

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 January 24, 2023

11 4:09 p.m.

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13
14 REGULAR SESSION

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18 SENATOR JAMAAL T. BAILEY, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT BAILEY: The
Senate will come to order.

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

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

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

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

ACTING PRESIDENT BAILEY: The
reading of the Journal.

THE SECRETARY: In Senate, Monday,
January 23, 2023, the Senate met pursuant to
adjournment. The Journal of Sunday, January 22,
2023, was read and approved. On motion, the
Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Bailey

1 moves to discharge, from the Committee on Rules,
2 Assembly Bill Number 989 and substitute it for
3 the identical Senate Bill 841, Third Reading
4 Calendar 50.

5 Senator Krueger moves to discharge,
6 from the Committee on Rules, Assembly Bill
7 Number 1283 and substitute it for the identical
8 Senate Bill 108A, Third Reading Calendar 150.

9 ACTING PRESIDENT BAILEY: The
10 substitutions are so ordered.

11 Messages from the Governor.

12 Reports of standing committees.

13 Reports of select committees.

14 Communications and reports from
15 state officers.

16 Motions and resolutions.

17 Senator Gianaris.

18 SENATOR GIANARIS: Mr. President, I
19 move to adopt the Resolution Calendar, with the
20 exception of Resolution 296.

21 ACTING PRESIDENT BAILEY: All those
22 in favor of adopting the Resolution Calendar
23 please signify by saying aye.

24 (Response of "Aye.")

25 ACTING PRESIDENT BAILEY: Opposed,

1 nay.

2 (No response.)

3 ACTING PRESIDENT BAILEY: The
4 Resolution Calendar is adopted.

5 Senator Gianaris.

6 SENATOR GIANARIS: Now let's take
7 up Resolution 296, by Senator Brouk, read its
8 title only, and recognize Senator Brouk.

9 ACTING PRESIDENT BAILEY: The
10 Secretary will read.

11 THE SECRETARY: Senate Resolution
12 296, by Senator Brouk, memorializing
13 Governor Kathy Hochul to proclaim January 23,
14 2023, as Maternal Health Awareness Day in the
15 State of New York.

16 ACTING PRESIDENT BAILEY: Senator
17 Brouk on the resolution.

18 SENATOR BROUK: Thank you,
19 Mr. President.

20 And I also want to thank my Senate
21 colleagues and Majority Leader Andrea
22 Stewart-Cousins for their support in introducing
23 this resolution.

24 Today is the first time in New York
25 State that we are recognizing Maternal Health

1 Awareness Day. The American College of
2 Obstetricians and Gynecologists, also known as
3 ACOG, began recognizing this day in 2016. It is
4 now recognize d across the country. And today we
5 finally recognize it in New York.

6 But in order to fully grasp the need
7 for a day like today, we must first understand
8 the state of maternal health in this state and in
9 this country. For those who don't know, the
10 United States has the highest maternal mortality
11 rate in the developed world. And as with so many
12 other health conditions in this country, it is
13 Black mothers who are suffering the worst, who
14 are four times more likely to die during
15 childbirth than white non-Hispanic mothers, even
16 when controlling for factors like education
17 level, income, or access to quality healthcare.

18 In my hometown in Monroe County
19 where I represent, the maternal mortality rate is
20 46 percent higher than the national average and
21 54 percent higher than the rest of the state.

22 I've got a lot of colleagues here
23 from New York City. You should know, according
24 to the New York City Department of Health, Black
25 women are nine times more likely to die from

1 pregnancy-related causes.

2 So what does this mean? It means,
3 for me and a lot of women who look like me, the
4 prospect of giving birth is both terrifying and
5 daunting in this country. It means that for
6 every expecting mother who walks into a hospital
7 pregnant, they wonder if they'll be walking out
8 healthy, with a healthy baby.

9 Bringing a child into this world on
10 your terms, when you want to, should be one of
11 the most joy-filled times in our lives. But for
12 too many of us, that joy is robbed. That's on us
13 as leaders. We have to do better to support
14 maternal health in New York.

15 We have to do better for Shamony
16 Gibson, who died at age 30, 13 days after giving
17 birth. For Amber Rose Isaac, 26, who died due to
18 complications from an emergency C-section. For
19 Sha-Asia Washington, 26, who died after
20 undergoing a C-section. For Denise Williams, 29,
21 who died just days after seeking postpartum care,
22 of a pulmonary embolism. And for so many people
23 whose stories we haven't heard.

24 I hope this resolution does more
25 than memorializes a day for us to be aware of

1 maternal health in this state, but that it is a
2 moment to move into action. Let's pass
3 legislation that addresses the maternal mental
4 health crisis in this state. Let's support the
5 expansion of life-saving doula care in our budget
6 process. And let's please remember the names of
7 not just these women, but all of the birthing
8 people who are suffering in our country and our
9 state, and let's honor them by taking action.

10 Thank you.

11 ACTING PRESIDENT BAILEY: Senator
12 May on the resolution.

13 SENATOR MAY: Thank you,
14 Mr. President.

15 I rise to thank my colleague
16 for bringing this resolution and raising
17 awareness about this incredibly important issue.

18 It's also very fitting that we're
19 doing this on the same day that we're passing a
20 number of important bills about abortion care,
21 because the two go hand in hand.

22 We know that -- that the states
23 around the country that do not support abortion
24 care are also the ones with the highest maternal
25 mortality rates. Part of that is because they

1 also don't support contraceptive care, they don't
2 support sex education or, in many cases, just
3 healthcare for low-income women. But it's also
4 because abortion care is care for pregnant women.
5 Abortion care goes hand in hand with care for --
6 with prenatal care and postpartum care at -- at a
7 lot of clinics.

8 And so I am proud that we are
9 supporting both maternal health in general and
10 specifically maternal health through the bills
11 that we're passing today.

12 I vote aye. Thank you.

13 ACTING PRESIDENT BAILEY: Senator
14 Scarcella-Spanton on the resolution.

15 SENATOR SCARCELLA-SPANTON: Thank
16 you, Mr. President, and Senator Brouk for
17 introducing this resolution recognizing
18 Maternal Health Awareness Day.

19 In an effort to shine a light on
20 maternal health, ACOG's theme this year is "Know
21 Why," to get to the bottom of the root causes of
22 maternal mortality rates. Far too often this
23 issue is overlooked. We have to make sure that
24 we continue to shine a light so we are there for
25 mothers every step of the way -- through

1 pregnancy, through childbirth, and postpartum.

2 I look forward to working with my
3 colleagues to improve maternal health access
4 across the state. And I wanted to share a
5 personal story.

6 You know, when my daughter was born,
7 it was my husband who was the one who noticed in
8 the delivery room that my arm started to swell
9 up, because I was hemorrhaging.

10 This is an issue that affects all
11 women. And it's so often that women are not
12 listened to in the medical field. And it was
13 incredibly important -- during COVID, if you
14 remember, they prevented moms from having a
15 support person in the delivery room. And we were
16 able to work with all of the colleagues in here
17 to make sure an executive order was passed, which
18 I think was really life-saving.

19 So again, I look forward to working
20 with everyone in this chamber to address maternal
21 health. Thank you so much.

22 ACTING PRESIDENT BAILEY: The
23 question is on the resolution.

24 All in favor signify by saying aye.

25 (Response of "Aye.")

1 ACTING PRESIDENT BAILEY: Opposed?

2 (No response.)

3 ACTING PRESIDENT BAILEY: The
4 resolution is adopted.

5 Senator Gianaris.

6 SENATOR GIANARIS: At the request
7 of Senator Brouk, this resolution is open for
8 cosponsorship.

9 ACTING PRESIDENT BAILEY: The
10 resolution is open for cosponsorship. Should you
11 choose not to be a cosponsor, please notify the
12 desk.

13 Senator Gianaris.

14 SENATOR GIANARIS: Please take up
15 the reading of the calendar.

16 ACTING PRESIDENT BAILEY: The
17 Secretary will read.

18 THE SECRETARY: Calendar Number 39,
19 Senate Print 830, by Senator Brisport, an act to
20 amend the Social Services Law.

21 ACTING PRESIDENT BAILEY: Read the
22 last section.

23 THE SECRETARY: Section 2. This
24 act shall take effect on the same date and in the
25 same manner as a chapter of the Laws of 2022.

1 ACTING PRESIDENT BAILEY: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BAILEY: Announce
5 the results.

6 THE SECRETARY: Ayes, 61.

7 ACTING PRESIDENT BAILEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number 42,
10 Senate Print 833, by Senator Breslin, an act to
11 amend a chapter of the Laws of 2022.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

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

16 ACTING PRESIDENT BAILEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BAILEY: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 42, those Senators voting in the
23 negative are Senators Ashby and Oberacker. Also
24 Senator Walczyk.

25 Ayes, 58. Nays, 3.

1 ACTING PRESIDENT BAILEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number 46,
4 Senate Print 837, by Senator Rivera, an act to
5 amend the Public Health Law.

6 ACTING PRESIDENT BAILEY: Read the
7 last section.

8 THE SECRETARY: Section 6. This
9 act shall take effect on the same date and in the
10 same manner as a chapter of the Laws of 2022.

11 ACTING PRESIDENT BAILEY: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BAILEY: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar 46, those Senators voting in the
18 negative are Senators Lanza and Ortt.

19 Ayes, 59. Nays, 2.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number 47,
23 Senate Print 838, by Senator Ryan, an act to
24 amend the Labor Law.

25 ACTING PRESIDENT BAILEY: Read the

1 last section.

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

4 ACTING PRESIDENT BAILEY: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BAILEY: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar Number 47, voting in the negative:
11 Senator Griffo.

12 Ayes, 60. Nays, 1.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number 50,
16 Assembly Print Number 989, by Assemblymember
17 Peoples-Stokes, an act to amend the
18 Executive Law.

19 ACTING PRESIDENT BAILEY: Read the
20 last section.

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

23 ACTING PRESIDENT BAILEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BAILEY: Announce
2 the results.

3 THE SECRETARY: Ayes, 61.

4 ACTING PRESIDENT BAILEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number 51,
7 Senate Print 842, by Senator Kavanagh, an act to
8 amend the Real Property Tax Law.

9 ACTING PRESIDENT BAILEY: Read the
10 last section.

11 THE SECRETARY: Section 4. This
12 act shall take effect on the same date and in the
13 same manner as Part A of a chapter of the Laws of
14 2022.

15 ACTING PRESIDENT BAILEY: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BAILEY: Announce
19 the results.

20 THE SECRETARY: In relation to
21 Calendar Number 51, voting in the negative:
22 Senator Oberacker.

23 Ayes, 60. Nays, 1.

24 ACTING PRESIDENT BAILEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number 95,
2 Senate Print 1327, by Senator Kavanagh, an act to
3 amend the Election Law.

4 ACTING PRESIDENT BAILEY: Read the
5 last section.

6 THE SECRETARY: Section 15. This
7 act shall take effect on the same date and in the
8 same manner as a chapter of the Laws of 2022.

9 ACTING PRESIDENT BAILEY: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BAILEY: Announce
13 the results.

14 THE SECRETARY: In relation to
15 Calendar Number 95, those Senators voting in the
16 negative are Senators Ashby, Borrello,
17 Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming,
18 Lanza, Martins, Mattera, Murray, Oberacker,
19 O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec,
20 Tedisco, Walczyk, Weber and Weik.

21 Ayes, 40. Nays, 21.

22 ACTING PRESIDENT BAILEY: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 150, Assembly Print Number 1283, by

1 Assemblymember Seawright, Concurrent Resolution
2 of the Senate and Assembly proposing an amendment
3 to Section 11 of Article 1 of the Constitution.

4 ACTING PRESIDENT BAILEY: Call the
5 roll on the resolution.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BAILEY: Senator
8 Krueger to explain her vote.

9 SENATOR KRUEGER: Thank you,
10 Mr. President.

11 I'm very pleased that we are today
12 passing, for the second time, the constitutional
13 amendment we've nicknamed the Equal Rights
14 Amendment.

15 I want to remind everyone: Our
16 federal and state constitutions were written at a
17 time when the promises of equality only protected
18 the interests of a few, and so our constitutional
19 protections are woefully inadequate.

20 In fact, our last version was
21 adopted in 1938, and the New York Constitution's
22 equal protection and civil rights provisions
23 failed to reflect our current vision of equality.
24 In fact, New York's Constitution only explicitly
25 creates equality protections for race and

1 religion and is silent on protections for other
2 classes that have been historically targeted.

3 Our State Constitution's equal
4 protection clause does not provide comprehensive
5 protections against discrimination. In fact, it
6 only explicitly protects a small number of us.

7 We must amend our State Constitution
8 to include robust protections against
9 discrimination that effectively work to hold our
10 state and its institutions accountable for ending
11 discrimination.

12 This measure proposes amending our
13 Constitution's current equal protection clause in
14 Article 1, Section 11, to create broader
15 protections against discrimination by the state
16 and its institutions. These protections, under
17 this reform, would allow new explicitly -- would
18 now explicitly prohibit discrimination on account
19 of a person's ethnicity, national origin, age,
20 disability, or sex, including sexual orientation,
21 gender identity, gender expression, pregnancy,
22 pregnancy outcomes, and reproductive healthcare
23 and autonomy.

24 Some people think we have these
25 protections in law. But as many of us have

1 learned only too recently, a court can come in
2 and knock down protections we thought we'd had
3 our whole lives, such as the Dobbs case at the
4 Supreme Court. New people can be elected that
5 knock down laws that we thought protected our
6 fundamental rights, only to learn that those laws
7 can change.

8 What you really need to protect your
9 citizens is clear information in your
10 constitution about what is protected. With this
11 amendment, which will now go to the people for a
12 vote in November '24, we will be able to
13 determine for the future of 20 million
14 New Yorkers that they have equal rights under our
15 laws and under our institutions.

16 So I'm very glad to be voting yes,
17 and I hope all my colleagues will join me in
18 that.

19 Thank you, Mr. President.

20 ACTING PRESIDENT BAILEY: Senator
21 Krueger to be recorded in the affirmative.

22 Senator Jackson to explain his vote.

23 SENATOR JACKSON: Thank you,
24 Mr. President.

25 My colleagues, I rise to explain my

1 support for the second passage of the Equal
2 Rights Amendment, known as ERA, to provide
3 New York voters the opportunity to amend the
4 New York State Constitution in November 2024 to
5 codify access to abortion and contraception, as
6 well as to extend current protections against
7 discrimination to several new protected classes.

8 As we mark what would have been the
9 50th anniversary of Roe versus Wade, we find
10 ourselves fulfilling our duty to pass the Equal
11 Rights Amendment for the second time, delivering
12 on our promise. This amendment would ensure that
13 New Yorkers are guaranteed protection from
14 discrimination and will codify reproductive
15 rights in the state's constitution.

16 Today we are summoned to continue
17 strengthening New York's commitment to protecting
18 women and LGBTQI rights. This is especially
19 important at a time when these rights are under
20 attack across our country. New Yorkers have the
21 opportunity to codify reproductive rights in our
22 state's constitution and afford equal protection
23 from discrimination against women, pregnancy
24 outcomes, reproductive healthcare and autonomy,
25 and protected classes under the New York State

1 Constitution.

2 And I thank our colleague Senator
3 Liz Krueger for her work on this issue, as well
4 as the bill cosponsors for their efforts to
5 protect reproductive rights.

6 With the passage of this amendment,
7 New York continues to be the leader this nation
8 needs. We stand in unity against destructive
9 policies that endanger the health and safety of
10 Americans. I proudly vote aye.

11 ACTING PRESIDENT BAILEY: Senator
12 Jackson to be recorded in the affirmative.

13 Senator Ramos to explain her vote.

14 SENATOR RAMOS: Thank you,
15 Mr. President.

16 You know, the Equal Rights Amendment
17 was first introduced here in New York State in
18 1938. And in 1938, women who looked like me in
19 this country, we couldn't vote, we couldn't own
20 property, we couldn't open a bank account or
21 build wealth, we couldn't serve on a jury. We
22 certainly couldn't run for office or be
23 State Senator. And of course we were allowed to
24 cook, clean, and raise other people's children;
25 some things haven't changed.

1 But today I am proudly wearing a
2 button loaned to me by an incredible New Yorker,
3 Eileen Sullivan Alber, who's a retiree of
4 Teamsters Local 851 and TWU Local 100. She
5 passed this button on to her granddaughter, my
6 legislative director, Samantha Walsh, as she
7 symbolically passes the torch to us, the next
8 generation, to take up the fight for the
9 Equal Rights Amendment.

10 I'm so grateful that this body is
11 the one that gets to pass the ERA. Under the
12 leadership of a strong Black woman, with a
13 freshman class made entirely of women Senators,
14 we are passing the ERA to complete what the
15 19th Amendment failed to do. You know, the
16 19th Amendment was a big victory for white women,
17 but it was also a form of radical exclusion,
18 carving out Black, Asian, Latina and Indigenous
19 women.

20 Now, here I stand before you, the
21 daughter of Colombian immigrants of proud
22 Indigenous heritage, the first woman to represent
23 my hometown, the most diverse district in the
24 country, thrilled to vote for the inclusion of
25 women -- of all women -- in the text of our

1 Constitution here in New York State.

2 Thank you for leading on this issue,
3 Senator Krueger.

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

6 Senator Salazar to explain her vote.

7 SENATOR SALAZAR: Thank you,
8 Mr. President.

9 I am thrilled to be voting in
10 support of the Equal Rights Amendment again
11 today, bringing us one step closer to amending
12 the State Constitution to explicitly protect the
13 rights of all New Yorkers against discrimination.

14 And I want to thank Senator Krueger
15 for carrying the torch of the ERA for years and
16 ensuring that it reflects the ways in which
17 different identities and classes intersect with
18 one another in our state.

19 The implications of adding this
20 inclusive Equal Rights Amendment, especially with
21 regard to gender identity, reproductive autonomy,
22 pregnancy outcomes and abortion access, have
23 never been more urgent than in this moment. And
24 I am proud to vote aye.

25 ACTING PRESIDENT BAILEY: Senator

1 Salazar to be recorded in the affirmative.

2 Senator Hoylman-Sigal to explain his
3 vote.

4 SENATOR HOYLMAN-SIGAL: Thank you,
5 Mr. President.

6 I rise to proudly support the
7 Equal Rights Amendment, and I want to thank
8 Andrea Stewart-Cousins, Senator Krueger, and all
9 the women in the chamber for their vote and for
10 moving this issue forward on behalf of my two
11 daughters, ages 5 and 12. Thank you.

12 And also thank you for the
13 protections that are included in this amendment
14 that recognize sexual orientation, gender
15 identity and gender expression, codifying the
16 protections that were passed on this floor
17 decades ago under the Sexual Orientation
18 Nondiscrimination Act and the Gender Expression
19 Nondiscrimination Act.

20 That's particularly important, as
21 was referenced earlier, because of the
22 hate-filled attacks across this country against
23 LGBTQ people, in particular young transgender
24 people. Close to half the states have
25 legislatures, Mr. President, that are moving

1 forward with bills that would separate children
2 from their parents just because the parents are
3 trying to do the best by their kids in seeking
4 gender-affirming care.

5 And of course we know about the
6 "Don't Say Gay" nonsense in states like Texas and
7 Florida, as well as the phony controversy around
8 "Drag Queen Story Hour" in our very own state and
9 New York City.

10 So this is a great day for a lot of
11 New Yorkers who have formerly lived in the
12 shadows without the protections of a
13 constitutional amendment like this. I proudly
14 vote aye.

15 ACTING PRESIDENT BAILEY: Senator
16 Hoylman-Sigal to be recorded in the affirmative.

17 Announce the results.

18 THE SECRETARY: In relation to
19 Calendar Number 150, those Senators voting in the
20 negative are Senators Ashby, Borrello, Felder,
21 Gallivan, Griffo, Helming, Lanza, Mattera,
22 Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
23 Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

24 Ayes, 42. Nays, 20.

25 ACTING PRESIDENT BAILEY: The

1 resolution is adopted.

2 THE SECRETARY: Calendar Number
3 151, Senate Print 348B, by Senator Cleare, an act
4 to amend the Public Health Law.

5 ACTING PRESIDENT BAILEY: Read the
6 last section.

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

10 ACTING PRESIDENT BAILEY: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BAILEY: Announce
14 the results.

15 THE SECRETARY: In relation to
16 Calendar Number 151, those Senators voting in the
17 negative are Senators Ashby, Borrello,
18 Canzoneri-Fitzpatrick, Felder, Gallivan, Griffo,
19 Helming, Lanza, Martins, Mattera, Murray,
20 Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
21 Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

22 Ayes, 40. Nays, 22.

23 ACTING PRESIDENT BAILEY: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 152, Senate Print 1003A, by Senator Hinchey, an
2 act to amend the Public Health Law.

3 ACTING PRESIDENT BAILEY: Read the
4 last section.

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

8 ACTING PRESIDENT BAILEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BAILEY: Senator
12 Hinchey to explain her vote.

13 SENATOR HINCHEY: Thank you,
14 Mr. President.

15 Healthcare must be considered a
16 human right. And yet in so many places across
17 our state, especially in our upstate and rural
18 communities, we are losing access to healthcare,
19 to reproductive care, gender-affirming care, and
20 often end-of-life care as well because of a host
21 of issues, not the least of which is hospital
22 consolidation.

23 And in communities like mine, when a
24 hospital consolidates or a hospital decides to
25 not offer a certain type of healthcare based on

1 policy-based exclusions, that leaves the
2 community without access to the care that they
3 deserve.

4 Reproductive care is healthcare.
5 And in so many of our areas, they are losing it
6 at an alarming clip. And so this bill for the
7 first time will provide our state with the
8 transparency that we need to understand where our
9 healthcare deserts are for healthcare like
10 reproductive care, gender-affirming care, and
11 end-of-life care.

12 It will also require, for the first
13 time, hospitals who choose to not provide certain
14 types of healthcare to disclose that information,
15 so that community members, when they are choosing
16 a doctor or they are seeking care, they know what
17 is available in their backyards and what's not.
18 They know that, when they are picking a doctor,
19 if that doctor will be able to provide the care
20 that they need now or in the future.

21 This is critically important
22 information for people to decide how they want to
23 live their life. And so this Hospital
24 Transparency Act is going to be the first step in
25 determining what we need to do in our upstate and

1 rural communities to ensure that no matter who
2 you are, where you live, what your economic
3 status, you have access to the care that you
4 deserve.

5 I thank the Majority Leader for
6 bringing this bill forward, for including it in
7 this package. I thank my colleagues for voting
8 on this bill. And I'm incredibly proud to vote
9 aye.

10 Thank you.

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

13 Announce the results.

14 THE SECRETARY: In relation to
15 Calendar Number 152, those Senators voting in the
16 negative are Senators Ashby, Borrello,
17 Canzoneri-Fitzpatrick, Felder, Gallivan, Griffo,
18 Helming, Lanza, Martins, Mattera, Murray,
19 Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
20 Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

21 Ayes, 40. Nays, 22.

22 ACTING PRESIDENT BAILEY: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 153, Senate Print 1043, by Senator Stavisky, an

1 act to amend the Education Law.

2 ACTING PRESIDENT BAILEY: Read the
3 last section.

4 THE SECRETARY: Section 5. This
5 act shall take effect 18 months after it shall
6 have become a law.

7 ACTING PRESIDENT BAILEY: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BAILEY: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar Number 153, those Senators voting in the
14 negative are Senators Ashby, Borrello,
15 Canzoneri-Fitzpatrick, Felder, Gallivan, Griffo,
16 Lanza, Martinez, Martins, Mattera, Murray,
17 Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
18 Rolison, Stec, Tedisco and Walczyk.

19 Ayes, 42. Nays, 20.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 154, Senate Print 1066A, by Senator Mayer, an act
24 to amend the Criminal Procedure Law.

25 ACTING PRESIDENT BAILEY: Read the

1 last section.

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

4 ACTING PRESIDENT BAILEY: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BAILEY: Senator
8 Mayer to explain her vote.

9 SENATOR MAYER: Thank you,
10 Mr. President.

11 I rise to explain my vote in support
12 of this bill, which provides the strongest
13 possible legal protections for New York
14 healthcare practitioners who provide
15 comprehensive reproductive health services via
16 telehealth.

17 This legislation builds off the
18 historic reproductive rights package which we
19 passed in June of '22, strengthening New York's
20 role as a national sanctuary for reproductive
21 rights.

22 We should remember that in the seven
23 months since the Dobbs decision reversed 50 years
24 of precedent and 50 years of a constitutional
25 right we thought we were entitled to, clinics

1 around the country have closed. In the first
2 100 days after Dobbs, 66 clinics in 15 states
3 closed. And in the first six months after Dobbs,
4 abortion is no longer available at all in
5 14 states, and about 25 or 26 states are likely
6 to ban or significantly restrict abortion.

7 Legal access to abortion has been
8 severely restricted across this country, and
9 people seeking an abortion have had to make the
10 most personal and difficult decision in a way
11 that we could not have imagined -- we simply
12 could not have imagined.

13 We are protecting explicitly
14 telehealth and telehealth services in this
15 legislation by protecting New York doctors who
16 provide abortion healthcare to patients living in
17 states with hostile abortion laws. This
18 legislation operates as a shield to New York's
19 healthcare practitioners who perform telehealth
20 services against states who try to impose
21 criminal actions against them.

22 With this legislation, we're
23 stepping up to say abortion rights will be
24 protected regardless of where the patient lives.
25 We may be safe here in New York State, but we

1 will not forego or forget the millions of our
2 sisters throughout this country who had a
3 constitutional right until Dobbs, and it was
4 simply eliminated by this Supreme Court.

5 I'm grateful for the tireless
6 efforts and contributions from so many who worked
7 to make this bill a successful one and who
8 guarantee the right to safe and private care from
9 our world-class practitioners in New York.

10 I'm especially grateful to our
11 Majority Leader, Senator Stewart-Cousins, for
12 bringing this bill to the floor, and my Assembly
13 colleague, Assemblymember Karines Reyes, a
14 registered nurse, who is the sponsor in the
15 Assembly. Together we are collectively ensuring
16 that New York remains the place of safe care
17 regardless of where the patient lives.

18 Thank you, Mr. President. I vote
19 aye.

20 ACTING PRESIDENT BAILEY: Senator
21 Mayer to be recorded in the affirmative.

22 Announce the results.

23 THE SECRETARY: In relation to
24 Calendar Number 154, those Senators voting in the
25 negative are Senators Ashby, Borrello,

1 Canzoneri-Fitzpatrick, Felder, Gallivan, Griffo,
2 Helming, Lanza, Martins, Mattera, Murray,
3 Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
4 Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

5 Ayes, 41. Nays, 22.

6 ACTING PRESIDENT BAILEY: The bill
7 is passed.

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

10 SENATOR GIANARIS: Is there any
11 further business at the desk?

12 ACTING PRESIDENT BAILEY: There is
13 no further business at the desk.

14 SENATOR GIANARIS: Move to adjourn
15 until tomorrow, Wednesday, January 25th, at
16 11:00 a.m.

17 ACTING PRESIDENT BAILEY: On
18 motion, the Senate stands adjourned until
19 Wednesday, January 25th, at 11:00 a.m.

20 (Whereupon, the Senate adjourned at
21 4:40 p.m.)

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