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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 30, 2023

3:50 p.m.

REGULAR SESSION

SENATOR ROXANNE J. PERSAUD, Acting President

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

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

13 ACTING PRESIDENT PERSAUD: Reading
14 of the Journal.

15 THE SECRETARY: In Senate, Friday,
16 January 27, 2023, the Senate met pursuant to
17 adjournment. The Journal of Thursday,
18 January 26, 2023, was read and approved. On
19 motion, the Senate adjourned.

20 ACTING PRESIDENT PERSAUD: Without
21 objection, the Journal stands approved as read.

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: Senator Jackson

1 moves to discharge, from the Committee on Rules,
2 Assembly Bill Number 970 and substitute it for
3 the identical Senate Bill 850, Third Reading
4 Calendar 59.

5 Senator Comrie moves to discharge,
6 from the Committee on Rules, Assembly Bill
7 Number 977 and substitute it for the identical
8 Senate Bill 1337, Third Reading Calendar 105.

9 Senator Skoufis moves to discharge,
10 from the Committee on Rules, Assembly Bill
11 Number 625 and substitute it for the identical
12 Senate Bill 1347, Third Reading Calendar 115.

13 Senator Sanders moves to discharge,
14 from the Committee on Rules, Assembly Bill Number
15 968 and substitute it for the identical Senate
16 Bill 1356, Third Reading Calendar 123.

17 ACTING PRESIDENT PERSAUD: So
18 ordered.

19 Messages from the Governor.

20 Reports of standing committees.

21 Reports of select committees.

22 Communications and reports from
23 state officers.

24 Motions and resolutions.

25 Senator Gianaris.

1 SENATOR GIANARIS: Good afternoon,
2 Madam President.

3 On page 21 I offer the following
4 amendments to Calendar 184, Senate Print 147, and
5 ask that said bill retain its place on the
6 Third Reading Calendar.

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

10 Senator Gianaris.

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

13 ACTING PRESIDENT PERSAUD: The
14 Secretary will read.

15 THE SECRETARY: Calendar Number 1,
16 Senate Print 615, by Senator Myrie, an act to
17 amend the Election 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: In relation to
3 Calendar Number 1, those Senators voting in the
4 negative are Senators Borrello, Gallivan, Griffo,
5 Lanza, Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
6 Stec, Walczyk and Weik. Also Senator Felder.
7 Also Senator Tedisco.

8 Ayes, 44. Nays, 14.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number 59,
12 Assembly Print 970, by Assemblymember Gunther, an
13 act to amend the Labor 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 Number 59, those Senators voting in the
25 negative are Senators Borrello, Gallivan, O'Mara

1 and Walczyk.

2 Ayes, 56. Nays, 4.

3 ACTING PRESIDENT PERSAUD: The bill
4 is passed.

5 THE SECRETARY: Calendar Number 98,
6 Senate Print 1330, by Senator Gounardes, an act
7 to amend the Insurance Law and the Public Health
8 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: Senator
17 Gounardes to explain his vote.

18 SENATOR GOUNARDES: Thank you,
19 Madam President. I rise to just offer some
20 clarity about the intent behind this chapter
21 amendment.

22 You know, last year we took a look
23 at some of the wildly fluctuating prices in
24 hospital costs across our state. I'm trying to
25 understand why in one hospital an MRI would cost

1 \$500 and in another hospital across the street it
2 would cost \$7500.

3 And where we ended up is one of the
4 big drivers for those cost discrepancies, or the
5 starting place for that discussion, is the lack
6 of price transparency in what our hospitals are
7 charging insurance plans.

8 So we passed the Hospital Equity and
9 Affordability Law last year to improve
10 transparency in hospital pricing. The chapter
11 amendment that we agreed to that we're passing
12 today makes some useful technical corrections by
13 including the new transparency requirements in
14 additional sections of law.

15 With the passage of the Hospital
16 Equity and Affordability Law, entities like
17 self-funded insurance plans that contract with
18 third-party administrators for provider networks
19 will be able to obtain and publicly share actual
20 claim costs. This will allow for the disclosure
21 of actual hospital prices and other healthcare
22 prices by and between self-insured plans and
23 other groups who are committed to containing
24 ever-increasing healthcare costs.

25 Public discourse of actual claim

1 costs will increase healthcare cost transparency
2 and support efforts to make healthcare more
3 affordable for everyone, and for that, I vote
4 aye. Thank you.

5 ACTING PRESIDENT PERSAUD: Senator
6 Gounardes to be recorded in the affirmative.

7 Announce the results.

8 THE SECRETARY: In relation to
9 Calendar Number 98, those Senators voting in the
10 negative are Senators Borrello,
11 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
12 Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads,
13 Tedisco, Weber and Weik. Also Senator Martins.

14 Ayes, 48. Nays, 15.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 104, Senate Print 1336, by Senator Hoylman-Sigal,
19 an act to amend a chapter of the Laws of 2022.

20 ACTING PRESIDENT PERSAUD: Read the
21 last section.

22 THE SECRETARY: Section 4. This
23 act shall take effect on the same date and in the
24 same manner as a chapter of the Laws of 2022.

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 104, those Senators voting in the
7 negative are Senators Borrello,
8 Canzoneri-Fitzpatrick, Felder, Gallivan, Helming,
9 Lanza, Martins, Mattera, Murray, O'Mara, Ortt,
10 Palumbo, Rhoads, Stec, Tedisco, Walczyk and Weik.

11 Ayes, 46. Nays, 17.

12 ACTING PRESIDENT PERSAUD: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 105, Assembly Print 977, by
16 Assemblymember Solages, an act to amend the
17 General Municipal Law.

18 ACTING PRESIDENT PERSAUD: Read the
19 last section.

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

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 105, those Senators voting in the
5 negative are Senators Borrello, Griffo, Oberacker
6 and Ortt.

7 Ayes, 59. Nays, 4.

8 ACTING PRESIDENT PERSAUD: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 106, Senate Print 1338, by Senator Comrie, an act
12 to amend the Administrative Code of the City of
13 New York.

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: Senator
22 Martins to explain his vote.

23 SENATOR MARTINS: Madam President,
24 I just rise to thank my colleague Senator Comrie
25 for introducing this bill.

1 I think it's a great bill.
2 Oftentimes we go back to our districts and we
3 hear about infrastructure projects that are being
4 built without notice. And so the opportunity for
5 us to get that notice, to be able to share that
6 with our constituents, is important.

7 For those of us, though, that are
8 not in New York City, as we have already spoken,
9 we'd hoped that there would be a bill that
10 expands beyond that. Having various villages --
11 for those who may not know, Madam President, I
12 have 44 villages in my district, not including
13 the City of Glen Cove. So the opportunity to
14 talk to my local communities and to let them know
15 about these projects is important.

16 And so although I commend my
17 colleague for this bill and I think it's a great
18 bill, I'd like to see it expanded to the entire
19 state.

20 I vote aye.

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

23 Senator Comrie to explain his vote.

24 SENATOR COMRIE: Thank you,
25 Madam President.

1 I just wanted to thank
2 Senator Martins for pointing out -- it's
3 something that I actually have been trying to do.
4 They limited me to one jurisdiction right now,
5 but good things are coming if we work together.

6 I vote aye on this bill.

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

9 Announce the results.

10 THE SECRETARY: Ayes, 63.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 111, Senate Print 1343, by Senator Parker, an act
15 to amend the State Finance Law.

16 ACTING PRESIDENT PERSAUD: Read the
17 last section.

18 THE SECRETARY: Section 3. This
19 act shall take effect on the same date and in the
20 same manner as a chapter of the Laws of 2022.

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 111, those Senators voting in the
3 negative are Senators Borrello, Griffo and
4 Walczyk.

5 Ayes, 60. Nays, 3.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 115, Assembly Print Number 625, by Assemblymember
10 Thiele, an act to amend the Executive Law.

11 ACTING PRESIDENT PERSAUD: Read the
12 last section.

13 THE SECRETARY: Section 3. This
14 act shall take effect on the same date and in the
15 same manner as a chapter of the Laws of 2022.

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
25 117, Senate Print 1349, by Senator Rivera, an act

1 to amend the Public Health Law and the
2 Social Services Law.

3 ACTING PRESIDENT PERSAUD: Read the
4 last section.

5 THE SECRETARY: Section 3. This
6 act shall take effect on the same date and in the
7 same manner as a chapter of the Laws of 2022.

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
17 119, Senate Print 1351, by Senator Krueger, an
18 act to amend the Criminal Procedure Law and the
19 Executive Law.

20 ACTING PRESIDENT PERSAUD: Read the
21 last section.

22 THE SECRETARY: Section 4. This
23 act shall take effect on the same date and in the
24 same manner as a chapter of the Laws of 2022.

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Senator
4 Krueger to explain her vote.

5 SENATOR KRUEGER: Thank you,
6 Madam President.

7 This is a chapter amendment to a
8 bill we passed last June. We were passing a
9 number of bills starting last June, given the
10 changes that are rapidly changing our country
11 into two different countries: One where women
12 have the right to make their own decisions about
13 their bodies and choose whether to continue a
14 pregnancy or not, and other states where they're
15 no longer allowed this option.

16 So in New York State we are making
17 clear through any number of laws that if you come
18 to New York for healthcare services that are
19 recognized as legal, provided by healthcare
20 providers who are within their scope of practice,
21 you should not be penalized.

22 So when the original bill passed, it
23 was specifically that the providers of the
24 healthcare could not be penalized by some other
25 state attempting to come here, remove our

1 providers, bring them to their courts, tell our
2 police officers they must go after our providers
3 even though they were simply providing legal
4 healthcare services within their scope of
5 practice.

6 This chapter amendment expands that
7 to ensure that the patients themselves are also
8 protected if they come to New York for these
9 services. Maybe at home they've got legal issues
10 if they attempt to get these services, but if
11 they come to New York State for these legal
12 services to end a pregnancy, for whatever reason,
13 within our laws and our healthcare scope of
14 practice, then we the State of New York are not
15 assisting those states to find out any
16 information or go after them legally, because in
17 our state no laws were broken.

18 I happily vote aye. Thank you,
19 Madam President.

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

22 Announce the results.

23 THE SECRETARY: In relation to
24 Calendar Number 119, those Senators voting in the
25 negative are Senators Ashby, Borrello,

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

5 Ayes, 44. Nays, 19.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 123, Assembly Print Number 968, by
10 Assemblymember Bichotte Hermelyn, an act to amend
11 the Urban Development Corporation Act.

12 ACTING PRESIDENT PERSAUD: Read the
13 last section.

14 THE SECRETARY: Section 3. This
15 act shall take effect on the same date and in the
16 same manner as a chapter of the Laws of 2022.

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

1 170, Senate Print 2233, by Senator Thomas, an act
2 to amend a chapter of the Laws of 2022.

3 ACTING PRESIDENT PERSAUD: Read the
4 last section.

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

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

18 SENATOR GIANARIS: Is there any
19 further business at the desk?

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

22 SENATOR GIANARIS: Move to adjourn
23 until tomorrow, Tuesday, January 31st, at
24 3:00 p.m.

25 ACTING PRESIDENT PERSAUD: On

1 motion, the Senate stands adjourned until

2 Tuesday, January 31st, at 3:00 p.m.

3 (Whereupon, at 4:04 p.m., the Senate
4 adjourned.)

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