote in support of it.

15 Thank you, Madam President.

16 ACTING PRESIDENT PERSAUD: Senator
17 Savino to be recorded in the affirmative.

18 Announce the results.

19 THE SECRETARY: In relation to
20 Calendar 1784, those Senators voting in the
21 negative are Senators Akshar, Borrello, Boyle,
22 Gallivan, Griffo, Helming, Jordan, Lanza,
23 Martucci, Oberacker, O'Mara, Palumbo, Rath,
24 Ritchie, Serino, Stec, Tedisco and Weik.

25 Ayes, 45. Nays, 18.

1 ACTING PRESIDENT PERSAUD: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1786, Assembly Print Number 10218, by the
5 Assembly Committee on Rules, an act granting
6 retroactive Tier IV status in the New York State
7 and Local Employees' Retirement System to
8 Kimberly Kinblom.

9 ACTING PRESIDENT PERSAUD: There is
10 a home-rule message at the desk.

11 Read the last section.

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

14 ACTING PRESIDENT PERSAUD: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT PERSAUD: Announce
18 the results.

19 THE SECRETARY: Ayes, 63.

20 ACTING PRESIDENT PERSAUD: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1787, Senate Print 9112, by Senator Oberacker, an
24 act to authorize Donald Kane of the Village of
25 Mohawk to take the competitive civil service

1 examination.

2 ACTING PRESIDENT PERSAUD: There is
3 a home-rule message at the desk.

4 Read the last section.

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

7 ACTING PRESIDENT PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar Number 787, voting in the negative:
14 Senator Brisport.

15 Ayes, 62. Nays, 1.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1788, Assembly Print Number 10191, by the
20 Assembly Committee on Rules, an act to amend the
21 Education Law.

22 ACTING PRESIDENT PERSAUD: Read the
23 last section.

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

1 ACTING PRESIDENT PERSAUD: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT PERSAUD: Announce
5 the results.

6 THE SECRETARY: Ayes, 63.

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1789, Assembly Print Number 10192, by the
11 Assembly Committee on Rules, an act to amend the
12 Education Law.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Announce
21 the results.

22 THE SECRETARY: Ayes, 63.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1790, Senate Print 9354, by Senator Skoufis, an
2 act to amend the Executive Law.

3 ACTING PRESIDENT PERSAUD: Read the
4 last section.

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

7 ACTING PRESIDENT PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Announce
11 the results.

12 THE SECRETARY: Ayes, 63.

13 ACTING PRESIDENT PERSAUD: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1791, Senate Print 9377, by Senator Sepúlveda, an
17 act to amend the New York City Civil Court Act.

18 ACTING PRESIDENT PERSAUD: Read the
19 last section.

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

22 ACTING PRESIDENT PERSAUD: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT PERSAUD: Announce

1 the results.

2 THE SECRETARY: Ayes, 63.

3 ACTING PRESIDENT PERSAUD: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1792, Senate Print 9382, by Senator Parker, an
7 act to amend the Executive Law.

8 ACTING PRESIDENT PERSAUD: Read the
9 last section.

10 THE SECRETARY: Section 2. This
11 act shall take effect on the same date and in the
12 same manner as a chapter of the Laws of 2022.

13 ACTING PRESIDENT PERSAUD: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT PERSAUD: Announce
17 the results.

18 THE SECRETARY: In relation to
19 Calendar Number 1792, voting in the negative:
20 Senator Griffo.

21 Ayes, 62. Nays, 1.

22 ACTING PRESIDENT PERSAUD: The bill
23 is passed.

24 There is a substitution at the desk.

25 The Secretary will read.

1 THE SECRETARY: Senator Salazar
2 moves to discharge, from the Committee on Rules,
3 Assembly Bill Number 7805D and substitute it for
4 the identical Senate Bill 9409A, Third Reading
5 Calendar 1793.

6 ACTING PRESIDENT PERSAUD: The
7 substitution is so ordered.

8 The Secretary will read.

9 THE SECRETARY: Calendar Number
10 1793, Assembly Print Number 7805D, by
11 Assemblymember Cymbrowitz, an act to amend the
12 Public Housing Law and the Administrative Code of
13 the City of New York.

14 SENATOR GIANARIS: Lay it aside for
15 the day.

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

18 THE SECRETARY: Calendar Number
19 1794, Senate Print 9414, by Senator Comrie, an
20 act to amend the Public Service Law.

21 ACTING PRESIDENT PERSAUD: Read the
22 last section.

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

1 ACTING PRESIDENT PERSAUD: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT PERSAUD: Senator
5 Rath to explain his vote.

6 SENATOR RATH: Thank you,
7 Madam President.

8 Due to a personal conflict of
9 interest, I ask to be abstaining from this vote,
10 please.

11 ACTING PRESIDENT PERSAUD: Without
12 objection, so ordered.

13 SENATOR RATH: Thank you.

14 ACTING PRESIDENT PERSAUD: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar Number 1794, those Senators voting in
18 the negative are Senators Borrello, Lanza,
19 Oberacker, O'Mara, Serino, Tedisco and Weik.

20 (Off the record.)

21 ACTING PRESIDENT PERSAUD: Announce
22 the results.

23 THE SECRETARY: In relation to
24 Calendar 1794, those Senators voting in the
25 negative are Senators Akshar, Borrello, Boyle,

1 Gallivan, Jordan, Lanza, Martucci, Mattera,
2 Oberacker, O'Mara, Ortt, Palumbo, Serino, Stec,
3 Tedisco and Weik.

4 Ayes, 46. Nays, 16.

5 Senator Rath abstains from voting.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1795, Senate Print 9425, by Senator
10 Reichlin-Melnick, an act authorizing the
11 Commissioner of General Services to transfer and
12 convey certain unappropriated state land to the
13 Sing Sing Prison Museum.

14 ACTING PRESIDENT PERSAUD: Read the
15 last section.

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

18 ACTING PRESIDENT PERSAUD: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT PERSAUD: Announce
22 the results.

23 THE SECRETARY: Ayes, 63.

24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1796, Senate Print 9428, by Senator Savino, an
3 act to amend the Vehicle and Traffic Law.

4 ACTING PRESIDENT PERSAUD: Read the
5 last section.

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

9 ACTING PRESIDENT PERSAUD: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Senator
13 Savino to explain her vote.

14 SENATOR SAVINO: Thank you,
15 Madam President.

16 I rise in support of this incredibly
17 important piece of legislation, although it
18 doesn't sound like it. Most people don't know
19 what a catalytic converter is -- unless you're
20 driving a car and you don't have one.

21 New York is not unique in this
22 problem. The theft of catalytic converters seems
23 to be a national problem. But New York seems to
24 be leading the way. Since 2021, New York has
25 seen a 613 percent increase in catalytic

1 converter thefts -- people coming out of their
2 homes, getting in their car and finding out their
3 car doesn't operate because it no longer has a
4 catalytic converter.

5 And what's driving the theft of
6 catalytic converters of course is the price of
7 scrap metal. Catalytic converters are made of
8 things like rhodium and what other -- precious
9 metals, which of course are driving these thefts.

10 In fact, it's even dangerous for
11 criminals. Six people have been killed in an
12 attempt to steal catalytic converters when they
13 jacked up the car and the car collapsed on top of
14 them. Can you imagine.

15 So what we are doing here is
16 cracking down on catalytic converter thefts,
17 requiring catalytic converters to be added to the
18 list of parts, component parts that have to be
19 reported, and also imposing new controls on scrap
20 metal dealers, scrap processors and others, and
21 itinerant dealers, so that we can get at this
22 problem.

23 This is a national problem, but
24 again, sometimes in New York sometimes we lead,
25 sometimes we follow. We should be leading on

1 catalytic converter thefts, we should be cracking
2 down on it and leading the way on stopping this
3 problem. Thank you, Madam President.

4 Oh, and I want to thank two other
5 people: Senator Addabbo, who worked on this with
6 me, and of course Senator Kennedy, who helped
7 make it happen in the Transportation Committee.

8 Thank you, Madam President.

9 ACTING PRESIDENT PERSAUD: Senator
10 Savino to be recorded in the affirmative.

11 Announce the results.

12 THE SECRETARY: Ayes, 63.

13 ACTING PRESIDENT PERSAUD: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1797, Senate Print 9438, by Senator Cleare, an
17 act to amend the Education Law.

18 ACTING PRESIDENT PERSAUD: Read the
19 last section.

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

22 ACTING PRESIDENT PERSAUD: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT PERSAUD: Announce

1 the results.

2 THE SECRETARY: Ayes, 63.

3 ACTING PRESIDENT PERSAUD: The bill
4 is passed.

5 There is a substitution at the desk.

6 The Secretary will read.

7 THE SECRETARY: Senator Kaplan
8 moves to discharge, from the Committee on Rules,
9 Assembly Bill Number 9326A and substitute it for
10 the identical Senate Bill 9439, Third Reading
11 Calendar 1798.

12 ACTING PRESIDENT PERSAUD: The
13 substitution is so ordered.

14 The Secretary will read.

15 THE SECRETARY: Calendar Number
16 1798, Assembly Print Number 9326A, by
17 Assemblymember Sillitti, an act in relation to
18 authorizing the County of Nassau assessor to
19 accept an application for real property tax
20 exemption.

21 ACTING PRESIDENT PERSAUD: Read the
22 last section.

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

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar Number 1798, voting in the negative are
7 Senators Akshar and O'Mara.

8 Ayes, 61. Nays, 2.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 There is a substitution at the desk.

12 The Secretary will read.

13 THE SECRETARY: Senator Kennedy
14 moves to discharge, from the Committee on Rules,
15 Assembly Bill Number 7919A and substitute it for
16 the identical Senate Bill 9441, Third Reading
17 Calendar 1799.

18 ACTING PRESIDENT PERSAUD: The
19 substitution is so ordered.

20 The Secretary will read.

21 THE SECRETARY: Calendar Number
22 1799, Assembly Print Number 7919A, by
23 Assemblymember Bronson, an act to amend the
24 State Finance Law.

25 SENATOR LANZA: Lay it aside.

1 ACTING PRESIDENT PERSAUD: Lay it
2 aside.

3 THE SECRETARY: Calendar Number
4 1800, Senate Print 9449, by Senator Brouk, an act
5 to amend the Education Law.

6 ACTING PRESIDENT PERSAUD: Read the
7 last section.

8 THE SECRETARY: Section 6. This
9 act shall take effect June 24, 2022.

10 ACTING PRESIDENT PERSAUD: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT PERSAUD: Senator
14 Borrello to explain his vote.

15 SENATOR BORRELLO: Thank you,
16 Madam President.

17 I think it's laudable that we want
18 to increase the folks that can identify and
19 evaluate those with mental illness, and that's
20 what this bill endeavors to do.

21 However, I think we have to step
22 very cautiously here. We've seen the impact,
23 especially in the last couple of years, of the
24 spike in mental illness. And so it's critically
25 important that we have people that are qualified

1 and have met certain thresholds to ensure that
2 they can identify and properly diagnose those
3 with mental illness, especially those with
4 violent tendencies.

5 And what this bill will do is expand
6 the number of people, but without having the
7 qualifications necessary to do that effectively.

8 So there are a lot of questions I
9 have here. I am concerned about the unintended
10 consequences and hope that we will not have to
11 address this any further in the sense of what
12 kind of people out there are going to be
13 committing potentially violent acts, and ensuring
14 that we have the mental health resources to
15 properly identify and mitigate those risks.

16 So I'm a somewhat reluctant no
17 today, but I think it's important that we step
18 carefully and that we ensure that we have people
19 that are truly qualified and educated to address
20 those folks with mental illness needs.

21 Thank you.

22 ACTING PRESIDENT PERSAUD: Senator
23 Borrello to be recorded in the negative.

24 Announce the results.

25 THE SECRETARY: In relation to

1 Calendar 1800, those Senators voting in the
2 negative are Senators Borrello, Lanza, Oberacker,
3 O'Mara, Tedisco and Weik.

4 Ayes, 57. Nays, 6.

5 ACTING PRESIDENT PERSAUD: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1801, Senate Print 9452, by Senator Krueger, an
9 act to amend the Tax Law.

10 ACTING PRESIDENT PERSAUD: Read the
11 last section.

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

14 ACTING PRESIDENT PERSAUD: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT PERSAUD: Senator
18 Borrello to explain his vote.

19 SENATOR BORRELLO: Thank you,
20 Madam President.

21 I have been talking for the last two
22 years about the disaster that is the legalization
23 of recreational marijuana in New York State. I'm
24 grateful to Senator Krueger for putting this bill
25 forth. However, unfortunately I don't think it

1 hits all the marks.

2 The reason for that is you can
3 address those folks that are attempting to sell
4 illegal marijuana and try to do things like
5 attack their sales tax, their ability to collect
6 sales tax, things like that. But the real issue
7 is the fact that this body decriminalized the
8 possession of illegal marijuana on Day One, a
9 full two years before the first legal sale will
10 take place in New York State.

11 Here we are, and we still don't have
12 the first legal sale, yet marijuana is being sold
13 essentially without any consequence all over
14 New York State, from our Native territories,
15 where they have complete sovereignty, to places
16 in New York City where they actually have a
17 farmer's market for pot that's set up every week,
18 I heard, and sticker shops and everything else.

19 The only way, the only way you're
20 going to address this is by reversing this idea
21 of decriminalizing the possession of illegal
22 marijuana. That's the only way you're going to
23 solve this problem. So this will take a slight
24 bite out of it. But in the end, until we address
25 the fact that New York State has the most

1 irresponsible legalization of recreational
2 marijuana in the United States, we're never going
3 to get our arms around this problem.

4 So I support this, but unfortunately
5 it's not going to be enough. Thank you.

6 ACTING PRESIDENT PERSAUD: Senator
7 Borrello to be recorded -- in the affirmative?

8 SENATOR BORRELLO: Yes.

9 (Laughter.)

10 ACTING PRESIDENT PERSAUD: Okay.
11 Just checking.

12 Senator Borrello to be recorded in
13 the affirmative.

14 Announce the results.

15 THE SECRETARY: Ayes, 63.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

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

20 SENATOR GIANARIS: Thank you,
21 Madam President.

22 I have a motion here. On behalf of
23 Senator Breslin, I wish to call up Senate Print
24 9367, which is now at the desk.

25 ACTING PRESIDENT PERSAUD: The

1 Secretary will read.

2 THE SECRETARY: Calendar Number
3 1724, by Senator Breslin, Senate Print 9367, an
4 act to amend the Insurance Law.

5 SENATOR GIANARIS: Move to
6 reconsider the vote by which the bill was passed,
7 and ask that the bill be restored to the order of
8 third reading.

9 ACTING PRESIDENT PERSAUD: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 63.

13 (Off the record.)

14 (The Secretary called the roll.)

15 THE SECRETARY: Those recorded in
16 the negative on Calendar 1724 are
17 Senators Helming, Oberacker and Weik.

18 SENATOR GIANARIS: Madam President,
19 if I may. I think we first need to restore the
20 bill to its place on the Third Reading Calendar.

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

24 SENATOR GIANARIS: I now move to
25 discharge, from the Committee on Rules,

1 Assembly Print 1029 and substitute it for the
2 identical Senate bill, 9367.

3 ACTING PRESIDENT PERSAUD: So
4 ordered.

5 SENATOR GIANARIS: And I now move
6 that the substituted Assembly bill have its third
7 reading at this time.

8 ACTING PRESIDENT PERSAUD: The
9 Secretary will read.

10 THE SECRETARY: Calendar Number
11 1724, Assembly Print Number 1029, by
12 Assemblymember Cahill, an act to amend the
13 Insurance Law.

14 ACTING PRESIDENT PERSAUD: Read the
15 last section.

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

18 ACTING PRESIDENT PERSAUD: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT PERSAUD: Announce
22 the results.

23 THE SECRETARY: In relation to
24 Calendar 1724, those Senators voting in the
25 negative are Senators Helming, Oberacker and

1 Weik.

2 Ayes, 60. Nays, 3.

3 ACTING PRESIDENT PERSAUD: The bill
4 is passed.

5 Senator Gianaris.

6 SENATOR GIANARIS: Thank you,
7 Madam President.

8 Can we please now go to the reading
9 of the controversial calendar.

10 ACTING PRESIDENT PERSAUD: The
11 Secretary will ring the bell.

12 The Secretary will read.

13 THE SECRETARY: Calendar Number
14 1631, Senate Print 1553D, by Senator Myrie, an
15 act to amend the Criminal Procedure Law.

16 ACTING PRESIDENT PERSAUD: Senator
17 Lanza, why do you rise?

18 SENATOR LANZA: Madam President, I
19 believe there's an amendment at the desk. I
20 waive the reading of that amendment and ask that
21 you recognize Senator Stec to be heard.

22 ACTING PRESIDENT PERSAUD: Thank
23 you, Senator Lanza.

24 Upon review of the amendment, in
25 accordance with Rule 6, Section 4B, I rule it

1 nongermane and out of order at this time.

2 SENATOR LANZA: Accordingly,
3 Madam President, I appeal the ruling of the chair
4 and ask that you recognize Senator Stec.

5 ACTING PRESIDENT PERSAUD: The
6 appeal has been made and recognized, and
7 Senator Stec may be heard.

8 Senator Stec.

9 SENATOR STEC: Thank you,
10 Madam President. I rise to appeal the ruling of
11 the chair.

12 The proposed amendment is germane to
13 the bill at hand because this bill impacts our
14 criminal justice system in the state and the
15 proposed amendment fixes our broken system of the
16 bail and discovery reforms. It would repeal
17 that.

18 The Clean Slate Bill is another
19 pro-criminal measure undertaken by this
20 Legislature. While the State of New York is
21 overrun by crime, this body has decided to double
22 down and allow criminals who already face no cash
23 bail or solitary confinement with another
24 soft-on-crime law. The Clean Slate Bill will
25 automatically seal criminal conviction records

1 for not only misdemeanors but also for felonies.

2 This bill does not allow exceptions
3 for the private sector. Landlords and employers
4 do not know if they're leasing or hiring
5 convicted criminals who have committed the most
6 heinous or despicable of crimes. With cashless
7 bail failing our state already, allowing vicious
8 criminals to walk free, the Legislature wants to
9 provide another opportunity for criminals to
10 break our laws and hurt New Yorkers.

11 The District Attorneys Association
12 has also made its concerns known, pointing out
13 the significant limitations of who can access
14 sealed records, the broadness of the crimes being
15 sealed, and the burden placed on district
16 attorneys -- already overworked and understaffed
17 in offices -- in sealing these criminal records.

18 Police departments and district
19 attorneys' offices have been stretched thin trying
20 to arrest dangerous and violent criminals, some
21 of whom are multiple-time offenders. Our law
22 enforcement and district attorneys' offices face
23 staff shortages that have been caused by the
24 already pro-criminal legislation that has passed
25 this Legislature, which includes the failed

1 discovery reforms passed in 2020.

2 The Clean Slate Bill would
3 exacerbate the crimes crisis and place more
4 New Yorkers in harm's way. And for these
5 reasons, Madam President, I strongly urge you to
6 reconsider your ruling.

7 ACTING PRESIDENT PERSAUD: Thank
8 you, Senator.

9 I want to remind the house that the
10 vote is on the procedures of the house and the
11 ruling of the chair.

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

14 SENATOR LANZA: Request a show of
15 hands.

16 SENATOR GIANARIS: Madam President,
17 we've agreed to waive the showing of hands and
18 record each member of the Minority in the
19 affirmative.

20 ACTING PRESIDENT PERSAUD: Without
21 objection, so ordered.

22 Announce the results.

23 THE SECRETARY: Ayes, 20.

24 ACTING PRESIDENT PERSAUD: The
25 ruling of the chair stands, and the bill-in-chief

1 is before the house.

2 Senator Palumbo.

3 SENATOR PALUMBO: Thank you,
4 Madam President. Good afternoon.

5 Would the sponsor yield for a few
6 questions, please?

7 ACTING PRESIDENT PERSAUD: Will the
8 sponsor yield?

9 SENATOR MYRIE: Yes.

10 ACTING PRESIDENT PERSAUD: The
11 sponsor yields.

12 SENATOR PALUMBO: Thank you,
13 Senator Myrie. Good to see you again. We meet
14 again.

15 Would you mind just explaining to us
16 generally what the D-print version of this does
17 that's different than the previous three
18 iterations that we've had before the house
19 before?

20 SENATOR MYRIE: Sure. Through you,
21 Madam President. And I will note that this is a
22 D print. This has been an iterative process,
23 because this is important that we hear from as
24 many stakeholders as possible, that we
25 incorporate that feedback.

1 As you know, Senator Palumbo, we
2 held a hearing on this bill last year where we
3 got this important feedback from law enforcement,
4 from DAs, from advocates, and then we made some
5 further changes. We had further conversations
6 with employers, with the State Education
7 Department, and we made some further changes.

8 So this particular print, I think
9 one of the most significant changes have to do
10 with certain exemptions for the State Education
11 Department, and also a provision that allows DCJS
12 to promulgate regulations for any potential other
13 entities to have access who are required or have
14 the authorization to run criminal background
15 checks.

16 SENATOR PALUMBO: Through you,
17 Madam President, will the sponsor yield for
18 another question?

19 ACTING PRESIDENT PERSAUD: Does the
20 sponsor yield?

21 SENATOR MYRIE: Yes.

22 ACTING PRESIDENT PERSAUD: The
23 sponsor yields.

24 SENATOR PALUMBO: And through you,
25 Madam President, was the sponsor -- after hearing

1 that information and that input from law
2 enforcement agencies, did the sponsor exclude any
3 additional crimes from the previous iterations of
4 the bill from mandatory sealing?

5 SENATOR MYRIE: Through you,
6 Madam President, no.

7 SENATOR PALUMBO: Would the sponsor
8 yield for another question.

9 ACTING PRESIDENT PERSAUD: Does the
10 sponsor yield?

11 SENATOR MYRIE: Yes.

12 ACTING PRESIDENT PERSAUD: The
13 sponsor yields.

14 SENATOR PALUMBO: Upon hearing that
15 information as well from the law enforcement
16 agencies, Madam President, did the sponsor make
17 any changes with respect to the immediate sealing
18 within two years -- or I believe the bill says
19 prompt sealing of all prior records that would
20 fit within the parameters of this bill.

21 Were there any changes made to that
22 section requiring all law enforcement agencies to
23 do so?

24 SENATOR MYRIE: Through you,
25 Madam President, no.

1 SENATOR PALUMBO: Will the sponsor
2 yield for another question.

3 ACTING PRESIDENT PERSAUD: Does the
4 sponsor yield?

5 SENATOR MYRIE: Yes.

6 ACTING PRESIDENT PERSAUD: The
7 sponsor yields.

8 SENATOR PALUMBO: And thank you,
9 Senator. I appreciate that. Because we've
10 had -- we're going to get into, I guess, the meat
11 of the bill a little bit. But I have had some
12 significant concerns that were initially provided
13 to us from law enforcement agencies, the
14 District Attorneys Association, and those
15 concerns continue today. And that -- we'll
16 discuss that in just a little bit.

17 But regarding the actual sealing of
18 any crime, is there any limit at all with respect
19 to the amount of crimes that can be sealed? Is
20 it a certain number of misdemeanors, a certain
21 number of felonies?

22 And the reason I say that is that we
23 previously, in 2017, implemented an expungement
24 statute, so to speak, and that ultimately
25 addressed one felony and one misdemeanor, really

1 two convictions. It was really -- it's the
2 subject's choice, but they could do one felony.

3 Is that accurate? And can you let
4 me know if there's any limit on the -- under this
5 bill?

6 SENATOR MYRIE: Through you,
7 Madam President. Let me first say that it's
8 important -- Senator Palumbo, you mentioned that
9 this is not expungement in our initial bill.
10 That we did call for expungement, but after
11 having conversations with law enforcement and DAs
12 in some of our courts, we removed that and turned
13 it into sealing, because expungement would
14 require the destruction of these records. And
15 that was a major concession made after several
16 conversations.

17 There is no limit. However, during
18 the waiting period -- so three years if it's a
19 misdemeanor, seven years if it's a felony. If
20 during that waiting period you commit an offense,
21 the clock goes back to zero. So there is an
22 incentive for any individual looking to benefit
23 from Clean Slate to remain crime-free.

24 It's the reason why I've maintained
25 that this is not just a jobs bill, a housing

1 bill, an education bill, but this is a public
2 safety bill. Because if you want to take
3 advantage of it, you have to stay out of trouble.

4 SENATOR PALUMBO: Will the sponsor
5 yield for another question, please.

6 ACTING PRESIDENT PERSAUD: Does the
7 sponsor yield?

8 SENATOR MYRIE: Yes.

9 ACTING PRESIDENT PERSAUD: The
10 sponsor yields.

11 SENATOR PALUMBO: Well, thank you,
12 Senator Myrie. And I appreciate that.

13 And if -- I'll direct your
14 attention -- I'm sure you're well versed at this
15 point with page 2, the section that indicates
16 what specific -- makes an offense eligible for
17 sealing under this Clean Slate Bill. That as you
18 indicated, Section 1, three or seven years
19 depending on a misdemeanor or felony.

20 And with specific attention to that
21 language, though, I do have a question on that
22 section. That it's the defendant's most recent
23 misdemeanor conviction in this state, and at
24 least seven years has passed since the imposition
25 of sentence on the defendant's most recent felony

1 conviction in this case.

2 So when it says that -- further down
3 that -- subsection (ii): "The defendant does not
4 have a subsequent criminal charge pending in this
5 state." My question to you is, if you have a
6 subsequent criminal charge pending in another
7 state -- for example, New Jersey -- would the
8 clock go back to zero under this bill?

9 SENATOR MYRIE: Through you,
10 Madam President. This only addresses convictions
11 in the State of New York.

12 This is actually a concern that was
13 brought to us by law enforcement -- specifically,
14 the NYPD, who testified at our hearing -- who
15 noted that the requirements to put on law
16 enforcement to watch what is happening in other
17 states and to have to act on what are actions in
18 other states is too onerous and too burdensome.

19 We agreed with that. And so we made
20 it such that it is only for charges pending in
21 this state.

22 SENATOR PALUMBO: Would the sponsor
23 yield for another question, please.

24 ACTING PRESIDENT PERSAUD: Does the
25 sponsor yield?

1 SENATOR MYRIE: Yes.

2 ACTING PRESIDENT PERSAUD: The
3 sponsor yields.

4 SENATOR PALUMBO: So just so I'm
5 clear, in the event that I have been convicted
6 and released on a violent felony, such as
7 robbery, which is eligible under this bill, in
8 New York, and I'm committing robberies across the
9 way in Hoboken, upon seven years expiration the
10 New York robbery charge is automatically sealed
11 under this bill. Is that not accurate?

12 SENATOR MYRIE: Through you,
13 Madam President, that's correct. Although it's
14 unclear to me whether you're advocating for us to
15 sort of long-arm-statute control what's happening
16 outside of the State of New York.

17 SENATOR PALUMBO: Well, would the
18 sponsor yield for another question.

19 ACTING PRESIDENT PERSAUD: Does the
20 sponsor yield?

21 SENATOR MYRIE: Yes.

22 ACTING PRESIDENT PERSAUD: The
23 sponsor yields.

24 SENATOR PALUMBO: Thank you,
25 Senator. And what I'm trying to reconcile is

1 this -- because we have many laws, particularly
2 sex offenses, driving while intoxicated offenses.
3 And when you're considering enhanced sentencing
4 guidelines, prior felony offenses or persistent
5 felony offenses, persistent priors -- that if a
6 crime is committed in another state that would
7 otherwise be a crime in New York State, that does
8 enhance the penalty.

9 And to give an easy example, if
10 you're drunk driving and convicted of DWI in
11 another state and then within 10 years -- and
12 that's a misdemeanor level or higher -- and then
13 you are drunk driving in New York State, you will
14 then be charged, by way of a special information,
15 with a felony driving while intoxicated in
16 New York.

17 So it is, if you -- we can
18 characterize it as long-arm jurisdiction or
19 whatever we'd like, but ultimately that
20 out-of-state conviction does have an enhanced and
21 aggravated enhancement in the State of New York
22 under our current law. In addition to, of
23 course, sex offenses and so forth.

24 So my question is that if you have a
25 crime pending in another state, does that have

1 any effect on the clock being set back to zero, I
2 believe is how you referred to it, involving the
3 seven-year automatically sealing statute?

4 SENATOR MYRIE: Through you,
5 Madam President, it does not.

6 (Pause.)

7 ACTING PRESIDENT PERSAUD: Senator
8 Palumbo?

9 SENATOR PALUMBO: I'm sorry, I
10 didn't hear -- I thought -- I didn't hear an
11 answer. I apologize, I thought you were
12 thinking.

13 (Laughter.)

14 SENATOR MYRIE: That answer was
15 very short, that's why you missed it. But I said
16 it did not.

17 SENATOR PALUMBO: I'm sorry, I
18 apologize.

19 (Laughter.)

20 SENATOR PALUMBO: I thought that
21 was -- everyone was just kind of hanging out
22 there. I apologize.

23 SENATOR MYRIE: -- enjoying the
24 ambience, yeah.

25 (Laughter.)

1 SENATOR PALUMBO: I was just
2 patiently waiting for an answer, I didn't hear
3 it. Thank you.

4 Well, would the sponsor yield for
5 another question?

6 ACTING PRESIDENT PERSAUD: Will the
7 sponsor yield?

8 SENATOR MYRIE: Absolutely.

9 ACTING PRESIDENT PERSAUD: The
10 sponsor yields.

11 SENATOR PALUMBO: And I promise I'm
12 going to listen to your answer this time,
13 Senator. I was listening, it just -- you know,
14 it came out quietly.

15 Now, with respect to the calculation
16 of those seven years, I move over to page 4. I'm
17 sure you're familiar with it. I'm just going to
18 read it for our colleagues.

19 In calculating the time period --
20 this is line 8, Section (e)(2). "In calculating
21 the time periods under this section, any period
22 of time during which the defendant was
23 incarcerated on a determinate or indeterminate
24 sentence for a period of at least one year shall
25 be excluded and such time period shall be

1 extended by a period equal to the time served
2 under such incarceration." Regarding that
3 section, Senator.

4 So if someone gets a year, local,
5 they would serve eight months, they still get the
6 benefit of that one year time. So even though
7 they're in jail, they're still actually getting
8 the benefit of the time clock ticking along in
9 order to seal that conviction. Is that accurate?

10 SENATOR MYRIE: Through you,
11 Madam President, I'm not sure I entirely agree
12 with my colleague's reading of that. But I will
13 speak to what undergirds that provision.

14 There were administrative concerns
15 that were brought to us by way of hearings and
16 conversations with DCJS, the Governor's office,
17 about the ability to track individuals who are
18 incarcerated in our local jails. That system
19 unfortunately is not as robust as we would like
20 it to be. And so DCJS and OCA had expressed to
21 us that just having the facilities under DCJS
22 jurisdiction would be most helpful for them to
23 execute the law. And that's why we put this
24 provision in.

25 SENATOR PALUMBO: Do you yield for

1 another question, please, Senator?

2 ACTING PRESIDENT PERSAUD: Does the
3 sponsor yield?

4 SENATOR MYRIE: Sure.

5 ACTING PRESIDENT PERSAUD: The
6 sponsor yields.

7 SENATOR PALUMBO: Through you,
8 Madam President. So the answer is that the clock
9 still ticks to their benefit on a local sentence,
10 correct?

11 SENATOR MYRIE: A sentence of less
12 than one year, that's right.

13 SENATOR PALUMBO: Thank you.

14 Would you yield for another
15 question, please?

16 ACTING PRESIDENT PERSAUD: Will the
17 sponsor yield?

18 SENATOR MYRIE: Yes.

19 ACTING PRESIDENT PERSAUD: The
20 sponsor yields.

21 SENATOR PALUMBO: Now, you
22 indicated earlier that a lot of the changes were
23 to add additional agencies, through some
24 collaboration, that have access to these -- to
25 these records in the event they are sealed.

1 But in the event there is a mistake
2 in sealing -- say an agency improperly seals
3 something and wants to unseal it -- is there any
4 sort of method or judicial review or any process
5 that they can undertake in order to reopen the
6 improperly sealed files?

7 SENATOR MYRIE: Through you,
8 Madam President, there isn't in this bill. But
9 my sense is that DCJS would be able to promulgate
10 a correction method. We include in this bill on
11 the last page requirements for DCJS, for
12 instance, to promulgate the form in which this --
13 in which the automatic sealing would take place.
14 And so I think that is in that universe, where
15 DCJS would be well positioned to come up with
16 some process to rectify any missealed records.

17 SENATOR PALUMBO: Would the sponsor
18 yield for another question.

19 ACTING PRESIDENT PERSAUD: Does the
20 sponsor yield?

21 SENATOR MYRIE: Yes.

22 ACTING PRESIDENT PERSAUD: The
23 sponsor yields.

24 SENATOR PALUMBO: Thank you,
25 Senator Myrie. Is there any money appropriated

1 to assist the law enforcement agencies with that
2 aspect of it? Because obviously they're still
3 reeling from the discovery reforms and dealing
4 with that. Is there any money appropriated with
5 this bill as well?

6 SENATOR MYRIE: Not in this bill.
7 But the past budget that we passed included a
8 material amount of money for DA offices and other
9 law enforcement officials that I believe was
10 responsive to this very issue that you're
11 bringing up.

12 SENATOR PALUMBO: Will the sponsor
13 yield for another question, please.

14 ACTING PRESIDENT PERSAUD: Does the
15 sponsor yield?

16 SENATOR MYRIE: Yes.

17 ACTING PRESIDENT PERSAUD: The
18 sponsor yields.

19 SENATOR PALUMBO: So in that
20 regard, Senator, with regard to the ultimate
21 sealing and addressing those files, that under
22 the terms of this bill law enforcement agencies
23 would have to obtain all physical documents as
24 well, the way I understand it.

25 So in the event they hired an

1 expert, for example, maybe a third-party expert
2 regarding a reconstruction case -- a lot of times
3 civil engineers and reconstruction experts have
4 been hired, and they're around the country --
5 pursuant to this bill, those district attorneys'
6 offices and law enforcement agencies would have
7 to obtain every one of those documents pursuant
8 to the sealing of a record, prior ones included,
9 within two years. Correct?

10 SENATOR MYRIE: Through you,
11 Madam President, that's correct.

12 Although I don't -- I'm not sure I'd
13 characterize it as going to search for these
14 things. I think the assumption is that they
15 would already have these on file.

16 SENATOR PALUMBO: Will the sponsor
17 yield for another question, please?

18 ACTING PRESIDENT PERSAUD: Will the
19 sponsor yield?

20 SENATOR MYRIE: Yes.

21 ACTING PRESIDENT PERSAUD: The
22 sponsor yields.

23 SENATOR PALUMBO: Thank you,
24 Senator. I'd like to move along to businesses
25 and agencies that are allowed access.

1 With respect to a business, unless
2 they're within this exclusive list defined within
3 the bill, they are not allowed access to those
4 records; correct?

5 SENATOR MYRIE: That's right.
6 Through you, Madam President, that's correct.

7 SENATOR PALUMBO: Would the sponsor
8 yield for another question, please.

9 ACTING PRESIDENT PERSAUD: Will the
10 sponsor yield?

11 SENATOR MYRIE: Yes.

12 ACTING PRESIDENT PERSAUD: The
13 sponsor yields.

14 SENATOR PALUMBO: In the event a
15 small business owner -- possibly through, say, an
16 internet search -- is able to obtain indication
17 of a particular crime that was committed and it's
18 a sealed record, can that employer not hire that
19 prospective employee as a result of their
20 knowledge of a prior sealed conviction, under
21 this bill?

22 SENATOR MYRIE: Through you,
23 Madam President. As my colleague is aware, we
24 have other sealing statutes that are not this
25 bill now, what's already existing in our

1 statutory regime. And we treat those sealed
2 records in a certain way as it relates to
3 employment. And there's case law on whether the
4 decision of that particular business owner runs
5 afoul of the statutes.

6 I don't think it would be different
7 in this case, although I do believe that it will
8 be fact-dependent, depending on the particular
9 scenario. We have made some changes to the Human
10 Rights Law here in order to prevent this type of
11 thing from happening.

12 And our hope is that much like the
13 Fortune 500 companies that support this bill --
14 JPMorgan, Verizon, Microsoft, the many, many
15 chambers of commerce -- that this is good for
16 business. It is important that people have the
17 opportunity, once they have paid their dues to
18 society, to engage and to work -- and I don't
19 think that we would have this support for this
20 type of bill if this were not a good jobs bill
21 and good for business owners throughout the
22 state.

23 SENATOR PALUMBO: Will the sponsor
24 yield for another question, please?

25 ACTING PRESIDENT PERSAUD: Does the

1 sponsor yield?

2 SENATOR MYRIE: Yes.

3 ACTING PRESIDENT PERSAUD: The
4 sponsor yields.

5 SENATOR PALUMBO: Thank you.

6 Through you, Madam President.

7 Senator Myrie, is there any prohibition on
8 JPMorgan or these other businesses that support
9 this bill -- is there any prohibition today on
10 them hiring someone with a felony conviction? I
11 don't get it.

12 SENATOR MYRIE: Through you,
13 Madam President. I think there are certain
14 federal financial regulations that they still
15 have to abide by. We actually include that in a
16 section in this bill to say that where there is
17 conflict and you have an obligation by way of
18 federal law to access, that this bill cannot stop
19 you from doing that.

20 And so this -- it wouldn't upset the
21 current structure for some of these institutions,
22 but I'd note that it's, you know, not just
23 JPMorgan but many -- many other businesses.

24 SENATOR PALUMBO: Will the sponsor
25 yield for another question.

1 ACTING PRESIDENT PERSAUD: Does the
2 sponsor yield?

3 SENATOR MYRIE: Yes.

4 ACTING PRESIDENT PERSAUD: The
5 sponsor yields.

6 SENATOR PALUMBO: Well, thank you,
7 Senator.

8 So in that regard, if someone needs,
9 say, to get a Series 7, they can't have a felony
10 conviction. The simple sealing of that
11 conviction does not change -- according to this
12 bill, will not change their status as a prior
13 felon to the extent that they will be ineligible
14 to obtain that Series 7; correct?

15 SENATOR MYRIE: Through you,
16 Madam President, for purposes of access to the
17 record, that's correct.

18 SENATOR PALUMBO: Will you yield
19 for another question?

20 SENATOR MYRIE: Yes.

21 ACTING PRESIDENT PERSAUD: The
22 sponsor yields.

23 SENATOR PALUMBO: Thank you,
24 Senator. So I'm sorry, I didn't -- I wasn't
25 clear on that.

1 So it's by way of access. Meaning
2 that the financial agency still could not access
3 the record? I was confused with that answer.

4 SENATOR MYRIE: No, I actually
5 meant the opposite, that they could access the
6 record.

7 SENATOR PALUMBO: Gotcha. And as
8 far as eligibility -- would you yield for another
9 question?

10 ACTING PRESIDENT PERSAUD: Does the
11 sponsor yield?

12 SENATOR MYRIE: Yes.

13 ACTING PRESIDENT PERSAUD: The
14 sponsor yields.

15 SENATOR PALUMBO: Thank you,
16 Senator.

17 And so the bottom line in my
18 question is it will not affect their eligibility.
19 If they're ineligible to obtain a particular
20 license, for example, due to that felony
21 conviction, the simple sealing of it does not at
22 all alter the propriety of that conviction,
23 making them eligible.

24 So -- and that was really in
25 conjunction about the fact that they can still

1 hire the -- they're still hiring the same person
2 regardless of whether or not their conviction's
3 sealed, correct?

4 SENATOR MYRIE: Through you,
5 Madam President, I think that's right. I think
6 that's right.

7 SENATOR PALUMBO: Thank you.

8 Would you yield for another
9 question, please?

10 ACTING PRESIDENT PERSAUD: Does the
11 sponsor yield?

12 SENATOR MYRIE: Yes.

13 ACTING PRESIDENT PERSAUD: The
14 sponsor yields.

15 SENATOR PALUMBO: So if I'm a small
16 business owner, for example -- and I'm using a
17 bookkeeper example, where someone's not
18 particularly licensed and they're just a
19 bookkeeper -- under this legislation I will not
20 be able to access -- because we're not one of
21 those qualified agencies, I would not be able to
22 investigate or get access to records in the event
23 that person has a prior grand larceny conviction
24 that was sealed, for example. Correct?

25 SENATOR MYRIE: Through you,

1 Madam President, that's correct.

2 And it's important that we pause
3 here, I think, because I believe this is where
4 our philosophies on redemption are going to be
5 divergent. The notion that what someone has done
6 in the past, as you know, even in court cannot
7 always be used as something probative of what
8 they're going to do in the future.

9 And so one of the linchpins of this
10 bill is that the mistakes made in the past are
11 not the ones that will dictate your entire
12 future.

13 But furthermore, because of the time
14 separation from the offense, the conviction, the
15 incarceration, if applicable, and the leaving of
16 state supervision post-release, there is enough
17 space where that person has had to prove
18 themselves, to show that they are ready to be
19 back in action in our communities, and that is
20 going to apply in several instances that I, you
21 know, suspect you might be bringing up, where it
22 seems like that mistake should cabin that person
23 to the -- to be an outcast in society
24 permanently, when that's not what we do.

25 We have a particular system in which

1 someone commits an offense, it is adjudicated,
2 they are convicted, and then they are sentenced.
3 And that sentence is not in perpetuity -- well,
4 some are. But that sentence is what we have
5 deemed -- we, the Legislature -- to deem the time
6 that that person has to pay for that offense,
7 where they have to be away from society for that
8 offense.

9 Once that is finished, we shouldn't
10 continue to punish that individual. And if we
11 really do believe that they should be punished,
12 then we should have a conversation about
13 sentencing. Which I would welcome and would love
14 to have that conversation. But we don't do that.
15 We haven't done that. So I don't think we should
16 in effect allow for punishment in perpetuity.

17 SENATOR PALUMBO: Would the sponsor
18 yield for another question, please.

19 ACTING PRESIDENT PERSAUD: Does the
20 sponsor yield?

21 SENATOR MYRIE: Yes.

22 ACTING PRESIDENT PERSAUD: The
23 sponsor yields.

24 SENATOR PALUMBO: And thank you.
25 Senator Myrie, you know -- and I can -- I'll make

1 a quick comment, and then I'll just rephrase that
2 or ask it a little bit different way.

3 That I think we're on the same page
4 when it comes to rehabilitation. People pay a
5 debt to society, and they get on with their
6 lives. The difference I think where the rubber
7 meets the road is we already have a system where
8 you get two bites at the apple. I'm talking
9 unlimited bites of the apple.

10 And that's really where my question
11 lies, is the fact that this is an unlimited bill.
12 You have people who have been arrested, as we've
13 seen recently -- it's been highlighted even more
14 in recent news accounts -- we have people who
15 have been arrested over a hundred times, for
16 maybe misdemeanor larcenies and then a robbery
17 and one or two there. They're all going to be
18 clean, clean slate -- I mean, I'm assuming that's
19 the reason why you use that language. Those will
20 be wiped clean completely.

21 So those that continue to offend and
22 reoffend, those are the ones that concern me. So
23 in that example, if I'm, say, a veterinarian and
24 animal cruelty -- all of them will be sealed.
25 The highest level, I believe, if I recall -- it's

1 been a while since I've worn that white hat --
2 but is an E felony, an E nonviolent, under the
3 Ag & Markets Law, for killing an animal and
4 torturing and doing whatever, overdriving,
5 whatever you want to do, however you want to
6 characterize it. All of those are sealable.

7 So if I'm, say, a dog walker and I'm
8 looking to hire someone and they have multiple
9 animal cruelty convictions -- and if they're
10 mostly misdemeanors or they're all misdemeanors,
11 I'll have no access to that.

12 So my question is, based upon the
13 bookkeeper example and that example, in these
14 situations is there any vehicle by way a
15 nonspecifically enumerated business in this bill
16 can have access because it's the nature of their
17 business and it would make sense for them to at
18 least have that type of a background check for
19 the interests of, in that example, the animals or
20 for safety of others and so forth?

21 SENATOR MYRIE: Through you,
22 Mr. President -- Madam President. I don't know
23 why I keep saying "Mr."

24 So a couple of things. So, one, the
25 qualified entities, agencies in this bill, they

1 all share one common thing, and that is they are
2 either authorized or required to fingerprint.
3 And that is a determination that has been made,
4 again by this body, that certain professions,
5 certain jobs require that -- or at least should
6 have the option to look at someone's criminal
7 history.

8 That is not the case for many, many,
9 many, many businesses. And if they feel or if
10 the industry which that business is in feels that
11 they should be doing this, then they should make
12 their case. And then we have to have that
13 conversation about either authorizing or
14 requiring that level of fingerprinting.

15 And I know I keep coming back to
16 this, but it bears repeating that you mentioned,
17 in the dog walker hypothetical regarding the
18 felonies and the animal cruelty, you know, it
19 requires a seven-year period in the felony
20 context of no offenses whatsoever.

21 The notion that repeat offenders are
22 going to be going wild with this is just patently
23 adverse to what the bill says, because any single
24 offense starts the clock over again.

25 SENATOR PALUMBO: Will the sponsor

1 yield for another question?

2 ACTING PRESIDENT PERSAUD: Does the
3 sponsor yield?

4 SENATOR MYRIE: Yes.

5 ACTING PRESIDENT PERSAUD: The
6 sponsor yields.

7 SENATOR PALUMBO: But, Senator,
8 those are only offenses in New York. So if I'm
9 hiring -- if I'm a dog-walking company in, say,
10 New Jersey -- you get my point, right? And I see
11 you nodding your head, that that clearly -- that
12 is only for New York crimes.

13 So in the event you have a number of
14 animal cruelty cases in another state, you still
15 wouldn't even -- you would not have access to
16 those in New York.

17 SENATOR MYRIE: Through you,
18 Madam President, we -- we would not.

19 And, you know, I am a very proud
20 member of the New York State Legislature, and I
21 think we are in the business of regulating
22 New York activity, behavior and actions.

23 I encourage, if we feel that there
24 should be more federal action on this -- many of
25 our colleagues have left this great chamber to go

1 down to D.C. But as it stands now, we have
2 jurisdiction over what happens in the State of
3 New York.

4 SENATOR PALUMBO: Will the sponsor
5 yield for another question, please.

6 ACTING PRESIDENT PERSAUD: Does the
7 sponsor yield?

8 SENATOR MYRIE: Yes.

9 ACTING PRESIDENT PERSAUD: The
10 sponsor yields.

11 SENATOR PALUMBO: Is there any
12 mechanism, Senator, to add additional crimes?
13 For example, hate crimes are not included in this
14 bill. So I can commit multiple hate crimes and
15 they will be automatically sealed pursuant to the
16 three-and-seven-year rule here.

17 Is there any way that we could
18 ultimately -- other than with new legislation or
19 amendments, is there any way that someone could
20 make an application to not seal, maybe to a
21 court? As I indicated earlier, I was looking for
22 a way in which they could unseal an improperly
23 sealed record. Is there any way that maybe a law
24 enforcement agency could make an application to a
25 judge and say, Judge, this should not be sealed

1 for these particular purposes?

2 SENATOR MYRIE: Through you,
3 Madam President, this is not contemplated in this
4 bill, but my colleague is more than welcome to
5 introduce a bill where we could have that
6 discussion.

7 SENATOR PALUMBO: Will the sponsor
8 yield for another question, please?

9 ACTING PRESIDENT PERSAUD: Does the
10 sponsor yield?

11 SENATOR MYRIE: Yes.

12 ACTING PRESIDENT PERSAUD: The
13 sponsor yields.

14 SENATOR PALUMBO: Thank you. Just
15 one more area to address, Senator, if that's
16 okay.

17 Regarding on page 5, a private or a
18 civil action may ultimately be maintained under
19 this bill if their rights are violated pursuant
20 to the sealing statute. Is that correct?

21 SENATOR MYRIE: Through you,
22 Madam President, that's right.

23 SENATOR PALUMBO: Would you yield
24 for another question, please.

25 ACTING PRESIDENT PERSAUD: Does the

1 sponsor yield?

2 SENATOR MYRIE: Yes.

3 ACTING PRESIDENT PERSAUD: The
4 sponsor yields.

5 SENATOR PALUMBO: So -- and I
6 believe it's any defendant claiming to be
7 aggrieved in violation of this section for
8 damages, including punitive damages.

9 So, Senator, is there a -- who would
10 the target of that particular lawsuit be? If
11 they wanted to sue someone, would they sue the
12 governmental body, like the DA's office, a police
13 department or whatever other agency was required
14 to seal those particular items?

15 SENATOR MYRIE: Through you,
16 Madam President, I think in the way that you
17 posed the hypothetical about the incorrect
18 sealing or perhaps a mistake that was done in
19 sealing, I believe that applies here as well, in
20 a slightly different context, in that you could
21 have a rogue law enforcement official who chooses
22 to leak an individual's records to the press.
23 You may have a situation with an employer. You
24 may have a situation where some official at the
25 court, whether inadvertently or with intent,

1 reveals these records.

2 So we wanted to provide recourse in
3 order to encourage people really abiding by the
4 sealing and not playing fast and loose with
5 people's conviction records.

6 SENATOR PALUMBO: Will the sponsor
7 yield for another question, please?

8 ACTING PRESIDENT PERSAUD: Does the
9 sponsor yield?

10 SENATOR MYRIE: Yes.

11 ACTING PRESIDENT PERSAUD: The
12 sponsor yields.

13 SENATOR PALUMBO: So, Senator, you
14 indicated that would be a leak, which would sound
15 intentional. What about the negligent
16 disclosure? Or, you know, really almost in a
17 strict liability sense, that they failed to just
18 catch a document that ultimately made it to the
19 newspaper, for example. Would that also be
20 actionable under this bill?

21 SENATOR MYRIE: Through you,
22 Madam President, I think that this would be,
23 again, a fact-dependent situation where the court
24 would have to make a determination about intent
25 and sort of what led to the revealing of the

1 record.

2 SENATOR PALUMBO: Just one
3 follow-up question. Would you yield for one
4 more, please?

5 ACTING PRESIDENT PERSAUD: Will the
6 sponsor yield?

7 SENATOR MYRIE: Yes.

8 ACTING PRESIDENT PERSAUD: The
9 sponsor yields.

10 SENATOR PALUMBO: So when I see
11 the -- on page 7, the unlawful discriminatory
12 practice, that it would be -- it would be just
13 ultimately be added that if they -- unless
14 specifically required or permitted by statute for
15 any person, agency, bureau, corporation or
16 association, including the state and any
17 political subdivision, to make any inquiry about,
18 whether in any form of application or otherwise,
19 or act upon adversely to the individual any
20 arrests or critical accusation -- and then we
21 move down further, of essentially sealed records
22 pursuant to this section.

23 So it seems as though that would be
24 almost a catch-all strict liability situation
25 where, in the event they -- someone obtained that

1 document, they were otherwise required to seal
2 it.

3 So can you, just for the purposes of
4 legislative intent, indicate whether that is what
5 the intention was? Or it was some sort of
6 another duty that was breached, for example, like
7 a negligent claim.

8 SENATOR MYRIE: Through you,
9 Madam President, just for clarity, there are two
10 separate causes of action. One is for the
11 alleged discriminatory practice; the other is for
12 the revealing of this.

13 I just want to clarify which you're
14 addressing, if either, or both.

15 SENATOR PALUMBO: Both, please, if
16 you would yield for that question.

17 SENATOR MYRIE: Okay. Through you,
18 Madam President. So on the unlawful
19 discriminatory practices, it is our intent to hew
20 to what the courts already institute as it
21 relates to unlawful discriminatory practices in
22 other areas of the law.

23 And so, again, fact-dependent. I
24 don't think that this reads nor is it intended to
25 be strict liability.

1 On the disclosure, I think it's not
2 as much case law, but we're hoping that the
3 courts, again, would look to the facts of each
4 particular case and then make the determination.

5 SENATOR PALUMBO: Would you yield
6 for another question, please, Senator.

7 ACTING PRESIDENT PERSAUD: Does the
8 sponsor yield?

9 SENATOR MYRIE: Yes.

10 ACTING PRESIDENT PERSAUD: The
11 sponsor yields.

12 SENATOR PALUMBO: Thank you.
13 Through you, Madam President, thank you.

14 So in that regard, regarding the
15 disclosure, just general civil liability, would
16 you have to prove damages? Are there any
17 presumed damages? Hopefully you would have to
18 prove an actual injury, is what I'm assuming
19 pursuant to the language in here, for just
20 failing to seal a document inadvertently.

21 SENATOR MYRIE: Through you,
22 Madam President. So we read this as having to
23 prove the damages, particularly in the punitive
24 damages context.

25 SENATOR PALUMBO: Thank you,

1 Senator. I appreciate your comments.

2 On the bill, Madam President,
3 please.

4 ACTING PRESIDENT PERSAUD: Thank
5 you. Senator Palumbo on the bill.

6 SENATOR PALUMBO: Thank you again.

7 And thank you to Senator Myrie for
8 answering my questions. We're still amending and
9 reamending this bill now that we're in a D print.

10 And in a time like today, as we sit
11 here with crime going up year to year, we see all
12 of these criminal acts are up again in 2022 from
13 2021, which was up from '20, which was up from
14 2019. We actually have a mechanism in order to
15 provide people with a clean slate, with a new
16 bite of the apple. In fact, this was bipartisan
17 legislation from 2017, when our party was in the
18 majority and thinking that people should not have
19 to suffer for making a mistake in life.

20 This now provides for someone to
21 have virtually no penalty for making a mistake,
22 another mistake, another mistake, and another
23 mistake until the end of time. That's the
24 problem.

25 And that again, as I indicated

1 during the debate, that's where the rubber meets
2 the road. Because let's talk about the cases and
3 the crimes that will automatically -- not by
4 application -- and by the way, I did see that
5 there was some certain concern that many people
6 haven't taken advantage of the 1 -- what is it,
7 160.59 is the current law, where you can have --
8 after 10 years you can seal two convictions of
9 crimes, one a felony, because it was an onerous
10 process.

11 Well, why not make an application
12 process? When you take a plea, being a
13 practicing lawyer for all these years on both
14 sides of the aisle, everybody gets handed their
15 notice of appeal. You're standing next to your
16 lawyer, who just advised verbally on the record
17 of your right to appeal, and you're handed a
18 document. Why not provide that to defendants and
19 say, Look, if you behave, here's an incentive.
20 It goes away, and it's expunged.

21 But here, we are just providing
22 unfettered access to people who continue to
23 commit crimes -- as I indicated, hate crimes,
24 violent felonies, manslaughter, burglary, some
25 kidnappings, vehicular homicides, gang assaults,

1 assault of a police officer, terrorism crimes,
2 all of them, unless they have lifetime parole,
3 which is A felonies only. So attempted murders,
4 you do four of those in three weeks, in seven
5 years, once you get out, they're all gone under
6 this bill.

7 And look, it's a laudable intent.
8 I've had many conversations with the sponsor
9 about this, and I do believe that his heart is in
10 the right place generally speaking, but not here.
11 Not with this bill.

12 This bill is not a public safety
13 bill. This makes our lives more dangerous.
14 Because you know why? Why are we hiding that
15 fact that someone has the opportunity to expunge
16 a couple of mistakes? They stub their toe in
17 life. We get it. That's available right now as
18 we stand. But under this bill, you get it again
19 and again and again.

20 And it's almost as if we're trying
21 to trick business owners, because governmental
22 agencies have access -- and I understand that.
23 Maybe they should, and they absolutely have to
24 with respect to specific crimes, but not if it's
25 out of state. So will an out-of-state law

1 enforcement agency have the opportunity? If
2 they're not specifically listed here, they may
3 not.

4 So if you have a DWI, a felony DWI
5 in New York and eight years later -- where in
6 New York that's still an aggravating factor and
7 you'd be charged with a higher crime -- you can't
8 get access to it in New York.

9 So these are the concerns that I
10 have, as well as many other agencies that were
11 certainly consulted, but their information and
12 proposals were not accepted as far as any changes
13 are concerned. Because you look at -- the
14 District Attorneys Association has essentially
15 all of the same problems that they had with this
16 bill when it originally came out.

17 And on the business side, last
18 comment. If I have a Chuck E. Cheese and someone
19 who's been convicted of -- and those of us that
20 are practitioners in the criminal world, the
21 endangering the welfare of a child is a plea that
22 you work out a lot. Crimes against children.
23 Assaults against children. But endangering the
24 welfare of a child on many occasions is a
25 reduction from a sex offense. It's not

1 registerable, so it's automatically sealed.

2 If I have a Chuck E. Cheese and I'm
3 interviewing a prospective employee, I have no
4 access to those records. If I am an animal
5 shelter, a theme park, dog walkers, as I
6 mentioned -- these are everyday jobs with
7 everyday people. And we understand that people
8 need to be allowed a second bite of the apple in
9 life. It's not for lack of compassion. Because
10 this is not compassionate, because we are
11 forgetting about victims with this bill. Because
12 more victims result from people who can't help
13 themselves, who commit crimes and then commit
14 more crimes and then commit more crimes.

15 You get two freebies under our
16 current law. In my opinion, that's enough. And
17 in extenuating circumstances you want to do
18 something that's fair, somebody did something
19 when they were addicted to drugs when they were
20 younger or they were just in a bad way, and then
21 they do something else later in life, allow a
22 subsequent application and review on a case by
23 case basis. Instead of painting everything with
24 the same brush and allowing everyone this free
25 pass.

1 Because quite frankly,
2 Madam President, this will actually do the exact
3 opposite, unfortunately. And for those reasons,
4 I'll be in the negative.

5 Thank you very much.

6 ACTING PRESIDENT PERSAUD: Thank
7 you, Senator Palumbo.

8 Are there any other Senators wishing
9 to be heard?

10 Seeing and hearing none, debate is
11 closed. The Secretary will ring the bell.

12 Read the last section.

13 THE SECRETARY: Section 7. This
14 act shall take effect on the 120th day after it
15 shall have become a law.

16 ACTING PRESIDENT PERSAUD: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT PERSAUD: Senator
20 Jackson to explain his vote.

21 SENATOR JACKSON: Thank you,
22 Madam President.

23 My colleagues, I rise to speak in
24 support of Senator Myrie's legislation, the Clean
25 Slate Act, S1553D.

1 And everyone should have the
2 opportunity to work, care for their families, and
3 contribute to their communities. And I believe
4 once an individual's debt to society is paid,
5 they should not be punished further.

6 Too often a criminal record can be a
7 life sentence of poverty, with the collateral
8 damage of conviction wide-ranging and enduring.
9 Currently more than 2.3 million New Yorkers have
10 a conviction record creating barriers to
11 obtaining employment, housing, education, credit,
12 and other essential opportunities that allow
13 individuals to thrive and contribute to our
14 society.

15 To better achieve equality --
16 equity, rather, especially across race and
17 income, we must transform our justice system.
18 Clean Slate NY aims to end perpetual punishment
19 by requiring the sealing of records, certain
20 records, giving our neighbors involved in the
21 justice system a second chance at contributing to
22 society.

23 It's about strengthening our
24 communities, ensuring New Yorkers are not
25 punished beyond their sentences and can be full

1 participants in our state's economic and civic
2 life. It is a common-sense policy that promotes
3 justice, stability, safety for all.

4 I am proud that as legislators of
5 conscience we find ourselves here today to
6 fulfill our moral obligation, and it's time to
7 pass the Clean Slate Act now. I proudly vote aye
8 in favor of this bill.

9 Thank you, Madam President.

10 ACTING PRESIDENT PERSAUD: Senator
11 Jackson to be recorded in the affirmative.

12 Senator Brisport to explain his
13 vote.

14 SENATOR BRISPORT: Thank you,
15 Madam President. Thank you, Madam President.

16 You know, earlier this year we
17 witnessed the concerted efforts of some in power
18 to gaslight New Yorkers about their own public
19 safety. With a New York City police budget of
20 mind-boggling size and an extraordinary
21 percentage of New Yorkers incarcerated, our
22 people continue to endure the physical and
23 psychological consequences of living with the
24 constant presence of danger. Yet our Mayor and
25 our Governor are fighting to double down on these

1 monumentally failed public safety strategies
2 instead of engaging with the well-established
3 reality that public safety is rooted in community
4 stability.

5 Policies like pretrial incarceration
6 and those that limit access to employment and
7 housing for formerly incarcerated people -- in
8 other words, policies that destabilize individual
9 lives and families -- are not only unjust, they
10 are also a recipe for undermining public safety.

11 More than one in seven New Yorkers
12 has a conviction record, which has kept hundreds
13 of thousands of New Yorkers from accessing basic
14 living conditions like employment, housing and
15 education.

16 Today the Senate is saying that
17 2.3 million New Yorkers with past convictions who
18 have already been subjected to inhumane and
19 deeply isolating prison time, should be able to
20 move on with their lives, reenter their
21 communities and thrive.

22 Clean Slate passing is a tremendous
23 move toward policies rooted in basic respect for
24 humanity and in real-world outcomes over
25 pseudo-security and mass incarceration. It is a

1 move forward for racial justice in New York,
2 reducing the damage done by our criminal legal
3 system that disproportionately traps
4 working-class people of color in perpetual
5 punishment.

6 I want to thank Clean Slate
7 New York's broad coalition of activists,
8 including the formerly incarcerated New Yorkers
9 who have led this charge. Despite the efforts of
10 the Governor and Mayor Eric Adams to roll back
11 lifesaving bail reforms, that coalition continues
12 to speak truth to power. They have proven that
13 together we can truly win a more just New York.

14 I proudly vote aye on this bill.

15 Thank you, Madam President.

16 ACTING PRESIDENT PERSAUD: Senator
17 Brisport to be recorded in the affirmative.

18 Senator Helming to explain her vote.

19 SENATOR HELMING: Thank you,
20 Madam President.

21 First I want to say thank you to
22 Senator Myrie and Senator Palumbo for the great
23 debate. It's a tough subject, and I appreciate
24 the candid responses.

25 Madam President, I truly, truly

1 believe in second chances, and I believe in the
2 resiliency of New Yorkers. But you know what
3 else I also believe in? That's consequences.

4 And while I appreciate my
5 colleagues' changes to the Clean Slate bill since
6 it was first introduced, my concerns remain. I
7 believe this bill does not do enough to protect
8 our communities, our families and our children.
9 Unfortunately, over the past two years this is a
10 theme that we've seen time and time again.

11 Among the bill's flaws, Clean Slate
12 allows for an unlimited, an unlimited number of
13 prior convictions to be concealed. It protects
14 individuals with significant criminal records --
15 as you heard, violent felonies, including
16 domestic terrorism, manslaughter, arson, robbery,
17 and even animal abuse. Madam President, I have
18 to ask my colleagues, are these crimes that we're
19 really, truly willing to erase?

20 Of course I believe in second
21 chances, but not at the expense of public safety.
22 Like the majority of my constituents, I oppose
23 the disastrous bail and discovery policies, Less
24 Is More parole changes and the HALT Act. These
25 policies and others advanced by the Majority

1 prioritize criminals while putting our
2 communities at risk.

3 Since April 1st of this year, when
4 the HALT Act took effect, there has been a
5 dramatic increase in the horrific attacks within
6 our state's correctional facilities. Attacks on
7 correctional officers and attacks between inmates
8 have risen as well.

9 When discovery changes were passed,
10 we saw what a huge burden that was for our
11 district attorneys' offices. We saw the negative
12 consequences that accompanied that unfunded
13 mandate that was handed down by the state.

14 Now, with the Clean Slate
15 legislation, we're faced with yet another
16 unfunded mandate, another bill that is primed to
17 overburden our law enforcement officers, our DAs
18 and our judges.

19 It appears to me that there are
20 dangerous gaps in this legislation that
21 potentially put vulnerable individuals at risk,
22 and the question I have is: Is it worth it? Is
23 it worth the risk to our children? Are we
24 unnecessarily putting children at risk by sealing
25 the records of a person convicted of harming or

1 abusing a child? What happens when that person
2 who is convicted of child abuse is hired by a
3 facility that under this legislation cannot
4 access criminal records, a facility that caters
5 to children like a theme park, a water park, a
6 small daycare?

7 Not only do bills like Clean Slate
8 jeopardize public safety, but they tie the hands
9 of law enforcement, DAs and judges --

10 ACTING PRESIDENT PERSAUD: Senator
11 Helming, how do you vote?

12 SENATOR HELMING: Madam President,
13 we must put public safety first. We must restore
14 common sense to our criminal justice laws. I
15 urge my colleagues to join me in voting no.

16 ACTING PRESIDENT PERSAUD: Senator
17 Helming to be recorded in the negative.

18 Senator Borrello to explain his
19 vote.

20 SENATOR BORRELLO: Thank you,
21 Madam President.

22 I too appreciate the debate between
23 Senator Palumbo and Senator Myrie on this bill.

24 I'm an employer. My wife and I
25 employ more than 200 people. We have many people

1 that work for us that are formerly incarcerated.
2 Some of them have been with us for many years.
3 But that was our choice. Our choice was to, I
4 guess, take that risk because we felt that these
5 are good people that may have made a mistake.
6 But we went into this with the full knowledge of
7 their past.

8 This bill is disturbing in a lot of
9 ways for me because, as has been mentioned by my
10 colleagues, there are some serious issues out
11 there that will be withheld from those trying to
12 make that decision. I asked our counsel, if
13 someone was convicted of animal cruelty, animal
14 fighting, animal hoarding, would those records be
15 sealed in multiple times? And the answer was
16 yes.

17 So if I were a humane society, a pet
18 store, an animal shelter, I'd want to know that.
19 Because quite honestly, those are people that are
20 never really rehabilitated, unfortunately.
21 That's what the statistics show. In fact, serial
22 killers often start out as animal abusers. And
23 that's a very serious issue. I would not want
24 our humane society employing someone without that
25 knowledge, at least.

1 We talk a lot about hate crimes.
2 Hate crimes would be sealed. I think there's a
3 lot of people that would like to know if it's
4 someone they're employing at a not-for-profit, if
5 they have perhaps been convicted of a hate crime.

6 I believe in second chances. I
7 believe we all do. I think the previous versions
8 of this years ago may have been a better
9 solution. But I can't in good conscience, as
10 someone who has done this, who employs people,
11 support something like this that would seal
12 records and withhold the information for people
13 that have committed crimes multiple times.

14 I support a second chance, I don't
15 support a 22nd chance. So I'll be a no.

16 Thank you.

17 ACTING PRESIDENT PERSAUD: Senator
18 Borrello to be recorded in the negative.

19 Senator Weik to explain her vote.

20 SENATOR WEIK: Thank you,
21 Madam President.

22 In addition to all the great points
23 that my colleagues made, I find it troubling that
24 this Majority repealed Civil Rights Act 50-a,
25 which opens personnel files for law enforcement,

1 fire departments and EMS workers regardless of
2 what it contains -- unfounded, unsubstantiated
3 and even exonerated complaints and statements --
4 and makes them available to the public.

5 But this bill wants to seal the
6 records of criminals who serve time for
7 committing heinous crimes against our communities
8 and our families. The hypocrisy is truly
9 overwhelming.

10 It seems that New York State with
11 this bill now values criminals more than it
12 values our police officers, our firefighters, our
13 EMS workers and our general public, and that's
14 shameful.

15 And for that, I vote in the
16 negative.

17 ACTING PRESIDENT PERSAUD: Senator
18 Weik to be recorded in the negative.

19 Senator Lanza to explain his vote.

20 SENATOR LANZA: Thank you,
21 Madam President, to explain my vote.

22 I'll be voting in the negative with
23 respect to this legislation.

24 You know, Madam President, I am for
25 forgiveness, I am for rehabilitation. But I am

1 also for the truth. And in effect what this bill
2 does is deny the truth. It hides the truth about
3 what people have done.

4 And as Senator Borrello said, I
5 think people should have the opportunity to
6 assess any situation, to express forgiveness, to
7 take a chance, as he said. But, you know, I
8 think human nature teaches us that we need to be
9 aware of the things that we're getting ourselves
10 into.

11 You know, if you're talking about a
12 youthful indiscretion, you're talking about
13 shoplifting or things like that, you know, wipe
14 the slate, clean the slate, do it five minutes
15 later. I'm okay with that. But we're talking
16 about serious conduct, convictions. People who
17 have committed armed robberies. Everybody talks
18 gun violence. I hear a lot about it these days.
19 Armed robbery, armed burglary, gun possessions,
20 weapon possessions.

21 And now, all of a sudden, society is
22 not supposed to know about that. And I just
23 think that's wrong.

24 There's legislation I think
25 tomorrow, there's going to be some gun

1 legislation that talks about just things that
2 people say. If they make a hateful statement, if
3 they express racism by words, they're going to be
4 punished, Madam President, in every way shape and
5 form. Perhaps they should be.

6 But a person who is convicted of a
7 hate crime somehow is going to have that truth
8 wiped away. You know, if I'm a prospective
9 employer, or a parent or a citizen or a neighbor,
10 I might want to -- I might want to know that. In
11 fact, I know I'd want to know that. I'd want to
12 know if someone was not only talking about being
13 a white supremacist but acted out on that and
14 committed a crime against someone. We ought to
15 know that. People can make decisions.

16 Senator Palumbo brought out the
17 point: So if someone committed a burglary or a
18 robbery or a hate crime seven years ago in
19 New York, and yesterday they committed a murder
20 in one of our neighboring states -- New Jersey
21 Pennsylvania, Vermont, Massachusetts,
22 Connecticut -- they're going to have that
23 conviction wiped away automatically and they've
24 just committed a murder in New Jersey? That
25 doesn't make any sense. I really don't think

1 anybody believes it does.

2 Madam President, this is bad public
3 policy. This is not about vengeance. This is
4 about information and it's about truth.

5 And the one last point I will end on
6 is there's a bit of hypocrisy involved in the
7 legislation, one aspect that just stands out to
8 me. So it does make an exception for the
9 government. This bill acknowledges that maybe a
10 past conviction is probative, that it has some
11 value, that it's important to know -- but only
12 for the government. The government needs to know
13 this. If in effect that conviction ought to be
14 wiped clean and no one needs to know it because
15 it doesn't prove or show anything and does not
16 give us any value as a society, then why does the
17 government need to know it?

18 Before the government has that
19 information, I think the people of New York need
20 to have that information.

21 And so, Madam President, I'll be
22 voting no.

23 ACTING PRESIDENT PERSAUD: Senator
24 Lanza to be recorded in the negative.

25 Senator Rivera to explain his vote.

1 SENATOR RIVERA: Thank you,
2 Madam President.

3 A couple of times on this floor and
4 certainly in conversations that I've had both
5 privately and publicly with my colleagues and my
6 constituents, I've said a phrase, and I will
7 repeat it again today: I believe in redemption.

8 And I believe in redemption because
9 unlike the Batman movie that some of my
10 colleagues might believe that we are living in,
11 where every single person who is deemed a
12 criminal is somebody who is completely,
13 irreparably harmful to the society and to the
14 people around them, there are thousands of
15 New Yorkers -- my neighbors, my constituents, our
16 neighbors and our constituents -- who are stuck
17 every single day and are defined every single day
18 by mistakes they have made in the past.

19 I believe that nobody should be
20 defined by the worst thing that they ever did. I
21 certainly shouldn't, and no one here should.

22 I also believe that my colleague, as
23 Senator Myrie will certainly explain, I am sure
24 when he explains his vote, will actually correct
25 some of the inaccuracies that have been spoken on

1 this floor about the bill that is currently
2 before us -- a bill that has been thoughtfully
3 thought through. As a matter of fact,
4 Madam President, I'll remind you about
5 Senator Myrie's various references to the
6 concerns that were expressed by law enforcement,
7 reasonable concerns that were then changed in the
8 bill.

9 At the core of this we have a system
10 which unfortunately has for too long,
11 Madam President, been driven by perennial
12 punishment. I remember some of the colleagues
13 who are no longer serving with us in the Senate
14 here, the people who have -- a couple of them,
15 who shall remain nameless, who I met at the
16 original -- when I first served here in 2011.
17 And I learned from the actions of this colleague,
18 who had been here for a long time before I
19 arrived, and who was in the majority at the time
20 and personally responsible for establishing so
21 much of the bills, so much of the laws that we're
22 trying to push back on, who seemed to believe
23 that people who have made a mistake and who have
24 therefore become criminals shall forever be
25 branded that and that there's nothing about their

1 actions from the time that they made that mistake
2 that will deem them a different person.

3 And so, as Senator Myrie said, there
4 might be a difference of opinion and difference
5 in philosophy. But ultimately I believe that
6 redemption is something that can happen. I
7 believe individuals can change who they are.
8 Some might not, but the overwhelming majority,
9 and certainly the thousands of New Yorkers whose
10 lives will be changed by this, who will have
11 access to housing, to work, to education
12 opportunities -- those are the folks that we're
13 talking about. My neighbors, my constituents.
14 Our neighbors, our constituents.

15 I believe in redemption, and I
16 believe that this bill gives us a bit of positive
17 walking in that direction. I vote in the
18 affirmative, Madam President.

19 Thank you.

20 ACTING PRESIDENT PERSAUD: Senator
21 Rivera to be recorded in the affirmative.

22 Senator Bailey to explain his vote.

23 SENATOR BAILEY: Thank you,
24 Madam President.

25 I applaud my colleagues for their

1 crash course in advanced goalpost moving theory.
2 It seems as if, when we talk about
3 justice-related issues, that the goalposts
4 continue to move down the field. It no longer
5 becomes a 100-yard football field, it becomes a
6 300-yard football field. It's conflated with
7 bail and discovery and the 50-a -- which actually
8 opens records up, but never mind that. It's
9 never good enough. It's never good enough.

10 Well, that's how people that can't
11 become employed, that's how they feel. It's
12 never good enough. The countless number of
13 New Yorkers who have been turned down for
14 housing, turned down for jobs, that cannot
15 provide for their families, they never feel good
16 enough. Advanced goalpost moving.

17 Get a job. Go get a job. It's what
18 they say. It's what they tell us to do. Go get
19 a job. How? How? When you go from employer to
20 employer that takes a look at what you have done,
21 the worst thing that you have done and makes a
22 value judgment, what are you to do? Go get a
23 job? How? How are you going to take care of
24 your family? Economic justice. Economic
25 prosperity.

1 You remember your first job,
2 Madam President? Everybody in this chamber
3 remembers their first job. You remember the
4 pride that you walked home with when you got that
5 first check? The White Plains YMCA for me.
6 Counselor in training. It was a stipend, \$207.
7 I never felt prouder in my life. I had an
8 opportunity to earn that. I was lucky. You
9 know? I had a good family, they kept me out of
10 trouble, they made sure I stayed on the straight
11 and narrow. I didn't make mistakes like that.

12 But what if you made a mistake and
13 you've paid your debt to society? You have been
14 incarcerated, you have been released, you have
15 waited a certain amount of time, and still it's
16 not good enough for some.

17 I'm glad Andrea Stewart-Cousins is
18 the Majority Leader of the New York State Senate.
19 I'm glad Zellnor Myrie has the courage of his
20 convictions to look past the convictions of
21 people.

22 And this is a D print,
23 Madam President. Hearings, conversations with
24 DAs, law enforcement. Just because you don't
25 like the answer to something doesn't mean that

1 the question wasn't asked.

2 Talk about unfunded mandates. Huh.
3 What about people who are unfunded, unhoused,
4 unable to provide for their families? What about
5 them? I guess we don't worry about them. In the
6 nation of second chances, I guess it depends on
7 who you are and where you live.

8 I'm grateful to my colleagues that
9 support this important piece of legislation. But
10 I am grateful to the impacted individuals who
11 have had to tell difficult stories that I
12 personally don't relate to because I had it a
13 little easy.

14 Madam President, I'm appreciative of
15 this time, and of the season, and for that reason
16 I vote in the affirmative.

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

19 Senator Myrie to explain his vote.

20 SENATOR MYRIE: Thank you,
21 Madam President.

22 If I may, I'm just going to run
23 through a couple of things I want to correct the
24 record.

25 So the notion that this is giving

1 free passes is something that I have a hard time
2 accepting. Because again, if you offend during
3 the waiting period, the clock restarts. If you
4 believe in your heart that people should be
5 sentenced forever, that they should be punished
6 forever, that they should be incarcerated
7 forever, then you should introduce the bill and
8 put it on the floor and let's talk about it.

9 But that's not the system that we
10 have. We have adjudication, conviction,
11 sentencing and then release.

12 And for the parade of horrors on
13 the offenses, I want to make clear that a lot of
14 the things that strike people as egregious --
15 murder -- these are things that carry lifetime
16 penalties with them. In many instances,
17 lifetime -- like being on parole. In this bill,
18 if you are on parole, you are ineligible. You
19 cannot benefit. So a lot of the very crimes that
20 some of my colleagues are bringing up are not
21 eligible for Clean Slate, period.

22 Now I say that and I want to thank
23 Senator Palumbo for the tone of our conversation.
24 And I want New Yorkers to remember the tone of
25 our conversation, because silly season will

1 commence once this session is over. And there
2 will be a lot of bluster and there will be a lot
3 of demagoguery that will not mirror the
4 conversation that Senator Palumbo and I had.

5 And there's a reason that we are
6 able to converse on this issue. Because as we
7 all said, we believe in second chances. Who
8 doesn't believe in second chances? The Business
9 Council believes in second chances. Verizon
10 believes in second chances. Microsoft believes
11 in second chances. JPMorgan believes in second
12 chances. Chambers of commerce believe in second
13 chances. That's not Zellnor. That is the
14 private sector saying, We support this because
15 this is good for our economy.

16 Kitchen table issues. There are
17 people with convictions that can't feed their
18 children because they can't get a job. Any time
19 I've showed up to trauma and crime in my
20 community -- and I talk to the guys on the block.
21 I don't know about the rest of y'all. But I talk
22 to the guys on the block, and they say: Z, I
23 don't want to do this, I don't want to be in this
24 life, but I can't get a job.

25 So yes, this is a public safety bill

1 because it incentivizes good behavior. Many of
2 my colleagues have mentioned, Why don't we use
3 160.59, the application process? Point five
4 percent of people that are eligible for it have
5 utilized it since 2017. Not 50 percent,
6 0.5 percent. The process is too onerous. It
7 requires too much. And that is why we want to
8 make it automatic.

9 And we also included a provision for
10 DCJS to promulgate and determine whether other
11 entities that are required or authorized to
12 fingerprint can have access to these records. If
13 there are individuals that want to make their
14 case -- and I'm assuming for you guys that that's
15 a lot of New Jerseyans -- people who want to make
16 their case will have the opportunity to do so to
17 DCJS.

18 And all the studies in jurisdictions
19 where Clean Slate has passed indicate that the
20 reoffense rate is lower than the general
21 population. There's a reason for that: People
22 have economic opportunity.

23 And I'll end with this. We're not
24 talking about some abstract population. These
25 individuals live here now. They're out now.

1 They're in our community now. Completely shut
2 out, having paid their dues, but we have said,
3 Nope, we want you punished in perpetuity.

4 And then we feign outrage at crime.
5 And we say, This is despicable. Why can't people
6 get their act together? We've shut every single
7 door. They're going to go through the door that
8 they know. It's the only option we've left them.

9 So if you really care about public
10 safety, this is your bill. If you care about
11 putting New Yorkers back to work, this is your
12 bill. If you're a person of faith and you
13 believe in redemption, this is your bill.

14 Today we are standing up for all
15 New Yorkers, not just those with conviction
16 records, because they have families and they have
17 communities that will all benefit once they are
18 able to come back into our society.

19 So I'm so grateful to our Majority
20 Leader for showing courage. I'm grateful to all
21 of my colleagues for their support. I'm of
22 course grateful to all of the staff and the
23 entire coalition that has supported this. And I
24 proudly vote in the affirmative.

25 Thank you, Madam President.

1 ACTING PRESIDENT PERSAUD: Senator
2 Myrie to be recorded in the affirmative.

3 Senator Krueger to explain her vote.

4 SENATOR KRUEGER: Thank you,
5 Madam President.

6 I found this debate to be
7 fascinating. And I think it's clear that in
8 addition to the differences between the
9 Democratic side of the aisle and the Republican
10 side of the aisle when it comes to some of these
11 bills, it's so clear from my colleagues' passion
12 who have worked so hard on this bill -- Senator
13 Myrie -- that it also comes from very different
14 life experiences.

15 Because the reality is in our state,
16 in addition to the fact that we have such an
17 incredibly high incarceration rate, breathtaking
18 by most of the world's standards, that it is also
19 a racially separated, discrimination --
20 discriminatory system.

21 So my district is not poor and it is
22 not mostly Black and brown. Do people do bad
23 things? Yes. Do they end up with good lawyers?
24 Yes. Do they not go to jail that often? Not so
25 often.

1 But I'm a citizen of the city and
2 the state and a representative, in this
3 Legislature, for I believe all 20 million
4 New Yorkers. And I hear my colleagues, and I've
5 read the materials and I've sat through some of
6 the meetings -- not nearly as many as the ones
7 who were participating in the relevant committees
8 and the relevant hearings. But at the core it is
9 exactly what my colleagues have stood up and
10 said.

11 This is not just about redemption --
12 but that's real -- but it's also about making
13 sure we have a state where people can get jobs
14 and take care of their families. Because if they
15 don't -- and the research bears this out for
16 decades and decades. If you don't want
17 recidivism in crime, you make sure that people
18 who were criminals have jobs where they can get
19 paid and take care of themselves and their
20 families. And that's what this bill is at its
21 core.

22 And I know my time is short, but I
23 will tell you one story of when I was running
24 eviction prevention programs back in the '90s and
25 I was talking to a man sitting in front of me

1 saying: "I went to prison, I did my time. When
2 I came back, my family took me back in. If I
3 don't get the money to pay the rent, they all get
4 evicted.

5 "I'm telling you now, lady, either
6 help me figure out how to pay my rent or I will
7 get a gun and rob people, because I know how to
8 do that. I hate that that's what I would do. I
9 know that I will get caught and go back to jail.
10 But I owe it to my family for them not to lose
11 their homes. And I don't know what else to do.
12 I am desperate."

13 I made sure he had the money to pay
14 the rent. We can't necessarily do that for the
15 tens of thousands of people who are living in our
16 state, trying to stay on the straight and narrow,
17 trying to make a life for themselves and their
18 families. And so we owe it, not just to them but
19 to ourselves as a society, to pass this bill,
20 even if we have a few qualms about a few of the
21 stories.

22 But thank you, Senator Myrie, for
23 clarifying all the different categories of people
24 who this isn't going to apply to, who seem to be
25 the people my colleagues are most worried about.

1 Those aren't the people who are going to get the
2 clean slate. Everybody else is, and those are
3 the ones that we will have had an enormous impact
4 on by passing this bill.

5 I say yes. I say we should all vote
6 for this bill.

7 Thank you, Madam President.

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

10 Announce the results.

11 THE SECRETARY: In relation to
12 Calendar 1631, those Senators voting in the
13 negative are Senators Addabbo, Akshar, Borrello,
14 Boyle, Felder, Gallivan, Gaughran, Griffio,
15 Helming, Jordan, Kaminsky, Lanza, Mannion,
16 Martucci, Mattera, Oberacker, O'Mara, Ortt,
17 Palumbo, Rath, Ritchie, Savino, Serino, Stec,
18 Tedisco and Weik.

19 Ayes, 37. Nays, 26.

20 ACTING PRESIDENT PERSAUD: The bill
21 is passed.

22 The Secretary will read.

23 THE SECRETARY: Calendar Number
24 1646, Senate Print 6453C, by Senator Parker, an
25 act to amend the Public Authorities Law.

1 ACTING PRESIDENT MAYER: Senator
2 O'Mara, why do you rise?

3 SENATOR O'MARA: Yes,
4 Madam President. I have some questions for the
5 sponsor or whoever is going to represent the
6 sponsor here on this bill today.

7 ACTING PRESIDENT MAYER: Senator
8 Gianaris?

9 SENATOR GIANARIS: I will be
10 representing the sponsor, Madam President.
11 I gladly yield.

12 ACTING PRESIDENT MAYER: The
13 Senator yields.

14 SENATOR O'MARA: Can you -- Senator
15 Gianaris, can you just generally outline what
16 this bill is proposed to do?

17 SENATOR GIANARIS: Sure. It would
18 authorize the Power Authority to build renewable
19 electricity projects as necessary.

20 SENATOR O'MARA: Through you,
21 Madam President, if the Senator will yield.

22 SENATOR GIANARIS: I do.

23 ACTING PRESIDENT MAYER: Will the
24 Senator yield?

25 SENATOR GIANARIS: Yes.

1 ACTING PRESIDENT MAYER: The
2 Senator yields.

3 SENATOR O'MARA: This bill,
4 Senator Gianaris, was amended to a C print on
5 May 27th, just four days ago. Do you know what
6 these amendments were and how it altered this
7 bill?

8 SENATOR GIANARIS: Yes. In
9 conversations with a number of the building
10 trades unions, including the utility workers,
11 there were labor protections built into the
12 legislation to ensure that no workers are harmed
13 in the transition to the renewable market.

14 SENATOR O'MARA: Through you,
15 Madam President, if the Senator will yield.

16 ACTING PRESIDENT MAYER: Senator
17 Gianaris, will you yield?

18 SENATOR GIANARIS: Yes.

19 ACTING PRESIDENT MAYER: The
20 Senator yields.

21 SENATOR O'MARA: Senator Gianaris,
22 for about 15 years -- now the state changed
23 directions about 15 years ago in opening up a
24 competitive marketplace for energy production in
25 New York State. And that went through a quite

1 long process with the Public Service Commission
2 and a lot of debate over that, and it was -- at
3 that time moved forward that basically energy
4 production would be in a private competitive
5 marketplace, and we've been pursuing that for
6 these past 15 years.

7 Why a departure from that to a
8 state-owned utility at this point to allow them
9 to produce power within that competitive
10 marketplace?

11 SENATOR GIANARIS: Well, I have a
12 couple of things I can say to that.

13 I mean, first of all, there's a lot
14 of things that we did 15 years ago that are no
15 longer the best ideas today. So we're constantly
16 here evaluating and adjusting state policy.

17 But more directly to answer your
18 question, we're not doing anything to change the
19 fact that there will be a competitive
20 marketplace. In fact, the Power Authority
21 currently produces electricity in this state and
22 in fact is producing the lion's share of the
23 renewable electricity in this state currently.

24 So we're just authorizing them to do
25 more as necessary. We are not doing anything to

1 change the approach that you referred to.

2 SENATOR O'MARA: Through you,
3 Madam President, if the sponsor will continue to
4 yield.

5 ACTING PRESIDENT MAYER: Do you
6 continue to yield?

7 SENATOR GIANARIS: Yes.

8 ACTING PRESIDENT MAYER: The
9 Senator yields.

10 SENATOR O'MARA: Do you think that
11 interjecting a state-owned utility into this
12 process of generating electricity in a
13 competitive marketplace, that this will give an
14 unfair advantage to the New York Power Authority?
15 And will it stifle competition of power producers
16 within New York State?

17 SENATOR GIANARIS: No, I do not.

18 SENATOR O'MARA: Through you,
19 Madam President, if the Senator will yield.

20 ACTING PRESIDENT MAYER: Do you
21 continue to yield?

22 SENATOR GIANARIS: I do.

23 ACTING PRESIDENT MAYER: The
24 Senator yields.

25 SENATOR O'MARA: Senator Gianaris,

1 do you believe that the New York Power Authority
2 has competitive advantages over independent
3 private power producers in New York City?

4 SENATOR GIANARIS: Well, in the
5 sense that they are providing cheaper electricity
6 and are more desirable. But that's to the
7 benefit and would be to the benefit of the
8 consumers in this state.

9 I would hope that Senator O'Mara is
10 not advocating limiting competition so that
11 private producers of electricity would be able to
12 charge more to the customers of this state.

13 SENATOR O'MARA: Through you,
14 Madam President, if the Senator will continue to
15 yield.

16 ACTING PRESIDENT MAYER: Do you
17 continue to yield?

18 SENATOR GIANARIS: Yes.

19 ACTING PRESIDENT MAYER: He
20 continues to yield.

21 SENATOR O'MARA: Yes, Senator, I
22 certainly am not advocating less -- less
23 competition. I do believe that this creates
24 unfair competition against the system that has
25 been set up that's been followed in New York with

1 independent power production.

2 How -- the New York Power Authority
3 does not pay property taxes on their facilities,
4 correct?

5 SENATOR GIANARIS: That's correct.

6 SENATOR O'MARA: Through you,
7 Madam President, if the Senator will continue to
8 yield.

9 ACTING PRESIDENT MAYER: Do you
10 continue to yield?

11 SENATOR GIANARIS: Yes.

12 ACTING PRESIDENT MAYER: The
13 Senator yields.

14 SENATOR O'MARA: Do the various
15 independent private power-generating companies in
16 New York pay property taxes on their facilities?

17 SENATOR GIANARIS: Yes, they do.

18 But if Senator O'Mara is going to
19 sit here and outline all the reasons why private
20 power producers charge more for their
21 electricity, maybe he should take a re-look at
22 how we've been doing everything the past 15
23 years, because the Power Authority would provide
24 cheaper electricity and maybe it's because they
25 don't have to pay property taxes.

1 But whatever the reason is,
2 customers get the benefit. And it seems to me
3 you're arguing for the private power producers,
4 to make sure they continue to benefit. And in
5 answer to --

6 SENATOR O'MARA: Well, it seems to
7 me, Senator Gianaris --

8 SENATOR GIANARIS: Would you please
9 let me answer? Please let --

10 SENATOR O'MARA: -- that you're
11 arguing for communism and socialism in this
12 marketplace.

13 SENATOR GIANARIS: (Laughing.)
14 That's great. Yeah. When in fact you are doing
15 the opposite of what you just said. You said you
16 don't want to limit competition. In fact the
17 current law limits competition. NYPA is
18 restricted from producing cheaper electricity
19 than the private market is producing.

20 You just want to give the private
21 sector an exclusive right to produce. So if --
22 this always gets me. It gets me with Con Ed --
23 that's a whole separate story. But it gets me
24 when the great champions of capitalism start
25 calling and throwing out names like you just did,

1 but really what you're doing is trying to protect
2 an exclusive right to compete. You're limiting
3 competition, which is the opposite of what
4 capitalism is supposed to be.

5 Let NYPA do what it's doing. Let
6 these guys produce what they're producing.
7 Whoever produces the cheaper product for whatever
8 reason is to the benefit of the ratepayers. Why
9 wouldn't we want that?

10 SENATOR O'MARA: Through you,
11 Madam President, if the sponsor will continue to
12 yield.

13 ACTING PRESIDENT MAYER: Do you
14 continue to yield?

15 SENATOR GIANARIS: Yes.

16 ACTING PRESIDENT MAYER: The
17 Senator yields.

18 SENATOR O'MARA: In this bill,
19 Senator, the first page, line 6, I believe, it
20 says that -- in summarizing it, that the
21 Authority, the Power Authority is authorized and
22 directed to purchase, acquire, construct
23 renewable energy projects.

24 What is intended by the language of
25 purchasing or acquiring renewable energy

1 facilities?

2 SENATOR GIANARIS: What do those
3 words mean, is that the question?

4 SENATOR O'MARA: What is intended
5 that the Power Authority would be purchasing or
6 acquiring?

7 SENATOR GIANARIS: The equipment
8 necessary to build a renewable power supply
9 facility.

10 SENATOR O'MARA: Through you,
11 Madam President, if the Senator will yield.

12 ACTING PRESIDENT MAYER: Do you
13 continue to yield?

14 SENATOR GIANARIS: Yes.

15 ACTING PRESIDENT MAYER: The
16 Senator yields.

17 SENATOR O'MARA: Is this language
18 that I've referenced intended to have the
19 Power Authority buy existing renewable power
20 facilities?

21 SENATOR GIANARIS: That's an
22 option. It can go -- it doesn't specify whether
23 they are purchasing existing ones or constructing
24 their own.

25 SENATOR O'MARA: Through you, Madam

1 President, if the Senator will yield.

2 ACTING PRESIDENT MAYER: Do you
3 continue to yield?

4 SENATOR GIANARIS: Yes.

5 ACTING PRESIDENT MAYER: The
6 Senator yields.

7 SENATOR O'MARA: Now, Senator, this
8 legislation also requires that all state entities
9 purchase electricity from the Power Authority by
10 2030, is that right?

11 SENATOR GIANARIS: That's correct.

12 SENATOR O'MARA: And that -- local
13 governments by 2035.

14 SENATOR GIANARIS: With exceptions,
15 but yes.

16 SENATOR O'MARA: Through you,
17 Madam President, if the sponsor will yield.

18 ACTING PRESIDENT MAYER: Do you
19 continue to yield?

20 SENATOR GIANARIS: Yes.

21 ACTING PRESIDENT MAYER: The
22 Senator yields.

23 SENATOR O'MARA: The -- in 2020, in
24 the budget, it was enacted, an Accelerating
25 Renewable Energy Growth and Community Benefit

1 Act, that allowed special treatment for the
2 New York Power Authority on projects. And that
3 there are projects, if deemed a priority project,
4 would be approved immediately for spreading those
5 costs of the project along to ratepayers of the
6 state.

7 SENATOR GIANARIS: I'm told what
8 you're referring to relates to transmission
9 projects, not supply, which is what we're dealing
10 with here.

11 SENATOR O'MARA: Does this
12 legislation before us --

13 ACTING PRESIDENT MAYER: Senator
14 O'Mara --

15 SENATOR O'MARA: Yes, through you,
16 Madam President, will the Senator yield?

17 ACTING PRESIDENT MAYER: Senator
18 Gianaris, do you continue to yield?

19 SENATOR GIANARIS: I do.

20 ACTING PRESIDENT MAYER: The
21 Senator yields.

22 SENATOR O'MARA: This legislation
23 does not cover transmission projects.

24 SENATOR GIANARIS: Okay. Only in
25 regards to the fact that it restricts NYPA from

1 constructing new transmission lines unless they
2 are transmitting renewable energy.

3 So it's consistent with our mandate
4 under CLCPA to move our economy to a renewable
5 economy.

6 SENATOR O'MARA: Through you,
7 Madam President, if the Senator will continue to
8 yield.

9 ACTING PRESIDENT MAYER: Do you
10 continue to yield?

11 SENATOR GIANARIS: Yes.

12 ACTING PRESIDENT MAYER: The
13 Senator yields.

14 SENATOR O'MARA: So if it's a new
15 transmission project for transmitting renewable
16 power, the Power Authority will get priority and
17 be able to immediately proceed with that project
18 and spread those costs of the transmission
19 project amongst the ratepayers.

20 SENATOR GIANARIS: There's no
21 special treatment. The NYPA -- the process for
22 the Power Authority, if it chooses to build such
23 a transmission line, is the same that any private
24 entity would have to undertake.

25 SENATOR O'MARA: Through you,

1 Madam President, if the Senator will continue to
2 yield.

3 ACTING PRESIDENT MAYER: Do you
4 continue to yield?

5 SENATOR GIANARIS: Yes.

6 ACTING PRESIDENT MAYER: The
7 Senator yields.

8 SENATOR O'MARA: Now, the
9 Public Service Commission recently went through a
10 very lengthy, I think years -- multiyear process
11 for approving two transmission lines for the
12 transmission of renewables in New York State, one
13 being the Hudson-Champlain line and the other
14 being the Clean Path from Central New York
15 downstate.

16 Now, under this legislation, if that
17 was going to be a New York Power Authority
18 project, the approval for spreading those costs
19 to the ratepayers would have been immediate by
20 the Public Service Commission.

21 SENATOR GIANARIS: That's false.

22 SENATOR O'MARA: Okay, can you --
23 through you, Madam President, if the Senator will
24 yield.

25 ACTING PRESIDENT MAYER: Do you

1 continue to yield?

2 SENATOR GIANARIS: Yes.

3 ACTING PRESIDENT MAYER: The
4 Senator yields.

5 SENATOR O'MARA: Is there any
6 distinction on how a NYPA transmission project
7 would get approved for spreading the cost to the
8 ratepayers than a private industry transmission
9 line such as Clean Path or Champlain-Hudson?

10 SENATOR GIANARIS: That was a long
11 briefing to get me to say that you are wrong,
12 Senator O'Mara.

13 (Laughter.)

14 SENATOR GIANARIS: There is no real
15 special treatment afforded to NYPA different than
16 a different private power company would have.

17 SENATOR O'MARA: Through you,
18 Madam President, if the sponsor would continue to
19 yield.

20 ACTING PRESIDENT MAYER: Do you
21 continue to yield?

22 SENATOR GIANARIS: I do.

23 ACTING PRESIDENT MAYER: The
24 Senator yields.

25 SENATOR O'MARA: Why is it

1 appropriate to have -- or to allow, through this
2 legislation, the New York Power Authority to be
3 able to purchase, buy an existing storage
4 facility, renewable generating facility that
5 exists? Why take that out of the competitive
6 marketplace?

7 SENATOR GIANARIS: Because the
8 climate is changing rapidly, and in a disastrous
9 fashion, and there's concern that we're not
10 moving quickly enough to deal with that. And we
11 want to add another option into the equation.

12 And before you're going to tell me
13 how great all these contracts are that we've
14 entered into by private companies to do so, they
15 are moving incredibly slowly. And in fact only
16 3 percent, I believe, of them have been built so
17 far. And in the meantime, we are seeing the
18 catastrophic consequences on our climate and on
19 our weather that many of you don't take seriously
20 enough.

21 SENATOR O'MARA: Through you,
22 Madam President, if the Senator will yield.

23 ACTING PRESIDENT MAYER: Do you
24 continue to yield?

25 SENATOR GIANARIS: I do.

1 ACTING PRESIDENT MAYER: The
2 Senator yields.

3 SENATOR O'MARA: Senator, I and my
4 colleagues on this side of the aisle take these
5 issues very seriously. And we approach it from a
6 rational perspective of our ability to meet these
7 unrealistic goals and to do it in a reliable or
8 affordable manner for New Yorkers without jacking
9 up people's utility rates that are already out of
10 sight.

11 Do you believe that the New York
12 Power Authority is situated and has the capacity
13 to undertake the types of projects that are being
14 proposed in this legislation?

15 SENATOR GIANARIS: I certainly do.

16 And I'm glad you made the comment
17 you just made, because it really gets to the root
18 of what's actually happening here. You are
19 trying to relitigate the CLCPA. We are trying to
20 meet the goals of the CLCPA.

21 So you just pointed out -- which is
22 what you believe -- that they're unrealistic
23 goals, which to me says I'm correct, you are not
24 taking this problem seriously enough. It's why
25 you voted against the CLCPA in 2019 when we

1 passed it, along with all of your colleagues who
2 were here at the time as well, I think with the
3 exception of two who aren't here anymore.

4 And so yeah, I stand here and I say
5 we need this bill to comply with those aggressive
6 requirements, and those aggressive requirements
7 are necessary. But if you're coming from the
8 point of view of saying the CLCPA was a bad idea,
9 first of all, you're wrong.

10 But second of all, that's the law of
11 the state right now, and we have to do what we
12 have to do to comply with it. If the private
13 sector is not moving fast enough, we're going to
14 create an option where the Power Authority can
15 help get us there.

16 Now, to answer your specific
17 question about whether they're equipped to do
18 this, of course they're equipped to do this.
19 Almost all the renewable energy that's being
20 produced in New York State right now is being
21 produced by the Power Authority. They're already
22 doing it, and they're doing it 50 percent cheaper
23 than other electricity that's being produced
24 around the state. Which ultimately means savings
25 to the ratepayers.

1 Now, if you want to sit there and
2 protect profits for the private power producers,
3 you can do that --

4 SENATOR O'MARA: This has nothing
5 to do with --

6 (Overtalk.)

7 SENATOR GIANARIS: I'm answering --
8 I'm answering -- I'm answering your question.
9 Let me finish, Senator O'Mara.

10 ACTING PRESIDENT MAYER: Senator
11 O'Mara, let him finish the question, please.

12 SENATOR GIANARIS: Okay? If you
13 want to do that, of course that's your right to
14 do that. I want to sit here and (A) protect the
15 environment, (B) protect ratepayers. And this is
16 a way to do that.

17 SENATOR O'MARA: Through you,
18 Madam President, if the Senator will continue to
19 yield.

20 ACTING PRESIDENT MAYER: Do you
21 continue to yield?

22 SENATOR GIANARIS: Definitely.

23 ACTING PRESIDENT MAYER: The
24 Senator yields.

25 SENATOR O'MARA: Senator Gianaris,

1 are you aware that it's been over 15 years since
2 the Power Authority has built a power generating
3 facility?

4 SENATOR GIANARIS: I do, because
5 one of them is in my district and this bill also
6 requires that to be phased out. So I'm really
7 glad that that's in this bill also.

8 SENATOR O'MARA: Through you,
9 Madam President, if the sponsor will continue to
10 yield.

11 ACTING PRESIDENT MAYER: Do you
12 continue to yield?

13 SENATOR GIANARIS: I do.

14 ACTING PRESIDENT MAYER: The
15 sponsor yields.

16 SENATOR O'MARA: Are you familiar,
17 Senator Gianaris, with the Charge New York
18 program that required the Power Authority to
19 build out, starting in 2013, 3,000 electric
20 vehicle charging stations across the state and
21 then updated to require 10,000 electric vehicle
22 charging stations to be put in the field by 2018
23 across the state? And are you aware that as of
24 April 4th of this year, in a Comptroller DiNapoli
25 report, that the Power Authority had only put in

1 place 277 of those such charging stations?

2 SENATOR GIANARIS: I am.

3 SENATOR O'MARA: Through you,
4 Madam President, if the Senator will yield.

5 ACTING PRESIDENT MAYER: Do you
6 continue to yield?

7 SENATOR GIANARIS: I do.

8 ACTING PRESIDENT MAYER: The
9 Senator yields.

10 SENATOR O'MARA: So of the 13,000
11 required electric vehicle charging stations
12 required under laws passed by this Legislature --
13 I don't know what percentage 277 is, but it's a
14 pretty small percentage of what they've actually
15 achieved of what they were charged to do. Yet
16 now we want to have them build new power plants
17 and expect them to do it efficiently?

18 SENATOR GIANARIS: I'm confused,
19 Senator O'Mara, with whether you think this bill
20 will destroy the private market or will
21 accomplish nothing. Pick one. Because on the
22 one hand you said they're going to take over the
23 market and produce everything, driving the
24 private sector out of the business, and now
25 you're telling me they can't do even the stuff

1 they've been asked to do.

2 So yes, they have not moved fast
3 enough on what you're talking about, and I think
4 that's a problem. It's why the bill also
5 contains a change to the governing structure of
6 the Power Authority so they can get the kick in
7 the rear that they need to get this stuff done.

8 SENATOR O'MARA: Through you,
9 Madam President, if the Senator will yield.

10 ACTING PRESIDENT MAYER: Do you
11 continue to yield?

12 SENATOR GIANARIS: Yes.

13 ACTING PRESIDENT MAYER: The
14 Senator yields.

15 SENATOR O'MARA: This bill has been
16 around for -- since last year. It never moved
17 out of committee last year. How many public
18 hearings have been held throughout the state in
19 regards to this change in the energy production
20 marketplace in New York State?

21 SENATOR GIANARIS: I think -- and
22 forgive me, because I'm not the chair of the
23 committee or the sponsor of this bill directly.

24 But I know that when the CLCPA was
25 passed in 2019, there were numerous public

1 discussions around it, and part of those
2 discussions got into issues such as those that
3 this bill is addressing.

4 SENATOR O'MARA: Through you,
5 Madam President, if the Senator will yield.

6 ACTING PRESIDENT MAYER: Do you
7 continue to yield?

8 SENATOR GIANARIS: I do.

9 ACTING PRESIDENT MAYER: The
10 Senator yields.

11 SENATOR O'MARA: Was there any
12 official public hearings held on this
13 legislation?

14 SENATOR GIANARIS: I don't know.

15 SENATOR O'MARA: If the Senator
16 will continue to yield.

17 ACTING PRESIDENT MAYER: Do you
18 continue to yield?

19 SENATOR GIANARIS: I do.

20 ACTING PRESIDENT MAYER: The
21 Senator yields.

22 SENATOR O'MARA: You're not the
23 sponsor of this bill. The chairman of the Energy
24 Committee is. And he's not available to debate
25 this bill today, yet we're still ramming it

1 through.

2 Are you on the Energy Committee
3 Senator Gianaris?

4 SENATOR GIANARIS: I am. I am an
5 ex officio member of every Senate committee as
6 the Deputy Majority Leader. Thank you for
7 asking.

8 (Laughter.)

9 SENATOR O'MARA: You got me there.
10 You got me there.

11 (Laughter.)

12 SENATOR O'MARA: Madam President,
13 will the Senator continue to yield.

14 ACTING PRESIDENT MAYER: Do you
15 continue to yield?

16 SENATOR GIANARIS: I do.

17 ACTING PRESIDENT MAYER: The
18 Senator yields.

19 SENATOR O'MARA: As an ex officio
20 member of the Energy Committee and every
21 committee in the State Senate, are you empowered
22 with a vote on the Energy Committee?

23 SENATOR GIANARIS: No.

24 SENATOR O'MARA: Through you,
25 Madam President, if the Senator will continue to

1 yield.

2 ACTING PRESIDENT MAYER: Do you
3 continue to yield?

4 SENATOR GIANARIS: Yes.

5 ACTING PRESIDENT MAYER: The
6 Senator yields.

7 SENATOR O'MARA: There were seven
8 Energy Committee meetings in the last five months
9 in the Senate. This bill was not brought up in
10 any one of those meetings, so it was not approved
11 by the Energy Committee, yet here it is on the
12 floor of the Senate.

13 There's been no public hearings on
14 this legislation that significantly alters the
15 playing field for energy production in New York
16 State. This bill has been amended four times --
17 or three times since its initial introduction.
18 No hearings, no Energy Committee meetings. Can
19 you comment on the process for how we got here
20 today, and the lack of any public involvement,
21 not even Senate committee involvement on this
22 legislation?

23 SENATOR GIANARIS: Senator O'Mara,
24 you yourself just said this bill has been around
25 for over a year. There are requirements for how

1 a bill comes to this floor for passage, and this
2 bill has met every such requirement. In fact, we
3 don't even have a message of necessity, which
4 might accelerate it.

5 So it's been aged the appropriate
6 amount of time which the Constitution requires
7 for the public to have full transparency about
8 what we're doing here today. And you know this
9 because you've been here a long time and
10 countless bills, when you were in the majority
11 and when we're in the majority, have passed the
12 exact same way.

13 SENATOR O'MARA: Does that make it
14 right?

15 SENATOR GIANARIS: It makes it
16 compliant with all the requirements that we have
17 before us.

18 SENATOR O'MARA: Through you,
19 Madam President, if the Senator will continue to
20 yield.

21 ACTING PRESIDENT MAYER: Do you
22 continue to yield?

23 SENATOR GIANARIS: I do.

24 ACTING PRESIDENT MAYER: The
25 Senator yields.

1 SENATOR O'MARA: While this bill
2 was introduced last year, it's gone through three
3 iterations this year. It was amended on
4 April 25th, May 20th, and then again on May 27th.
5 None of those versions came through the
6 Energy Committee; is that right?

7 SENATOR GIANARIS: Yeah, I suppose
8 that's right.

9 SENATOR O'MARA: Through you,
10 Madam President, if the Senator will continue to
11 yield.

12 ACTING PRESIDENT MAYER: Do you
13 continue to yield?

14 SENATOR GIANARIS: Yes.

15 ACTING PRESIDENT MAYER: The
16 Senator yields.

17 SENATOR O'MARA: Do you know
18 roughly how much in annual property taxes are
19 paid by the energy industry on their transmission
20 lines and their generating projects?

21 SENATOR GIANARIS: I would ask the
22 Senator if he is aware of how high the rates for
23 electricity are in this state which are
24 correlated to the expenses, including taxes, that
25 these entities pay.

1 SENATOR O'MARA: Through you,
2 Madam President, if the Senator will yield.

3 ACTING PRESIDENT MAYER: Do you
4 continue to yield?

5 SENATOR GIANARIS: I do.

6 ACTING PRESIDENT MAYER: The
7 Senator yields.

8 SENATOR O'MARA: Well, you know,
9 since you're so concerned about the ratepayers
10 and the taxpayers in New York State, there's
11 about \$1.5 billion in property taxes paid
12 annually to local governments.

13 As the Power Authority acquires or
14 purchases existing facilities, what will happen
15 to that local property tax? And is the state, in
16 this legislation, going to make up for that loss?

17 SENATOR GIANARIS: I often hear
18 Senator O'Mara and his colleagues bemoan the high
19 property taxes in this state because --
20 ostensibly because of their concern for the
21 taxpayers in the state.

22 One-third of electricity bills in
23 this state are taxes. So when a private company
24 is paying property taxes, it's not the power
25 company that's paying the property taxes. It is

1 the ratepayer that is paying those property
2 taxes.

3 So if you want them to pay less in
4 property taxes, you should support this bill.

5 SENATOR O'MARA: Through you,
6 Madam President, if the Senator will continue to
7 yield.

8 ACTING PRESIDENT MAYER: Do you
9 continue to yield?

10 SENATOR GIANARIS: I do.

11 ACTING PRESIDENT MAYER: The
12 Senator yields.

13 SENATOR O'MARA: Of that one-third
14 of the utility bill that is currently taxes and
15 other things on the bill, how much of that is
16 just money being taken from the ratepayer to fund
17 a variety of programs that the state has deemed
18 important enough to make ratepayers pay for it
19 rather than the state itself?

20 SENATOR GIANARIS: Are you asking,
21 Senator, how much beyond the one-third that's
22 taxes --

23 SENATOR O'MARA: Yes.

24 SENATOR GIANARIS: -- is going for
25 those things?

1 SENATOR O'MARA: Or are those
2 things included in that tax number that you
3 mentioned?

4 SENATOR GIANARIS: No, those
5 additional charges are not in the one-third I was
6 referring to.

7 SENATOR O'MARA: So through you,
8 Madam President, if the Senator will continue to
9 yield.

10 ACTING PRESIDENT MAYER: Do you
11 continue to yield?

12 SENATOR GIANARIS: I do.

13 ACTING PRESIDENT MAYER: The
14 Senator yields.

15 SENATOR O'MARA: So these
16 additional charges on everybody's utility bill,
17 they go for a variety of things -- energy
18 efficiency, renewable portfolio standard, systems
19 benefit charge, 18A -- that roughly equate to
20 another 20 -- roughly close to 20 -- between 15
21 and 20 percent of a ratepayer's utility bill.

22 SENATOR GIANARIS: Is that a
23 question or a statement?

24 SENATOR O'MARA: Do you agree with
25 that?

1 SENATOR GIANARIS: Do I agree with
2 that. I think there -- I don't know if the
3 number is that high. There are some additional
4 charges for things that I believe ultimately are
5 intended to reduce rates over time.

6 But this bill has nothing to do with
7 any of that. What we're talking about here --
8 and you brought us into this subject by talking
9 about the taxes that are paid by the private
10 power producers that the Power Authority would
11 not have to pay.

12 And I am saying to you that a huge
13 portion of ratepayers' bills is directly related
14 to those taxes. And so I would think you would
15 want to support an entity that doesn't have to
16 pay those taxes and therefore doesn't have to
17 pass that along to the ratepayers, so they can
18 save money. Apparently you're more interested in
19 protecting the private power industry than the
20 ratepayer.

21 SENATOR O'MARA: Through you,
22 Madam President, if the Senator will continue to
23 yield.

24 ACTING PRESIDENT MAYER: Do you
25 continue to yield?

1 SENATOR GIANARIS: I do.

2 ACTING PRESIDENT MAYER: The
3 Senator yields.

4 SENATOR O'MARA: I have no interest
5 in protecting the profits of the big bad energy
6 companies that you talk about. Yet this
7 legislation is going to completely change the
8 playing field of the competitiveness of the
9 independent power generating market in New York
10 State.

11 I guess just on the bill,
12 Madam President.

13 ACTING PRESIDENT MAYER: Senator
14 O'Mara on the bill.

15 SENATOR O'MARA: This is not
16 about -- this is not about lowering rates for
17 ratepayers as the Senator likes to point out.
18 There are so many taxes and fees on utility
19 bills, if they really wanted lower rates, this
20 Legislature would be doing something about that.
21 But it does not.

22 For 15 years this state has had a
23 competitive marketplace, an open marketplace for
24 power producers, for transmission providers, with
25 everything being approved by the Public Service

1 Commission through long, drawn-out processes. As
2 we just saw with the two most recent transmission
3 lines of Clean Path and Champlain-Hudson, all of
4 which end up foisting big charges upon
5 ratepayers' bills.

6 This legislation is going to take
7 away competitiveness in this marketplace, which I
8 believe in an open market, a free market economy,
9 competitiveness is a good thing, competing
10 against each other, businesses. Yet we're going
11 to interject a state-owned utility into this
12 marketplace to produce power with a significant
13 unfair advantage. No property taxes. That's
14 great, let's eliminate property taxes on all of
15 the power producers in this state, and then the
16 ratepayers will have a big savings of their -- on
17 their bills that the Senator claims to be so
18 concerned about.

19 If we were so concerned about the
20 ratepayers, why does this legislation in its
21 latest version four days ago put in language to
22 appease labor unions to require prevailing wages
23 to be paid, which will drive up the cost of these
24 projects even further?

25 You know, affordable housing

1 projects in this state are exempted from
2 prevailing wage requirements because it impacts
3 the affordability of those projects by driving up
4 costs. And that's being interjected in this
5 legislation, which will further exacerbate rates
6 for ratepayers.

7 This is putting a state-owned
8 utility with a completely unfair advantage in a
9 marketplace that has been open for 15 years under
10 significant decisions that were made in this
11 state through the Public Service Commission 15 or
12 so years ago. And that was -- I remember it, it
13 was a long, several years long process to go
14 through it. There were hearings, there were
15 debates, it was all over the place.

16 Yet now we're going to completely
17 up-end that with this legislation, give an unfair
18 advantage to a state-owned-and-operated facility
19 that has shown its unwillingness to comply with
20 even the simplest demands of Charge New York and
21 supposedly, over the past nine years, was
22 supposed to have produced 13,000 electrical
23 vehicle charging stations. They've created 277
24 of those, according to Comptroller DiNapoli's
25 report of February of this year.

1 I would submit that the
2 Power Authority is neither equipped to take on
3 this type of marketplace activity, they're not
4 competent to take it on, and it's going to result
5 in a disarray of our marketplace at a time when
6 we need to be encouraging clean energy
7 development.

8 You know, the Senator would like to
9 believe -- everyone to believe that we don't care
10 about the climate. We care about the climate,
11 and we are realistic about the climate and what
12 we can do about it and what goals can be met.
13 The CLCPA and the Climate Action Council is
14 taking absolutely no cost-benefit analysis of any
15 of these projects or what the impacts are going
16 to be to ratepayers by doing these things.
17 There's little to no consideration being given to
18 reliability of the electrical grid to provide the
19 electricity that our citizens of New York need.

20 The direction of this state and the
21 Don Quixote-style goals that we have are going to
22 lead us into a situation of more expensive
23 energy, less reliable energy, and we're not going
24 to meet the goals anyways. And even if we do,
25 what is the benefit of it to New Yorkers?

1 And contrary to what the Senator
2 alleges is my and my colleagues' concerns, we are
3 concerned about these issues and we are
4 interested in moving forward on our clean energy
5 in New York State and improving our environment
6 in a rational, comprehensive and realistic
7 approach that will help us meet those needs.

8 We are in the process, through the
9 Climate Action Council. We're going to flip our
10 peak energy demand for electricity from an August
11 date for running air-conditioning to a February
12 date, heating everything. And without
13 reliability of this system, which is being
14 ignored completely by the process, we will have
15 brownouts and power shortages in the middle of
16 winter when people need heat the most.

17 Then you'll come back and complain
18 when your housing projects don't have heat in the
19 winter. Your constituents aren't going to be
20 happy with that, I can guarantee you.

21 You can go without air-conditioning
22 for a little while in the summer, and that's not
23 great either. It's not as bad as going without
24 heat in the middle of winter, without other
25 electric and lighting in the middle of winter.

1 This -- this legislation that
2 totally changes the marketplace for energy
3 generation in New York State, interjects
4 communism into this marketplace in New York
5 State. I'm sure it's -- that's all well and good
6 with your Democrat Socialists of America
7 constituencies that you're representing here.
8 But it's not going to be good for the ratepayers
9 of New York State when the rates go up, the
10 lights go out, and the heat goes off.

11 We are doing this with absolutely no
12 public input whatsoever. We have no position or
13 input from the New York Power Authority as to
14 whether they even are interested in doing this,
15 whether they have the capacity to do it or not --
16 and I can tell you from their track record they
17 do not. And we're putting at risk the entire
18 energy generating system in New York State on
19 this.

20 So it is just not well thought out.
21 It's going to raise costs. It's unfair
22 competition in an open competitive marketplace at
23 this point. And it's a process that has not had
24 a public hearing. It's a process where this
25 legislation was not even considered by the

1 Energy Committee of the New York State Senate
2 this year, despite having had seven meetings in
3 the last five months. Yet this bill miraculously
4 appears on the floor today, the second-to-last
5 day of session. As so many bills do, I'll agree
6 with Senator Gianaris on that.

7 It's wrong, it's not a due process,
8 it's not an open process, it's not a public
9 process, which is the way governing through a
10 state legislature should be. But we don't do it
11 that way around here. We're just going to ram
12 this through, last minute, and it's going to get
13 done because it's on the floor, so it's going to
14 pass. The consequences will be real.

15 Thank you, Madam President.

16 ACTING PRESIDENT MAYER: Are there
17 any other Senators wishing to be heard?

18 Seeing and hearing none, debate is
19 closed. The Secretary will ring the bell.

20 Read the last section.

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

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER: Senator
2 Brisport to explain his vote.

3 SENATOR BRISPORT: Thank you,
4 Madam President.

5 You know, this week many of my
6 former students are graduating from middle
7 school. I find myself thinking a lot about the
8 amazing human beings they're becoming and the
9 extraordinary things I know they're capable of.
10 But then I am forced to wonder how much climate
11 devastation will they face before they even get a
12 chance to graduate high school, before they even
13 graduate college. How much of New York will be
14 left standing for them? How much will their
15 health suffer? How long will they survive the
16 absolute climate catastrophe that we are headed
17 for?

18 So I want to remind everyone that
19 their futures are being robbed from them -- not
20 by accident, not by unavoidable circumstances,
21 but as the known, inherent outcome of capitalism.
22 We have created an economic system in which our
23 energy comes from private corporations which are
24 legally obligated to prioritize their own profits
25 over the future and survival of New York. This

1 is capitalism functioning exactly as it was
2 designed to.

3 We cannot change this outcome
4 without undoing the system that is creating it,
5 and we must do so rapidly. This bill is a
6 wonderful step in the right direction. It is a
7 reminder that we in this room are responsible for
8 the devastation our capitalist energy sector is
9 causing, so long as we allow it to continue, and
10 that we in this room are also responsible for
11 ensuring that every one of our constituents has
12 access to the basic energy needed for a healthy,
13 stable life.

14 But most importantly, this bill is a
15 reminder that we in this room can choose to
16 protect the future of New York and all of its
17 children, that we can build a new system that
18 puts energy production and distribution
19 democratically in the hands of the people so that
20 their lives can be prioritized over corporate
21 profits. Let us honor that, not only by passing
22 this bill today, but by committing to passing
23 public power with the urgency that the climate
24 crisis demands.

25 For the sake of every New Yorker,

1 and most especially for New York's children, I
2 proudly vote aye on this bill.

3 ACTING PRESIDENT MAYER: Senator
4 Brisport to be recorded in the affirmative.

5 Senator Jackson to explain his vote.

6 SENATOR JACKSON: Madam President
7 and my colleagues, I rise to support the S6453C
8 New York State Build Public Renewables Act.

9 And I came in as a result of hearing
10 the discussion between my colleagues, both
11 Senator Gianaris and Senator O'Mara. This is an
12 important issue, and I remember when
13 Governor Cuomo signed into law at Fordham Law
14 School the CLCPA, and there were activists
15 outside saying, No, 2050 is too late. And they
16 were advocating for 2030. And you know one
17 thing? And I supported them in that. And that's
18 why I stood with people yesterday in order to
19 move forward and -- moving this bill forward.

20 The New York State Build Public
21 Renewables Act enables the New York Power
22 Authority to own and build new renewable energy
23 generation, storage and transmission, and to
24 provide renewable energy to all state-owned
25 property by 2030 and municipal property by 2035.

1 That's a goal that we must achieve.
2 It lays the groundwork for 100 percent renewable,
3 democratically controlled -- as my colleague
4 indicated, not communist but, you know,
5 Democrats. And I'm sorry I didn't -- and it lays
6 the groundwork for the 100 percent renewable,
7 democratically controlled, publicly owned energy
8 system New York needs in order to meet the goals
9 of the landmark Climate Leadership and Community
10 Protection Act and lead the nation on climate.

11 The New York Power Authority is the
12 largest publicly owned utility in the country and
13 has proven itself by providing the most
14 affordable energy in New York State.

15 This bill will put the massive and
16 important prospect of converting our electrical
17 grid to renewable energy and delivering on the
18 climate and equity goals of the CLCPA in capable
19 hands.

20 Madam President, I have faith in the
21 fact that activists have been fighting for this
22 for a long time, and I don't want to leave it in
23 the hands of all private ownership where, as my
24 colleague indicated, their primary goal and
25 objectives is to do deal with their shareholders.

1 I vote aye, Madam President.

2 ACTING PRESIDENT MAYER: Senator
3 Jackson to be recorded in the affirmative.

4 Senator Lanza to explain his vote.

5 SENATOR LANZA: Thank you,
6 Madam President, to explain my vote.

7 You know, for all those who hate the
8 energy sector, it's still a free country. You're
9 free to go home and turn off your lights, get rid
10 of your refrigerator, never get in a car, don't
11 board a plane, don't turn on the heat, don't use
12 an air-conditioner. You can do that. And you
13 should do that if that's what you believe.

14 You know, energy, air pollution,
15 water pollution -- this is serious stuff. And
16 what this bill proves to me is that New York
17 State has no plan. The Governor wants to throw
18 bills out there and goals out there and virtue
19 signal and act like she's doing something about
20 the environment, but the bottom line is that a
21 serious issue like this deserves more than a
22 piecemeal approach. And that's what this is.

23 The fact of the matter is New York
24 State does not have an energy plan. All the
25 experts are saying that as early as this summer,

1 there are going to be rolling power outages.
2 It's not fun when it's 90 degrees and you can't
3 turn the air-conditioner on. It's not fun, as
4 Senator O'Mara said, when it's 15 degrees and you
5 can't turn the heat on. And that's what's coming
6 our way because folks like Governor Hochul like
7 to say that she's doing something about
8 transitioning from fossil fuel to other sources
9 of fuel, but there's really no plan. And the
10 grid is not going to be able to handle it right
11 now.

12 And I say to you, Madam President,
13 to my colleagues here, if you want to guarantee
14 that we will not meet the clean energy goals that
15 we as citizens of New York require, if you want
16 to ensure that we never get there, put the
17 government in charge. And that's what this bill
18 does.

19 Madam President, I will vote no.

20 ACTING PRESIDENT MAYER: Senator
21 Lanza to be recorded in the negative.

22 Senator Salazar to explain her vote.

23 SENATOR SALAZAR: Thank you,
24 Madam President.

25 The passage of the Build Public

1 Renewables Act today is a momentous achievement
2 for our state. We are taking a bold step that is
3 absolutely necessary to confront and mitigate the
4 climate crisis.

5 We cannot continue to leave our
6 response to the climate crisis in the hands of
7 profit-seeking private corporations. Because of
8 this bill, the New York Power Authority will be
9 able to scale up renewable energy generation much
10 faster and more efficiently to help fulfill the
11 commitments of the CLCPA.

12 This bill also will tremendously
13 benefit New Yorkers and our state economy by
14 creating tens of thousands of high-quality green
15 jobs.

16 In environmental justice communities
17 across the state, residents are especially
18 vulnerable to the devastating impacts of climate
19 change. We see those impacts in my Brooklyn
20 district where the industrial history of
21 Greenpoint and Williamsburg is bound to
22 Brooklyn's environmental challenges today,
23 including a toxic Superfund site and some of the
24 highest asthma rates in the state.

25 The BPRA marks a victory for working

1 people and a turning point in the fight for
2 climate justice. We are acting to reduce our
3 reliance on fossil fuels and building a publicly
4 accountable infrastructure that will protect our
5 environment and the lives of New Yorkers for
6 generations.

7 I vote aye.

8 ACTING PRESIDENT MAYER: Senator
9 Salazar to be recorded in the affirmative.

10 Senator Borrello to explain his
11 vote.

12 SENATOR BORRELLO: Thank you,
13 Madam President.

14 I've listened to a lot of
15 consternation on how rapidly the climate is
16 changing, are we going to have any New York left
17 in a few years, and the desire, the need, the
18 crisis that we have to convert to green energy.

19 But I have some unfortunate news for
20 you all. New York State's actually going
21 backwards. Because, you see, we've shut down
22 natural gas power plants, we've shut down clean
23 coal, we've shut down nuclear. And what have we
24 done? We've spent about a half a billion dollars
25 to run transmission lines to some of the dirtiest

1 coal plants in the United States, like Homer
2 City, Pennsylvania. Homer City, Pennsylvania, an
3 old-fashioned 1950s coal plant, is belching more
4 and more greenhouse gases, more and more
5 pollution into the air to supply New York City
6 with more electricity.

7 Now, ladies and gentlemen, I have a
8 plan for you, because this is a crisis. Shut
9 down those transmission lines tomorrow. Call the
10 Governor, shut them all down. Turn off the
11 lights in Times Square, turn off your
12 air-conditioners, don't plug in your electric
13 car, because this is a crisis.

14 This is a shell game. New York
15 State is not doing anything about this. The
16 0.4 percent in greenhouse gas emissions that we
17 have that we account for in the world -- because
18 this is global climate change. So how is
19 producing dirty energy in Pennsylvania to supply
20 New York with power doing anything about global
21 climate change? It's not.

22 Okay, I can tell my wife I'm on a
23 diet and eat salads in front of her, but if I've
24 got a drawer full of candy bars in my office, it
25 isn't going to work. And that's basically the

1 energy policy here in New York State. So shut
2 down those transmission lines and let's see what
3 happens.

4 I vote no. Thank you.

5 ACTING PRESIDENT MAYER: Senator
6 Borrello to be recorded in the negative.

7 Senator Krueger to explain her vote.

8 SENATOR KRUEGER: Thank you,
9 Madam President.

10 So we have fascinating debates on
11 the floor, but I have to say this was one of the
12 more amusing ones.

13 (Laughter.)

14 SENATOR KRUEGER: Which is amazing
15 to me, because there is nothing amusing about
16 this issue. Yes, we have a real climate crisis.
17 Hello. Yes, we are behind where we should be.
18 All agreed. Yes, we need to do more things about
19 it. That's all this bill does.

20 It says our Power Authority, which
21 does some things well and some things not so
22 well, as it turns out, would be given the right
23 to build new plants and expand our green energy.
24 It's not making them do it. It's not saying that
25 State PSC doesn't still have authority over what

1 happens.

2 It does, as my colleague Senator
3 Gianaris did an excellent job of pointing out,
4 increase the possibility for competition, and the
5 possibility for competition does tend to motivate
6 decreased costs and motivate others in the
7 industry to hurry up and get it right because
8 otherwise somebody else might come along and do
9 it.

10 And it's not communist. There are
11 places all over the country that have public
12 energy companies. So that is just absurd. And
13 for the record, the communist problem in this
14 debate is that until we get it right in this
15 country, we are dependent on gas and oil from
16 communist countries like Russia, who we're now
17 almost in World War III over because of our
18 dependence on the products that they have that we
19 don't want to use anymore and that we shouldn't
20 be using, for smart foreign policy and to save
21 the planet.

22 And I also have to say I just am so
23 tired of the meetings I've gone to or been
24 brought to where people say we didn't figure it
25 out yet, we don't have a solid plan, we shouldn't

1 do anything now until we do. Well, guess what,
2 people? That's what we didn't do for the last 50
3 years. That's why we're in this nightmare
4 situation.

5 So individual proposals that help
6 move us towards the goalpost, great, bring them
7 on. The more the merrier. The ones that make
8 sense will happen. The ones that don't make
9 sense, even if we pass them in both houses, won't
10 really happen.

11 But we need to be expanding our
12 vision. We need to be shrinking our timeline.
13 And we need to be saying, anybody out there who's
14 got a good idea for us, we're going to explore
15 that here in New York. And we're not really
16 sweating whether it's a private company or a
17 public one if they're going to get done what we
18 need done.

19 I absolutely vote yes. And I
20 appreciate the humor that was offered to me this
21 afternoon.

22 Thank you, Madam President.

23 ACTING PRESIDENT MAYER: Senator
24 Krueger to be recorded in the affirmative.

25 Senator Gianaris to explain his

1 vote.

2 SENATOR GIANARIS: Thank you,
3 Madam President.

4 At their best, debates in this
5 chamber pull the curtain back and really let the
6 public know where people stand and why they stand
7 there. And I think the one we just had was very
8 revelatory. In the course of the last half-hour,
9 or however long we've been talking about this
10 bill, we have heard the Republican side of the
11 aisle stand up for higher property taxes -- they
12 want the private industry which pays these taxes
13 which get passed on to the ratepayers to continue
14 paying those higher taxes; lower wages for
15 workers, because we heard them talk out against
16 protections for workers and prevailing wage
17 requirements as part of these jobs; more
18 expensive energy bills, because the
19 Power Authority produces energy about 50 percent
20 cheaper than the private industry is currently
21 producing them.

22 And in the name of what, defending
23 whom? We heard Senator O'Mara talk about an
24 unfair advantage. He kept saying that: This is
25 an unfair advantage, it's an unfair advantage.

1 An unfair advantage against whom? Not the
2 ratepayers, who would budget from this. Not the
3 workers, who would benefit from this. Against
4 the private power producers, who might have to
5 face some competition from a public entity.

6 If you want to talk about
7 competition, competition is capped right now. We
8 have an artificial barrier. The Power Authority
9 is not allowed to produce more than a very
10 limited number of renewable energy projects.

11 So I heard the protestations that my
12 colleagues do in fact care about the climate.
13 But all that's been made clear to me is that they
14 care about the climate for private companies to
15 make more and more profits on the backs of the
16 ratepayers of this state.

17 And if in fact -- because, you know,
18 the other thing they love to do is fearmonger
19 blackouts. I've been hearing that for the
20 20 years I've been in the State Legislature.

21 For those of you who are old enough
22 to remember, we were -- the fear of
23 California-style blackouts that were going to hit
24 New York 20 years ago. Which, by the way, is why
25 the Power Authority built the peaker plants that

1 we were promised would close three years ago and
2 they're still there 22 years after the fact. In
3 fact, this bill would require those to close,
4 finally.

5 But let's take them at their word.
6 Let's assume they're really concerned about that.
7 Why, then, would you just not want to allow
8 another option for more power to be produced?
9 That's all this bill does. It doesn't shut
10 anybody down from doing their business. It
11 doesn't require the Power Authority to do
12 anything, frankly. It gives them the option, if
13 we are falling short on our goals, to step in and
14 produce more electricity. To stop that would
15 hinder our efforts to both prevent blackouts and
16 improve the environment.

17 So listening to this debate, I can't
18 for the life of me figure out anyone that
19 benefits from your arguments other than the
20 private power industry. Not the climate, not the
21 public, not the workers of this state, who would
22 all benefit from this bill being passed.

23 And so I'm proud to stand and speak
24 in favor of this bill. I thank Senator Parker
25 for introducing it. Because this is moving us in

1 the right direction. It's moving us towards a
2 cleaner environment, a safer future, and one that
3 we're woefully behind in addressing.

4 So thank you, Madam President.
5 Thank you to all my colleagues. And I proudly
6 vote yes.

7 ACTING PRESIDENT MAYER: Senator
8 Gianaris to be recorded in the affirmative.

9 Announce the results.

10 THE SECRETARY: In relation to
11 Calendar 1646, those Senators voting in the
12 negative are Senators Akshar, Borrello, Boyle,
13 Brooks, Gallivan, Gaughran, Griffo, Helming,
14 Jordan, Kaminsky, Lanza, Mannion, Martucci,
15 Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath,
16 Ritchie, Serino, Stec, Tedisco and Weik.

17 Ayes, 39. Nays, 24.

18 ACTING PRESIDENT MAYER: The bill
19 is passed.

20 THE SECRETARY: Pardon me. Also
21 Senator Savino.

22 Ayes, 38. Nays, 25.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1683, Senate Print 8837, by Senator Savino, an
2 act to amend the Public Health Law and the
3 Social Services Law.

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

6 SENATOR BORRELLO: Madam President,
7 would the sponsor yield for some unentertaining
8 questions?

9 (Laughter.)

10 ACTING PRESIDENT PERSAUD: Will the
11 sponsor yield?

12 SENATOR SAVINO: Yes,
13 Madam President.

14 ACTING PRESIDENT PERSAUD: The
15 sponsor yields.

16 SENATOR SAVINO: -- making it
17 unentertaining.

18 SENATOR BORRELLO: I'll try my
19 best.

20 Through you, Madam President.
21 Senator Savino, I understand that this bill would
22 essentially require that insurance companies that
23 participate in programs like Child Health Plus,
24 Medicaid, and in the pharmaceutical insurance
25 coverage EPIC program, to require to supply

1 medical marijuana to their -- to their pat -- not
2 patients. What's the word I'm looking for? To
3 their people.

4 So with that said, can you just
5 explain to me what the -- why this bill is
6 needed?

7 SENATOR SAVINO: Thank you.
8 Through you, Madam President.

9 So as you know, Senator Borrello, in
10 2014 the State of New York became the 23rd state
11 in the nation to adopt a medical cannabis
12 program. And we have created a tightly regulated
13 model here in New York State. In fact, it was
14 the most tightly regulated in the country.

15 And over those seven years we've
16 watched the program grow to the point where we
17 now have 122,161 patients who are enrolled in the
18 program as of May 1st of 2022. Those patients
19 are able to purchase medical cannabis at a
20 dispensary that's licensed by the State of
21 New York but, because of the restrictions that
22 are placed on them, it's not considered a
23 prescription, which is a federal term, as opposed
24 to medication.

25 They are required to pay cash. They

1 cannot use a credit card, they're not allowed
2 to -- it's not covered by insurance. It's an
3 incredibly expensive program largely because we
4 designed the program, we set the price for the
5 product, we taxed the product. And for many
6 patients it's become a barrier.

7 And so since that time there are now
8 39 states that have adopted medical cannabis, and
9 we feel that it is long past time for the State
10 of New York to lead the way requiring minimally
11 our Essential Plans and our Medicaid program to
12 cover cannabis as a prescription drug
13 reimbursable by Medicaid or Essential Plans.

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

16 ACTING PRESIDENT PERSAUD: Will the
17 sponsor yield?

18 SENATOR SAVINO: Yes.

19 ACTING PRESIDENT PERSAUD: The
20 Senator yields.

21 SENATOR BORRELLO: Thank you for
22 that explanation.

23 So you brought up some important
24 points that this is federally disallowed. So
25 we're trying to require local insurers to provide

1 this, but obviously they can't, they're
2 restricted federally. So I'm assuming the
3 state's going to pick up the tab.

4 How is that going to work? How is
5 this going to be funded?

6 SENATOR SAVINO: So through you,
7 Madam President. So up until now, the federal
8 government has taken somewhat of a hands-off
9 approach on cannabis. They have not pursued any
10 action against any state that has adopted a law
11 within the four corners of their state.

12 So we believe that we'll be able to
13 do this, requiring Medicaid programs and/or
14 Essential Plan programs are operating through a
15 commercial carrier to cover the cost of medical
16 cannabis.

17 In fact, in 2021 the state's
18 Workers' Compensation Program recognized medical
19 cannabis as an allowable medication and started
20 reimbursing patients and carriers for the cost of
21 providing medical cannabis. So we believe that
22 we'll be able to do that.

23 And again, within the four corners
24 of our state, the federal government has not
25 pursued action against New York State since the

1 adoption of medical cannabis, nor any other of
2 the 38 other states that have adopted a program.

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

5 ACTING PRESIDENT PERSAUD: Will the
6 sponsor yield?

7 SENATOR SAVINO: Yes.

8 ACTING PRESIDENT PERSAUD: The
9 sponsor yields.

10 SENATOR BORRELLO: So I appreciate
11 that. Essentially you're saying the FDA is not
12 enforcing -- or the federal government's not
13 enforcing any of their own rules at this point.

14 But that being said, you know, this
15 is still a drug that's not approved by the FDA.
16 So is there a precedent for that, basically,
17 that -- for us to mandate the supply of a not
18 federally approved drug?

19 SENATOR SAVINO: Through you,
20 Madam President, no.

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

23 ACTING PRESIDENT PERSAUD: Does the
24 sponsor yield?

25 SENATOR SAVINO: Yes.

1 ACTING PRESIDENT PERSAUD: The
2 Senator yields.

3 SENATOR BORRELLO: So there's no
4 precedent for that. So what are the risks, then?
5 And this is something that's never been done
6 before, then.

7 SENATOR SAVINO: Through you,
8 Madam President. Well, could you -- define the
9 risk that you're concerned about.

10 SENATOR BORRELLO: Through you,
11 Madam President. Are you asking me to yield now?

12 SENATOR SAVINO: Yeah. Yes, I'm
13 asking you to yield.

14 SENATOR BORRELLO: Okay. I think
15 what the concern is is that if you've -- in other
16 situations where I believe other states have
17 tried to -- tried to mandate coverage for
18 something that is not a federally FDA-approved
19 drug -- I mean, you know, there are experimental
20 drugs out there, there are things like that.
21 It's my understanding that the courts have
22 weighed in and said that, you know, you can't do
23 that.

24 So we're going to take essentially
25 something that's not approved, we're going to

1 mandate it for those insurance carriers that are
2 operating in New York State and supplying these
3 state-funded programs like Medicaid. And we're
4 going to have to foot the bill as taxpayers,
5 essentially, to do that. Because -- so isn't
6 there a risk in that? Isn't there a risk
7 involved in that?

8 SENATOR SAVINO: Through you,
9 Madam President. So right now our medical
10 cannabis patients -- as I said, there are
11 122,161 patients as of the beginning of this
12 month -- they have a choice. They can continue
13 to participate in a legally adopted program that
14 New York State regulates but we require them to
15 pay cash for a medication that we have determined
16 has value to them, their doctors have recommended
17 to them.

18 Incidentally, we force them to pay
19 sales tax on that. We don't do that for any
20 other medication, not even over-the-counter
21 medication.

22 Or, if they can't afford it, they
23 can go back to the medications that are offered
24 to them to deal with those same conditions that
25 are FDA-approved and covered by every commercial

1 carrier in the State of New York. Things like
2 Oxycontin, things like benzodiazepines. I could,
3 you know, run the gamut of them. And they cost
4 all of those carriers billions of dollars in this
5 state as we speak.

6 So we believe that it is time for
7 New York State to lead the way on this issue.
8 Some state is going to have to force this issue.
9 I believe New York State is the one that should
10 lead the way on this.

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

13 ACTING PRESIDENT PERSAUD: Does the
14 sponsor yield?

15 SENATOR SAVINO: Yes.

16 ACTING PRESIDENT PERSAUD: The
17 sponsor yields.

18 SENATOR BORRELLO: Thank you.
19 Through you, Madam President.

20 So I can understand what you're
21 saying here, but my concern is, you know,
22 New York is a very litigious state. And we're
23 talking about the state government paying --
24 mandating insurance companies and paying them to
25 supply marijuana to a patient.

1 Now, the American Heart Association
2 just recently came out and said that, you know,
3 there are heart risks to smoking marijuana. What
4 would happen if, in this situation, the state has
5 essentially taken a substance that's still
6 illegal federally and we've let -- we've paid
7 someone on Medicaid -- or we've paid for someone
8 on Medicaid or any of the other programs to
9 ingest this by smoking it, and they get sick.
10 They get cancer, they get heart disease.

11 And, you know, aren't we kind of
12 creating a situation where we're opening up the
13 state to liability, potentially?

14 SENATOR SAVINO: Through you,
15 Madam President. So, Senator Borrello, we're not
16 expanding anything under the existing medical
17 cannabis program except for who could potentially
18 be responsible for paying for the cost of it.

19 So since 2014, anywhere from one to
20 122,000 patients have enrolled in this program.
21 They have been able to access medical cannabis at
22 a licensed retail dispensary that is licensed by
23 the State of New York. The product that is
24 provided to them that is in a licensed dispensary
25 that is licensed by the State of New York is

1 tested, it is determined to be safe for human
2 consumption. Not a single patient has been found
3 to have developed a single illness as a result of
4 utilizing that medical marijuana.

5 So I don't see where covering the
6 cost of it would add any additional risk to that
7 patient.

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

10 ACTING PRESIDENT PERSAUD: Does the
11 sponsor yield?

12 SENATOR SAVINO: Yes.

13 ACTING PRESIDENT PERSAUD: The
14 sponsor yields.

15 SENATOR BORRELLO: I can understand
16 and appreciate that response. In fact, in
17 Western New York we have the largest medical
18 marijuana practice in the nation, actually. And
19 I've spoken with the doctor who heads that up,
20 and he's explained a lot of good things to me
21 that were really very enlightening, honestly.

22 But my question, though, is right
23 now those folks can choose, because they're
24 paying out of their own pocket, do they want to
25 ingest it as an edible, do they want to smoke it.

1 But we're not supplying the money for them to do
2 it.

3 Now if we so choose to do that, and
4 they choose to, you know, to medicate themselves
5 by smoking it, my question is aren't we kind of
6 putting ourselves in a liability situation where
7 now we've paid for them to essentially do
8 something that could be harmful to their health
9 also by smoking it? And I think that's my
10 concern, about the state's liability now that
11 we're actually paying for and enabling it.
12 Because, you know, we've got a lot of good
13 lawyers around here.

14 SENATOR SAVINO: So through you,
15 Madam President. No, I don't believe the state
16 would be incurring any additional liability, any
17 more than we incur the liability if an individual
18 becomes addicted to Oxycontin that's legally
19 prescribed to them and dispensed by a pharmacy
20 that's legally licensed in the State of New York.

21 There are millions of New Yorkers
22 who have become addicted to legal, regulated
23 drugs. And they don't then turn around and sue
24 the State of New York because their drugs were
25 paid for by their Medicaid program or a

1 commercial insurance carrier that's licensed by
2 the State of New York.

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

5 ACTING PRESIDENT PERSAUD: Does the
6 sponsor yield?

7 SENATOR SAVINO: Yes.

8 ACTING PRESIDENT PERSAUD: The
9 sponsor yields.

10 SENATOR BORRELLO: Whenever the
11 government gets involved in paying for something,
12 it tends to raise the price. In fact, I think we
13 can point to that -- you know, what you get
14 charged for someone to administer an aspirin to
15 you when you're in the hospital. You know,
16 over-the-counter aspirin.

17 Is there any concern for the
18 government now essentially subsidizing this at
19 a -- I'm going to imagine a pretty high level,
20 hundreds of millions of dollars a year, possibly,
21 about that affecting the overall cost of this for
22 people?

23 SENATOR SAVINO: Through you,
24 Madam President, there's nothing in the bill that
25 would increase the cost of medical cannabis.

1 In fact, the price of medical
2 cannabis is dictated by the Office of Cannabis
3 Management. Under the original bill, it was
4 dictated by the Department of Health. As you
5 know, when the MRTA was passed last year, the
6 original program was subsumed into the Office of
7 Cannabis Management. They set the price of
8 medical cannabis. They will determine -- that
9 will not change. We didn't -- nothing in this
10 bill changes the price of medical cannabis.

11 All we're asking is that Medicaid
12 and/or Essential Plans that are administered in
13 the State of New York by commercial carriers are
14 able to cover the cost of the prescription and
15 private commercial carriers, if they so choose,
16 could cover this. We're not requiring them to do
17 it. If they don't want to, they don't have to.
18 Only Medicaid carriers and Essential Plan
19 carriers.

20 SENATOR BORRELLO: Madam President,
21 on the bill.

22 ACTING PRESIDENT PERSAUD: Senator
23 Borrello on the bill.

24 SENATOR BORRELLO: Senator Savino,
25 thank you very much. Sorry I kept you here so

1 late.

2 I have concerns with this on a
3 number of levels. But I can tell you this. When
4 the first states on the West Coast started
5 medical marijuana programs, I remember I was
6 actually in California and I saw a giant
7 billboard that says "Call Dr. Feelgood, and he'll
8 make sure you get a prescription for medical
9 marijuana." Literally, Dr. Feelgood was the
10 guy's name.

11 And my concern is this. I think
12 that there are folks that will abuse this. I
13 think there are folks that have no medical need
14 for medical marijuana, no true medical need, but
15 they will find a doctor because they are on
16 Medicaid that will write them a prescription,
17 quote, unquote, because they'll now be able to
18 get it for free.

19 So I think that's just not good
20 because it's going to increase fraud. Let's keep
21 in mind that our Medicaid program is already
22 riddled with fraud. I've talked about it again
23 and again -- you know, the \$300, \$400 taxi rides
24 for non-emergency medical transportation, all the
25 other things that we've seen that our Medicaid

1 program -- has made our Medicaid program the
2 largest and most inefficient in the nation. So
3 this is just one more step in that direction,
4 unfortunately.

5 So I understand that people do see
6 the benefits of medical marijuana. Like I said,
7 one of the largest -- the largest, actually, in
8 the nation is in Western New York. And people do
9 seem to have true benefits from having medical
10 marijuana. In fact, the biggest concern for the
11 doctor who heads up the largest medical marijuana
12 practice in the nation is that people are going
13 to start self-medicating with recreational
14 marijuana and not actually get the benefits, and
15 also not get a pure product as well.

16 So there's a lot of concerns out
17 there about how this program may be impacted by
18 the changes that we're making. But most
19 importantly, I just don't feel it's right that we
20 can take a situation which really isn't
21 regulated, where people could actually, on
22 Medicaid, get access to free medical marijuana
23 courtesy of the taxpayers. And it's not like
24 there's going to be a lot of stops or controls to
25 ensure that those who aren't truly in a medical

1 necessity for medical marijuana will be
2 prohibited from getting it.

3 So for that reason, I cautiously
4 vote no. Thank you.

5 ACTING PRESIDENT PERSAUD: Thank
6 you.

7 Senator Krueger on the bill.

8 SENATOR KRUEGER: Thank you,
9 Madam President. Would the sponsor yield for a
10 question or two?

11 ACTING PRESIDENT PERSAUD: Will the
12 sponsor yield?

13 SENATOR SAVINO: Sure.

14 (Laughter.)

15 ACTING PRESIDENT PERSAUD: The
16 sponsor yields.

17 SENATOR KRUEGER: I know we're all
18 so busy, but I was just double-checking. Is the
19 sponsor aware that the FDA has approved several
20 medical marijuana products already and has quite
21 a few others undergoing clinical trials but
22 they've already been approved in Canada and the
23 United Kingdom?

24 SENATOR SAVINO: Yes.

25 SENATOR KRUEGER: Thank you. Just

1 one more follow-up question if you don't mind,
2 Madam President.

3 ACTING PRESIDENT PERSAUD: Does the
4 sponsor yield?

5 SENATOR SAVINO: Yes,
6 Madam President.

7 ACTING PRESIDENT PERSAUD: The
8 sponsor yields.

9 SENATOR KRUEGER: And is the
10 sponsor aware that the NIH has also done several
11 studies concluding that in states with access to
12 medical marijuana there are lower rates of opioid
13 addiction and opioid overdose deaths?

14 SENATOR SAVINO: Yes,
15 Madam President.

16 SENATOR KRUEGER: Thank you. I
17 want to thank the sponsor for her answers.

18 I frankly think this bill is so many
19 years overdue. We have seen thousands of
20 research studies showing that cannabis overall is
21 safe. And happily, now that so many states have
22 been legalizing both medical and recreational, we
23 now finally have a federal government who's
24 willing to do the research we've been begging
25 them to do for years, which is find out for us,

1 do these things work.

2 And the answer apparently, from
3 other nations that we respect and now finally
4 from our own FDA and National Institute of
5 Health, is yes, our research is showing these
6 also work.

7 And my colleague was concerned about
8 the safety; I get it. And the purity, I get it.
9 They stand a much better change of getting
10 exactly the product they asked for and needed
11 through a medical marijuana dispensary rather
12 than just going out and buying marijuana through
13 recreational. Because we have standards and
14 rules about the marijuana products, the cannabis
15 products sold through our medical program. They
16 will have to be approved and regulated for
17 safety, because that's the deal already in our
18 medical marijuana program.

19 This is just about making sure that
20 patients who need these products and have been
21 told by their doctors, These can be helpful,
22 these are far less dangerous than other drugs I
23 could be prescribing to you -- we're just trying
24 to make them affordable for people.

25 And I don't think there's anyone in

1 this room that doesn't really understand the
2 importance of making drugs that work and are
3 available, accessible to people, and not limit
4 them because they're not the ones with that much
5 money.

6 So I proudly vote yes. And I want
7 to thank the sponsor for her hard work in
8 bringing this to the floor.

9 ACTING PRESIDENT PERSAUD: Are
10 there any other Senators wishing to be heard?

11 SENATOR SAVINO: Thank you,
12 Madam President.

13 ACTING PRESIDENT PERSAUD: Senator
14 Savino on the bill.

15 SENATOR SAVINO: I would like to
16 thank Senator Krueger. She did take some of my
17 talking points.

18 And I would also like to thank
19 Senator Borrello for the lively debate. He did
20 bring up some, I think, important questions about
21 this.

22 As I said, seven years after -- it's
23 almost eight years. Seven years after the
24 creation of our medical cannabis program, we are
25 still growing, no pun intended. It's been a

1 struggle, and it's largely because the federal
2 government continues to suffer from what I call
3 the worst case of cognitive dissonance I've ever
4 seen.

5 You have now 39 states that have
6 medical cannabis programs, 11 or 12 states and
7 counting that have moved on to adopt adult use,
8 and yet the federal government refuses to move
9 forward on either the legalization of medical
10 cannabis or recognizing that we are creating a
11 50-state solution to this problem, which is
12 absurd. It's a problem for doctors, it's a
13 problem for patients, it's a problem for
14 legislators across the country.

15 But what we're trying to do here in
16 New York State is address an issue that really
17 just affects patients. We created a program
18 because we recognized that patients in New York
19 State who were suffering from chronic and
20 debilitating conditions could benefit from
21 something that had been determined to be helpful
22 to patients in other parts of the country and in
23 other parts of the world.

24 We then set up barriers to those
25 very same patients, financial barriers and

1 geographic barriers. And we then spent the next
2 seven years trying to overcome those barriers,
3 adding back conditions that were originally taken
4 out from the first bill -- expanding the size of
5 the program, expanding who could participate in
6 the program, expanding the type of providers who
7 could engage in the program.

8 But the one thing that got in the
9 way over and over and over for patients was the
10 cost, which is extraordinarily high compared to
11 the black market. And when it becomes easier for
12 patients to go out into the street to buy it on
13 the black market than it is to walk into a legal
14 dispensary, we need to do something. Because
15 when they walk into a legal dispensary in
16 New York they can do so with confidence that they
17 know the product has been tested, there's no
18 pesticides in it, it's safer for their use.

19 But we created such high barriers
20 for them with the cost. Not only is the cost too
21 high, but then we added insult to injury and we
22 required them to pay sales tax. We don't pay
23 sales tax in New York State on any medication --
24 not Advil, not Tylenol, not codeine over the
25 counter, nothing. But we do on medical cannabis.

1 It's unfair for patients.

2 So I said this before, we have
3 122,161 patients right now. You know how many of
4 them drop out on a regular basis because they
5 cannot continue to participate? This bill will
6 help those patients, because they either have one
7 of two choices. They can find a way to buy it on
8 the street when they can't buy it legally, or
9 they can go back to the things that they know
10 will ruin their lives. Oxycontin,
11 benzodiazepine, Vicodin, Percocet -- all of those
12 dangerous, highly addictive drugs that the FDA
13 has approved over and over.

14 So will the federal government say
15 what we're doing here is right? I don't know.
16 But it wouldn't be the first time we challenged
17 the federal government. And maybe, maybe this
18 time they'll listen.

19 I vote in the affirmative,
20 Madam President.

21 ACTING PRESIDENT PERSAUD: Thank
22 you, Senator.

23 Are there any other Senators wishing
24 to be heard?

25 Seeing and hearing none, the debate

1 is closed. The Secretary will ring the bell.

2 Read the last section.

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

5 ACTING PRESIDENT PERSAUD: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT PERSAUD: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar 1683, those Senators voting in the
12 negative are Senators Borrello, Gallivan, Jordan,
13 Oberacker, Ortt, Palumbo, Rath, Stec and Tedisco.

14 Ayes, 54. Nays, 9.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 The Secretary will read.

18 THE SECRETARY: Calendar Number
19 1748, Senate Print 4104A, by Senator Breslin, an
20 act to amend the General Business Law.

21 ACTING PRESIDENT PERSAUD: Senator
22 Palumbo, why do you rise?

23 SENATOR PALUMBO: Thank you,
24 Madam President. Would the sponsor yield for a
25 few questions, please.

1 ACTING PRESIDENT PERSAUD: Will the
2 sponsor yield?

3 SENATOR THOMAS: Thank you.
4 Through you, Madam President, it depends on how
5 interesting the questions are.

6 (Laughter.)

7 ACTING PRESIDENT PERSAUD: Will the
8 sponsor yield?

9 SENATOR THOMAS: Yes. Yes.

10 ACTING PRESIDENT PERSAUD: The
11 sponsor yields.

12 SENATOR PALUMBO: Senator Thomas,
13 they're always interesting from this guy. Right?

14 (Laughter.)

15 SENATOR PALUMBO: Good afternoon.
16 Good evening. Good to see you. I just have a
17 few questions.

18 I know there were some changes made
19 to this because there were originally concerns.
20 I was a negative last year because it did not
21 exclude farm equipment and so forth. So I see
22 this as an A print. Could you please just
23 explain to our colleagues the changes that were
24 made between the old print and this bill that's
25 currently before us, please?

1 SENATOR THOMAS: So the intent of
2 the bill here is to address the unfair
3 anticompetitive restrictions imposed by, you
4 know, powerful manufacturers on third-party
5 repairs. So from the last time we have included
6 farm equipment -- what else? And emergency
7 service equipment as well.

8 SENATOR PALUMBO: Will the sponsor
9 continue to yield, please.

10 SENATOR THOMAS: And medical
11 equipment. Sorry.

12 SENATOR PALUMBO: Thank you.

13 ACTING PRESIDENT PERSAUD: Does the
14 sponsor yield?

15 SENATOR THOMAS: Yes.

16 ACTING PRESIDENT PERSAUD: The
17 sponsor yields.

18 SENATOR PALUMBO: Thank you,
19 Senator.

20 And those are certainly moves in the
21 right direction, because those were some
22 significant concerns.

23 But I have been contacted by some of
24 the stakeholders in the industry who had a few
25 additional concerns with the current bill. So

1 initially, with regard to requiring parts and
2 other equipment to be provided to third
3 parties -- strangers, so to speak -- I know there
4 are some protections regarding trade secrets.

5 But do you know -- do either
6 yourself or the sponsor have any concerns that
7 now that all of this -- these parts to repair the
8 equipment and devices would ultimately be -- or
9 would ultimately create a black market for it, so
10 to speak, where there would be foreign companies
11 and other people that would then use those trade
12 secrets to the extent, at least, that the manner
13 in which they are constructed would create a
14 black market for such an item?

15 SENATOR THOMAS: Through you,
16 Madam President. You know, I don't think any
17 legislative body can prevent illegal acts from
18 happening here. But there's something called the
19 Patent Office and copyright infringement. So if
20 parts that are sent to either the independent
21 repair shops or a customer is then used for
22 illegal acts, they could be sued on. So that
23 should take care of a situation that you just
24 described.

25 SENATOR PALUMBO: Would Senator

1 Thomas yield for another question, please,
2 Madam President.

3 ACTING PRESIDENT PERSAUD: Senator,
4 do you yield?

5 SENATOR THOMAS: Yes.

6 ACTING PRESIDENT PERSAUD: The
7 Senator yields.

8 SENATOR PALUMBO: Thank you,
9 Senator.

10 And I get that, that they certainly
11 would have some sort of an action against them.
12 But it may open a can of worms. And specifically
13 regarding information, for example, to reset the
14 device.

15 And I look at -- this is really
16 page 4 of the bill, "Requirements." That's
17 really the meat. The bulk of it is definitions.
18 So maybe I'll just direct you to that part so we
19 can talk a little bit about those two paragraphs
20 in Section 2, "Requirements." It's basically
21 lines 8 through 25.

22 But I'll start with Section (b).
23 "For equipment that contains an electronic
24 security lock or other security-related function,
25 the original manufacturer shall make available to

1 any owner and independent repair provider, on
2 fair and reasonable terms, any special
3 documentation, tools and parts needed to access
4 and reset the lock or function when disabled in
5 the course of a diagnosis, maintenance or repair
6 of such equipment."

7 So the concern from the industry was
8 that they're now going to provide them the
9 opportunity to bypass a lock. That might also
10 provide devices and tools to ultimately access
11 personal data, for example, if it's a phone. And
12 you can otherwise override an otherwise locked
13 device. So instead of going to the manufacturer
14 now, you're going to have a third party who will
15 have that ability.

16 Do you know if there are any
17 concerns in that regard?

18 SENATOR THOMAS: Through you,
19 Madam President, that concern is valid. But, you
20 know, this function was there even before this
21 bill was introduced.

22 So I don't see how this concern will
23 lead to more, you know, private information being
24 stolen or phones being hacked into.

25 SENATOR PALUMBO: Will the Senator

1 yield for another question, please.

2 ACTING PRESIDENT PERSAUD: Does the
3 sponsor yield?

4 SENATOR THOMAS: Yes.

5 ACTING PRESIDENT PERSAUD: The
6 sponsor yields.

7 SENATOR PALUMBO: Thank you. Thank
8 you. And through you, Madam President. And I
9 appreciate that, Senator Thomas.

10 And I appreciate you acknowledging
11 that, because I think that maybe just for
12 purposes of legislative intent, in case this
13 becomes law, that we could indicate on the record
14 that possibly the "fair and reasonable" language
15 that is used in Section (a). So that -- where
16 did I just see it. I lost it. Let me read
17 through one more time. That the requirement for
18 digital electronic equipment sold or used in this
19 state -- at line 12: "On behalf of or sold by
20 such original equipment manufacturer, on fair and
21 reasonable terms, any documentation, parts and
22 tools" required for such diagnosis.

23 So they can do so under fair and
24 reasonable terms. So just for clarification, can
25 we agree that it would be a fair and reasonable

1 term to maybe not provide such tools in the event
2 it would allow access to a locked device and
3 ultimately personal data of a potential consumer?

4 SENATOR THOMAS: Through you,
5 Madam President. So it specifically says, in the
6 last sentence in subsection (b), "Such
7 documentation, tools and parts may be made
8 available through appropriate secure release
9 systems."

10 So there's going to be a series of
11 checks on who exactly is asking for this
12 information before that is going to get released.

13 SENATOR PALUMBO: Thank you,
14 Senator. I appreciate those comments.

15 On the bill, please, Madam
16 President.

17 ACTING PRESIDENT PERSAUD: Senator
18 Palumbo on the bill.

19 SENATOR PALUMBO: Thank you. And I
20 do appreciate Senator Breslin, the sponsor of
21 this legislation, making those changes that were
22 concerning us last year. And I'm actually -- I
23 am going to be in the affirmative on this bill.
24 I think it's made really good progress.

25 But those concerns, I'm glad that

1 there's been some clarification, but I think they
2 do exist. So I would respectfully ask the
3 sponsor to continue to review this bill to make
4 sure that this doesn't create an unfair market.

5 And, look, it's a consumer bill. I
6 think we can all agree this is a good idea, that
7 if there's a monopoly, if you have to take your
8 phone to a manufacturer and only they can fix
9 your screen -- I got the insurance on my kid's
10 phone, but this one's a cracked screen. Just on
11 principle, I've had it for like three months, and
12 I refuse to get the screen fixed because you have
13 to go there and of course it's a lot of money.
14 You certainly can't do that on your own.

15 So I'm for this as a consumer bill.
16 I think we all are, we get it. But those
17 individuals from the industry feel that this may
18 actually be somewhat counterintuitive to their
19 concerns, because small businesses now are going
20 to deal with a different market. And small
21 businesses may not have the technology and
22 wherewithal to ultimately ensure the safety of
23 the consumer's personal data.

24 So I appreciate Senator Thomas's
25 comments. I hope there's continued review of

1 this bill. And I appreciate your time,
2 Madam President. Thank you.

3 ACTING PRESIDENT PERSAUD: Thank
4 you, Senator.

5 Are there any other Senators wishing
6 to be heard?

7 Seeing and hearing none, debate is
8 closed. The Secretary will ring the bell.

9 Read the last section.

10 THE SECRETARY: Section 3. This
11 act shall take effect one year after it shall
12 have become a law.

13 ACTING PRESIDENT PERSAUD: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT PERSAUD: Announce
17 the results.

18 THE SECRETARY: In relation to
19 Calendar 1748, those Senators voting in the
20 negative are Senators Akshar, Borrello, Martucci
21 and Weik.

22 Ayes, 59. Nays, 4.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 The Secretary will read.

1 THE SECRETARY: Calendar Number
2 1776, Senate Print 8381B, by Senator Thomas, an
3 act to amend the Public Authorities Law.

4 ACTING PRESIDENT PERSAUD: Senator
5 Boyle, why do you rise?

6 SENATOR BOYLE: Madam President,
7 will the sponsor yield for a couple of questions?

8 ACTING PRESIDENT PERSAUD: Will the
9 sponsor yield?

10 SENATOR THOMAS: Through you,
11 Madam President. If he allows me to have some
12 dinner, so -- yeah, I'm ready for it.

13 SENATOR BOYLE: I promise it will
14 be short.

15 ACTING PRESIDENT PERSAUD: The
16 sponsor will yield.

17 SENATOR THOMAS: Yes.

18 SENATOR BOYLE: Thank you.

19 Senator Thomas, can you just give a
20 quick summary of what this bill does?

21 SENATOR THOMAS: So what this bill
22 does is it requires that trustees of this public
23 hospital in Nassau County to have the requisite
24 experience and knowledge in related fields to be
25 sitting at the board to make decisions on behalf

1 of the hospital.

2 SENATOR BOYLE: Madam President,
3 would he continue to yield?

4 ACTING PRESIDENT PERSAUD: Does the
5 sponsor yield?

6 SENATOR THOMAS: Yes.

7 ACTING PRESIDENT PERSAUD: The
8 sponsor yields.

9 SENATOR BOYLE: So, Senator, you
10 feel like the board of directors has not had the
11 relevant experience in the past? I know that
12 usually there's a businessperson that's put in
13 charge. Have you felt that that's been a problem
14 over the course of years?

15 SENATOR THOMAS: Yes. Through you,
16 Madam President. We have seen this hospital go
17 through a lot of issues, including the fact that
18 they are in millions of dollars in debt. And we
19 need to have appropriate board members at the
20 helm to make the correct decisions.

21 SENATOR BOYLE: Madam President,
22 will the sponsor continue to yield?

23 ACTING PRESIDENT PERSAUD: Does the
24 sponsor yield?

25 SENATOR THOMAS: Yes.

1 ACTING PRESIDENT PERSAUD: The
2 sponsor yields.

3 SENATOR BOYLE: So, Senator, it
4 doesn't just ask for relevant experience. And I
5 think that one can argue that there have been
6 many businesspeople that go and become
7 chairperson of a company having no knowledge of
8 that industry, but they are executives that know
9 how to run a show.

10 I think that the former head of the
11 Nassau Healthcare Corporation ran hotels. And
12 now I think the new one is a finance guy.

13 The bill also, however, increases
14 the number of board members, is that not correct?

15 SENATOR THOMAS: Through you,
16 Madam President, no. We are sticking to the 15
17 that they currently have.

18 SENATOR BOYLE: Okay. So the --
19 all this -- will the sponsor continue to yield?

20 ACTING PRESIDENT PERSAUD: Does the
21 sponsor yield?

22 SENATOR THOMAS: Yes.

23 ACTING PRESIDENT PERSAUD: The
24 sponsor yields.

25 SENATOR BOYLE: You're just looking

1 for the relevant experience.

2 SENATOR THOMAS: Correct.

3 SENATOR BOYLE: Madam President,
4 will the sponsor continue to yield.

5 ACTING PRESIDENT PERSAUD: Does the
6 sponsor yield?

7 SENATOR THOMAS: Yes.

8 ACTING PRESIDENT PERSAUD: The
9 sponsor yields.

10 SENATOR BOYLE: Will the county
11 executive of Nassau County still have the ability
12 to name the board of directors president and have
13 the same number of appointments to the board?

14 SENATOR THOMAS: Through you,
15 Madam President. Through this bill, the
16 appointment number does not change. The county
17 exec has three appointments that he can make.
18 The county legislature can make four, and the
19 Governor has eight.

20 As well as answering the other
21 question, now the trustees of the hospital get to
22 pick who the chair is, and the chief executive
23 officer. That was reserved to the county
24 executive before, but we changed it in the bill
25 because that's how the rest of the state operates

1 with these safety-net hospitals.

2 SENATOR BOYLE: Through you,
3 Madam President, will the sponsor continue to
4 yield?

5 ACTING PRESIDENT PERSAUD: Does the
6 sponsor yield?

7 SENATOR THOMAS: Yes.

8 ACTING PRESIDENT PERSAUD: The
9 sponsor yields.

10 SENATOR BOYLE: So, Senator, who
11 controls the Nassau County Health Corporation
12 under this new proposal? Will the Governor have
13 more say on how the operation is run, or will the
14 county executive of Nassau?

15 SENATOR THOMAS: It should be
16 neither, because the safety-net hospital should
17 be run by the trustees. It should not be the
18 Governor and it should not be the county
19 executive.

20 SENATOR BOYLE: Through you,
21 Madam President, will the sponsor continue to
22 yield.

23 ACTING PRESIDENT PERSAUD: Does the
24 sponsor yield?

25 SENATOR THOMAS: Yes.

1 ACTING PRESIDENT PERSAUD: The
2 sponsor yields.

3 SENATOR BOYLE: So it seems to me
4 that the Governor is now going to be running the
5 show in this corporation. Which -- and you can
6 answer -- my question is, do you believe that
7 will put at risk any bond pledges the guarantee
8 of which was given by Nassau County for financing
9 of the corporation, when the county executive no
10 longer has control of -- or the county
11 government, I should say, no longer has control
12 of the corporation and how it's run?

13 SENATOR THOMAS: Through you,
14 Madam President. The Governor does not control
15 the safety-net hospital. All right? She -- no
16 Governor, you know, that has overseen this state
17 has had the opportunity to look at the day-to-day
18 matters of Nassau University Medical Center or,
19 you know, run it or make contracting decisions.
20 That's all up to the board.

21 What were the other questions that
22 you asked? About the bonds, right?

23 SENATOR BOYLE: Yes.

24 SENATOR THOMAS: So when Nassau
25 University Medical Center was created,

1 Nassau County is required to pay on the debt, and
2 that cannot be changed. The county executive
3 does not have power. It's the trustees, as well
4 as anyone else who has an investment at that
5 hospital, that has the right to change or amend
6 anything here.

7 SENATOR BOYLE: Madam President, on
8 the bill.

9 ACTING PRESIDENT PERSAUD: Senator
10 Boyle on the bill.

11 SENATOR BOYLE: My colleagues, I
12 think -- I'm on the bill, thank you.

13 The bonds that are guaranteed by
14 Nassau County financing the health corporation
15 really -- Nassau County Medical Center, the
16 Nassau University Center -- goes under
17 Section 3412 of the Public Authorities Law in the
18 State of New York.

19 And it has pledged to and agreed
20 with the holders of bonds issued by the
21 corporation and those persons or public
22 corporations who may enter into contracts with
23 the corporation that the state will not alter,
24 limit or impair the rights vested in the
25 corporation to operate the hospital and/or

1 nursing home which was financed by bonds of the
2 corporation or to establish and collect rents,
3 rates, fees and other charges to fill the terms
4 of any contract or agreement made with or for the
5 benefit of holders of the bonds, or with any
6 person or public corporation with reference to
7 the hospital and/or the nursing homes.

8 This bill changes the game, and I do
9 believe it puts at risk the guarantees and
10 pledges based on this bond. If we're to be
11 honest here, I think this bill is all about one
12 thing, and that's the fact that Bruce Blakeman is
13 now the county executive in Nassau, having beat
14 Laura Curran in last year's election. If Laura
15 Curran was still the county executive, we
16 wouldn't be looking at this bill.

17 I know County Executive Blakeman
18 came in and took on the Governor with mandates
19 and things like that, and this might be payback
20 or an attempt to take away some power from
21 County Executive Blakeman. And I don't think
22 that's the way we should be running things. I
23 think the county executive and the county
24 government in Nassau should have the right to run
25 their healthcare corporation. It's not New York

1 State Healthcare Corporation, it is Nassau County
2 Healthcare Corporation.

3 And that is why I will be voting in
4 the negative. Thank you.

5 ACTING PRESIDENT PERSAUD: Senator
6 Thomas on the bill.

7 SENATOR THOMAS: Thank you,
8 Madam President.

9 This bill is about saving a
10 safety-net hospital. This isn't about politics.
11 The reason why we need board members with
12 expertise is because that hospital is in dire
13 need of good leadership. That's the intent of
14 this bill. It has nothing to do with who the
15 county executive is. It has everything to do
16 with saving a safety-net hospital that not only
17 serves my district, it serves districts all
18 around Nassau County.

19 So this is my way, this is this
20 legislative body's way of addressing the issues
21 with this hospital for decades now of being
22 mismanaged, of being in debt over \$100 million.
23 We need good leadership there, and that's the
24 intent of this bill.

25 I vote in the affirmative. Thank

1 you.

2 ACTING PRESIDENT PERSAUD: Thank

3 you.

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

6 Seeing and hearing none, debate is
7 closed. The Secretary will ring the bell.

8 Read the last section.

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

11 ACTING PRESIDENT PERSAUD: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT PERSAUD: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar 1776, those Senators voting in the
18 negative are Senators Akshar, Borrello, Boyle,
19 Griffo, Helming, Jordan, Lanza, Oberacker,
20 O'Mara, Ortt, Palumbo, Rath, Stec, Tedisco and
21 Weik.

22 Ayes, 48. Nays, 15.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 The Secretary will read.

1 THE SECRETARY: Calendar Number
2 1799, Assembly Print Number 7919A, by
3 Assemblymember Bronson, an act to amend the State
4 Finance Law.

5 ACTING PRESIDENT PERSAUD: Senator
6 Oberacker.

7 SENATOR OBERACKER: Madam
8 President, would the sponsor yield for a couple
9 of questions, please.

10 ACTING PRESIDENT PERSAUD: Will the
11 sponsor yield?

12 SENATOR KENNEDY: Certainly,
13 Madam President. Thank you.

14 ACTING PRESIDENT PERSAUD: The
15 sponsor yields.

16 SENATOR OBERACKER: And thank you,
17 Senator Kennedy.

18 And believe me, my colleagues, I do
19 know I'm the one standing in front of you from
20 getting your dinner tonight. So we'll keep
21 things brief, how's that?

22 So we're going to talk about a very
23 exciting subject. It's the subject of salt. And
24 so through you, Madam President. Senator, this
25 is a statewide issue. It's a state -- it will

1 have a statewide impact.

2 Have you taken a moment to speak to
3 the state agencies and -- that are responsible
4 for implementing this? And have you spoken to
5 the local stakeholders across the different
6 regions of New York?

7 SENATOR KENNEDY: Through you,
8 Madam President, I certainly have.

9 As a matter of fact, this bill has
10 been in production over a number of years. We've
11 been working to make sure that we're protecting
12 American jobs.

13 What this bill does is it creates
14 the New York State Buy American Salt Act, which
15 will require that all salt used on roads and
16 throughout our communities across the state, or
17 sodium chloride from salt, is supplied from
18 American businesses as much as possible.

19 We want to make sure that we're
20 supporting American jobs. We want to make sure
21 that we're supporting New York jobs. Especially
22 those jobs at mines like we have in
23 Livingston County and Tompkins County, hundreds
24 of jobs, good-paying union jobs. You know, this
25 is one of those bills that really promotes the

1 preference of salt from the State of New York and
2 the United States rather than being imported from
3 foreign countries like Egypt and Chile and Mexico
4 and others that so much salt is coming in from.

5 So we want to use taxpayer dollars
6 here in New York and in the communities
7 throughout this great state to support our own
8 New York jobs and the families that depend on
9 those jobs.

10 SENATOR OBERACKER: Will the
11 sponsor continue to yield? Through you,
12 Madam President.

13 ACTING PRESIDENT PERSAUD: Will the
14 sponsor yield?

15 SENATOR KENNEDY: Certainly.

16 ACTING PRESIDENT PERSAUD: The
17 sponsor yields.

18 SENATOR OBERACKER: Thank you.

19 So with the salt that will be
20 produced here in, like, Western New York mines,
21 has there been thought given as to how that will
22 transport to downstate regions and how it will
23 transport in a very efficient and cost-effective
24 manner?

25 SENATOR KENNEDY: Yes. Through

1 you, Madam President, certainly we have. These
2 are all issues that have been discussed in many
3 different ways through communities across
4 New York State.

5 There is -- salt can be distributed
6 using logistics of all kinds, whether it's
7 shipping at the ports, through rail, through
8 trucking and others. The logistics to ensure
9 that New York State-mined salt ends up in
10 communities across New York State can be
11 implemented through logistics planning that
12 communities do already in so many other areas.

13 That said, other states here in our
14 great country, including Louisiana, Ohio, Indiana
15 and Illinois, also have salt mines.

16 So this bill supports New York jobs,
17 it supports American jobs, again, with New York
18 taxpayer dollars.

19 SENATOR OBERACKER: Thank you.

20 Through you, Madam President, would
21 the sponsor continue to yield.

22 ACTING PRESIDENT PERSAUD: Does the
23 sponsor yield?

24 SENATOR KENNEDY: Certainly.

25 ACTING PRESIDENT PERSAUD: The

1 sponsor yields.

2 SENATOR OBERACKER: So, Senator, in
3 the language there is the words "reasonable cost
4 increase" or, maybe more appropriately, an
5 unreasonable.

6 So my question is, what constitutes
7 reasonable or unreasonable as far as a cost
8 increase goes?

9 SENATOR KENNEDY: Yes, thank you.
10 Through you, Madam President.

11 That is a question that can be
12 answered by recognizing that, you know, we as a
13 body here back in February passed this bill. It
14 went over to the Assembly; we've been working
15 with communities and businesses across the state,
16 and the workforce -- through the AFL-CIO and
17 others -- to make sure that -- you know, part of
18 what we were doing is listening to make
19 amendments to ensure that communities weren't
20 harmed in any way.

21 So there was exceptions put into
22 place in this legislation that will provide for
23 the department head of an agency to determine if
24 an exemption is necessary for that particular
25 community. For example, if there would be some

1 sort of issue with the benefit to public
2 interest. Or, as my colleague mentioned, an
3 unreasonable cost.

4 You know, we created flexibility in
5 this language to give local control to the
6 agencies and municipalities across New York State
7 to make sure that we were protecting localities,
8 giving them the freedom to make decisions on
9 behalf of their communities, but also building in
10 the preference to buy New York, to buy American,
11 and to protect those jobs that are producing this
12 product here in New York State.

13 SENATOR OBERACKER: Through you,
14 Madam President, would the sponsor continue to
15 yield.

16 ACTING PRESIDENT PERSAUD: Does the
17 sponsor yield?

18 SENATOR KENNEDY: I will.

19 ACTING PRESIDENT PERSAUD: The
20 sponsor yields.

21 SENATOR OBERACKER: Thank you.

22 So, Senator, with also a liquid
23 brine application, is there any data, is there
24 any numbers that could be put to that that would
25 calculate what that cost would be going to,

1 again, say, local salt in those applications
2 versus, say, versus salt that was procured
3 elsewhere?

4 SENATOR KENNEDY: Through you,
5 Madam President, yeah, there are different
6 processes for harvesting salt other than mining.
7 There is lake water and saltwater that can be
8 processed through different mechanisms to produce
9 the brine that's used in some communities, and
10 those communities prefer to use different
11 processes.

12 You know, New York State is a state
13 that is home to some inclement weather. And
14 being a Buffalonian, I know a lot about snow and
15 ice and we recognize that none of us are averse
16 to it no matter where we live in New York State,
17 so we need to be prepared for that inclement
18 weather.

19 And we built in here the ability for
20 these department heads to be able to be free to
21 make those decisions. And in such matter, they
22 can look to this legislation to realize whether
23 or not the cost would be unreasonable and if in
24 fact they should opt out of this mechanism.

25 But again, the bottom line here is

1 building a process to allow for those
2 individuals that are procuring these contracts
3 for the municipalities and agencies to think
4 about and ultimately focus in on making New York
5 salt and American salt a preference, rather than
6 shipping our taxpayer dollars overseas or to
7 other hemispheres.

8 SENATOR OBERACKER: Thank you.

9 Through you, Madam President, would
10 the sponsor continue to yield?

11 ACTING PRESIDENT PERSAUD: Does the
12 sponsor yield?

13 SENATOR KENNEDY: Yes.

14 ACTING PRESIDENT PERSAUD: The
15 sponsor yields.

16 SENATOR OBERACKER: So, Senator, if
17 a determination is made to use, say, cheaper salt
18 that isn't mined or harvested here during the
19 winter, how is salt procured during a challenge?
20 In other words, if they -- if a municipality was
21 getting salt and there was a challenge put to it
22 that this wasn't -- that it needed to be coming
23 from our mines out west -- especially when a lot
24 of the municipalities don't have a large
25 inventory, is there some mechanism, is there some

1 process to go through that would guarantee that
2 they would not run short of salt?

3 SENATOR KENNEDY: Through you,
4 Madam President, the exemptions that were put in
5 place include one provision, Item Number 3, that
6 states that when materials and products cannot be
7 produced in the United States in sufficient and
8 reasonably available quantities and of a
9 satisfactory quality, that community and that
10 individual may then opt out of this provision.

11 So we believe we've built in a
12 number of different mechanisms to protect the
13 local communities and, again, give that freedom
14 to make a decision based on what that -- is in
15 the best interests of that locality.

16 Again, that being said, when you
17 look at communities across New York State that
18 produce these -- this product, produce salt --
19 let me just take a couple of mines here. Again,
20 in Livingston County and in Tompkins County,
21 where there are hundreds of jobs, whole economies
22 that are supported -- in Livingston County,
23 400 jobs there alone. Tompkins County, over
24 200 jobs there alone. These are good-paying
25 union jobs. You know, I want to recognize the

1 Steelworkers that represent many of those
2 hardworking men and women that are producing this
3 on a daily basis.

4 And given the situation that has
5 resulted in the past and, quite frankly, New York
6 State spending our own taxpayer dollars overseas
7 and in other hemispheres, there have been
8 communities that have been detrimentally
9 impacted, like Rochester -- just a few years
10 ago, a mine near Rochester laying off over
11 250 employees when these non-U.S. companies were
12 awarded contracts totaling nearly \$20 million.

13 That's just not right. We should be
14 spending New York tax dollars in New York to
15 support New York jobs. And certainly if the
16 option's available, we should be spending
17 New York taxpayer dollars in the great
18 United States of America.

19 So this, to me, is a no-brainer.
20 It's an opportunity for us to reinvest in
21 communities, to support American jobs, to support
22 New York jobs, and to support economies,
23 particularly upstate, that need that support.

24 SENATOR OBERACKER: Thank you.

25 On the bill, Madam President.

1 And thank you, Senator Kennedy,
2 for --

3 ACTING PRESIDENT PERSAUD: Senator
4 Oberacker on the bill.

5 SENATOR OBERACKER: You know, I
6 couldn't agree more with Senator Kennedy that
7 this is about jobs.

8 And if I were to use some of my past
9 experiences as a town supervisor and as the chair
10 of DPW for Otsego County, overseeing County
11 Highway -- when I was the supervisor, 80 percent
12 of my jobs was roads. So a minor increase, a 2,
13 a 3, even a 4 percent increase is something that
14 is extremely difficult for local municipalities
15 to deal with.

16 We have 62 counties in New York, and
17 each and every one of them has a road crew that
18 is there. So I do agree with my colleague that
19 it is about jobs.

20 But I also feel that -- this
21 probably sums it up better than I could. This is
22 from Richard Benjamin, who's the Town of Thompson
23 superintendent of highways. And it says:
24 "Senator Oberacker, this bill has the potential
25 to cost the Town of Thompson \$150,000 a year more

1 in the cost of salt. Please review the attached
2 information and feel free to contact me."

3 I reached out to my former county
4 superintendent of highways, Rich Brimmer. I
5 asked him the same thing, and he had the same
6 feelings, that this potentially would not be
7 advantageous due to cost increase.

8 You know, some of the interesting
9 other factors that go into this when we talk
10 about costs to our local highway departments and
11 county highway departments. We pass legislation
12 here that has to do with prevailing wage when it
13 comes to paving, when it came to hauling
14 aggregate, which was a huge impact to our local
15 highway departments. They didn't have time to
16 budget for it, they didn't have time to plan for
17 it.

18 Diesel prices exponentially going
19 out of sight, another cost import to the process
20 of keeping our roads clean. DEF liquid, the
21 diesel exhaust fluid price going up and in short
22 supply. Add to that inflation, and then add to
23 that salt.

24 I'm afraid that this bill basically
25 tells our highway superintendents, our local

1 municipalities and our citizens: Go pound salt.
2 I feel as though that it may have noble
3 intention. I'm nervous and apprehensive with the
4 ability to allow our local municipalities to have
5 the autonomy to look at their cost inputs and see
6 what is going to be the cheapest and best way to
7 keep the roads clear. And the 51st Senate
8 District that I represent, one of the most rural
9 in New York, I can tell you that when they say,
10 You're worth your weight in salt, they're not
11 kidding. It keeps our roads clean.

12 So with that, Madam President. I
13 will be voting in the negative. Thank you.

14 ACTING PRESIDENT PERSAUD: Thank
15 you, Senator.

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

18 Seeing and hearing none, debate is
19 closed. The Secretary will ring the bell.

20 Read the last section.

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

23 ACTING PRESIDENT PERSAUD: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT PERSAUD: Announce
2 the results.

3 THE SECRETARY: In relation to
4 Calendar 1799, those Senators voting in the
5 negative are Senators Akshar, Griffo, Jordan,
6 Oberacker, Ritchie, Stec and Thomas. Also
7 Senator Tedisco.

8 Ayes, 55. Nays, 8.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

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

13 SENATOR GIANARIS: Thank you,
14 Madam President.

15 I believe Senator Lanza has a
16 motion.

17 ACTING PRESIDENT PERSAUD: Senator
18 Lanza.

19 SENATOR LANZA: Madam President,
20 Senator Weik moves to amend a bill on
21 Third Reading Calendar.

22 On page 42, I offer the following
23 amendments to Calendar Number 1596, Print Number
24 9146A, and ask that said bill retain its place on
25 Third Reading Calendar.

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

4 Senator Gianaris.

5 SENATOR GIANARIS: Madam President,
6 just for an outline to my colleagues of what
7 remains, we are not done working tonight. We are
8 going to break for respective party conferences
9 and then have a Rules Committee meeting at
10 9:00 p.m. in Room 332, followed by a supplemental
11 calendar on the floor. You'll thank me tomorrow
12 when we get out of here that much sooner. But we
13 are trying to get as much done today as we can.

14 So there will be an immediate
15 Democratic conference virtually, and then Rules
16 in 332.

17 And please recognize Senator Lanza
18 for an announcement of the Republican Conference.

19 ACTING PRESIDENT PERSAUD: Senator
20 Lanza.

21 SENATOR LANZA: Madam President,
22 there will be an immediate meeting of the
23 Republican Conference in Room 315 of the Capitol.

24 ACTING PRESIDENT PERSAUD: There
25 will be an immediate meeting of the Democratic

1 Conference virtually, and the Rules Committee
2 will meet in Room 332. The Republican Conference
3 will meet immediately also.

4 The Senate will stand at ease.

5 (Whereupon, the Senate stood at ease
6 at 7:58 p.m.)

7 (Whereupon, the Senate reconvened at
8 10:47 p.m.)

9 ACTING PRESIDENT PERSAUD: The
10 Senate will return to order.

11 Senator Gianaris.

12 SENATOR GIANARIS: Madam President,
13 I believe there's a report of the Rules Committee
14 at the desk. Can we please take that up now.

15 ACTING PRESIDENT PERSAUD: The
16 Secretary will read.

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

20 Senate Print 1120, by
21 Senator Kaminsky, an act to amend the
22 State Finance Law;

23 Senate Print 1964A, by
24 Senator Brooks, an act to amend the
25 General Municipal Law;

1 Senate Print 2021A, by Senator May,
2 an act to amend the Vehicle and Traffic Law;

3 Senate Print 3520, by
4 Senator Bailey, an act to amend the
5 Public Housing Law;

6 Senate Print 3882A, by
7 Senator Kennedy, an act to amend the
8 Transportation Law;

9 Senate Print 4285B, by
10 Senator Gallivan, an act to deem an application
11 filed with the New York State and Local Police
12 and Fire Retirement System by the widow of
13 Lawrence Lakeman as timely filed;

14 Senate Print 6692B, by
15 Senator Hinchey, an act to amend the
16 General Business Law;

17 Senate Print 7162C, by
18 Senator Cooney, an act to amend the Retirement
19 and Social Security Law;

20 Senate Print 7319, by Senator Ortt,
21 an act to amend Chapter 658 of the Laws of 1978;

22 Senate Print 7341, by
23 Senator Hinchey, an act to amend the
24 Executive Law;

25 Senate Print 7365A, by

1 Senator Kaplan, an act to amend the Tax Law;

2 Senate Print 7419, by

3 Senator Harckham, an act to amend the

4 Environmental Conservation Law;

5 Senate Print 7475B, by

6 Senator Bailey, an act to amend the

7 Insurance Law;

8 Senate Print 7506, by

9 Senator Addabbo, an act to amend the

10 Insurance Law;

11 Senate Print 7613, by

12 Senator Kaminsky, an act to amend the

13 Public Officers Law;

14 Senate Print 7671, by

15 Senator Harckham, an act to amend the

16 Real Property Tax Law;

17 Senate Print 7685B, by

18 Senator Gaughran, an act to amend the Racing,

19 Pari-Mutuel Wagering and Breeding Law;

20 Senate Print 8063A, by

21 Senator Ramos, an act to amend the Labor Law;

22 Senate Print 8326A, by

23 Senator Mannion, an act to amend the

24 Mental Hygiene Law;

25 Senate Print 8401, by

1 Senator Gounardes, an act to amend the
2 Retirement and Social Security Law;

3 Senate Print 8448, by
4 Senator Jackson, an act to amend the
5 Retirement and Social Security Law;

6 Senate Print 8454, by Senator Stec,
7 an act to authorize Kimberly A. Cooney of the
8 Village of Cambridge to take the competitive
9 Civil Service Law examination;

10 Senate Print 8524C, by
11 Senator Harckham, an act to amend the Vehicle and
12 Traffic Law;

13 Senate Print 8534, by
14 Senator Hinchey, an act to amend the
15 Public Service Law;

16 Senate Print 8682, by
17 Senator Cooney, an act to amend the
18 Retirement and Social Security Law;

19 Senate Print 8701, by Senator Ryan,
20 an act to amend the Education Law;

21 Senate Print 8796, by
22 Senator Mattera, an act to amend the
23 Public Authorities Law;

24 Senate Print 8827A, by
25 Senator Rivera, an act in relation to the

1 definition of safety-net providers;

2 Senate Print 8844, by
3 Senator Reichlin-Melnick, an act in relation to
4 amending state construction and commodity
5 contracts;

6 Senate Print 8892, by
7 Senator Skoufis, an act to amend the
8 General Obligations Law;

9 Senate Print 8896, by
10 Senator Kaplan, an act to authorize the
11 incorporated Village of Mineola, county of
12 Nassau, to establish and operate a commercial
13 sanitation district;

14 Senate Print 8940A, by
15 Senator Kaplan, an act in relation to authorizing
16 the assessor of the County of Nassau to accept
17 from Mineola Union Free School District an
18 application for exemption from real property
19 taxes;

20 Senate Print 8951, by
21 Senator Ritchie, an act to authorize Donald Quehl
22 to take the competitive service examination;

23 Senate Print 9047, by
24 Senator Comrie, an act to amend the
25 Not-For-Profit Corporation Law;

1 Senate Print 9167A, by
2 Senator Addabbo, an act in relation to creating a
3 temporary commission to conduct a comprehensive
4 study on the current utilization of paid family
5 leave;

6 Senate Print 9209, by
7 Senator Hoylman, an act to amend the
8 General Obligations Law;

9 Senate Print 9309, by
10 Senator Stewart-Cousins, an act to amend the
11 Village Law;

12 Senate Print 9317, by
13 Senator Palumbo, an act in relation to
14 authorizing the County of Suffolk to convey by
15 appropriate instruments to the Hampton Bays Water
16 District;

17 Senate Print 9347, by
18 Senator Jackson, an act to amend the
19 Civil Service Law and the Labor Law;

20 Senate Print 9387, by
21 Senator Krueger, an act to amend the
22 Public Health Law;

23 Senate Print 9402, by
24 Senator Stavisky, an act to amend the
25 Education Law;

1 Senate Print 9422, by
2 Senator Parker, an act to amend the
3 Public Service Law;

4 Senate Print 9434, by
5 Senator Reichlin-Melnick, an act to amend the
6 Public Authorities Law;

7 Senate Print 9468, by
8 Senator Comrie, an act to amend the Penal Law.

9 All bills reported direct to third
10 reading.

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

13 ACTING PRESIDENT PERSAUD: All
14 those in favor of accepting the report of the
15 Rules Committee signify by saying aye.

16 (Response of "Aye.")

17 ACTING PRESIDENT PERSAUD: Opposed,
18 nay.

19 (No response.)

20 ACTING PRESIDENT PERSAUD: The
21 report of the Rules Committee is accepted.

22 Senator Gianaris.

23 SENATOR GIANARIS: Can we now go
24 back to motions and resolutions.

25 I understand we have some

1 substitutions.

2 ACTING PRESIDENT PERSAUD: The
3 Secretary will read.

4 THE SECRETARY: Senator Kaminsky
5 moves to discharge, from the Committee on
6 Finance, Assembly Bill Number 1431 and substitute
7 it for the identical Senate Bill 1120, Third
8 Reading Calendar 1745.

9 Senator May moves to discharge, from
10 the Committee on Transportation, Assembly Bill
11 Number 1007A and substitute it for the identical
12 Senate Bill 2021A, Third Reading Calendar 1785.

13 Senator Cooney moves to discharge,
14 from the Committee on Civil Service and Pensions,
15 Assembly Bill Number 7914C and substitute it for
16 the identical Senate Bill 7162C, Third Reading
17 Calendar 1806.

18 Senator Kaplan moves to discharge,
19 from the Committee on Budget and Revenue,
20 Assembly Bill Number 3409A and substitute it for
21 the identical Senate Bill 7365A, Third Reading
22 Calendar 1830.

23 Senator Harckham moves to discharge,
24 from the Committee on Local Government, Assembly
25 Bill Number 8427 and substitute it for the

1 identical Senate Bill 7671, Third Reading
2 Calendar 1835.

3 Senator Gounardes moves to
4 discharge, from the Committee on Finance,
5 Assembly Bill Number 9581 and substitute it for
6 the identical Senate Bill 8401, Third Reading
7 Calendar 1838.

8 Senator Ryan moves to discharge,
9 from the Committee on Education, Assembly Bill
10 Number 9878 and substitute it for the identical
11 Senate Bill 8701, Third Reading Calendar 1813.

12 Senator Mattera moves to discharge,
13 from the Committee on Corporations, Authorities
14 and Commissions, Assembly Bill Number 9803 and
15 substitute it for the identical Senate Bill 8796,
16 Third Reading Calendar 1814.

17 Senator Reichlin-Melnick moves to
18 discharge, from the Committee on Finance,
19 Assembly Bill Number 10109 and substitute it for
20 the identical Senate Bill 8844, Third Reading
21 Calendar 1818.

22 Senator Skoufis moves to discharge,
23 from the Committee on Investigations and
24 Government Operations, Assembly Bill Number 4601
25 and substitute it for the identical Senate Bill

1 8892, Third Reading Calendar 1816.

2 Senator Comrie moves to discharge,
3 from the Committee on Corporations, Authorities
4 and Commissions, Assembly Bill Number 9969 and
5 substitute it for the identical Senate Bill 9047,
6 Third Reading Calendar 1825.

7 Senator Addabbo moves to discharge,
8 from the Committee on Labor, Assembly Bill Number
9 10224A and substitute it for the identical Senate
10 Bill 9167A, Third Reading Calendar 1841.

11 Senator Stewart-Cousins moves to
12 discharge, from the Committee on Local
13 Government, Assembly Bill Number 10236A and
14 substitute it for the identical Senate Bill 9309,
15 Third Reading Calendar 1821.

16 Senator Palumbo moves to discharge,
17 from the Committee on Local Government, Assembly
18 Bill Number 10417 and substitute it for the
19 identical Senate Bill 9317, Third Reading
20 Calendar 1822.

21 Senator Jackson moves to discharge,
22 from the Committee on Rules, Assembly Bill Number
23 10425 and substitute it for the identical Senate
24 Bill 9347, Third Reading Calendar 1826.

25 Senator Krueger moves to discharge,

1 from the Committee on Health, Assembly Bill
2 Number 8472 and substitute it for the identical
3 Senate Bill 9387, Third Reading Calendar 1842.

4 Senator Comrie moves to discharge,
5 from the Committee on Codes, Assembly Bill Number
6 10491 and substitute it for the identical Senate
7 Bill 9468, Third Reading Calendar 1844.

8 ACTING PRESIDENT PERSAUD: So
9 ordered.

10 Senator Gianaris.

11 SENATOR GIANARIS: Madam President,
12 we're going to briefly stand at ease while we
13 await our remaining colleagues to enter the
14 chamber.

15 So the Senate will stand at ease.

16 ACTING PRESIDENT PERSAUD: The
17 Senate will stand at ease.

18 (Whereupon, the Senate stood at ease
19 at 10:56 p.m.)

20 (Whereupon, the Senate reconvened at
21 11:09 p.m.)

22 ACTING PRESIDENT PERSAUD: The
23 Senate will return to order.

24 Senator Gianaris.

25 SENATOR GIANARIS: Please take up

1 the supplemental calendar.

2 ACTING PRESIDENT PERSAUD: The
3 Secretary will read.

4 THE SECRETARY: Calendar Number
5 1745, Assembly Bill Number 1431, by
6 Assemblymember Dinowitz, an act to amend the
7 State Finance Law.

8 ACTING PRESIDENT PERSAUD: Read the
9 last section.

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

12 ACTING PRESIDENT PERSAUD: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT PERSAUD: Announce
16 the results.

17 THE SECRETARY: Ayes, 63.

18 SENATOR O'MARA: The bill is
19 passed.

20 THE SECRETARY: Calendar Number
21 1785, Assembly Print Number 1007A, by
22 Assemblymember Paulin, an act to amend the
23 Vehicle and Traffic Law.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

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

3 ACTING PRESIDENT PERSAUD: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT PERSAUD: Announce
7 the results.

8 THE SECRETARY: Ayes, 63.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1802, Senate Print 3520, by Senator Bailey, an
13 act to amend the Public Housing Law.

14 ACTING PRESIDENT PERSAUD: Read the
15 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

24 THE SECRETARY: Ayes, 63.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1803, Senate Print 4285B, by Senator Gallivan, an
4 act to deem an application filed with the
5 New York State and Local Police and Fire
6 Retirement System by the widow of Lawrence
7 Lakeman as timely filed.

8 ACTING PRESIDENT PERSAUD: Read the
9 last section.

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

12 ACTING PRESIDENT PERSAUD: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT PERSAUD: Announce
16 the results.

17 THE SECRETARY: Ayes, 63.

18 ACTING PRESIDENT PERSAUD: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1804, Senate Print 7319, by Senator Ortt, an act
22 to amend Chapter 658 of the Laws of 1978.

23 ACTING PRESIDENT PERSAUD: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT PERSAUD: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT PERSAUD: Announce
6 the results.

7 THE SECRETARY: Ayes, 63.

8 ACTING PRESIDENT PERSAUD: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1805, Senate Print 6692B, by Senator Hinchey, an
12 act to amend the General Business Law.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT PERSAUD: Announce
24 the results.

25 THE SECRETARY: In relation to

1 Calendar Number 1805, those Senators voting in
2 the negative are Senators Borrello, Boyle,
3 Helming, Jordan, Lanza, Martucci, Mattera,
4 Oberacker, O'Mara, Palumbo, Rath, Ritchie,
5 Serino, Stec, Tedisco and Weik.

6 Ayes, 47. Nays, 16.

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1806, Assembly Bill Number 7914C, by
11 Assemblymember Abbate, an act to amend the
12 Retirement and Social Security Law.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Announce
21 the results.

22 THE SECRETARY: In relation to
23 Calendar Number 1806, voting in the negative:
24 Senator Brisport.

25 Ayes, 62. Nays, 1.

1 ACTING PRESIDENT PERSAUD: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1807, Senate Print 7341, by Senator Hinchey, an
5 act to amend the Executive Law.

6 ACTING PRESIDENT PERSAUD: Read the
7 last section.

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

10 ACTING PRESIDENT PERSAUD: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT PERSAUD: Senator
14 Hinchey to explain her vote.

15 SENATOR HINCHEY: Thank you,
16 Madam President.

17 We all know the incredible story of
18 Sojourner Truth. But what many people don't know
19 is how deeply she is tied to Ulster County. And
20 I want to commend the YMCA Youth Crew of Kingston
21 for elevating her history and making sure that we
22 here in the State of New York recognize Sojourner
23 Truth's profound impacts not just on our country
24 but here in New York State.

25 The Youth Crew has been instrumental

1 in raising her profile, making sure that
2 everybody in our community knows the history in
3 Esopus, where she was born, her trek to freedom
4 to New Paltz, and her fight to regain her son on
5 her walk to Kingston.

6 They set off on a journey to make
7 sure that we could have a day commemorating this
8 incredible figure in New York State history and
9 really engage in the governmental process. And
10 we know how important it is to have young people
11 engaged in and understanding how government
12 works.

13 And so I'm really, really proud of
14 them, of finding something they were passionate
15 about, being able to figure out what they could
16 do, finding the levers, making the calls, making
17 everyone ensure that we could really have
18 something tangible come out of their actions.

19 So I'm really proud to sponsor this
20 day. I thank the YMCA Youth Crew for their
21 advocacy, and I proudly vote aye.

22 Thank you.

23 ACTING PRESIDENT PERSAUD: Senator
24 Hinchey to be recorded in the affirmative.

25 Announce the results.

1 THE SECRETARY: Ayes, 63.

2 ACTING PRESIDENT PERSAUD: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1808, Senate Print 7475B, by Senator Bailey, an
6 act to amend the Insurance Law.

7 ACTING PRESIDENT PERSAUD: Read the
8 last section.

9 THE SECRETARY: Section 5. This
10 act shall take effect on the 60th day after it
11 shall have become a law.

12 ACTING PRESIDENT PERSAUD: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT PERSAUD: Senator
16 Bailey to explain his vote.

17 SENATOR BAILEY: Thank you,
18 Madam President.

19 The immigrant story is the New York
20 story. It's the American story. We all come
21 from somewhere else. And so when one is looking
22 to obtain an immigration bond, previously, before
23 the passage of this bill, it was the wild, wild
24 West, so to speak -- an unregulated place where
25 individuals would have to make what would be in

1 my opinion a false choice, the false choice
2 between having to pay a ridiculous amount of
3 money or being separated from family members.

4 This bill is critically important.
5 We worked on it along with Assemblymember
6 Epstein, with DFS, the Executive's office, so
7 many other advocates who have been impacted
8 directly by the unequal enforcement or the lack
9 of enforcement, the lack of regulation in this
10 area.

11 And I'm grateful to all of my
12 colleagues in this Legislature who understand the
13 need to make sure that we're doing all that we
14 can to ensure that this section of the law is
15 regulated. I'm grateful, and I proudly vote in
16 the affirmative.

17 Thank you, Madam President.

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

20 Announce the results.

21 THE SECRETARY: In relation to
22 Calendar 1808, those Senators voting in the
23 negative are Senators Borrello, Griffo, Helming,
24 Jordan, Lanza, Martucci, Mattera, Oberacker,
25 Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and

1 Weik.

2 Ayes, 48. Nays, 15.

3 ACTING PRESIDENT PERSAUD: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1809, Senate Print 8448, by Senator Jackson, an
7 act to amend the Retirement and Social Security
8 Law.

9 ACTING PRESIDENT PERSAUD: There is
10 a home-rule message at the desk.

11 Read the last section.

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

14 ACTING PRESIDENT PERSAUD: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT PERSAUD: Announce
18 the results.

19 THE SECRETARY: In relation to
20 Calendar Number 1809, voting in the negative:
21 Senator Brisport.

22 Ayes, 62. Nays, 1.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1810, Senate Print 8454, by Senator Stec, an act
2 to authorize Kimberly A. Cooney of the Village of
3 Cambridge to take the competitive civil service
4 examination.

5 ACTING PRESIDENT PERSAUD: There is
6 a home-rule message at the desk.

7 Read the last section.

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

10 ACTING PRESIDENT PERSAUD: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT PERSAUD: Announce
14 the results.

15 THE SECRETARY: In relation to
16 Calendar Number 1810, voting in the negative:
17 Senator Brisport.

18 Ayes, 62. Nays, 1.

19 ACTING PRESIDENT PERSAUD: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1811, Senate Print 8534, by Senator Hinchey, an
23 act to amend the Public Service Law.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

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

3 ACTING PRESIDENT PERSAUD: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT PERSAUD: Senator
7 Hinchey to explain her vote.

8 SENATOR HINCHEY: Thank you,
9 Madam President.

10 This body passed a constitutional
11 amendment to the right to clean air, clean water,
12 and a healthful environment. And a core part of
13 that, obviously, is the right to clean water.
14 And the people of the State of New York last
15 election agreed with that by passing the ballot
16 referendum. It is now our duty to make sure that
17 New Yorkers across our state have access to clean
18 water.

19 The Public Service Commission
20 regulates the rates and services of approximately
21 300 small, private water companies serving nearly
22 one million people across our state. There are
23 119 companies with less than 50 customers,
24 another 40 companies with 50 to 100 customers,
25 and approximately 118 systems run by homeowners'

1 associations. And yet these small water
2 companies also often fall through the cracks of
3 smart and important regulations.

4 One of those small systems is in
5 Hurley, New York, in Ulster County, where dozens
6 of people have been forced to live with toxic
7 contaminated water because the small private
8 water company was not held to the standard of
9 making sure that the people who they are sworn to
10 protect with their company and the water access
11 have not been upholding their side of the bargain
12 and not been providing clean water.

13 We know here water is a right.
14 There is a patchwork of impractical regulations
15 surrounding small water companies that allow many
16 to fall through the cracks and skirt their
17 responsibilities to maintain their water systems
18 and provide clean water and safe water to their
19 customers.

20 The Small Water Utility Transparency
21 Act will create the first-ever state audits of
22 private water companies. It also seeks to
23 protect customers who rely on private water
24 companies for their water. This is an incredibly
25 important bill, something that I am incredibly

1 proud to champion that will help nearly 1 million
2 people in the State of New York finally have
3 access to clean water when they have been at
4 their wits' end trying to figure out how they can
5 hold these small companies accountable.

6 We've seen time and again these
7 small water companies ignore their responsibility
8 to provide clean water and instead focus on
9 profit margins and personal gain over people's
10 health and safety. This is a critical step in
11 making sure that we uphold our side of the
12 bargain of ensuring everyone across our state has
13 access to clean water.

14 Thank you, Madam President. I
15 proudly vote aye.

16 ACTING PRESIDENT PERSAUD: Senator
17 Hinchey to be recorded in the affirmative.

18 Announce the results.

19 THE SECRETARY: In relation to
20 Calendar Number 1811, voting in the negative:
21 Senator Martucci.

22 Ayes, 62. Nays, 1.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1812, Senate Print 8682, by Senator Cooney, an
2 act to amend the Retirement and Social Security
3 Law.

4 ACTING PRESIDENT PERSAUD: There is
5 a home-rule message at the desk.

6 Read the last section.

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

9 ACTING PRESIDENT PERSAUD: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Announce
13 the results.

14 THE SECRETARY: In relation to
15 Calendar Number 1812, voting in the negative:
16 Senator Brisport.

17 Ayes, 62. Nays, 1.

18 ACTING PRESIDENT PERSAUD: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1813, Assembly Print Number 9878, by
22 Assemblymember Conrad, an act to amend the
23 Education Law.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

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

3 ACTING PRESIDENT PERSAUD: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT PERSAUD: Announce
7 the results.

8 THE SECRETARY: Ayes, 63.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1814, Assembly Print Number 9803, by
13 Assemblymember Stern, an act to amend the
14 Public Authorities Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

24 THE SECRETARY: Ayes, 63.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1815, Senate Print 7419, by Senator Harckham, an
4 act to amend the Environmental Conservation Law.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

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

9 ACTING PRESIDENT PERSAUD: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Announce
13 the results.

14 THE SECRETARY: In relation to
15 Calendar Number 1815, voting in the negative:
16 Senator Martucci.

17 Ayes, 62. Nays, 1.

18 ACTING PRESIDENT PERSAUD: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1816, Assembly Print Number 4601, by
22 Assemblymember Barnwell, an act to amend the
23 General Obligations Law.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

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

4 ACTING PRESIDENT PERSAUD: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT PERSAUD: Announce
8 the results.

9 THE SECRETARY: Ayes, 63.

10 ACTING PRESIDENT PERSAUD: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1817, Senate Print 8951, by Senator Ritchie, an
14 act to authorize Donald Quehl to take the
15 competitive civil service examination.

16 ACTING PRESIDENT PERSAUD: There is
17 a home-rule message at the desk.

18 Read the last section.

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

21 ACTING PRESIDENT PERSAUD: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT PERSAUD: Announce
25 the results.

1 THE SECRETARY: In relation to
2 Calendar Number 1817, voting in the negative:
3 Senator Brisport.

4 Ayes, 62. Nays, 1.

5 ACTING PRESIDENT PERSAUD: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1818, Assembly Print Number 10109, by
9 Assemblymember Zebrowski, an act in relation to
10 amending state construction and commodity
11 contracts.

12 ACTING PRESIDENT PERSAUD: Read the
13 last section.

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

16 ACTING PRESIDENT PERSAUD: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT PERSAUD: Announce
20 the results.

21 THE SECRETARY: Ayes, 63.

22 ACTING PRESIDENT PERSAUD: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1819, Senate Print 9209, by Senator Hoylman, an

1 act to amend the General Obligations Law.

2 ACTING PRESIDENT PERSAUD: Read the
3 last section.

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

6 ACTING PRESIDENT PERSAUD: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT PERSAUD: Announce
10 the results.

11 THE SECRETARY: Ayes, 63.

12 ACTING PRESIDENT PERSAUD: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1820, Senate Print 8896, by Senator Kaplan, an
16 act in relation to authorizing the incorporated
17 Village of Mineola, County of Nassau, to
18 establish and operate a commercial sanitation
19 district.

20 ACTING PRESIDENT PERSAUD: There is
21 a home-rule message at the desk.

22 Read the last section.

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

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar 1820, those Senators voting in the
7 negative are Senators Griffo, Helming, Jordan,
8 Palumbo, Serino and Weik. Also Senator Lanza.

9 Ayes, 56. Nays, 7.

10 ACTING PRESIDENT PERSAUD: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1821, Assembly Print Number 10236A, by the
14 Assembly Committee on Rules, an act to amend the
15 Village Law.

16 ACTING PRESIDENT PERSAUD: Read the
17 last section.

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

20 ACTING PRESIDENT PERSAUD: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT PERSAUD: Announce
24 the results.

25 THE SECRETARY: Ayes, 63.

1 ACTING PRESIDENT PERSAUD: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1822, Assembly Print Number 10417, by the
5 Assembly Committee on Rules, an act in relation
6 to authorizing the County of Suffolk to convey by
7 appropriate instruments to the Hampton Bays Water
8 District.

9 ACTING PRESIDENT PERSAUD: There is
10 a home-rule message at the desk.

11 Read the last section.

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

14 ACTING PRESIDENT PERSAUD: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT PERSAUD: Announce
18 the results.

19 THE SECRETARY: Ayes, 63.

20 ACTING PRESIDENT PERSAUD: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1823, Senate Print 8940A, by Senator Kaplan, an
24 act in relation to authorizing the assessor of
25 the County of Nassau to accept from the Mineola

1 Union Free School District an application for
2 exemption from real property taxes.

3 ACTING PRESIDENT PERSAUD: Read the
4 last section.

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

7 ACTING PRESIDENT PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar Number 1823, voting in the negative are
14 Senators Akshar and O'Mara.

15 Ayes, 61. Nays, 2.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1824, Senate Print 9422, by Senator Parker, an
20 act to amend the Public Service Law.

21 ACTING PRESIDENT PERSAUD: Read the
22 last section.

23 THE SECRETARY: Section 13. This
24 act shall take effect immediately.

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce
4 the results.

5 THE SECRETARY: Ayes, 63.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1825, Assembly Print Number 9969, by
10 Assemblymember Paulin, an act to amend the
11 Not-For-Profit Corporation Law.

12 ACTING PRESIDENT PERSAUD: Read the
13 last section.

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

16 ACTING PRESIDENT PERSAUD: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT PERSAUD: Announce
20 the results.

21 THE SECRETARY: Ayes, 63.

22 ACTING PRESIDENT PERSAUD: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1826, Assembly Print Number 10425, by the

1 Assembly Committee on Rules, an act to amend the
2 Civil Service Law and the Labor Law.

3 ACTING PRESIDENT PERSAUD: Read the
4 last section.

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

7 ACTING PRESIDENT PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Senator
11 Jackson to explain his vote.

12 SENATOR JACKSON: Thank you,
13 Madam President.

14 My colleagues, I rise to speak in
15 support of my bill S9347.

16 For over 30 years the federal courts
17 aligned retiree health insurance with ongoing
18 collective bargaining agreement relationships,
19 meaning that pension systems intended retirees to
20 continue their health benefits even though the
21 collective bargaining agreement did not outline
22 that access -- especially when eligibility for
23 retiree health insurance was associated with
24 pension eligibility.

25 If the courts believed that retiree

1 health benefits lasted as long as the collective
2 bargaining agreement duration, then after that
3 point the health benefits would not exist for
4 those retirees.

5 Unfortunately, the Court of Appeals
6 has taken it upon itself to reinterpret law
7 outside of their legal authority. The Court of
8 Appeals recently ruled the collective bargaining
9 agreement must be explicit in making retiree
10 health insurance available for life or be
11 sufficiently vague in the agreement language to
12 allow the outside evidence to interpret those
13 benefits not stated outright.

14 This bill undoes the erroneous
15 ruling and allows outside evidence to be admitted
16 by a court or other forum to determine whether
17 the parties intended retiree health insurance to
18 have their benefits beyond the time frames of a
19 collective bargaining treatment.

20 If this Court of Appeals ruling
21 stands, a retiree's benefits would be eliminated
22 and employee organizations and labor
23 organizations would not get the benefit of their
24 collective bargaining agreement.

25 I proudly vote aye in favor of this

1 bill.

2 ACTING PRESIDENT PERSAUD: Senator
3 Jackson to be recorded in the affirmative.

4 Announce the results.

5 THE SECRETARY: Ayes, 63.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1827, Senate Print 9402, by Senator Stavisky, an
10 act to amend the Education Law.

11 ACTING PRESIDENT PERSAUD: Read the
12 last section.

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

15 ACTING PRESIDENT PERSAUD: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT PERSAUD: Announce
19 the results.

20 THE SECRETARY: In relation to
21 Calendar Number 1827, voting in the negative are
22 Senators Helming and Ortt.

23 Ayes, 61. Nays, 2.

24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1828, Senate Print 1964A, by Senator Brooks, an
3 act to amend the General Municipal Law.

4 ACTING PRESIDENT PERSAUD: Read the
5 last section.

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

8 ACTING PRESIDENT PERSAUD: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT PERSAUD: Announce
12 the results.

13 THE SECRETARY: Ayes, 63.

14 ACTING PRESIDENT PERSAUD: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1829, Senate Print 3882A, by Senator Kennedy, an
18 act to amend the Transportation Law.

19 ACTING PRESIDENT PERSAUD: Read the
20 last section.

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

23 ACTING PRESIDENT PERSAUD: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT PERSAUD: Announce
2 the results.

3 THE SECRETARY: Ayes, 63.

4 ACTING PRESIDENT PERSAUD: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1830, Assembly Print Number 3409A, by
8 Assemblymember Lavine, an act to amend the
9 Tax Law.

10 ACTING PRESIDENT PERSAUD: Read the
11 last section.

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

14 ACTING PRESIDENT PERSAUD: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT PERSAUD: Announce
18 the results.

19 THE SECRETARY: Ayes, 63.

20 ACTING PRESIDENT PERSAUD: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1831, Senate Print 7506, by Senator Addabbo, an
24 act to amend the Insurance Law.

25 ACTING PRESIDENT PERSAUD: Read the

1 last section.

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

4 ACTING PRESIDENT PERSAUD: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT PERSAUD: Announce
8 the results.

9 THE SECRETARY: Ayes, 63.

10 ACTING PRESIDENT PERSAUD: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1833, Senate Print 7613, by Senator Kaminsky, an
14 act to amend the Public Officers Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

24 THE SECRETARY: Ayes, 63.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1834, Senate Print 8326A, by Senator Mannion, an
4 act to amend the Mental Hygiene Law.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

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

10 ACTING PRESIDENT PERSAUD: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT PERSAUD: Announce
14 the results.

15 THE SECRETARY: In relation to
16 Calendar Number 1834, voting in the negative:
17 Senator Ritchie.

18 Ayes, 62. Nays, 1.

19 ACTING PRESIDENT PERSAUD: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1835, Assembly Print Number 8427, by
23 Assemblymember Galef, an act to amend the Real
24 Property Tax Law.

25 SENATOR LANZA: Lay it aside.

1 ACTING PRESIDENT PERSAUD: Lay it
2 aside.

3 THE SECRETARY: Calendar Number
4 1836, Senate Print 7685B, by Senator Gaughran, an
5 act to amend the Racing, Pari-Mutuel Wagering and
6 Breeding Law.

7 ACTING PRESIDENT PERSAUD: There is
8 a home-rule message at the desk.

9 Read the last section.

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

12 ACTING PRESIDENT PERSAUD: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT PERSAUD: Senator
16 Gaughran to explain his vote.

17 SENATOR GAUGHRAN: Thank you,
18 Madam President.

19 You know, for the last four years
20 I've had the honor to serve on the Racing and
21 Wagering Committee with our distinguished chair,
22 my friend Senator Joe Addabbo. And we have very
23 carefully and responsibly as a committee, I
24 believe, moved this state forward with gaming,
25 the results of which has been hundreds of

1 millions of dollars more to public education.

2 And it has been done responsibly, as
3 Chairman Addabbo has insisted on, and we have
4 made sure that we have innovative programs that
5 we don't have anywhere else in the nation, to
6 make sure that we're doing all we can to assist
7 those who have gambling addictions.

8 So tonight, which I guess is the
9 second-to-last night I will be in this chamber, I
10 am very grateful to Senator Addabbo, Majority
11 Leader Andrea Stewart-Cousins, and my colleagues
12 for giving me the opportunity to pass this very
13 important legislation for my home county of
14 Suffolk. Because not only will it provide, for
15 years to come, tens of millions of dollars more
16 for public education, but it will also provide
17 about \$10 million a year more for the County of
18 Suffolk, which our county executive, Steve
19 Bellone, has pledged will be used for a permanent
20 economic development program that will include
21 the down payment for our very first convention
22 center that will be built by union labor and will
23 provide great jobs for decades to come.

24 So thank you, Madam President, and I
25 vote in the affirmative.

1 ACTING PRESIDENT PERSAUD: Senator
2 Gaughran to be recorded in the affirmative.

3 Announce the results.

4 THE SECRETARY: In relation to
5 Calendar 1836, those Senators voting in the
6 negative are Senators Borrello, Brisport,
7 Gallivan, Griffo, Helming, Jordan, Lanza, O'Mara,
8 Ortt, Rath, Ritchie, Serino, Stec and Tedisco.

9 Ayes, 49. Nays, 14.

10 ACTING PRESIDENT PERSAUD: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1837, Senate Print 8063A, by Senator Ramos, an
14 act to amend the Labor Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Senator
23 Serino to explain her vote.

24 SENATOR SERINO: Thank you,
25 Madam President.

1 I'm in support of this bill because
2 we want to ensure that staff is fully present
3 when they are at the job.

4 However, we continue to miss the
5 mark on this issue. Nursing homes and all elder
6 care settings need more qualified staff. We
7 can't keep piling on the restrictions without
8 getting them trained quality staff that can
9 afford to provide high-quality care.

10 And punitive damages only go so far
11 if a facility simply does not have the staff to
12 meet the need. We have to do more here in
13 New York to incentivize residents to get in and
14 stay in these fields. And until we have enough
15 qualified staff, we will continue to see the
16 problems you're trying to eradicate actually
17 persist.

18 In trying to stop bad actors, we
19 cannot inadvertently hurt those who are trying to
20 do their best to provide quality care for those
21 New Yorkers who need it most.

22 So Madam President, I'll be voting
23 aye, but I urge this body to reconsider its
24 approach and redouble our efforts and resources
25 to get more staff to the places that they are

1 needed most.

2 As the state moves forward to
3 implement its master plan on aging, addressing
4 staffing shortages in healthcare for aging
5 New Yorkers must be our top priority.

6 Thank you, Madam President. I vote
7 aye.

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

10 Announce the results.

11 THE SECRETARY: In relation to
12 Calendar Number 1837, those Senators voting in
13 the negative are Senators Borrello, Gallivan,
14 Martucci and Rath. Also Senator Ritchie.

15 Ayes, 58. Nays, 5.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1838, Assembly Print Number 9581, by
20 Assemblymember Abbate, an act to amend the
21 Retirement and Social Security Law.

22 ACTING PRESIDENT PERSAUD: Read the
23 last section.

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

1 ACTING PRESIDENT PERSAUD: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT PERSAUD: Announce
5 the results.

6 THE SECRETARY: Ayes, 63.

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1839, Senate Print 8524C, by Senator Harckham, an
11 act to amend the Vehicle and Traffic Law.

12 ACTING PRESIDENT PERSAUD: Read the
13 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Announce
21 the results.

22 THE SECRETARY: Ayes, 63.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1840, Senate Print 8827A, by Senator Rivera, an
2 act in relation to the definition of safety-net
3 providers.

4 ACTING PRESIDENT PERSAUD: Read the
5 last section.

6 THE SECRETARY: Section 2. This
7 act shall take effect on the same date and in the
8 same manner as Chapter 53 of the Laws of 2022.

9 ACTING PRESIDENT PERSAUD: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Senator
13 Rivera to explain his vote.

14 SENATOR RIVERA: Thank you,
15 Madam President.

16 Earlier this year we passed a budget
17 that certainly wasn't perfect, but one of the
18 things that we managed to do with it is that we
19 started turning the ship on what has been years
20 and years of austerity in our public health
21 system, our Medicaid system, our hospitals all
22 over the state. And we identified millions of
23 dollars, Madam President, to make sure that we
24 give to the most needy hospitals all across the
25 state.

1 Unfortunately, the definition that
2 currently -- there is, I should say, currently no
3 definition to actually give us exactly where this
4 money should go. Which is why I'm incredibly
5 thankful to Leader Andrea Stewart-Cousins for
6 bringing this bill before us. It provides a
7 definition of what a safety-net provider is.

8 We want to make sure that the money
9 that we appropriated earlier this year goes to
10 the safety-net providers that are most in need.
11 That's not just only in my backyard,
12 Madam President, but all across our state.
13 Whether it is in the North Country, whether it's
14 in the Southern Tier, whether it's in Long Island
15 and certainly whether it's in the Bronx, we want
16 to make sure that every dollar goes to those
17 facilities that need the money the most.

18 And that's why I'm incredibly
19 thankful that the leader brought this bill before
20 us, and why I'm proud to vote in the affirmative.

21 Thank you, Madam President.

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

24 Announce the results.

25 THE SECRETARY: Ayes, 63.

1 ACTING PRESIDENT PERSAUD: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1841, Assembly Bill Number 10224A, by the
5 Assembly Committee on Rules, an act in relation
6 to creating a temporary commission to conduct a
7 comprehensive study on the current utilization of
8 paid family leave.

9 ACTING PRESIDENT PERSAUD: Read the
10 last section.

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

13 ACTING PRESIDENT PERSAUD: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT PERSAUD: Announce
17 the results.

18 THE SECRETARY: In relation to
19 Calendar 1841, those Senators voting in the
20 negative are Senators Helming, Jordan, Ortt and
21 Serino.

22 Ayes, 59. Nays, 4.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1842, Assembly Bill Number 8472, by
2 Assemblymember Gottfried, an act to amend the
3 Public Health Law.

4 ACTING PRESIDENT PERSAUD: Read the
5 last section.

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

8 ACTING PRESIDENT PERSAUD: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT PERSAUD: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar 1842, those Senators voting in the
15 negative are Senators Borrello, Gallivan, Griffo,
16 Helming, Jordan, Mattera, Oberacker, O'Mara,
17 Ortt, Palumbo, Rath, Ritchie, Serino, Stec,
18 Tedisco and Weik. Also Senator Lanza.

19 Ayes, 46. Nays, 17.

20 ACTING PRESIDENT PERSAUD: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1843, Senate Print Number 9434, by
24 Senator Reichlin-Melnick, an act to amend the
25 Public Authorities Law.

1 ACTING PRESIDENT PERSAUD: Read the
2 last section.

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

5 ACTING PRESIDENT PERSAUD: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT PERSAUD: Announce
9 the results.

10 THE SECRETARY: Ayes, 63.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1844, Assembly Print Number 10491, by the
15 Assembly Committee on Rules, an act to amend the
16 Penal Law.

17 ACTING PRESIDENT PERSAUD: Read the
18 last section.

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

22 ACTING PRESIDENT PERSAUD: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT PERSAUD: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar Number 1844, voting in the negative are
4 Senators Brisport and Salazar.

5 Ayes, 61. Nays, 2.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

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

10 SENATOR GIANARIS: Madam President,
11 can we lay aside Calendar 1835 for the day.

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

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

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

18 SENATOR GIANARIS: Move to adjourn
19 until tomorrow, Thursday, June 2nd, at 11:00 a.m.

20 ACTING PRESIDENT PERSAUD: On
21 motion, the Senate stands adjourned until
22 Thursday, June 2nd, at 11:00 a.m.

23 (Whereupon, at 11:40 p.m., the
24 Senate adjourned.)
25