NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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11:49 a.m.

REGULAR SESSION

SENATOR SHELLEY B. MAYER, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

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

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

ACTING PRESIDENT MAYER: Reading of the Journal.

THE SECRETARY: In Senate, Wednesday, March 8, 2023, the Senate met pursuant to adjournment. The Journal of Tuesday, March 7, 2023, was read and approved. On motion, the Senate adjourned.

ACTING PRESIDENT MAYER: 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: Good morning, Madam President.

I move to adopt the Resolution Calendar, with the exception of Resolution 509.

ACTING PRESIDENT MAYER: All those in favor of adopting the Resolution Calendar, with the exception of Resolution 509, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed, nay.

(No response.)

ACTING PRESIDENT MAYER: The Resolution Calendar is adopted.

Senator Gianaris.

SENATOR GIANARIS: Can we begin by taking up previously adopted Resolution 55, by Senator Tedisco, read its title, and recognize Senator Tedisco.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Senate Resolution 55, by Senator Tedisco, congratulating the Waterford-Halfmoon Girls Soccer Team and Head Coach Meghan Reynolds upon the occasion of winning the New York State Class C Girls Soccer Championship.

ACTING PRESIDENT MAYER: Senator Tedisco on the resolution.

SENATOR TEDISCO: Thank you, Madam President.

Let me say I'm extremely proud to welcome yet another group of outstanding state champions from the 44th Senate District to the chamber today.

The Waterford-Halfmoon High School Girls Soccer Team and Head Coach Meghan Reynolds captured the New York State Class C Girls Soccer Championship with a six-to-three triumph over Sauquoit Valley on Sunday, November 13, 2022, at Cortland High School.

These are uncharted waters for the Fordians as they won their first New York State championship while garnering a record of 40 and 2

over the course of the past two seasons.

Prior to their success at the state level, the Fordians breezed through the Section II playoffs with wins over Cambridge, Berne, OESJ, and Voorheesville by a combined margin of 33-1.

Throughout the entire season, these outstanding scholar athletes outscored their opponents by a margin of 161-16, which is better than a 10-to-one ratio. Truly a job well done.

At this time, as I welcome them, I would ask you if they would stand up as I mention each one of their names. First, Maddalyn Atwood, Bayly Beauregard, Sophia Belonga, Imani Bloomfield, Carly Cordts, Emily Costello, Addyson Galuski, Payton Galuski, Zoe Grennon, Donella Jordan, Sarah Kelly, Cassidy McClement, Piper Morris, Baylee Noto, Mia O'Brien, Alexandra Phelps, Samara Roberts, and Isabella Vecchio.

Along with them today, because they're outstanding -- they work tremendously as a team, but they had a lot of good team members behind them, and that was their school, their administrators, their parents, all of their supporters. And again, I introduce to you their

coach, Meghan Reynolds; Assistant Coach Courtney Trembley, Athletic Director Michael Robbins, Assistant Principal Joel Richardson, and Principal Christopher Scanlan.

This was their first championship. They made history. And I told them they made history today because they will be chronicled with this resolution for as long as the Senate exists here, and hopefully our democratic democracy will last that long.

I would ask you to welcome them, show them all the appreciation of this august body, and show our appreciation to them as outstanding student athletes.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Tedisco.

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

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT MAYER: The resolution was previously adopted on

January 10th.

Senator Gianaris.

SENATOR GIANARIS: Madam President, let's move on now to Resolution 509, by Senator Webb, read that resolution's title, and recognize Senator Ramos.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Senate Resolution 509, by Senator Webb, memorializing Governor Kathy Hochul to proclaim March 8, 2023, as International Women's Day in the State of New York.

ACTING PRESIDENT MAYER: Senator Ramos on the resolution.

SENATOR RAMOS: Thank you, Madam President.

And happy International Women's Day to you and to all our women Senators. Not so long ago in history, this chamber was filled with humans only male, pale and stale, and I think we've spiced it up a bit.

But, you know, this is an important day to recognize in the State of New York. You know, on March 8, 1857, garment workers marched

in downtown Manhattan in protest of unfair working conditions. And this is actually why we recognize women and our struggles and challenges and everything we've overcome to be where we are today on this special day.

That day, those workers were organizing for a shorter workday and for decent wages. And actually just this past Monday, crossing the Manhattan Bridge, lead by immigrant women, hundreds of workers marched for a safety net that grants them dignity and respect and parity with those who do qualify for unemployment insurance.

And then, just yesterday, the halls of our New York State Capitol were filled with home care workers, hospitality workers and restaurant workers, human service workers, domestic workers, and minimum-wage workers. Because of all working women in New York State, a whopping third are minimum-wage earners here in our communities.

But we stood together on the Million Dollar Staircase to demand dignified wages and of course continue our fight for childcare, for affordable housing, for more MWBE

contracts, and so much more that we can do to put money in women's pockets.

The reason we're fighting, of course, is because women in New York are more likely to live in poverty than men. Women of color, single mothers, women who work part-time in underpaid jobs are at even higher risk of poverty, especially as the cost of living rises.

You know, we are about to see the final budget, hopefully in a few weeks, by the first elected woman Governor of the State of New York. And it is my hope that in that budget, in that final budget, we end the exacerbation of the feminization of poverty that has unfortunately plagued our state and our country for so long.

So I want to thank you, Madam President, for this opportunity. And I want to wish all of my colleagues a happy International Women's Day, yesterday, today and every day.

Thank you.

ACTING PRESIDENT MAYER: Thank you, Senator Ramos.

The question is on the resolution.

All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed?

(No response.)

ACTING PRESIDENT MAYER: The resolution is adopted.

Senator Gianaris.

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

ACTING PRESIDENT MAYER: 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: There's a privileged resolution at the desk, Madam President. Please take that up, read its title, and let's take a vote on it.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Senate Resolution 540, by Senator Stewart-Cousins, Concurrent Resolution of the Senate and Assembly proposing to implement, pursuant to and in compliance with

the provisions of Article VII of the Public Officers Law, a system of videoconferencing to conduct meetings.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: Senator Gianaris.

SENATOR GIANARIS: Madam President, I think -- what I understand is that there's questioning on the resolution, which we're happy to take up now.

SENATOR LANZA: Thank you.

ACTING PRESIDENT MAYER: Senator Palumbo, why do you rise?

SENATOR PALUMBO: Thank you, Madam President. Would the sponsor yield for a few questions on this resolution, please.

ACTING PRESIDENT MAYER: Senator Gianaris, do you yield?

SENATOR GIANARIS: Yes, I do.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you, Senator. How are you? And good morning. It's still barely morning. How are you?

SENATOR GIANARIS: Very well.

SENATOR PALUMBO: I have a few questions on this joint resolution, if I may.

And I see that it indicates that it was in compliance with Public Officers Law that there was a hearing on March 1, 2023, to receive public comment.

And my question is, on that particular hearing -- I believe the hearing that we're referring to, just so I'm clear, was the Investigations hearing that was about 10 minutes long. In fact, I'm a member of the Investigations Committee, and I was heading to the hearing. There was one group, there were no questions asked, and they just indicated a few things, and that was that.

Is that the hearing that we're referring to?

SENATOR GIANARIS: I don't know if -- what your description is explaining, but I know there was a hearing on March 1st in Hearing Room A. If that's the one you're talking about, then yes.

SENATOR PALUMBO: Will the sponsor continue to yield, please.

ACTING PRESIDENT MAYER: Do you

continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: And assuming that complied with Public Officers Law -- because I have the section here. It's Public Officers Law Section 103-A. And there is a number of criteria that needs to be met that a public body may, in its discretion, use videoconferencing to conduct its meetings pursuant to the requirements of this article.

And in fact it says, in subsection 2, that -- provided that a minimum number of members are present to fulfill the public body's quorum requirement in the same physical location or locations where the public can attend and the following criteria are met. And that specific language is in the resolution.

So regarding the criteria, it also indicates, at Section 2(b), that "the public body has established written procedures governing member and public attendance consistent with this section, and such written procedures shall be conspicuously posted on the public website of the

public body."

Can you tell me where the specific location of these written procedures are located as we sit here today?

SENATOR GIANARIS: Well, we first have to adopt the resolution through both houses for this procedure to be authorized. And at that time the language of this resolution -- actually, the language of the resolution's already available publicly, but it will have been passed through both houses once that happens.

SENATOR PALUMBO: Will the sponsor continue to yield, please.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you, Senator.

But the language here, "the public body has established," past tense. So as we sit here today, is it I guess the position of the Majority that they don't need to have previously established those written procedures, that they

will be prepared and adopted at a future date?

SENATOR GIANARIS: No. What I am saying is that the language in the resolution that's before us, where it says "RESOLVED," in four separate paragraphs, are the written procedures that will govern how videoconferencing will occur in these houses. They're not in effect until they pass both houses by joint resolution, which is what we're doing now.

SENATOR PALUMBO: Thank you. Would you continue to yield, please.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: Yes, he continues to yields.

SENATOR PALUMBO: Thank you, Senator.

And so when we look at those paragraphs -- let's look at the second "RESOLVE" paragraph: "That the legislators shall be permitted, on a case by case basis" -- and I'm going to read through this section, and then I'm going to compare it to the Public Officers Law. Because again, clearly that section was

referenced because it's identical language to an extent. And then there are some other questions I'm going to have in that regard.

But they're "permitted, on a case by case basis, if unable to be physically present at any such meeting due to extraordinary circumstances or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting, and with the approval of the appropriate leader pursuant to the procedures established by each house, to participate in meetings through the use of videoconferencing."

And I reference that as well in the Public Officers Law section (c) that says "be physically present at any such meeting location due to extraordinary circumstances, as set forth in the resolution and written procedures adopted pursuant to paragraphs (a) and (b) of this subdivision. This is referring to that Public Officers Law section.

But it also says "including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical

attendance at such meeting."

Well, I appreciate you obliging me to get through all of that, but that's identical language, but we do not have in the resolution disability, illness, caregiving responsibilities specifically.

So can you tell me why that was not included in this resolution? Because it seems quite vague to me.

SENATOR GIANARIS: First of all, the statute is also relevant here, and that language is there. But that is a nonexclusive list of possible extraordinary circumstances that the statute envisions. So we didn't think it was necessary to list the nonexclusive list of examples that's in the statute that are intended to give context to what the words mean.

SENATOR PALUMBO: Will Senator Gianaris continue to lead -- yield, please.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: Senator Gianaris yields.

SENATOR PALUMBO: Would illness be

included? I guess it's a nonexclusive list, but it doesn't specifically have some of them that are kind of easy to recognize -- illness, caregiving responsibilities. Would those be included when it comes to an excuse that would allow someone to videoconference?

SENATOR GIANARIS: Yes.

SENATOR PALUMBO: Would you continue to yield, please.

ACTING PRESIDENT MAYER: Do you yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: And of course those questions would also apply to disability and caregiving responsibilities?

SENATOR GIANARIS: Yeah, I think you read the entire list, and I said yes.

SENATOR PALUMBO: Thank you.

Would you continue to yield, please.

ACTING PRESIDENT MAYER: Do you yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The

Senator yields.

SENATOR PALUMBO: And I appreciate that, Senator. Because as I said, it seems quite vague to me where we have some of these -- some of this language in here, but not all of it.

"The approval of the appropriate leader pursuant to the procedures established by each house." That's not enumerated in here, and we don't have any other written procedures or policies to refer to.

So who is the appropriate leader in the Senate?

SENATOR GIANARIS: The Temporary President and Majority Leader.

SENATOR PALUMBO: And in the Assembly, who is the appropriate leader under the joint resolution rules?

SENATOR GIANARIS: The Speaker of the Assembly.

SENATOR PALUMBO: And isn't there also -- would you continue to yield? I'm sorry.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The

Senator yields.

SENATOR PALUMBO: We were on a roll there for a second. I forget the procedure on occasion.

Is there any involvement of the Minority Leader in the Assembly with respect to the minority members down the hall?

SENATOR GIANARIS: Down the hall? Or --

SENATOR PALUMBO: In the Assembly.

SENATOR GIANARIS: In the Assembly? Well, the Assembly will determine its own procedures in terms of how the Speaker intends to receive and decide on those requests.

I imagine here in the Senate it will work the same way excusals currently work, or committee memberships currently work, which is the Minority Leader will communicate to the Majority Leader a request, and she will decide accordingly.

SENATOR PALUMBO: Would you continue to yield, please.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: So would the final say-so, whether it's a valid excuse or not, be on the Majority Leader in the Senate, not the Minority Leader?

SENATOR GIANARIS: That's correct. Like everything else we do here.

SENATOR PALUMBO: Would you continue to yield, please.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: And assuming that there are rules that are going to be adopted in the Assembly, will these Senate rules mirror exactly the rules in the Assembly when it comes to whoever -- who has the final say with respect to established criteria for an excuse to videoconference?

SENATOR GIANARIS: I don't know how the Assembly is going to determine its own procedures. We have responsibility for the

Senate over here.

SENATOR PALUMBO: Would you continue to yield, please.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you.

Well, Senator, our understanding was that the excuse -- and I use it, "an excuse," to be excused, of course, from being physically present, is what I'm referring to -- that the excuse would be controlled by each appropriate leader in their conference. That absent specific criteria, I believe that might have some fluid, for lack of a better phrase, interpretations.

So do we -- will we have any specific enumerated list, a -- and I'd prefer an exhaustive list, but a specific list so that we can know whether or not we fit within the parameters of an appropriate excuse?

SENATOR GIANARIS: Well, first of all, let me correct something you misstated. The excusals are the responsibility of the

Majority Leader. I believe there's deference to the Minority Leader when members of his conference are seeking an excusal.

But as a matter of who has authority to grant that excusal, it's the Majority Leader. So we're not changing that procedure as it relates to the opportunity to participate remotely.

SENATOR PALUMBO: Would you continue to yield, please.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you, Senator.

Now, assuming someone fits the criteria and gets the approval from the Majority Leader only, will they be able to vote, as we did during the COVID procedures, vote -- not debate, but vote by remote sheet, by vote sheet?

SENATOR GIANARIS: I think the exact procedures and the details of it will be

determined once this is authorized.

But I would imagine something to that effect. I know that the statute also requires the ability to see the person who's videoconferencing in, and so we'd have to make sure that we abide by those requirements.

SENATOR PALUMBO: I just want to follow up, if you would continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you, Senator.

So in light of just -- what I'm gleaning from our discussion is that there will be more specific procedures eventually adopted so that it can be a little bit more clear for the body and for the public?

SENATOR GIANARIS: The words in this resolution are what will govern this procedure. Whether there's something to follow that will be specifically written or just communicated through the leadership, I don't know

at this time.

SENATOR PALUMBO: Okay. Thank you, Senator Gianaris.

On the resolution, please.

ACTING PRESIDENT MAYER: Senator Palumbo on the resolution.

SENATOR PALUMBO: Well, thank you, Madam President.

And I do appreciate I guess the spirit of this.

I think that there are some significant inconsistencies between this resolution and the Public Officers Law, because this is -- I believe it's intentionally quite vague. Because clearly the statute was referenced. And when you compare it word for word, there are some really important aspects of the Public Officers Law that are not included. And quite frankly, I don't believe this meets the criteria as required by law.

We had a public hearing, if you want to call it that, that was 10 minutes. As I said, I was on my way to the hearing and I found out it was over. There were no questions asked. There was one group that spoke. And in fact the one

group said -- the ones that did speak said "It's about good government. We need to have this resolution age like a bill for three days."

We got it yesterday. So they haven't even complied with the one group of witnesses that testified at the 10-minute public hearing.

And more importantly, we don't have written procedures. Because this is a very broad stroke, this resolution.

And again, I get it. But I just think that the arbitrary nature of the whims of whether or not we fit into certain criteria -- is it a car accident and someone's in the hospital? Or is it that, well, I had an emergency vacation in Hawaii? I don't know.

And that's the concern, that this is left to the arbitrary whims of a Majority Leader in the Senate, and apparently only the Speaker in the Assembly. Which is not the information that I got, that it actually was we're all adults, that the Majority Leader would just say, We're excusing so-and-so. Or the Minority Leader can say, We're excusing a member of our conference.

So I'm really concerned with the

language here. Unfortunately, I don't believe this even complies with the Public Officers Law.

So, Madam President, I will be voting no on this resolution, and I encourage my colleagues to do the same. Thank you.

ACTING PRESIDENT MAYER: Senator Borrello on the resolution.

SENATOR BORRELLO: Thank you, Madam President.

Like my colleague Senator Palumbo, I think the spirit of this is to allow for an emergency. But this bill is just poorly written and vague. And I agree, I think it was done intentionally.

You know, we've unfortunately become very comfortable with insulating ourselves from the people we represent. And there's probably no greater evidence of that than a brief 10-minute, hurried hearing, where really no one was invited to actually speak on what they feel good government looks like in this situation.

You know, we've all experienced situations where we felt that the rules favored one person over the other and that was not fair. And we all want to be fair. This is license to

not be fair. And that's really the problem with this bill.

This is license for someone to say: I deem this an emergency, and I deem this not an emergency. And there are no guardrails, there are no standards, and there's certainly no public scrutiny of what is deemed an emergency. That's the fundamental problem with this.

I've spoken in the past about how we've further separated ourselves from the people that we are supposed to represent, the people who vote for us to send us here. The people who pay taxes to pay the salaries that allow us to do this job.

And yet we continue to do things to say that we'll take care of this, we're smarter than you, you really don't need to have a say in this, this is up to us. That's the very definition of an elitist attitude.

This bill takes us further down that road to say that it really doesn't matter what the people think, the great unwashed that we represent. It's a horrible attitude. It's a horrible way to govern. And it's certainly not an open and transparent government.

So I'll be voting no. Thank you, Madam President.

ACTING PRESIDENT MAYER: Senator Gianaris on the resolution.

SENATOR GIANARIS: Thank you, Madam President.

My colleague Senator Borrello has good taste in science fiction, but really bad opinions about resolutions and legislation.

(Laughter.)

SENATOR GIANARIS: Give me a break. We have operated under rules much more lenient than these for over two years in the midst of COVID.

Now, I hope Senator Palumbo and Senator Borrello never have to avail themselves of the opportunity to participate remotely because they're ill. But this is something for the protection of everyone in this chamber, and to afford people the opportunity to participate in our democratic process when they can't be here.

It still requires a physical quorum of members to be present. And, you know, it's funny, because these crocodile tears -- which, by

the way, would not qualify as an illness, so don't try and get out of it for that reason. But they would be completely on the other side of this if, God forbid, someone had COVID and couldn't be here and were not allowed to participate. And then you'd be screaming, Why don't we have a process to let people vote, because you've been denying the opportunity to vote.

So I know you've got to object to everything we do here, because, like, you're in the Minority. But this is something that is intended to protect your rights, as well as our members' rights, to represent your constituents and be here and participate and vote when you physically cannot be here for extraordinary reasons. Not because, you know, you want to sit home with your feet on the couch and watch television. That would not count.

I vote aye. Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Gianaris.

Senator Helming on the resolution.

SENATOR HELMING: Thank you,

Madam President. I rise to explain my vote on this resolution.

In reading through it, I -- you've heard me say this before on this floor, that the devil's in the details. So when I read through it, I really become concerned.

For instance, as Senator Palumbo pointed out, this reso states that procedures will be established by each house. But we don't have any idea what those procedures are. There's nothing before us. That's one of the reasons why I will be voting no.

Also, it talks about extraordinary circumstances or any other significant or unexpected factor or event. Again, there are no parameters there to give me any indication of what would be considered. Another reason why I'll be voting no.

It also talks about the approval of the appropriate leader. And to me, that's clear as mud. The leader that this conference voted for is the Minority Leader, Rob Ortt. So I would assume he would be giving the approvals, but it's not clear in this resolution.

And then finally, we just received

this resolution yesterday. And we do a lot of talking about accountability, transparency, good government. But in my opinion, rushing this through this way, not giving the public at least 72 hours to look at this and to comment on it, is not good government. And it's not what we need to do to begin to restore trust and faith in our state government.

For those reasons and many more, I will be voting no on this resolution.

ACTING PRESIDENT MAYER: Senator Rhoads on the resolution.

SENATOR RHOADS: Thank you, Madam President.

The problem is -- to Senator Gianaris's point, the problem is that the resolution doesn't say in case of illness.

I think everyone in this chamber would be in agreement that if there's an illness, providing a mechanism for people to continue to be able to participate sounds like a good idea. The problem is that the resolution really doesn't establish any criteria.

And in the limited time that I've been -- I've had the honor of being in this

chamber, unfortunately it's not the first time where I would be concerned about the absence of detail when we're establishing the rules.

SENATOR GIANARIS: Madam President, would Senator Rhoads yield for a question?

ACTING PRESIDENT MAYER: Senator Rhoads, do you yield?

SENATOR RHOADS: I -- I --

ACTING PRESIDENT MAYER: Yes? Is that yes?

SENATOR RHOADS: I'm speaking on the resolution.

ACTING PRESIDENT MAYER: Yes.

SENATOR GIANARIS: And I'm asking you to yield for a question.

SENATOR RHOADS: Sure.

SENATOR GIANARIS: Thank you.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR GIANARIS: Can you read the first "RESOLVED" paragraph in the resolution? Do you see where it says "in compliance with the provisions of Article 7 of the Public Officers Law"?

SENATOR RHOADS: Yes, I see it.

SENATOR GIANARIS: Would Senator Rhoads continue to yield?

SENATOR RHOADS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR GIANARIS: So Section 7 of the Public Officers -- or whatever the appropriate section is there that's referenced -- Article 7 of the Public Officers Law lists the things that Senator Rhoads is asking about.

We reference that we are complying with Article 7 of the Public Officers Law, which says disability, illness, and caregiving responsibilities. So by reference, we exactly list the things that he is asking about.

SENATOR RHOADS: The concern that I have is with respect to the paragraph that goes below that, where it indicates "RESOLVED, That legislators shall be permitted, on a case by case basis, if unable to be physically present at any such meeting due to extraordinary circumstances or other significant or unexpected factor or event which precludes the member's physical attendance at such meeting, and with the approval of the appropriate leader pursuant to the

procedures established by each house, to participate in meetings through the use of videoconferencing," and then it goes to speak to the next "RESOLVED" section.

The issue that I have is without there being clearly established parameters as to what is and isn't going to be considered a valid excuse, we now leave it up to one individual to determine whether my illness, whether my excuse, whether my problem that prevents my attendance is going to be considered worthy, whereas somebody else may be considered differently.

And that's -- whether this power was vested in a Democrat or a Republican, I would have the same exact concern with the lack of parameters. It leaves it open to interpretation.

And having been here in the short period of time that I've been here, my concern is that I've already seen -- I mean, look at the La Salle nomination, for example. I've already seen where the rules can be manipulated -- whether it's adding additional people to the Judiciary Committee, whether it's permitting people to be able to participate remotely and vote remotely when they may or may not be here,

because we need the vote.

And so my concern is if it's a situation where it's a close vote and I'm not able to be here, my reason for that may be considered differently if my vote's not going to make a difference than if it did make a difference.

And that's my concern. Without those clear parameters and without being able to establish under what circumstances an excuse will be considered and not considered, you create the opportunity for the process to be abused.

And so that's why I'll be voting no, Madam President.

ACTING PRESIDENT MAYER: The question is on the resolution.

The Secretary will call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Resolution 540, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker,

O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk and Weber.

Ayes, 41. Nays, 20.

ACTING PRESIDENT MAYER: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Madam President, by consent, we're going to go back to motions and resolutions.

I understand Senator -- I hope I can pronounce this correctly -- Cantoneri-Fitzpatrick wanted to speak on the Women's Day resolution and didn't have the opportunity. So if we could please recognize her for comments.

ACTING PRESIDENT MAYER: Senator Canzoneri-Fitzpatrick on the resolution.

SENATOR CANZONERI-FITZPATRICK: Thank you, Madam President. Thank you, Senator Gianaris.

I just wanted to say that I fully support this resolution. I thank the sponsor for bringing this to the floor.

As I stated yesterday, the women in our lives help us achieve the goals that we have and allow us to be examples for our future

generations.

As I stated yesterday, my grandmother came to this country not speaking English and with minimal education, and I applaud the women like her that have brought us all to the place that we are today.

I also, as the mom of three girls, want to continue to support them, whether they want to be in sports, whether they want to be in fields that are traditionally held by men. I have a daughter who's a major in chemical engineering, and I'm so proud of her because there are so few women in that field.

So I thank the Senate for this resolution, and I continue to support women in all of their endeavors as we try to continue our success and applaud the women who got us to this point.

Thank you so much.

ACTING PRESIDENT MAYER: Thank you, Senator Canzoneri-Fitzpatrick.

Now we will go back -- Senator Gianaris.

SENATOR GIANARIS: Thank you.

And of course I did manage to

mispronounce Senator Canzoneri-Fitzpatrick's name, so my apologies for that.

Can we now take up the reading of the calendar.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 258, Senate Print 2175, by Senator Kennedy, an act to amend the Workers' Compensation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Kennedy to explain his vote.

SENATOR KENNEDY: Madam President, on the bill.

I rise today to speak on this legislation that I'm so proud to support and sponsor, a bill that's personal for tens of thousands of women and families across New York. Through this bill, the birth of a stillborn child

will be added as a qualifying condition for paid family leave here in New York State.

It will allow individuals who lose a child to take time to grieve, process their loss, and begin the healing process. We all know that healing process truly never ends.

One in four pregnancies end in loss, and of that one in every 160 births are stillborn. There are 3,000 stillborn babies here in New York State alone every single year. And as I mentioned, this is personal for all of those families, including many in this room here today. It's personal for me. If my colleagues would so indulge me, I'm going to share a couple of stories, my own personal story, my wife.

Back in 2007, October 19, 2007, my wife and I gave birth to a little baby girl, Brigid Nicole Kennedy. She was with us for four minutes. She had a condition where she retained fluid and wasn't able to breathe, so her life was very quick in this world.

We had the beautiful moment to hold her in this life, to baptize her, and to send her on to the Lord. And that truly was a life-changing moment that I think about every

day. A driving force in my life. As our families are driving forces oftentimes in our lives, my baby girl was a driving force in my life. The day before my birthday. Woke up the next morning in the hospital to a beautiful rainbow. And we knew it was a sign from above that our baby girl was okay. Every time we see a rainbow, we think of my baby girl Brigid Nicole.

You know, we were one of the lucky ones, not just to have held our baby girl Brigid, but to have spent those four minutes with her in this life. Not just as a personal moment for us, but also the way the law reflects that moment. In those four minutes, we qualified for insurance. My wife qualified for disability. We qualified for a certificate of birth to recognize that Brigid Nicole existed, came into this life, and had those moments with us. And we qualified for a certificate of death, among other things.

You know, back in 2012 this body and the Assembly created -- signed into law by the Governor -- the certificate of birth resulting in stillbirth. Up and until that moment, if a stillborn child was brought into this life, the state by law said that baby never existed. In

2012 we took the steps to change that, and we succeeded, because of the powerful advocates, families that had experienced that terrible loss of a child, driving that message forward.

My sister Peggy wasn't so lucky, my oldest sister. The first grandson, back in 2004, coming into our lives. This is before that certificate of birth resulting in stillbirth was passed. Over 30 weeks, about 34 weeks gestation. We were expecting this baby boy, kicking every day. One day my sister woke up and that baby boy was no longer kicking.

She had a stillbirth. Named that baby boy, my nephew, John Christian Jude Mulderig. And that was life-changing in her life and all of our family's lives. You know, I know it changed the course and trajectory of her family. I also know that we're hardly alone.

Thankfully, my wife and I have been blessed with three beautiful children, Connor, Eireann, and Padraic -- 17, 14 and 11. My sister Peggy, three beautiful little girls. The only baby boy in her life was the boy she lost still in 2004. But Molly, Meghan, and Kate are making up each and every day for that loss with their

beautiful lives.

And the tens of thousands of families that are impacted by stillbirth each and every year here in New York feel that pain. We know how commonly this affects families across New York and across our nation. And yet we don't currently afford parents the same time off if they experience the loss of a stillborn child. Well, today we're one step closer to making that a reality here in New York.

I want to close by sharing some of the names of those who have stood beside us sharing their own stories of trauma, of grief and of loss, and channeled that trauma into advocacy to get this legislation passed for families that are grieving.

Christine Scott, the mother of Jacob Wesley Scott, the founder of Wings of Love out in Western New York, part of the Western New York Perinatal Bereavement Network, the long-time executive director of that organization.

Kelly Anderson, a great friend of ours, her and her husband Mike, the mother of Michael Anthony.

Samantha Surface, the mother of

Abigail.

The organization Push for Empowered Pregnancy.

Marjorie, the mother of Alexi.

Cassidy, the mother of Olivia.

Ashley, the mother of C.J.

Christian, the father of Valentina.

Samantha, the mother of Archer.

Nora, the mother of Bryce.

Today is for them and all of those individuals and families, their beautiful babies, and so many other thousands of New Yorkers who they fight for each and every day.

We're giving comfort to thousands of families in New York State, emotionally and financially, as they cope with tragedy in the most difficult moment of their lives.

I thank my colleagues for supporting this legislation, all of those that helped to advance it. And I ask each and every one of you to support me in this legislation.

With that, Mr. President, I vote aye.

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

Senator Mayer to explain her vote.

SENATOR MAYER: Thank you, Mr. President.

And thank you, Senator Kennedy, for bringing this legislation to the floor.

Thank you to all my colleagues, who I know understand how personal and important this issue is. You know, I think it was about seven years ago that some mothers came to me who had experienced stillbirth, and they really felt ignored at every level in state policy-making -- ignored by the lack of paid leave, ignored by the lack of research into stillbirth, ignored by the stigma of talking about it and advocating at a policy level to understand why this happens, not only to them, but because they cared about why it happened to anyone. And how prevalent stillbirth was and remains.

And the fact is our state has much more to do. And any parent who has experienced the loss of a child, as I have and my husband has, understands that there is an obligation to take these stories out of the shadows and into the halls of chambers like this, to make the policy changes that these parents deserve and to

insist that there is more to be done. The research, the medical attention, and the public voice for these families must be heard.

So I'm so pleased that this bill is being brought to the floor. I really thank Senator Kennedy for continuing to make clear that this is -- it's not just personal to those of us who experienced it personally. This is our obligation as elected officials to speak for them as well.

And so today we take a step forward in that journey, and I'm proud to vote yes.

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

Senator Scarcella-Spanton to explain her vote.

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

Thank you, Senator Kennedy, for your work around this issue. This issue is very personal to me. The first bill I ever worked on as a staffer back in 2009 was with families looking to seek a certificate of birth resulting in stillbirth. I still speak to those families to this day.

Allowing individuals who lose a child to take time to grieve and come to terms with life-altering loss is critical to the healing process.

I'm thinking about all the families I worked with in the past, but especially Lori and Jeff Tieger, from Staten Island, and their son Daniel, who was a stillborn. Lori actually had to take -- use her saved days after her loss of her son, and she lost time with her daughter, who was born shortly thereafter.

This bill is critical to making sure that we give these families the support that they so deserve. In New York City alone, there are chose to 900 stillbirths each year. This legislation to assist families that are dealing with the overwhelming circumstances of losing a child during pregnancy is a critical piece to helping support them, and I proudly vote aye.

Thank you.

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

Senator Brouk to explain her vote.

SENATOR BROUK: Thank you,

Mr. President.

I want to just start by showing immense gratitude to my colleague Senator Tim Kennedy for sharing your story with us today, for bringing light to it, and for also turning that into purpose and really changing the lives of so many people who face that tragedy as well.

I have in the past few months talked a lot about the maternal mortality crisis, and the word missing there is the maternal and infant mortality crisis. Because there is a crisis from not just losing mothers' lives but losing their infants as well.

And an interesting thing, as you just heard from some of my colleagues, is you often don't hear about these stories because they're really hard to share. And it wasn't until I embarked on my own pregnancy that I heard stories from many people who had faced loss.

But today I want to use my next minute to honor little Remy. Little Remy (pause) passed away at eight months in her mom's belly and was delivered at eight months and could not survive. She was the daughter of my chosen sister; I have none by blood. And when it

happened, there was so little I could do. There was so little I could do. She was in Colorado, I was in New York.

And something like this is what we can do. As legislators, we can make it easier for people who face this kind of tragedy and loss. And I know, being this friend and chosen sister of her mom, that you never stop grieving.

And so for that I am so grateful, Senator Kennedy, that you brought attention to this issue. Because now I can look at my dear friend and her family and tell them this is something that we can do to support them and make sure they have the time to heal and grieve.

So thank you so much, Senator Kennedy, and thank you to our colleagues for bringing this forward. I very much vote aye.

Thank you.

ACTING PRESIDENT MAYER: Senator Brouk to be recorded in the affirmative.

Senator May to explain her vote.

SENATOR MAY: Thank you, Madam President.

I also want to thank the sponsor for this bill and for your beautiful words, and all

my colleagues for what you've shared.

And I want to say that I am very strongly in support of this, but this ought to be part of a wider package of support for people grieving deaths in their families.

And I -- I'm glad that we are allowing or supporting paid family leave for this particular kind of bereavement, but I think New York State needs to step up and be more supportive of the grieving process in general.

And so I hope we can make this the first in a -- I gather the Governor has vetoed in the past an effort to create that kind of leave for other kinds of loss. And I hope we can make this the start of really stepping up for everybody who is grieving the loss of a family member.

Thank you.

ACTING PRESIDENT MAYER: Senator May to be recorded in the affirmative.

Senator Martins to explain his vote.

SENATOR MARTINS: Thank you, Madam President.

I rise to thank Tim and Shelley for sharing your stories as well. Thank you.

You know, when we passed paid family leave, this should have been part of that. And the fact that it wasn't is being corrected, hopefully, today. The importance of recognizing the impact on a family.

Many of us here in the room have children, we've gone through that. We understand the impact to a community or to a family. We have loved ones, we have friends who have gone through the process and unfortunately have lost a child, whether in utero or shortly after birth.

And the fact that we're able to stand together, frankly, unanimous today on something as important as the sanctity of life and the importance of that life to the family and the importance of that life in recognizing the impact on the family and allowing our laws to apply, is something that's overdue.

So I do want to take the opportunity to thank the sponsor for presenting this and allowing us all an opportunity to come together on something as important as this. So, Tim, thank you.

Thank you, Madam President. I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 333, Senate Print 3349A, by Senator Fernandez, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect one year after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 336, Senate Print 2077, by Senator Addabbo, an act to amend Chapter 473 of the Laws of 2010.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Madam President. I rise in order to explain my vote on this particular matter.

I have a bill that basically the income that's generated from video display units goes to education. And looking at this bill, it will conflict with the bill that I have pending. I hope that our bill will pass pretty soon. But just because of that, I'll be voting no.

ACTING PRESIDENT MAYER: Senator Jackson to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 336, those Senators voting in the negative are Senators Brisport, Gonzalez, Jackson, May and Salazar.

Ayes, 56. Nays, 5.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 359, Senate Print 2169, by Senator Liu, an act to amend the Tax Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 359, voting in the negative: Senator Lanza.

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 375, Senate Print 2907, by Senator Persaud, an act to amend the Education Law.

ACTING PRESIDENT MAYER: Read the

last section.

THE SECRETARY: Section 12. This act shall take effect 18 months after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 375, voting in the negative: Senator Walczyk.

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 396, Senate Print 2019, by Senator Addabbo, an act to amend the Tax Law and the State Finance Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 401, Senate Print 209, by Senator Cleare, an act to amend the Education Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Cleare to explain her vote.

SENATOR CLEARE: Thank you, Madam President.

This bill saves lives; in particular, the lives of schoolchildren who may go into anaphylactic shock and need immediate professional intervention to avoid catastrophic results.

While schools are currently required to have a medical professional on staff and to have the tools necessary to treat a child that goes into anaphylactic shock, it is best that all professionals in the school setting have the basic and proper information and training to administer an epinephrine auto-injector, often referred to as an EpiPen, in the event of an immediate emergency.

This bill requires the proactive provision of training materials to teachers in schools that maintain epinephrine auto-injectors on site so all professionals in the school setting may learn how to use one in advance of the time coming when it may actually be needed.

I thank my colleagues for supporting this bill last year, and again encourage a unanimous aye vote.

ACTING PRESIDENT MAYER: Senator Cleare to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

404, Senate Print 1448, by Senator Sanders, an act to amend the Education Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 413, Senate Print 4342, by Senator Sepúlveda, an act to amend the Surrogate's Court Procedure Act.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 30th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Madam President.

You know, I understand the intent of this is to perhaps give those who have a small estate the ability to have some flexibility when it comes to, you know, settling an estate after a death.

However, I think we've all seen con artists, really, people that take advantage of those situations. We've all gotten those phone calls that are saying, Hey, the state has some of your money, and if you just pay us some money, we'll get that for you.

Well, you can go to a simple website that the state operates and get that money yourself. You don't have to pay somebody to do it.

But that is a cottage industry created, unfortunately, by -- in some cases -- bad legislation.

This is a similar situation. I believe this will give -- and I asked this question of counsel -- someone completely

unrelated the ability to make a phone call and say for a fee we will settle this small estate. And this will likely be on folks who really can't afford to give up any money in the case of the transfer of a small estate after a death.

So while I understand the intent, I think that there are unintended consequences, so that's why I'm a no.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Senator Borrello to be recorded in the negative.

Senator Canzoneri-Fitzpatrick to explain her vote.

SENATOR CANZONERI-FITZPATRICK: Thank you, Madam President.

I'm an attorney who's practiced in the trusts and estates field exclusively for the past 25 years. I've dealt with this statute firsthand.

During committee, I requested an amendment by the sponsor, which was not yielded to. And one of the items that this bill amends is that a competent adult who's not a distributee -- therefore not related to the decedent -- can now act on behalf of the estate.

There is no bond in place to ensure that the fiduciary acts appropriately for the distributees. And we already have in place in every county a public administrator, who's a state agency willing to step in and act on behalf of family members when there isn't anybody appropriate that can act and qualify under the law as a fiduciary.

I think it's a slippery slope when we put in unrelated people to represent and handle money. In September of 2021, New York State law was amended to change our power of attorney law to advise agents that they are acting in the best interests of the principal. And if they don't, they will be liable because the -- this area of law is rampant with people that take advantage and don't do the right thing and act true to their fiduciary responsibilities.

So I'm disappointed that the sponsor would not amend this statute, because I too understand that he's trying to make it easier for people who don't have family. But I don't think that this is appropriate.

So for that reason, I'm voting nay. Thank you.

ACTING PRESIDENT MAYER: Senator Canzoneri-Fitzpatrick to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 413, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk and Weber.

Ayes, 43. Nays, 18.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 418, Senate Print 2924, by Senator Cleare, an act to establish the Marshall Plan for Moms interagency task force.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 6. This act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 418, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco and Weber.

Ayes, 45. Nays, 16.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 419, Senate Print 4878, by Senator Mayer, an act to amend the Labor Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to

Calendar 419, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Murray, Oberacker, O'Mara, Ortt, Stec, Tedisco and Walczyk.

Ayes, 51. Nays, 10.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 423, Senate Print 314, by Senator Salazar, an act directing the New York State Energy Research and Development Authority to establish a Ride Clean rebate program.

SENATOR LANZA: Lay it aside.

SENATOR GIANARIS: Lay it aside for the day.

(Laughter.)

ACTING PRESIDENT MAYER: The bill is jointly laid aside for the day.

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

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

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

SENATOR GIANARIS: I was going to

remind my colleagues in the Majority that we are going into conference, but it seems like they're already there.

So with that, I move to adjourn until Monday, March 13th, at 3:00 p.m., with the intervening days being legislative days.

ACTING PRESIDENT MAYER: On motion, the Senate stands adjourned until Monday, March 13th, at 3:00 p.m., with the intervening days being legislative days.

(Whereupon, at 12:52 p.m., the Senate adjourned.)