NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 6, 2023

3:59 p.m.

REGULAR SESSION

SENATOR JAMAAL T. BAILEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT BAILEY: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT BAILEY: The reading of the Journal.

THE SECRETARY: In Senate, Friday, February 3, 2023, the Senate met pursuant to adjournment. The Journal of Thursday, February 2, 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 Kennedy

moves to discharge, from the Committee on Rules, Assembly Bill Number 1004 and substitute it for the identical Senate Bill 815, Third Reading Calendar 24.

Senator Skoufis moves to discharge, from the Committee on Rules, Assembly Bill Number 627 and substitute it for the identical Senate Bill 845, Third Reading Calendar 54.

Senator Rivera moves to discharge, from the Committee on Rules, Assembly Bill Number 2377 and substitute it for the identical Senate Bill 1321, Third Reading Calendar 89.

Senator Bailey moves to discharge, from the Committee on Rules, Assembly Bill Number 630 and substitute it for the identical Senate Bill 1323, Third Reading Calendar 91.

Senator Kennedy moves to discharge, from the Committee on Rules, Assembly Bill Number 1975 and substitute it for the identical Senate Bill 1355, Third Reading Calendar 122.

Senator Skoufis moves to discharge, from the Committee on Rules, Assembly Bill Number 610 and substitute it for the identical Senate Bill 2220, Third Reading Calendar 157.

Senator Parker moves to discharge,

from the Committee on Rules, Assembly Bill Number 987 and substitute it for the identical Senate Bill 2225, Third Reading Calendar 162.

Senator Breslin moves to discharge, from the Committee on Rules, Assembly Bill Number 2201 and substitute it for the identical Senate Bill 2228, Third Reading Calendar 165.

Senator Breslin moves to discharge, from the Committee on Rules, Assembly Bill Number 2207 and substitute it for the identical Senate Bill 2231, Third Reading Calendar 168.

ACTING PRESIDENT BAILEY: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, let's go right to the reading of the calendar, please.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 24, Assembly Print 1004, by Assemblymember Rivera, an act to amend the Public Authorities Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 24, voting in the negative: Senator Walczyk.

Ayes, 50. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Oh, excuse me. Also Senator Griffo. Ayes, 49. Nays, 2.

Also -- also Senator Lanza.

Ayes, 48. Nays, 3.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 28,

Senate Print 819, by Senator Cleare, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 28, those Senators voting in the negative are Senators Gallivan, Griffo, Oberacker, Ortt, O'Mara and Walczyk.

Ayes, 45. Nays, 6.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 54, Assembly Print 627, by Assemblymember Lunsford, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect on the same date and in the same manner as a chapter of the Laws of 2022.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 51.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 89, Assembly Print Number 2377, by Assemblymember Eachus, an act to amend the Public Health Law and the Social Services Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 51.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 91, Assembly Print 630, by Assemblymember Carroll, an act to amend the Elder Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 51.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 116, Senate Print 1348, by Senator Rivera, an act to amend the Social Services Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the

same manner as a chapter of the Laws of 2022.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 51.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 122, Assembly Print 1975, by Assemblymember Bronson, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 51.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 157, Assembly Print 610, by Assemblymember Paulin, an act to amend the Public Officers Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 610, voting in the negative: Senator Walczyk.

Ayes, 50. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 162, Assembly Print Number 987, by Assemblymember Sayegh, an act to amend the Public Service Law and the Public Authorities Law.

ACTING PRESIDENT BAILEY: Read the

last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 162, voting in the negative: Senator Walczyk.

Ayes, 50. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 165, Assembly Print Number 2201, by Assemblymember Cruz, an act to amend the Insurance Law and the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 165, voting in the negative are Senators O'Mara and Ortt.

Ayes, 49. Nays, 2.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 168, Assembly Print Number 2207, by Assemblymember Eichenstein, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 51.

ACTING PRESIDENT BAILEY: The bill

is passed.

THE SECRETARY: Calendar Number 169, Assembly Print Number 1008, by Assemblymember Ra, an act to amend a chapter of the Laws of 2022.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Martins to explain his vote.

SENATOR MARTINS: Thank you, Mr. President.

I want to thank the sponsor for proposing this bill. It's an important bill. When our not-for-profits -- in this case, a school district -- is forced to pay property taxes, they have to take resources away from other things in order to make that payment.

The opportunity they have to get paid back for literally tens of thousands of

dollars in tax payments that they should never have made to begin with is an important part of what we do here in our representing our local school districts and suburban communities.

So I do want to thank the sponsor for doing this. This particular school district and this property happens to be in my district, and so it's particularly important that -- to me, that this was passed. And so I want to thank Senator Thomas not only for carrying it, but making sure it carried. And I want to thank all my colleagues as well.

Mr. President, I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 169, voting in the negative: Senator O'Mara.

Ayes, 50. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 171, Senate Print 2234, by Senator Hoylman-Sigal, an act to amend the Domestic Relations Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 7. This act shall take effect on the same date and in the same manner --

SENATOR GIANARIS: Lay the bill aside for the day, please.

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

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

SENATOR GIANARIS: Okay. Is there any further business at the desk?

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

SENATOR GIANARIS: I move to adjourn until tomorrow, Tuesday, February 7th, at 3:00 p.m.

ACTING PRESIDENT BAILEY: On motion, the Senate stands adjourned until Tuesday, February 7th, at 3:00 p.m.

(Whereupon, at 4:08 p.m., the Senate adjourned.)