NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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4:58 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: Today the Reverend Richard Hasselbach, pastor of Clarkstown Reformed Church in West Nyack, New York, will deliver today's invocation.

Reverend Hasselbach.

PASTOR HASSELBACH: Thank you very much.

And thanks, Senator Weber, for the invitation to be here.

And God bless you all. And let's pray.

This is from Psalm 8: "Lord, our Lord, how majestic is Your name in all the earth.

"When I consider Your heavens, the work of Your fingers, the moon and stars which You have set in place, what is humankind that You are mindful of them, or human beings that You care for them?

"Yet You have made them a little lower than the angels, and crowned them with Your glory and honor. You made them rulers over the works of Your hands. You put everything under their feet -- all flocks and herds, the animals of the wild, the sparrows of the sky, the fish in the sea, and all that swim the paths of the seas.

"Lord, our Lord, how majestic is Your name in all the earth."

Blessed are You, Lord, God of all creation. All law and all authority comes from You. Fill this chamber and all its members with Your wisdom.

Make these leaders of New York true servants and good servants of the people, and Your good servants as well. Guide them to work always in the public good regardless of personal ambition or partisan ends.

May they rise above all senseless divisions of race, color and theory, to see themselves as co-laborers in Your vineyard, as instruments of Your peace. May they always remember that they are accountable to You for the work that You have given them to do.

Give them also joy in this work, and

grateful hearts. Bless them in their personal lives, and lead them all safely through this life to Your kingdom.

We ask this in Your holy and unutterable name, You, the One who creates and sustains us and who has led us to this moment. You are the One who lives forever and ever.

And we can all say amen.

(Response of "Amen.")

PASTOR HASSELBACH: And thank you very much. It's an honor to be here.

ACTING PRESIDENT BAILEY: The reading of the Journal.

THE SECRETARY: In Senate, Tuesday, March 7, 2023, the Senate met pursuant to adjournment. The Journal of Monday, March 6, 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.

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, on behalf of Senator Comrie, on page 13 I offer the following amendments to Calendar 207, Senate Print 629, and ask that said bill retain its place on Third Reading Calendar.

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

Senator Gianaris.

SENATOR GIANARIS: On behalf of Senator Stavisky, on page 16 I offer the following amendments to Calendar 238, Senate 447A, and ask that said bill retain its place on Third Reading Calendar.

ACTING PRESIDENT BAILEY: Those amendments are received, and the bill will retain its place on the Third Reading Calendar.

Senator Gianaris.

SENATOR GIANARIS: There is a privileged resolution at the desk. Please take it up, read its title only, and recognize

Senator Kennedy.

ACTING PRESIDENT BAILEY: There is a privileged resolution at the desk.

The Secretary will read.

THE SECRETARY: Senate Resolution 508, by Senator Kennedy, mourning the untimely death and paying tribute to the life and heroic service of Firefighter Jason Arno, who died in the line of duty on March 1, 2023.

ACTING PRESIDENT BAILEY: Senator Kennedy on the resolution.

SENATOR KENNEDY: Thank you, Mr. President.

I rise today to introduce this resolution with a heavy heart. A week ago today, we lost one of Buffalo's bravest in a four-alarm fire. Jason Arno was 37 years old and a member of Buffalo Fire Department Engine 2.

He, along with his fellow firefighters, jumped into action last Wednesday when flames broke out at DC Theatricks, a building in a well-populated neighborhood in downtown Buffalo.

As they battled the blaze, a backdraft sent flames exploding out of the

three-story building. And shortly after a mayday call came over the radio, the department lost contact with Jason. His fellow firefighters couldn't reach him. He had become trapped in a partial building collapse. Jason Arno never made it out.

In the days afterwards, we've heard so much about who he was as a firefighter and as a person. He came from a family of helpers, with his extraordinary wife, Sarah-Elizabeth, serving as a nurse at Roswell Park Comprehensive Cancer Center in Buffalo. They were married just over the summer and continued to create a beautiful and full life together.

Those who know Jason describe him as "An upbeat, positive person with a great sense of humor"; "Someone who always had a smile on his face"; "Someone who wanted to do his job to the best of his ability."

But as much as he loved his day job, everything came second to his role as dad. His three-year-old daughter, Olivia, will grow up knowing that her father was a hero who loved her above all else -- someone who served selflessly and who prioritized protecting the people of

Buffalo over his own safety.

As a father myself, it breaks my heart to imagine a world where his little girl will reach milestones without her dad by her side.

But if I know anything about the firefighting community, it's that they're a family. Jason's little girl will undoubtedly have many of her dad's friends showing up for her and their beautiful family as they navigate some of the hardest days ahead, year after year.

This Friday, we'll lay Jason to rest, in honor of the life he lived and the sacrifice that he made. But his legacy, that will never be forgotten. It will live on through his family, through Engine 2 and through the many people in the City of Good Neighbors who will follow in Jason's footsteps and step into the role of a first responder in the years to come.

I ask my colleagues to keep Jason's family and the Buffalo Fire Department in prayer in the coming days and months ahead. May Jason Arno, a beloved family man and a true hero, rest in peace.

Mr. President, in honor of our

fallen hero Jason Arno, I ask this body for a moment of silence.

ACTING PRESIDENT BAILEY: In honor of the life and legacy of the hero Jason Arno, the Senate will observe a moment of silence prior to any other speakers.

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

ACTING PRESIDENT BAILEY: Senator Ortt on the resolution.

SENATOR ORTT: Thank you, Mr. President.

I want to thank my colleague Senator Kennedy for bringing this resolution forward. I know he wishes, as we all do, that he didn't have to.

It's -- you think about how many fires and how many emergencies are faced by the men and women who serve our communities as firefighters, whether they be volunteer or career. And most of the time, thankfully, because of their training, because of, you know, resources that we provide, that localities provide, they come out of there. They come out of those unscathed. They come out of those

emergencies and they return home to their family -- or families.

I think about all the times we recognize this individual served 30 years in the fire service. You think about how many calls that was and how many harrowing situations that was, and they returned home. And I say that because sometimes we just think that that's the norm, that it's all routine, it's all -- they're all going to come back home.

And the reality is that at any moment when you're a firefighter, whether it's the City of Buffalo or anywhere, any moment could turn deadly.

Jason Arno, I'm sure that morning when he left, said goodbye to his kids, goodbye to his wife -- maybe it was the night before, who knows. But when you are the spouse of a first responder, of a firefighter, a police officer, you don't know -- when you say "Goodbye, I'll see you for dinner" or you say "Goodbye, I'll see you for lunch" or "I'll see you tomorrow," you don't know if that's going to come true.

Sadly for Jason, it did not. That was the last time he saw his family. And it's

maybe ironic, he was responding to a fire at a costume shop. They sold theatrical costumes. You think about how many people dress up as heroes. Jason Arno was a real hero who showed up that day to try to make sure there was no one in that building, to try to make sure that everyone got out okay, to try to make sure that maybe that building might have been saved.

Obviously we know it was not. And tragically, his life was cut short at 37 years old. Thirty-seven years old. And I can tell you, he was a Canisius High School graduate. He was somebody who was very involved in the community. He was married, as you heard, to a nurse. So really his whole family -- his wife, himself -- knew about service, knew about trying to save the lives of other people.

This was the kind of person we need more of, not only in New York but across the country.

Very often you hear about there's not enough young people who care about their community. There's not enough young people who care about others. People lament the state of society, the state of maybe younger generations.

And I will tell you, when I see this -- and as tragic as it is, it also fills me with pride. I hope that his family, over time, through their grief, will be filled with pride that they raised, that they knew, that they loved someone like Jason Arno.

And we in Buffalo are very proud of him. We wish he was still here, but we're very proud of him across Western New York. And all across New York State, we should be very proud of him, that there are others like him, that there are other people like Jason Arno every single day, even today, right now, who are lined up to run into a building full of flames that could explode, and in this case did explode. While everyone is running away, they're running towards it.

And I am grateful for his service, for his sacrifice. I am sorry that he's gone. But I am proud that he lived, that he was willing to serve. And hopefully he acts as an inspiration to other young people and people out there that they might line up to serve.

So I want to pray that God blesses Jason, his family, all of our men and women in

the fire service. I can think of no greater legacy at this time.

So, Mr. President, I want to thank again the sponsor for bringing this forward, and I want to lend my name to the support of it. And thank you for letting me speak.

ACTING PRESIDENT BAILEY: Thank you, Senator Ortt.

Senator Gallivan on the resolution.

SENATOR GALLIVAN: Thank you, Mr. President.

I too would like to thank the sponsor, Senator Kennedy, for bringing this resolution forward, and Senator Ortt for his comments on what really is such a tragic occasion.

We know, we heard the details of Buffalo Firefighter Jason Arno from Senator Kennedy -- 37 years old, but a true hero, no question about it. A firefighter, a brother, a son, a husband, a father, a true public servant and just a great, upstanding member of the community.

Among the things that stand out with Jason is people's memories of him. Whether they

were childhood friends, teachers, coworkers, people that ran across him once or newly met him, nobody had a bad word to say about this individual. And no matter the different things that he did in life, people commented on the vigor that he put into it, on the heart that he put into it, how he cared about the people around him and how he made everyone around him better and every situation better.

Senator Ortt mentioned something about firefighters that I think bears repeating that we've heard over time. They run in when everybody runs out. And many of us of course know people and know family members from September 11th, and we've heard that phrase. We haven't heard it in a while, though, in this chamber. Which is a good thing, because that means we haven't had a tragedy like this in a while.

But that phrase, "They run in when everybody else runs out" -- it's so easy to take them for granted. And you think of all the fires, all the calls in every city, town and village across New York State over the years -- and it happens time and time again, while we're

sleeping with our families, while we're sleeping and doing our work up here, it becomes so easy to take it for granted.

And so I ask my colleagues to remember what firefighters in every community do, to not take it for granted, to make sure that we are paying attention here in our job, whether it's crafting regulation or law or helping to provide resources when they come forward to ask for the different things and tell us they need the different things to help keep their communities safe.

And above all, I ask my colleagues to remember Jason Arno and his sacrifice and ask God to bless him.

And I thank you too, Mr. President, for this opportunity to remember him.

ACTING PRESIDENT BAILEY: Thank you, Senator Gallivan.

The question is on the resolution. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay.

(No response.)

ACTING PRESIDENT BAILEY: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, at this time can we take up previously adopted Resolution 382, by Senator Sepúlveda, read that resolution's title, and recognize Senator Sepúlveda.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senate Resolution 382, by Senator Sepúlveda, commemorating the 179th Anniversary of the Independence of the Dominican Republic, to be celebrated on February 27, 2023.

ACTING PRESIDENT BAILEY: Senator Sepúlveda on the resolution.

SENATOR SEPÚLVEDA: Thank you, Mr. President, for allowing me to present this resolution on this floor.

We all know that New York State is made up of a state of many immigrants that come from many different places throughout the world. And one of the groups that's part of the immigrant diaspora that has contributed mightily

to the development of the state and this nation is the Dominican Republic.

On February 27, 1844, the Dominican Republic was able to obtain their independence under the guide and leadership of the father of their nation, Juan Pablo Duarte, who gave the ultimate sacrifice so that he, along with others, can bring to light a beautiful nation, a beautiful, democratic, loving nation of hardworking individuals.

Today I am proud that some of those individuals are here today in our chamber. We have several members from the Dominican consulate with us, and the Dominican press. And I'm very proud that two other specific individuals are here with us today. One is the Consul General of the Dominican Republic in New York City, Eligio Jáquez. Consul Jáquez does an incredible amount of work for the diaspora and for the island and helps so many people throughout this state. Some of them don't have to be Dominican; but if you need assistance, he's always there.

We also have with us Andreína Martínez. Andreína Martínez is Miss Dominican Republic 2022 and was the runner-up in the

Miss Universe competition last year.

The important thing is that she has also has strong ties my county, the Bronx. She lived here many years and she graduated summa cum laude from City College, University of New York, with a degree in psychology and Latin American studies.

The Dominican Republic in this chamber has contributed mightily for people that have served here.

Many of you remember José Peralta, who passed away. José Peralta was the driving force behind the DREAM Act. Regardless of how you feel about it, it is because of him that undocumented students today are able to access tuition assistance for SUNY and CUNY. I was fortunate to take it to the finish line, but 95 percent of the credit goes to José Peralta.

We also had Adriano Espaillat here for many years. Adriano, once himself an undocumented immigrant, is now a member of Congress.

The Brooklyn borough president, who represents almost 3 million people, Antonio Reynoso, is also of Dominican descent.

In the New York State Assembly we have five members serving, and in the City Council in New York we have about six.

And throughout the Northeast, in states like Rhode Island and Massachusetts, there is a large diaspora that is working diligently on behalf of those states.

Now, I was recently in the Dominican Republic with a delegation including Senator Parker, Senator Comrie, and we went there and got firsthand knowledge of the Dominican Republic, the island, its health, its economy.

And I would invite all of you there to come visit the island. You will not be disappointed. You can see firsthand how they have and love their democratic institutions. You can see how the island's economy is developing at such a pace that all of us should be proud of.

And more importantly, you can see the beauty of the island. The Dominican Republic has some of the most beautiful beaches, some of the most beautiful resorts. And I want to encourage all of you to come by and visit. You will not be disappointed.

Now, I was honored by the president

of the Dominican Republic recently; I was given citizenship. My wife, my son, are Dominican, and that is something that I'm extremely proud of. And I have a commitment to work for the island and the diaspora while I'm in the Senate and even after.

So I want to encourage everyone here to look into Dominican history, to learn about Dominican history, and you will see a history of just beautiful people.

(In Spanish.)

The Secretary of the Senate here is of Dominican descent, Alejandra Paulino.

Dominican people are very proud. (In Spanish.) They're very proud people.

So, please, I ask all of you to join me in honoring this resolution and in honoring the Dominican Republic.

Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator Sepúlveda.

Senator Comrie on the resolution.

SENATOR COMRIE: Thank you, Mr. President. I rise to speak on Senator Sepúlveda's resolution honoring the

independence of the Dominican Republic.

Since the year 1844 when the Dominican Republic won independence from colonial rule, their country, like ours, had to struggle to ensure that the spirit of equality and democracy was not just upheld but could eventually expand to include all under its flag.

We legislators are the beneficiaries of this same system of government, and accordingly must strive to see that each and every citizen is able to use their democratic right to vote by identifying and removing barriers along the way.

The Dominican people were so gracious to host several of my colleagues and me as we had the opportunity to visit the Dominican Republic. While there, we worked to identify opportunities to strengthen trade, to create investment opportunities, and to create cultural exchanges.

Traveling to this beautiful country and meeting its people made me once again reflect on the great strength that comes from the diversity seen in the State of New York. There are roughly over a million Dominicans living in

New York who connect our state through history and family to the Dominican Republic, as Senator Sepúlveda has so eloquently stated, many of whom reside in our five boroughs and have been members of the Legislature and also serving in important positions throughout our state.

They have made themselves an integral part of the New York City cultural fabric, and we legislators are fortunate to represent such a vibrant community. I recognize each and every one of these individuals and the impact that they make on New York State today.

So to the members that are here from the delegation from the Dominican Republic, congratulations, thank you, and happy independence.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Comrie.

Senator Cleare on the resolution.

SENATOR CLEARE: Mr. President, I rise today as it is an honor to be joined here today by the Honorable Consul General of the Dominican Republic in New York City, Eligio Jáquez, joined by esteemed dignitaries including

Andreína Martinez and many members of his trusted leadership team.

I was proud to support the recent resolution that commemorated the 179th anniversary of the independence of the Dominican Republic. And my Senate district has long been home to so many from the Afro-Caribbean Diaspora.

The Dominican Republic has a unique history which has resulted in a blending of African, European and Native Indian cultures with a rich and diverse background. The Dominican influence is apparent in neighborhoods like Washington Heights, which I represent, which is bursting with vibrant Dominican culture.

Incredibly, 1 million New York State residents are of Dominican descent, and they have worked so hard to make our city and state a better place. I salute their hard work, their strength and resilience, and celebrate them. And it is my honor to represent the portion of Washington Heights that I represent.

And I salute you today. Welcome, and congratulations on your independence.

ACTING PRESIDENT BAILEY: Thank

you, Senator Cleare.

Senator Jackson on the resolution.

SENATOR JACKSON: Thank you, Mr. President.

I rise on two occasions.

First, my condolences to the family and friends of the firefighter that lost his life. As the chair of the Civil Service and Pensions Committee and as a member of this body, anything that I can do in the process of helping his family, please let us know.

Secondly, I am standing in respect to the anniversary of -- the 179th anniversary of the independence of the Dominican Republic.

And let me say to Consul General Jáquez and Miss Dominican Republic, it is my honor to represent all of you in the New York State Senate, representing -- a large portion of my district, the people are from the Dominican Republic, representing Washington Heights, Inwood, Marble Hill and the Northwest Bronx.

Even when I was a member of the Community School Board for 15 years, I represented the largest district of Dominicans in the public school system, District 6, and then as

a member of the City Council for 12 years and now as a State Senator.

And I say to everyone, if you're not aware, the people from the Dominican Republic are industrious, they come here to work, to support themselves and their families here and back at home.

And I've been to the Dominican Republic on many occasions, on humanitarian trips when I was a member of the City Council. And I say to all of you that I'm happy and proud to represent you and all the other people that I represent from the Dominican Republic that live in New York City.

And with that, Madam President, I say aye on all.

ACTING PRESIDENT MAYER: Thank you for allowing that quick change.

Senator Bailey on the resolution.

SENATOR BAILEY: Madam President, thank you for allowing me to speak on the resolution.

Thank you, Senator Sepúlveda, for introducing the resolution.

I just wanted to make sure I had the

opportunity to speak about one of the largest growing groups in my home borough of the Bronx, those individuals from the Dominican Republic, Dominicans of -- individuals of Dominican descent.

I am grateful to your contributions to our community, to your tenacity, to your hard work, and to your presence.

A lot of my colleagues have spoken about the -- like I would say the history behind February 27th and what it took. But what I want to speak about is how you've remained. Right? How you have remained stalwarts in your community and that you've been able to grow, not just for political power but the influence that you have within our community.

I think that there's a recognition in our communities about, you know, Afro-Latinos. Right? As a father of Afro-Latinas, I think that we have to make sure that we continue to speak from one voice, right, and that we speak from one voice in our community. And I think that the Dominican community has embraced the African-American community, and it's something that's beautiful to see as an African-American,

but also as a father of Afro-Latinas. Right? And when you see that mezcla, when you see that mix together, it is truly an incredible thing.

And so to Consul General Jáquez, I thank you for the hard work that you do. Senator Sepúlveda is not stretching the truth when he says you're willing to help anybody. You have -- our office has called you on many an occasion, and you have delivered time after time. And I am grateful for that.

And to Ms. Martínez, thank you for advancing -- advancing throughout the borough, throughout the world, but never forgetting where home was -- not just the Dominican Republic, but the Bronx, New York.

And so I stand in appreciation and I'm grateful to you all, and thank you for coming to the state Capitol. And I will proudly vote aye on the resolution.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you.

To our guests, I welcome you on behalf of the Senate. We extend to you the privileges and courtesies of the house. Thank you for being present.

Oh, I apologize. There was someone else who wanted to speak.

Senator Fernandez on the resolution.

SENATOR FERNANDEZ: Thank you.

Qué lo qué, mi gente.

(Laughter, applause from balcony.)

SENATOR FERNANDEZ: To Miss Dominican Republic, to the consulate here, Happy Independence Day. One hundred eighty years ago, on February 27th, the beautiful nation of the Dominican Republic established their independence as a sovereign nation.

The Dominican people and its diaspora have been resilient through times of colonization, fascism, occupation, and strict immigration policies. They have never stopped fighting for their freedom. They fight uncertainty when leaving their homes for hopes of more freedoms in America. They continue to fight to remain in the communities they have built there over decades.

And in that fight, Dominicans have achieved higher and higher success as elected officials in the city, state and federal government, as well as cultural contributions

that have become part of the fabric of our society, and certainly in my district of the 34th.

It is appropriate that we are introducing this resolution on International Women's Day, because no nation can survive or thrive without the liberation of its women. The health of a nation is often measured by its freedom -- freedom from tyranny, freedom for its people, all starts with declaring independence.

Women's liberation, power over the reproductive system, is just as important in DR as it is here. DR is one of five out of Latin countries that still has a total ban on abortion, as stricter laws are popping up all over the nation. A society is not independent unless its woman are independent. A society is not healthy unless its women are healthy. And a society is not free until its women are free.

It is my honor and privilege to share this moment of intersectionality with my Dominican colleagues, my constituents, my fellow Latinas, to celebrate the cultural contributions of the Dominican community, as well as our strength as women together, saying Happy

Dominican Independence Day.

ACTING PRESIDENT BAILEY: Gracias, Señora.

A nuestros invitados, les doy la bienvenida en nombre del Senado. Le extendemos los privilegios y cortesías de esta casa. Por favor, levántate y sé reconocido.

(Laughter.)

(Standing ovation.)

ACTING PRESIDENT BAILEY: To our guests, we welcome you on behalf of the Senate. So what I said in English was "I welcome you on behalf of the Senate. We extend to you all the privileges and courtesies of the house. Please rise and be recognized."

Senator Gianaris.

SENATOR GIANARIS: Gracias, Señor Presidente.

(Laughter.)

SENATOR GIANARIS: At the request of the sponsors, the resolutions we took up today are open for cosponsorship.

ACTING PRESIDENT BAILEY: The resolutions are open for cosponsorship. Should you choose not to be a cosponsor of the

resolutions, please notify the desk.

Senator Gianaris.

SENATOR GIANARIS: At this time can we call on Senator Salazar for an introduction.

ACTING PRESIDENT BAILEY: Senator Salazar for the purposes of an introduction.

SENATOR SALAZAR: Thank you, Mr. President.

I would like to welcome some guests who are present in the chamber -- those who are still present. It's been a long day -- who are social work students visiting from universities and colleges across New York, including Touro University Graduate School of Social Work, Adelphi University, SUNY Buffalo School of Social Work, SUNY Binghamton, Damon University, SUNY Albany School of Social Welfare, Keuka College, and Yeshiva University Wurzweiler School of Social Work.

These students do the valuable work every day of seeking to provide direct care and support to people in communities across our state. And their efforts improve the quality of life for countless New Yorkers.

For more than a century, the social

work profession has been at the forefront of creating positive change in our society, including expanded voting rights, improved workplace safety, and the establishment of a minimum wage and social safety net programs that alleviate poverty and hunger.

Social workers are essential in addressing the needs particularly of often-marginalized communities, using their skills to provide resources and care that offset some of the symptoms of structural oppression.

Social workers are the largest group of mental health providers in the country, helping us overcome death, grief, pandemics and natural disasters. They support families of all cultures across New York and ensure that people at every stage of life can function better in our society.

On top of the time these students have committed to the well-being of New Yorkers in their roles as social workers and caregivers, they are here today dedicating their time to advocating for legislation that impacts the people and communities they serve.

I ask you to please recognize the

social work students who have joined us today in the Senate and extend to them all the privileges of the house.

Thank you.

ACTING PRESIDENT BAILEY: To our guests, I welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: Senator Gianaris.

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

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 190, Senate Print 1792, by Senator Hinchey, an act to amend the Executive 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: Senator Webb to explain her vote.

SENATOR WEBB: Thank you, Mr. President. I rise to explain my vote.

I would like to thank the sponsor of this bill for bringing forth this important piece of legislation designating March 8th each year as a day of commemoration to be known as International Women's Day.

The women of New York have worked hard to fight for equal rights and representation for all here in New York and abroad. It was right here in New York, at Seneca Falls, that the suffragist movement was born and paved the way for women's right to vote.

And as we know, women of color were excluded from that right, and had to continue fighting after the 19th Amendment was ratified in 1920 to make sure that all women had the right to exercise that right and participate in our democracy.

The women of New York continue to break barriers. Just look around at how many of us are representing our communities right here in

the New York State Senate -- when you look at our Majority Leader, Senator Andrea Stewart-Cousins, the first woman, first Black woman to have this position. Also our illustrious freshman class of Senators who also have broken barriers to be here in the Senate as well.

As the chair of the Women's Issues Committee, I am very proud of the work that we are doing, and it is fitting that we mark this day each year for our global sisterhood and to lift up the many contributions that women make on this day and every day.

I also hope that this legislation will serve as a reminder and a continued call to action for us in this chamber, our state, and our country and beyond, and every institution, to embrace and advance equity for all women, and especially women who are historically marginalized.

I will be voting aye on this bill, and I hope my colleagues will do the same.

Thank you.

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

Senator Helming to explain her vote.

SENATOR HELMING: Thank you, Mr. President.

I rise in support of this legislation and to commemorate and celebrate the work of women from every single walk of life.

For many of us in this chamber, we are here because of the courageous and at times controversial actions of brave women. For generations, women have paved the way -- that's true here in New York State as well as across our entire nation and the world -- fighting for freedom, fighting for equal rights, fighting for equal pay for equal work.

Because of these women, I have the privilege of serving as the first female State Senator for the 54th District. This district included Seneca Falls, the birthplace of the women's rights movement. When I was sworn into office, I had the honor of taking my oath of office in the Ontario County Courthouse where Susan B. Anthony was tried and convicted for voting illegally.

Susan B. Anthony, Sojourner Truth, Harriet Tubman -- these are all very famous women who have helped pave the way. But I think it's

also very important that we recognize all those women who work to this day quietly behind the scenes, improving the quality of life to advance others. Like the woman who had the greatest impact on my life, Patricia Turnbull, my mother. Today, March 8th, happens to be her birthday.

Like many other women, my mother spent her entire life giving to others. Even when our family didn't have much to give, she'd find a way to help others. She was dedicated to her family, her neighbors, and her community.

I hope my mother and all the other women who are like her can somehow see or know that their legacy of putting others first continues through their children, their grandchildren and, in my mother's case, now her great-grandchildren.

Today and every day, Mr. President, we have an opportunity that we should take advantage of, and that's to honor the women of our past by doing our best to continue laying the foundation for the generations that will follow.

I proudly vote aye, Mr. President.

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

And happy birthday to your mother.

Senator Canzoneri-Fitzpatrick to explain her vote.

SENATOR CANZONERI-FITZPATRICK: Thank you, Mr. President.

I rise today in support of this legislation as well, and I thank the sponsor for bringing this legislation to the Senate.

I proudly wear an American flag pin every day that was my grandmother's, who proudly came to this country in the 1930s from Italy, not speaking English and with minimal education.

And for me to be her granddaughter and be a State Senator is truly remarkable, and I'm so proud to do the work of the people in this chamber with the other fine women and men that are Senators.

I think, as has been said by other women today, we have a responsibility to be an example for our future generations. I'm the proud mother of three daughters, and I think we are the true example of the American dream by being able to be in this chamber and represent the people of our district.

So I proudly vote aye for this

resolution and thank you for -- for this bill, and thank you for the opportunity to speak, Mr. President.

ACTING PRESIDENT BAILEY: Senator Canzoneri-Fitzpatrick to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 217, Senate Print 1305, by Senator Comrie, an act to amend the Real Property Actions and Proceedings Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. 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 217, voting in the negative:

Senator Lanza.

Ayes, 59. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 241, Senate Print 2060, by Senator Stavisky, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 5. 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, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 255, Senate Print 1209, by Senator Persaud, an act to amend the Labor Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 30th 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: In relation to Calendar Number 255, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk and Weber.

Ayes, 41. Nays, 19.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 323, Senate Print 809, by Senator Serrano, an act to amend the Parks, Recreation and Historic Preservation 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: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 327, Senate Print 540, by Senator Thomas, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. 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: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

330, Senate Print 3285, by Senator Thomas, an act to amend the General Business Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 376, Senate Print 3052, by Senator Stavisky, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first of July.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 379, Senate Print 1478, by Senator Hinchey, an act in relation to directing the Commissioner of Health and the Commissioner of the Office for People with Developmental Disabilities to conduct

a study of the delivery of services to individuals with traumatic brain injury.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Hinchey to explain her vote.

SENATOR HINCHEY: Thank you very much.

I rise today to thank this body and the leader for bringing this bill forward. TBI care, traumatic brain injury care and traumatic brain injury services, is something that we need to do a much better job of here in the State of New York. And this bill creates the first-ever mandated comprehensive study between the Department of Health and OPWDD to understand the regional delivery of services for TBI care here.

I want to tell a quick story about a family in my district, Kate and Hannah Berryan. Hannah was just 16 years old when she was walking

across the street and she was hit by a texting driver. That trauma turned into years of Kate and her family fighting for services for Hannah -- so much so that they actually had to leave the Hudson Valley and move to Long Island to find the care that Hannah needed for her TBI.

An update on this story, as some of you may have heard it last year when we passed this bill, is that Hannah today is actually in Oklahoma seeking the -- actually receiving the care that she needs. And the hope is that she can come back to New York to be with her mother, but we don't know if that's going to happen.

We have to do better here in our state. We have to make sure that wherever you live, you can get access to the local care that you need. Especially with TBIs, traumatic brain injuries impacting 2.5 million people, many people don't even know maybe that they have one. And so we have to make sure that we are actually providing that care.

And I want to acknowledge and thank Hannah's mother, Katherine, who is here with us today, for her incredible advocacy on this issue, for working through the bureaucracy that has been

incredibly challenging just to get her daughter the attention that she deserves.

I also want to thank Jess Singleton, who was on my team and worked with Kate and people like March Gallagher and others on this legislation, recognizing that there was a void that we need to solve here in this body.

So thank you both for your advocacy and for your work. Hello to Hannah. I'm sure she will be watching this. And I want to thank everyone here for your support of this legislation because we can do better and, through this study, we will do better.

With that, Mr. President, I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 393, Senate Print 454, by Senator Gianaris, an act to amend the General Municipal Law.

ACTING PRESIDENT BAILEY: Read the

last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 400, Senate Print 5018, by Senator Scarcella-Spanton, an act to amend the Veterans' Services Law.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Scarcella-Spanton to explain her vote.

SENATOR SCARCELLA-SPANTON: Thank you, Mr. President.

First and foremost, I want to commend Senator Brooks, who was the previous Senate chair of Veterans, Homeland Security and Military Affairs, for his work on this legislation and for veterans across our state.

I am proud to speak on this bill, the first veterans-centered bill passed since being appointed as chair of this committee. This legislation establishes veteran career assistance programs within CUNY and SUNY. This will include assistance in resume writing to translate military experience to civilian life, and employment placement services.

As a proud CUNY graduate and as the spouse of a U.S. Army veteran who is also a CUNY graduate, I want to make sure those leaving the armed forces and seeking out higher education in New York State will have access to career assistance resources.

This legislation is just one way to give back to our veterans and support them the way they have fought for us.

I proudly vote aye and encourage my

colleagues to do the same. Thank you.

ACTING PRESIDENT BAILEY: Senator Scarcella-Spanton to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

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

SENATOR GIANARIS: Thank you, Mr. President.

Let's move right on to the controversial calendar, please.

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 330, Senate Print 3285, by Senator Thomas, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: Senator Martins, why do you rise?

SENATOR MARTINS: Mr. President, if the sponsor would yield for a few questions.

ACTING PRESIDENT BAILEY: Will the

sponsor yield?

SENATOR THOMAS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: Thank you. Mr. President, through you, if the sponsor would describe for us what he means by children's non-regulated camps.

SENATOR THOMAS: Through you, Mr. President, children's non-regulated camps, as defined under GBL Section 398-F, are defined as property that consists of land, tents, vehicles, buildings or other structures that may be occupied on a scheduled basis by persons under 16 under general supervision, for the purpose of organized group activities involving recreational activities not subject to the provisions of Article 13-B of the Public Health Law.

SENATOR MARTINS: Thank you, Mr. President. Thank the sponsor for reading the definition as it appears in the legislation.

If the sponsor would yield for another question.

ACTING PRESIDENT BAILEY: Will the sponsor yield for a question?

SENATOR THOMAS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: I guess more specifically, Mr. President, we have a series of camps in our communities. Some of them are operated by our local villages, some of them are operated by local volunteer groups like athletic associations that have camps, usually in the summer, usually around sports activities -- baseball, soccer, hockey and the like.

In my own community of Mineola, we have a summer camp that is run by the village where we have high school students and college students come --

ACTING PRESIDENT BAILEY: Senator Martins, are you on the bill or asking the sponsor to yield?

SENATOR MARTINS: I thought I had. I apologize, Mr. President. Would the sponsor yield for another question.

I'm pretty sure I did.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR THOMAS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: Mr. President, I thought I did, but I will continue --

ACTING PRESIDENT BAILEY: It appeared that you were on the bill, Senator Martins.

SENATOR MARTINS: I appreciate it, Mr. President.

And so again, in my community in Mineola we have summer camps where we have older children watching younger children as part of, you know, the summer. They come in, they make a couple of bucks, but they watch the younger children.

So, Mr. President, I'd ask the sponsor if those types of camps would be included in your definition under your proposed bill.

SENATOR THOMAS: Through you, Mr. President, this bill is about transparency and making sure that children are protected. So there are certain exemptions from paying a fee, but they still need to register as unregulated camps.

So if it's a village like the

Village of Mineola, which is also part of my district, they would be considered a nonprofit and they will still need to register, under this new law.

SENATOR MARTINS: Through Mr. President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR THOMAS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: So Mr. President, through you, if they do register, can you describe for us what that registration would look like? Would it include a list of names of those children who participate in the camp or any other pertinent information with regard to the children who participate in such camps?

SENATOR THOMAS: Under this bill right now, the information that the Department of State has to report to the Department of Health, at a minimum it should be the location of the camp, the number of children, and the name of the camp. There is nothing in here that talks about,

hey, give us the names of all the kids.

SENATOR MARTINS: Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR THOMAS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: And would this bill require the municipality, the not-for-profit, the volunteer organization to be subject to regulations that are to be determined and not yet clarified, but to be determined and put forth by the Department of State?

SENATOR THOMAS: Through you, Mr. President. Right now, unregulated camps, they have to check the sex offender registry to make sure that there isn't anyone like that watching the kids.

And the Department of State can, you know, bring up other regulations as needed to protect children.

SENATOR MARTINS: Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Martins on the bill.

SENATOR MARTINS: Thank you.

Folks, we have -- we rely on volunteers in our communities. Those volunteers in our communities hold camps, they put their time into these camps, teaching our children. It could be a summer camp, as the one I described in my village -- and other villages, certainly, throughout the state. It can be volunteers who put together basketball, hockey, baseball programs.

The idea of adding additional regulations and additional conditions -- it is hard enough to get people to volunteer to put these camps together. And now we're going to require them not only to come up with an additional fee, but be subject to an as-yet-determined list of regulations that the State Department of State is going to impose on these volunteers.

Now, I understand if you want to regulate a for-profit camp, one that is -- you know, and we see them throughout the state in our own communities, that's one thing. But when

we're dealing with volunteers and we're dealing with those who are asking to take time out of their lives to put these together in order to provide a safe environment for children, especially during the summer, maybe to give parents a break during the summer where they can put their children into a camp, where they can play with their friends -- to have them have to come up with a fee and to comply with regulations, I just think it's too far, frankly.

And so say that somehow the Department of State is going to come out with regulations, they're going to care for children in these camps more so than the people who are organizing them themselves, whether they are village officials, whether they are local community officials, whether they are civic leaders in the community, whether they are volunteers in the community, I think is far-fetched.

And so, Mr. President, although I do understand the sponsor's intent, I'll be voting no.

ACTING PRESIDENT BAILEY: Thank you, Senator Martins.

Are there any other Senators wishing to be heard?

Seeing and hearing none, debate -- Senator Rhoads, why do you rise?

SENATOR RHOADS: Thank you. Will the sponsor yield for an additional question?

ACTING PRESIDENT BAILEY: Senator Thomas, do you yield?

SENATOR THOMAS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RHOADS: Senator, would this include, for example, the many churches in our community that conduct Vacation Bible School?

SENATOR THOMAS: So under this bill they will be required to register, but there is no fee associated with it.

SENATOR RHOADS: So every parish, every church in our community that has a Vacation Bible School will now have to register with the state in order to be able to conduct religious activity?

SENATOR THOMAS: Yes.

SENATOR RHOADS: How about police athletic leagues?

ACTING PRESIDENT BAILEY: Senator Rhoads, are you asking the sponsor to yield?

SENATOR RHOADS: Yes. Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR THOMAS: Yes.

ACTING PRESIDENT BAILEY: The Senator yields.

SENATOR RHOADS: Would that also include, for example, a police athletic league conducting programs on a regular -- on regular intervals in the summertime?

SENATOR THOMAS: So if it's a nonprofit or a religious organization, they're just exempt from not paying the initial fee. But they still have to register.

SENATOR RHOADS: Okay, thank you.

On the bill.

ACTING PRESIDENT BAILEY: Senator Rhoads on the bill.

SENATOR RHOADS: Thank you, Senator Thomas.

We certainly understand the intention of the bill. And I want to echo the

comments made by my colleague Senator Martins.

While the intent is pure, the execution of the bill does put onerous burdens on the free exercise of religious practice, requiring the registration with the state. You know, it additionally puts additional burdens on volunteer organizations that simply want to provide additional outlets and opportunities for kids to be able to enjoy summertime activities.

Again, while we understand the intention, the provisions of the bill are too onerous. There's another way to accomplish the objective other than requiring every single camp, every single activity, to be registered with the state. This is a step too far.

So I will be voting against the bill. Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Rhoads.

Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed. The Secretary will ring the bell.

Senator Gianaris.

SENATOR GIANARIS: We've agreed

with our colleagues to restore this bill to the noncontroversial calendar. Can we please take it up that way.

ACTING PRESIDENT BAILEY: Upon consent, this bill will be restored to the noncontroversial calendar.

The Secretary will 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: Senator Thomas to explain his vote.

SENATOR THOMAS: Thank you, Mr. President.

This is an incredibly important bill in our day and time when you have unregulated groups out there just doing things that need to be regulated.

One of the things that this bill will do is make things transparent. This is about the safety of children. And there should be no price on the safety of our children in this

state. This is not an additional burden on religious institutions, this is not an additional burden on nonprofits, because this is about the safety of children.

We are now requiring these unregulated camps to check the sex offenders list. How is this a burden on nonprofits? This is good for business. Parents send their kids to these camps to make sure that they are safe.

Thank you, Mr. President. I vote aye on this bill.

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

Senator Martins to explain his vote.

SENATOR MARTINS: Thank you, Mr. President.

I wasn't going to rise to explain my vote, but I feel compelled to.

Just to be clear and on the record, so there is a record, these organizations, Mr. President, already have requirements with regard to complying with checking sex offender rolls and already have requirements with regard to safety. They already have requirements in place imposed by the local communities, imposed

by the counties, by the villages. And every organization, whether it's a private organization or a municipality, has those requirements.

This adds another layer to that requirement and adds a layer of bureaucracy that is unwarranted. Mr. President, that's why I'm voting no.

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

Announce the results.

THE SECRETARY: In relation to Calendar 330, those Senators voting in the negative are Senators Borrello, Griffo, Lanza, Martins, Oberacker, Rhoads, Tedisco and Walczyk.

Ayes, 52. Nays, 8.

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

SENATOR GIANARIS: Move to adjourn until tomorrow, Thursday, March 9th, at

11:00 a.m.

ACTING PRESIDENT BAILEY: On motion, the Senate stands adjourned until Thursday, March 9th, at 11:00 a.m.

(Whereupon, at 6:01 p.m., the Senate adjourned.)