NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 27, 2023

4:07 p.m.

REGULAR SESSION

SENATOR ROXANNE J. PERSAUD, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Rabbi Jonathan Gewirtz, religious writer and member of Village Green Shul in Monsey, will deliver today's invocation.

RABBI GEWIRTZ: Good afternoon.

Thank you, Senator Weber, for inviting me to deliver today's invocation, and to all of you for joining me as I do.

More than a prayer or blessing, an invocation is an appeal to a higher power for help. Each session opens this way because while our country was founded on the separation of church and state, it was also founded on a deep connection between God and state, to paraphrase Chaplain Barry Black.

Each person in this room makes decisions every day that affect the lives of other people. Whether in debate, enacting

legislation, or simply in the way we treat others, we all impact the world around us.

When we invoke a higher power, we're not just asking for help, we're urging ourselves to be better than we were before, to become more than human.

When Billy Batson invoked "SHAZAM" to become Captain Marvel, he was summoning into himself the superhuman attributes of a number of mythological figures -- and one very real one. I know, Captain Marvel's not often mentioned in this chamber.

(Laughter.)

RABBI GEWIRTZ: The "S" stood for King Solomon, the wisest of all men, so wise he could converse with the birds -- the robins, the sparrows. But how did Solomon get this way? How did he become the wisest of all?

Kings 1 tells us that God appeared to Solomon in a dream and offered him whatever he would ask for. King Solomon's answer is eye-opening and applies to everyone in this chamber.

He asked: "Grant Your servant a listening heart to judge Your people; to

distinguish between good and bad; for who can judge this vast people of Yours?"

King Solomon was wise enough to know that everyone has a story. Everyone has a perspective, and to properly govern, a leader must be sensitive and listen to the people.

He or she must know that there are lines between good and bad which we cannot allow to become blurred or shifted, and that it is up to us to care for others, putting service first. To do so is to become more than human -- it is to emulate God, who is concerned with all creatures, ensuring they have what they need.

God was so pleased with Solomon's answer that he responded, "I will give you the wisdom you have asked for, and also what you did not ask for, shall I give you: Wealth, honor, victory over your enemies, and long life."

Today, our invocation will echo Solomon's. "Almighty God, King of kings and Ruler of all rulers, may You grant the members of this chamber, and everyone here, listening hearts and the ability to discern between good and evil, so they may properly govern and serve the people of New York and beyond.

"And may it further be Your will to grant those who, like Solomon, choose to govern selflessly and with care, the blessings You granted him: Wealth, honor, victory in their battles, peace and peace of mind, and a long, healthy life to continue to do good."

Amen.

(Response of "Amen.")

ACTING PRESIDENT PERSAUD: Thank you, Rabbi.

Reading of the Journal.

THE SECRETARY: In Senate, Friday, February 24, 2023, the Senate met pursuant to adjournment. The Journal of Thursday, February 23, 2023, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Hoylman-Sigal moves to discharge, from the Committee on Rules, Assembly Bill Number 2901 and substitute it for the identical Senate Bill 2234,

Third Reading Calendar 171.

Senator Cooney moves to discharge, from the Committee on Rules, Assembly Bill Number 624 and substitute it for the identical Senate Bill 2219, Third Reading Calendar 156.

ACTING PRESIDENT PERSAUD: 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: Please take up the reading of the calendar, Madam President.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 156, Assembly Print 624, by Assemblymember Zebrowski, an act to amend the State Finance Law and the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 7. This

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

ACTING PRESIDENT PERSAUD: Call the roll.

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 171, Assembly Print Number 2901, by Assemblymember Levenberg, an act to amend the Domestic Relations Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 171, those Senators voting in the

negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Griffo, Helming, Martins, Ortt, Rhoads, Skoufis, Stec, Tedisco, Walczyk, Weber and Weik. Also Senator Lanza.

Ayes, 40. Nays, 15.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 222, Senate Print 2352, by Senator Kavanagh, an act to amend the Real Property Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 222, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Felder, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray,

Oberacker, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 34. Nays, 21.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 256, Senate Print 1747, by Senator Ramos, an act to amend the Labor Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 273, Senate Print 532, by Senator Thomas, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 273, those Senators voting in the negative are Senators Borrello, Felder, Gallivan, Griffo, Lanza, Ortt, Stec and Tedisco.

Ayes, 48. Nays, 8.

ACTING PRESIDENT PERSAUD: The bill is passed.

There is a home-rule message at the desk for Calendar Number 276.

The Secretary will read.

THE SECRETARY: Calendar Number 276, Senate Print 1498, by Senator Fernandez, an act to amend Chapter 566 of the Laws of 2019.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 310, Senate Print 1729, by Senator Sanders, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 310, those Senators voting in the negative are Senators Ashby, Borrello, Gallivan, Griffo, Lanza, Ortt, Rolison, Stec, Tedisco, Walczyk and Weber.

Ayes, 46. Nays, 11.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 320, Senate Print 253, by Senator Serrano, an act to amend the Arts and Cultural Affairs Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 341, Senate Print 1189, by Senator Persaud, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 120th day after it

shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 344, Senate Print 3196, by Senator Mannion, an act to amend the Mental Hygiene Law and the Social Services Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 4. This act shall take effect April 1, 2025.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 347, Senate Print 2683, by Senator Breslin, an act to amend the Insurance Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 347, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick and Rhoads.

Ayes, 56. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

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

ACTING PRESIDENT PERSAUD: There is

no further business at the desk.

SENATOR GIANARIS: Before we adjourn, Madam President, may I remind my Majority colleagues we will go back into conference in the Majority Conference Room upon adjournment.

And with that, I move to adjourn until tomorrow, Tuesday, February 28th, at 3:00 p.m.

ACTING PRESIDENT PERSAUD: There will be an immediate meeting of the Majority Conference in Room 332.

The Senate stands adjourned until Tuesday, February 28th, at 3:00 p.m.

(Whereupon, at 4:19 p.m., the Senate adjourned.)