

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 May 3, 2023

11 11:47 a.m.

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13
14 REGULAR SESSION

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18 SENATOR JAMAAL T. BAILEY, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

1 P R O C E E D I N G S

2 ACTING PRESIDENT BAILEY: The
3 Senate will come to order.

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

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

8 ACTING PRESIDENT BAILEY: Imam
9 Tahir Kukj, spiritual leader of the Albanian
10 Muslim community on Staten Island, from the
11 Albanian Islamic Cultural Center, Staten Island,
12 New York, will deliver today's invocation.

13 Imam?

14 IMAM KUKJ: Good morning.

15 In the name of God, most gracious,
16 most merciful. God Almighty, thank You for this
17 beautiful day. Thank You for giving me the honor
18 and privilege to be amongst those elected to lead
19 our state.

20 As Imam, as a son of Albanian farmer
21 who lived in very removed area in former
22 Yugoslavia, who had nothing except hope and my
23 father's prayers, after 50 years, God Almighty
24 enabled me to be here, the most revered place in
25 New York State, at the Senate, to offer my

1 sincere prayers to God Almighty and gratitude to
2 all our Senators.

3 God Almighty, we ask You that You
4 bless all our Senators, and especially Senators
5 from Staten Island --

6 (Laughter.)

7 IMAM KUKJ: -- my good dear friend
8 and sister Jessica, and my dear brother Andrew
9 Lanza, and all that are elected to serve and lead
10 our state.

11 I pray that God Almighty give you
12 wisdom of prophets and memory of the messengers
13 and righteous heart, like angels, to feel for
14 your constituents and do what is right for our
15 state.

16 I pray to God Almighty that bestow
17 upon you advisors that they seek, to provide
18 honest opinions with wisdom.

19 I pray to God Almighty to pour in
20 your hearts love and loyalty for our state.

21 I pray to God Almighty that inspires
22 you to break the barriers that were built by
23 self-ambition for power, and reach the agreement
24 what is always good and positive for our state.

25 I pray to God Almighty to bless your

1 families. As they grow day by day, they are
2 patiently waiting for you to do the job, as they
3 miss you on several family occasions that are
4 dear to them.

5 I pray to God Almighty to inspire
6 you to seek what is the best for our state, and
7 remind you that this state is an example looked
8 upon by other states in our nation and far
9 beyond. The entire globe looks at the
10 Empire State of New York.

11 God Almighty, we thank You for the
12 achievement recently our Senate was able to do
13 the budget. Hopefully this will follow through
14 in our nation's capital.

15 God Almighty, we thank You for this
16 day and we ask You that You continue to inspire
17 and guide and protect all our Senators, with no
18 exceptions. We do love our own, but we love and
19 respect all of them.

20 God bless you all. God bless
21 New York State. And God bless always
22 United States of America.

23 In Your name we make this prayer.
24 Amen.

25 (Response of "Amen.")

1 ACTING PRESIDENT BAILEY: Reading
2 of the Journal.

3 THE SECRETARY: In Senate, Tuesday,
4 May 2, 2023, the Senate met pursuant to
5 adjournment. The Journal of Monday, May 1, 2023,
6 was read and approved. On motion, the Senate
7 adjourned.

8 ACTING PRESIDENT BAILEY: Without
9 objection, the Journal stands approved as read.

10 Presentation of petitions.

11 Messages from the Assembly.

12 The Secretary will read.

13 THE SECRETARY: Senator Krueger
14 moves to discharge, from the Committee on
15 Higher Education, Assembly Bill Number 3158A and
16 substitute it for the identical Senate Bill 131A,
17 Third Reading Calendar 147.

18 ACTING PRESIDENT BAILEY: So
19 ordered.

20 Messages from the Governor.

21 Reports of standing committees.

22 Reports of select committees.

23 Communications and reports from
24 state officers.

25 Motions and resolutions.

1 Senator Gianaris.

2 SENATOR GIANARIS: Good morning,
3 Mr. President.

4 On behalf of Senator Parker, on
5 page 9 I offer the following amendments to
6 Calendar 237, Senate Print 2935A, and ask that
7 said bill retain its place on the Third Reading
8 Calendar.

9 ACTING PRESIDENT BAILEY: One
10 second, Senator.

11 Can we have a little bit of order,
12 folks? Thank you.

13 The amendments are received, and the
14 bill will retain its place on the Third Reading
15 Calendar.

16 Senator Gianaris.

17 SENATOR GIANARIS: Can we now take
18 up previously adapted Resolution 874, by
19 Senator Webb, read its title and recognize
20 Senator Webb.

21 ACTING PRESIDENT BAILEY: The
22 Secretary will read.

23 THE SECRETARY: Senate Resolution
24 874, by Senator Webb, memorializing
25 Governor Kathy Hochul to proclaim May 2, 2023, as

1 Domestic Violence Awareness and Prevention Day in
2 the State of New York.

3 ACTING PRESIDENT BAILEY: Senator
4 Webb on the resolution.

5 SENATOR GIANARIS: Just give
6 Senator Webb a moment to come over to this side
7 of the room, please.

8 SENATOR WEBB: Thank you,
9 Mr. President.

10 I rise to thank my Senate colleagues
11 for supporting this resolution memorializing
12 Governor Kathy Hochul to proclaim May 2, 2023, as
13 Domestic Violence Awareness and Prevention Day in
14 the State of New York.

15 We are also being joined today by
16 some special guests with the New York State
17 Coalition Against Domestic Violence, and I want
18 to acknowledge them as well: The executive
19 director of this coalition, Connie Neal. Also
20 the director of public policy and advocacy,
21 Joan Gerhardt, and Brittni Gulotty, who is the
22 public policy coordinator, have joined us in the
23 chamber this morning.

24 So I want to share a few stats that
25 further underscore why taking the time today to

1 lift up this important day of awareness is so
2 critical and integral for us here in New York and
3 nationally.

4 More than 10 million people are
5 physically abused by an intimate partner each
6 year nationwide. Domestic violence impacts
7 people from all social groups, regardless of
8 race, socioeconomic status, gender identity, sex,
9 sexual orientation, ethnicity, or age. It does
10 not discriminate.

11 And while domestic violence, as I
12 said, does not discriminate, its effects are
13 experienced disproportionately by some groups,
14 including women, especially Black women -- and
15 Black men -- and the LGBTQIA+ community.

16 One in three women will experience
17 domestic violence, and one in 10 will be raped by
18 an intimate partner. Forty-five percent of Black
19 women and 40 percent of Black men experience
20 intimate-partner physical violence, sexual
21 violence, or stalking in their lifetimes.
22 Forty-four percent of lesbian women and
23 26 percent of gay men experience rape, physical
24 violence, or stalking, and 54 percent of the
25 transgender community has experienced some form

1 of intimate-partner violence with heightened
2 levels of the violence for transgender women of
3 color.

4 Domestic violence doesn't just stop
5 with adults, it also impacts our children.
6 Domestic violence impacts children and youth,
7 with 21 percent of female-identifying high school
8 students and 13 percent of male-identifying
9 high school students reporting abuse by a dating
10 partner.

11 The one in 15 children in the U.S.
12 who witness intimate-partner violence in their
13 homes are three times more likely to engage in
14 violent behavior than their peers, and it goes
15 back to the idea of constant ongoing exposure to
16 trauma and the impacts of that.

17 Survivors of domestic violence
18 experience health and mental health issues as a
19 result of their trauma. Here in New York we have
20 some of the greatest demand for domestic violence
21 support services in the country.

22 And I would be remiss if not only
23 that we didn't acknowledge the work of this great
24 coalition, New York State Coalition Against
25 Domestic Violence, but our own agency, the Office

1 for the Prevention of Domestic Violence, which is
2 led by Kelli Owens, and all the great work that
3 they are doing across our state to raise
4 awareness and, more importantly, take actions as
5 it pertains to this important issue.

6 We must continue to work to increase
7 support for survivors and domestic violence
8 support services to ensure that survivors have
9 safety and the ability to heal.

10 As the chair of our Women's Issues
11 Committee in the Senate, and more importantly as
12 a member of this chamber, I am honored to be
13 voting in favor of this resolution, and I hope my
14 colleagues will join me by voting aye.

15 Thank you so much, Mr. President.

16 ACTING PRESIDENT BAILEY: Thank
17 you. Thank you, Senator Webb.

18 Senator Fernandez on the resolution.

19 SENATOR FERNANDEZ: Thank you,
20 Mr. President. And thank you to the sponsor of
21 this resolution.

22 For as long as we've been in
23 government, in society, as a community, still we
24 have friends, families, loved ones that are
25 either publicly or secretly suffering domestic

1 violence. And it's not just physical, it's
2 emotional, it's financial, it's psychological.

3 And I'm very proud that this state
4 has taken steps in the last few years to make
5 sure that women and survivors have the means and
6 ability to find ways out, to protect themselves.
7 And there's still so much more to do.

8 There is so much more when someone
9 is in a situation and has no place to go. We
10 need to make sure that we have supportive housing
11 available. And shout out to the many
12 organizations in New York City and in the Bronx
13 that are doing this work on their own without any
14 support. They have conversations, deals -- I
15 don't want to say negotiations, but they speak
16 with hotels, they speak with everyone, anyone
17 that can help provide aid, an arm, a way of help
18 to any victim.

19 So for this Legislature, we have to
20 make sure that we continue funding the services,
21 helping those on the ground that are right there
22 with the survivors, making sure that we're having
23 the first responders aware how to respond to
24 them.

25 I have a bill that I'm going to be

1 pushing that gives training to first responders,
2 police officers, to make sure that they have the
3 idea of what sensitivity to approach a victim and
4 a future survivor when they come to them for
5 help.

6 As the only female Senator
7 representing the Bronx, the borough with the
8 highest amount of domestic violence cases, it is
9 a moral obligation to me to make sure that we
10 stay committed to funding, to supporting, to
11 creating the task force that will bring these
12 conversations constantly to the front. Because
13 if we sit in silence, we're going to allow more
14 violence.

15 So thank you to the sponsor. Thank
16 you, Mr. President. And I vote aye.

17 ACTING PRESIDENT BAILEY: Thank
18 you, Senator Fernandez.

19 Senator Parker on the resolution.

20 SENATOR PARKER: Thank you,
21 Mr. President.

22 I rise to add my voice to those who
23 are congratulating Senator Webb and this body for
24 recognizing May 2nd as Domestic Violence
25 Awareness Day here in our State Capitol. This is

1 a important -- it's an important day because we
2 really here, as part of our job as
3 representatives, have to be voices for the
4 voiceless. And oftentimes those who are
5 surviving or enduring domestic violence
6 oftentimes feel like they don't have a voice.

7 And so I'm standing not just to
8 implore my colleagues to vote yes on this
9 resolution, but to use this day as I intend to
10 use this day, as an opportunity to recommit
11 myself to being that voice in my district and
12 across the state.

13 There's lots of things that we need
14 to do. I have legislation that would actually
15 define domestic violence in our state law. Right
16 now the act of domestic violence, funnily enough,
17 is not even defined in law, and we need to define
18 it.

19 There is an emerging field of
20 coercive control, which has been going on, but we
21 have not, again, defined it or criminalized it
22 here in the State of New York. I have
23 legislation to do that. I'm calling on us to
24 bring that legislation to the floor and pass it
25 as soon as possible so we can continue to protect

1 folks throughout our communities.

2 And this is particularly an issue in
3 immigrant communities and an issue in Black and
4 Latino and Asian communities. It's obviously
5 predominately against women.

6 We also need to do -- the men in
7 this room really need to continue to work with
8 other men in our communities and with young boys
9 so they can learn the proper way to interact and
10 how to work through conflict and troubles and
11 stress. There's lots of things that we need to
12 do. And we need to work together to get that
13 work done. This is not a partisan issue. This
14 is not an upstate versus downstate issue.

15 But if we work together, we can in
16 fact give voice to those who need our voice and,
17 more importantly, put our hands to the actions
18 that need to be done to protect as many
19 New Yorkers as possible.

20 Thank you, Mr. President, and I vote
21 aye on this resolution.

22 ACTING PRESIDENT BAILEY: Thank
23 you, Senator Parker.

24 Senator Cleare on the resolution.

25 SENATOR CLEARE: I rise to thank

1 the resolution's sponsor for this very important
2 resolution today.

3 Domestic violence continues to
4 plague our communities. And I just want to lift
5 up our elder population. Sometimes we don't
6 think of them as being victims of domestic
7 violence, but unfortunately they are, men and
8 women -- based on a disability, even, sometimes.
9 So we have to keep that in mind.

10 And I'm glad that we're having this
11 day of awareness. I'm sorry that we have to have
12 it, but it does continue to be a problem. And I
13 thank the sponsor for bringing this bill --
14 bringing this resolution. I have some bills that
15 I hope that we can get passed related to this, to
16 human trafficking, which is related as well.

17 And we have to do much more. And
18 like my colleague Senator Parker just mentioned,
19 among men there has to be conversations. People
20 have to make sure you're telling your boy, It's
21 not all right. You're telling your friends, It's
22 not all right. Your sons, it's not all right.

23 And this is something that I would
24 like to increasingly see happen because it needs
25 to be looked on as the shame that it is, to be

1 physically or emotionally or financially,
2 socially, abusing anyone.

3 So thank you, Senator Webb. And
4 thank all my colleagues for all the work you do
5 around this issue.

6 ACTING PRESIDENT BAILEY: Thank
7 you, Senator Cleare.

8 Senator Hoylman-Sigal on the
9 resolution.

10 SENATOR HOYLMAN-SIGAL: Thank you,
11 Mr. President.

12 I rise to thank Senator Webb for
13 first kitting us up with these great violet
14 scarves, which of course acknowledge the problem
15 of domestic violence.

16 And I wanted to thank Senator Webb
17 for acknowledging also that domestic violence is
18 in so many different families, no matter what
19 their composition is.

20 The thing about domestic violence is
21 that it brings such a sense of shame and
22 embarrassment to the victims. And we're very
23 fortunate in New York that we have the largest
24 victims services organization in the country
25 headquartered in this state, Safe Horizon.

1 And I want to shout out Liz Roberts
2 for her leadership of that organization, along
3 with Michael Polenberg and the entire team for
4 educating me and our entire body on the
5 difficulty that domestic violence survivors face
6 on a daily basis -- for their amazing hotline
7 that reaches out to victims and that helps
8 rebuild their lives.

9 Safe Horizon was instrumental in
10 helping us pass both the Child Victims Act, which
11 of course has now expired, and the Adult
12 Survivors Act, which is now still in effect, as
13 we know down on Center Street where there's a
14 trial involving E. Jean Carroll against the
15 45th president of the United States.

16 These are important efforts, and I
17 want to work with my colleagues in the remainder
18 of the legislative session. Now that the
19 budget's on time, we can turn to legislating
20 these important issues to protect our community
21 and in particular survivors of domestic violence.

22 I vote aye, Mr. President.

23 ACTING PRESIDENT BAILEY: Thank
24 you, Senator Hoylman-Sigal.

25 To our guests, I welcome you on

1 behalf of the Senate. We extend to you all of
2 the privileges and courtesies of this house.

3 Please rise and be recognized.

4 (Standing ovation.)

5 ACTING PRESIDENT BAILEY: The
6 resolution was previously adopted on May 2nd.

7 Senator Gianaris.

8 SENATOR GIANARIS: Can we now take
9 up previously adopted Resolution 392, by
10 Senator Griffo, read its title, and recognize
11 Senator Griffo.

12 ACTING PRESIDENT BAILEY: The
13 Secretary will read.

14 THE SECRETARY: Senate Resolution
15 392, by Senator Griffo, memorializing
16 Governor Kathy Hochul to proclaim May 2023 as
17 Lupus Awareness Month in the State of New York.

18 ACTING PRESIDENT BAILEY: Senator
19 Griffo on the resolution.

20 SENATOR GRIFFO: Thank you,
21 Mr. President.

22 It's a pleasure again to present
23 this resolution that we sponsor to proclaim May
24 as Lupus Awareness Month here in the State of
25 New York.

1 And we have a number of people here,
2 a delegation that is here trying to continue to
3 educate people and raise awareness. This
4 designation recognizes and supports over
5 105,000 New Yorkers, over 1.5 Americans, and
6 5 million people across this globe who suffer
7 from the debilitating effects of lupus.

8 Thousands of people are diagnosed
9 with this disease, a majority of which are women
10 and young people in the prime of their lives.

11 Tragically, there's no cure for
12 lupus at this time, and thousands die each year
13 from this chronic illness.

14 I want to thank Kathleen Arntsen,
15 who's here with her husband Dave, and Ben and
16 Stephanie Churchfield, as well as a group of
17 individuals from across the state.

18 Kathleen has been involved with the
19 Lupus and Allied Diseases Association, and
20 Lupus Agencies of New York, because they do such
21 critical work each and every day. Their efforts
22 improve the quality of life for those suffering
23 from lupus as well as support for the families.
24 And they provide important resources, advocacy,
25 and support to help raise awareness. And that's

1 what we're attempting to do through this
2 resolution.

3 So it's important that we continue
4 these efforts to raise this awareness, to get
5 people talking about lupus, and to understand the
6 crippling effects that this has on people's
7 lives. And the more we continue to do that, the
8 more momentum we can create towards ultimately
9 finding a cure for this dreadful disease.

10 So I encourage all of us to continue
11 to support and raise awareness for this important
12 cause and research, and hopeful that one day, as
13 a result of the efforts of Kathleen and those
14 with her, that we can find the proper treatments
15 and cure that will help provide the relief that
16 is so needed to those who are living with lupus
17 and their families.

18 Mr. President, thank you.

19 ACTING PRESIDENT BAILEY: Thank
20 you, Senator Griffo.

21 Senator Parker on the resolution.

22 SENATOR PARKER: Thank you,
23 Mr. President.

24 I rise to add my voice to
25 Senator Griffo and others who are concerned about

1 this disease that affects so many people in our
2 state and our nation.

3 Lupus is an autoimmune disease,
4 right? Which means that it turns your immune
5 system against you, and so you wind up attacking
6 healthy cells in your own body. This causes
7 inflammation, it causes a lot of pain.

8 One of the problems with lupus is
9 that it looks like other diseases, so oftentimes
10 people who are suffering with lupus don't get the
11 proper diagnosis right away, so they're
12 underdiagnosed or misdiagnosed.

13 This is particularly compounded,
14 again, in Black and Latino communities. Black,
15 Latino and Asian women are the highest instances
16 of lupus in our country and in our state. And so
17 in those cases, again, people are not necessarily
18 getting the proper diagnosis, let alone the
19 proper treatment.

20 We do not do enough in this state to
21 properly fund both research and treatment of
22 lupus. And we just passed a budget -- I know it
23 was one of the things that I raised in our
24 conference. I'm not sure -- and I know we've
25 done some things over the years. We certainly

1 have done more since we've been in the Majority
2 than we have done prior to that.

3 But there's still a long way to go
4 to be at a place where we take this very chronic
5 disease seriously for people. There's a lot of
6 folks in our districts who are suffering with
7 this daily. I have a number of friends and
8 family members who are dealing with it -- again,
9 a lot of times they're not even saying anything
10 because they don't even know -- sometimes it's
11 years before they realize what happened.

12 I have a good friend who actually
13 had a heart attack before she realized -- before
14 she got a proper diagnosis that what she was
15 experiencing was lupus.

16 And one of the other dynamics is
17 that lupus actually manifests itself differently
18 in different patients. And so there's not a
19 consistent, steady set of symptoms that you see
20 people suffering with so you see it right away
21 and you say, oh, that's lupus. Right? So often
22 it takes a lot of time.

23 There's not even a real specialty
24 where there's like a lupintologist -- I'm not
25 even sure what we would call it, but somebody who

1 actually does that. You go to rheumatologists,
2 right, who deal with inflammation in your body,
3 right, and a lot of the times all they're dealing
4 with is the actual inflammation. It's not
5 necessarily a set of diagnoses and treatments
6 that deal with the actual disease, but most of
7 the time just the symptoms.

8 We have a lot of work to do here,
9 folks. A lot of work. And again, this is
10 something that goes across districts, goes across
11 party lines, goes across race, religion, creed
12 and culture.

13 And so, again, we should use this
14 month as a time to again to commit ourselves to
15 trying to, in the State of New York, really not
16 just address the symptoms that people are having,
17 but really put the resources forward and direct
18 our attention towards ridding our community and
19 our state of this painful chronic disease that
20 you'll see.

21 Again, I continue to wear the purple
22 scarf because purple is also the color for lupus.
23 You'll also see a lot of times the symbol being a
24 purple butterfly because of a like kind of
25 rosacea symptom that you'll see on people's faces

1 that resembles the shape of a butterfly.

2 Lupus warriors out there, please
3 know that there are people here who are fighting
4 with you. And please let us know what we can
5 do. I have in past years passed a license plate
6 bill, where we have a lupus license plate. And
7 so that -- the money from that license plate goes
8 into a fund that funds research on curing lupus.

9 But we need to do a lot more. We
10 need to do stuff around mapping. We need to do
11 things in our medical schools to teach our
12 clinicians how to better identify lupus and how
13 to better treat it in our communities. We need
14 more money in our hospitals to provide the kind
15 of relief and work there that people need as
16 they're kind of the, you know, point of purchase
17 place that people are engaging in their
18 healthcare.

19 And so I'm looking forward to
20 working with my colleagues to address this issue
21 now that the budget is done. And again, want to
22 thank my colleague Senator Griffo for bringing
23 this resolution to the floor.

24 Thank you.

25 ACTING PRESIDENT BAILEY: Thank

1 you, Senator Parker.

2 To our guests, I welcome you on
3 behalf of the Senate. We extend to you all of
4 the privileges and courtesies of this house.

5 Please rise and be recognized.

6 (Standing ovation.)

7 ACTING PRESIDENT BAILEY: The
8 resolution was previously adopted on
9 February 7th.

10 Senator Gianaris.

11 SENATOR GIANARIS: Today's
12 resolutions are open for cosponsorship.

13 ACTING PRESIDENT BAILEY: These
14 resolutions are open for cosponsorship. Should
15 you choose not to be a cosponsor, please notify
16 the desk.

17 Senator Gianaris.

18 SENATOR GIANARIS: Please take up
19 the calendar.

20 ACTING PRESIDENT BAILEY: The
21 Secretary will read.

22 THE SECRETARY: Calendar Number
23 147, Assembly Print Number 3158A, by
24 Assemblymember Bores, an act to amend the
25 Education Law.

1 ACTING PRESIDENT BAILEY: Read the
2 last section.

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

5 ACTING PRESIDENT BAILEY: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BAILEY: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar Number 147, voting in the negative:
12 Senator Skoufis.

13 Ayes, 60. Nays, 1.

14 ACTING PRESIDENT BAILEY: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 185, Senate Print 156, by Senator Krueger, an act
18 to amend the Executive Law.

19 ACTING PRESIDENT BAILEY: Read the
20 last section.

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

23 ACTING PRESIDENT BAILEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BAILEY: Announce
2 the results.

3 THE SECRETARY: Ayes, 61.

4 ACTING PRESIDENT BAILEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 206, Senate Print 2084, by Senator Harckham, an
8 act to amend the Domestic Relations Law and the
9 Family Court Act.

10 ACTING PRESIDENT BAILEY: Read the
11 last section.

12 THE SECRETARY: Section 4. This
13 act shall take effect on the 90th day after it
14 shall have become a law.

15 ACTING PRESIDENT BAILEY: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BAILEY: Announce
19 the results.

20 THE SECRETARY: In relation to
21 Calendar Number 206, voting in the negative:
22 Senator Walczyk.

23 Ayes, 60. Nays, 1.

24 ACTING PRESIDENT BAILEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 243, Senate Print 985, by Senator Rivera, an act
3 to amend the Public Health Law.

4 ACTING PRESIDENT BAILEY: Read the
5 last section.

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

8 ACTING PRESIDENT BAILEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BAILEY: Announce
12 the results.

13 THE SECRETARY: Ayes, 61.

14 ACTING PRESIDENT BAILEY: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 332, Senate Print 3348, by Senator Fernandez, an
18 act to amend the Public Health Law.

19 ACTING PRESIDENT BAILEY: Read the
20 last section.

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

23 ACTING PRESIDENT BAILEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BAILEY: Senator
2 Fernandez to explain her vote.

3 SENATOR FERNANDEZ: Thank you,
4 Mr. President.

5 This bill would enable OASAS to
6 develop or utilize existing educational materials
7 to be provided to general hospitals to give
8 patients with substance use disorders, or who
9 appear to have or be at risk of a substance use
10 disorder during the discharge process.

11 It also requires that hospitals are
12 to offer treatment, including medication-assisted
13 treatment, to the individual within 72 hours, and
14 requires that every hospital shall immediately
15 address symptoms of withdrawal.

16 If the individual should refuse
17 services, then the hospital must actually connect
18 individuals in need of substance use disorder
19 services to an appropriate service provider,
20 including a hypodermic syringe and needle
21 exchange program.

22 Hospitals must also make the
23 patients aware of the substance use disorder
24 treatment services that are available to them,
25 and if requested, connect the individual to the

1 appropriate services.

2 According to the CDC, over
3 81,000 drug overdose deaths occurred in the
4 United States in the last 12 months ending in
5 May 2020. This is the highest number of
6 overdoses within a 12-month period. The latest
7 numbers suggest an acceleration of overdoses
8 during the COVID-19 pandemic.

9 We need to do more to help those who
10 are suffering with substance use disorder get
11 connected to the help they need. There should be
12 no wrong door to enter treatment. If someone is
13 admitted to the hospital at risk of suffering
14 from addiction, everything should be done to make
15 sure that the individual gets connected to the
16 services that can help them.

17 This legislation seeks to prevent
18 overdose deaths and assist those who are seeking
19 treatment to find providers by requiring that
20 general hospitals provide education and
21 connection with service providers.

22 And I vote aye, and I hope that
23 everyone here does too. Thank you.

24 ACTING PRESIDENT BAILEY: Senator
25 Fernandez to be recorded in the affirmative.

1 Announce the results.

2 THE SECRETARY: Ayes, 61.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 366, Senate Print 622, by Senator Kavanaugh, an
7 act to amend the Executive Law.

8 ACTING PRESIDENT BAILEY: Read the
9 last section.

10 THE SECRETARY: Section 2. This
11 act shall take effect on the 180th day after it
12 shall have become a law.

13 ACTING PRESIDENT BAILEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BAILEY: Announce
17 the results.

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT BAILEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 599, Senate Print 5706, by Senator Kennedy, an
23 act to amend the Real Property Actions and
24 Proceedings Law.

25 ACTING PRESIDENT BAILEY: Read the

1 last section.

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

4 ACTING PRESIDENT BAILEY: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BAILEY: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar 599, those Senators voting in the
11 negative are Senators Ashby, Borrello,
12 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
13 Lanza, Martins, Mattera, Murray, Oberacker,
14 O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec,
15 Tedisco, Walczyk, Weber and Weik.

16 Ayes, 40. Nays, 21.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 600, Senate Print 5881, by Senator Skoufis, an
21 act to amend the Real Property Law.

22 SENATOR PALUMBO: Lay it aside.

23 ACTING PRESIDENT BAILEY: Lay it
24 aside.

25 THE SECRETARY: Calendar Number

1 604, Senate Print 4936, by Senator Parker, an act
2 to amend the Real Property Tax Law.

3 ACTING PRESIDENT BAILEY: Read the
4 last section.

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

7 ACTING PRESIDENT BAILEY: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BAILEY: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar Number 604, those Senators voting in the
14 negative are Senators Canzoneri-Fitzpatrick,
15 Martinez, Martins, Murray, Rhoads, Rolison, Weber
16 and Weik.

17 Ayes, 53. Nays, 8.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 632, Senate Print 5896, by Senator Breslin, an
22 act to amend the Insurance Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BAILEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BAILEY: Announce
6 the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT BAILEY: The bill
9 is passed.

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

12 SENATOR GIANARIS: Thank you,
13 Mr. President.

14 Can we move on to the controversial
15 calendar, please.

16 ACTING PRESIDENT BAILEY: The
17 Secretary will ring the bell.

18 The Secretary will read.

19 THE SECRETARY: Calendar Number
20 600, Senate Print 5881, by Senator Skoufis, an
21 act to amend the Real Property Law.

22 ACTING PRESIDENT BAILEY: Senator
23 Walczyk, why do you rise?

24 SENATOR WALCZYK: I rise because
25 I'm hoping, Mr. President, that the sponsor would

1 yield for some questions.

2 ACTING PRESIDENT BAILEY: Would the
3 sponsor yield?

4 SENATOR SKOUFIS: Of course.

5 ACTING PRESIDENT BAILEY: The
6 sponsor yields.

7 SENATOR WALCZYK: Through you,
8 Mr. President. The current law requires the
9 owner of a trailer park to notify the residents
10 if they're going to sell to a developer who's
11 going to turn that trailer park into something
12 other than a trailer park. Is that correct?

13 SENATOR SKOUFIS: That's correct.

14 SENATOR WALCZYK: And through you,
15 Mr. President, if the sponsor will continue to
16 yield.

17 ACTING PRESIDENT BAILEY: Will the
18 sponsor yield?

19 SENATOR SKOUFIS: Yes.

20 ACTING PRESIDENT BAILEY: The
21 sponsor yields.

22 SENATOR WALCZYK: And on receipt of
23 that notice, renters or their association have
24 the option to purchase the park to preserve it as
25 a park and preserve their residency as it sits.

1 Is that correct?

2 SENATOR SKOUFIS: That's correct.

3 If -- in lieu of an association, it's greater
4 than 50 percent of the residents, yes.

5 SENATOR WALCZYK: Thanks for that
6 clarification.

7 Through you, Mr. President, would
8 the sponsor continue to yield.

9 ACTING PRESIDENT BAILEY: Will the
10 sponsor yield?

11 SENATOR SKOUFIS: Yes.

12 ACTING PRESIDENT BAILEY: The
13 sponsor yields.

14 SENATOR WALCZYK: This bill that
15 you're proposing today lengthened the time for
16 that right of first refusal that residents
17 currently enjoy to 140 days. Is that correct?

18 SENATOR SKOUFIS: Through you,
19 Mr. President, we actually amended last year's
20 version so that I believe now the time limit is
21 60 days, down from 140.

22 SENATOR WALCZYK: Through you,
23 Mr. President, if the sponsor would continue to
24 yield.

25 ACTING PRESIDENT BAILEY: Will the

1 sponsor yield?

2 SENATOR SKOUFIS: Yes.

3 ACTING PRESIDENT BAILEY: The
4 sponsor yields.

5 SENATOR WALCZYK: I refer to
6 Section -- so Section 3 of the current law, but
7 it's here in your bill, you go down to (v), that
8 the manufactured homeowner's association, a
9 cooperative, or manufactured -- I'm looking at
10 page 2, line starting 54. "That the manufactured
11 homeowners' association, a cooperative, or
12 manufactured home owners or tenants have 140 days
13 to exercise their right to purchase the park" in
14 accordance with that section.

15 Is that something that was missed,
16 or am I reading this wrong that that's 140 days
17 for the right of first refusal?

18 SENATOR SKOUFIS: Through you,
19 Mr. President, if you can repeat what line that
20 was on page 2.

21 But I will also --

22 SENATOR WALCZYK: Page 2, line 54.

23 SENATOR SKOUFIS: While I've got
24 counsel looking at that, I'll just point out that
25 on page 3, line 3, and page 3, line 32, you'll

1 note that the time limit is 60 days.

2 We'll have to take a look at what
3 you're referring to. But the two references I
4 noted make it clear that it is 60 days.

5 SENATOR WALCZYK: And through you,
6 Mr. President, would the sponsor continue to
7 yield.

8 ACTING PRESIDENT BAILEY: Will the
9 sponsor yield?

10 SENATOR SKOUFIS: Yes.

11 ACTING PRESIDENT BAILEY: The
12 Senator yields.

13 SENATOR WALCZYK: The Governor has
14 vetoed this bill in the past and says that she
15 discussed changes with the legislator that
16 carried it.

17 I think it was you that carried this
18 bill prior, when it was vetoed. Were those --
19 did you have those discussions? And were the
20 Governor's concerns addressed here?

21 SENATOR SKOUFIS: Through you,
22 Mr. President, yes, we had those conversations
23 towards the end of last year. I was actually
24 optimistic we would be able to get to an
25 agreement. I think, quite frankly, we just ran

1 out of time in the calendar.

2 And this is an attempt -- we did
3 amend the bill, as I noted before, to try and
4 address some of the concerns in the veto message
5 and some of the concerns raised in chapter
6 amendment conversations.

7 And so yes, this is a slightly
8 amended version from last year when a comparable
9 bill passed by a 59-4 vote here in this chamber.

10 SENATOR WALCZYK: And through you,
11 Mr. President, if the sponsor would continue to
12 yield.

13 ACTING PRESIDENT BAILEY: Will the
14 sponsor yield?

15 SENATOR SKOUFIS: Yes.

16 ACTING PRESIDENT BAILEY: The
17 sponsor yields.

18 SENATOR WALCZYK: Do we anticipate
19 the Governor will sign this version? Has she
20 signaled any kind of -- have you addressed the
21 concerns to her content?

22 SENATOR SKOUFIS: Through you,
23 Mr. President, I can't -- I can't predict that
24 there won't be any new concerns that come up from
25 the Executive if it gets that far.

1 But we do feel that we addressed
2 many of the issues that came up in those
3 conversations.

4 SENATOR WALCZYK: Through you,
5 Mr. President, if the sponsor would continue to
6 yield.

7 ACTING PRESIDENT BAILEY: Will the
8 sponsor yield?

9 SENATOR SKOUFIS: Yes.

10 ACTING PRESIDENT BAILEY: The
11 sponsor yields.

12 SENATOR WALCZYK: One of the
13 concerns that the Governor shared in her veto
14 message was that there was no mechanism of
15 enforcement during the lengthening of time. It
16 was then 140 days. I think there may be an
17 error, but we're waiting on a clarification.
18 Your intent seems to be to shorten that to
19 60 days in this bill.

20 Has that mechanism of enforcement
21 been addressed at all to make sure that the
22 residents are taken care of in that time in
23 between?

24 SENATOR SKOUFIS: Yes.

25 And if you'll note, subsection 6

1 does exactly that.

2 SENATOR WALCZYK: And through you,
3 Mr. President, would the sponsor continue to
4 yield.

5 ACTING PRESIDENT BAILEY: Will the
6 sponsor yield?

7 SENATOR SKOUFIS: Yes.

8 ACTING PRESIDENT BAILEY: The
9 sponsor yields.

10 SENATOR WALCZYK: I will get to
11 subsection 6 in just a moment.

12 But in Section 3, which outlines
13 what has to be in the notice that goes out to the
14 residents of a park, that includes the right of
15 residents to organize -- in current law, it
16 includes the right of residents to organize the
17 terms of the sale before them, the financing
18 options that would be available to the residents
19 should they choose to purchase the park rather
20 than let the purchase deal go through, and also
21 the price.

22 If the price changes within --
23 whether it's 140 days or 60 days, if the price
24 changes within that time period, would a new
25 notice have to go out to residents?

1 SENATOR SKOUFIS: Yes. And I'll
2 also note that none of what you're describing we
3 are looking to change from existing law.

4 SENATOR WALCZYK: Through you,
5 Mr. President, if the sponsor would continue to
6 yield.

7 ACTING PRESIDENT BAILEY: Will the
8 sponsor yield?

9 SENATOR SKOUFIS: Yes.

10 ACTING PRESIDENT BAILEY: The
11 sponsor yields.

12 SENATOR WALCZYK: I'll now point to
13 Section 6. So this describes "Owners of
14 manufactured homes, a manufactured homeowners
15 association, or any other impacted party may
16 bring an action for injunctive relief, actual
17 damages, and attorneys' fees and costs for any
18 violation of this section."

19 When we're talking about any other
20 impacted party, would that be any resident of the
21 park that doesn't necessarily own the
22 manufactured home or trailer?

23 SENATOR SKOUFIS: The intent is
24 that that would include them, yes.

25 SENATOR WALCZYK: Through you,

1 Mr. President, if the sponsor would continue to
2 yield.

3 ACTING PRESIDENT BAILEY: Will the
4 sponsor yield?

5 SENATOR SKOUFIS: Yes.

6 ACTING PRESIDENT BAILEY: The
7 sponsor yields.

8 SENATOR WALCZYK: So a family
9 member who lives in the park part-time, would it
10 include a family member who isn't necessarily a
11 year-round resident?

12 SENATOR SKOUFIS: Counsel advises
13 that the bill obviously, as you note, it doesn't
14 exactly speak to that, at least explicitly.

15 But if they can make a viable case
16 that they would be an impacted party, then
17 certainly, you know, anyone can bring a suit. At
18 the end of the day, a judge in a court gets to
19 determine whether they're an impacted party
20 according to this provision.

21 SENATOR WALCZYK: Thank you.

22 Mr. President, on the bill.

23 ACTING PRESIDENT BAILEY: Senator
24 Walczyk on the bill.

25 SENATOR WALCZYK: So that was

1 exactly my concern. And that last line there,
2 for those who are listening, anyone can bring a
3 suit.

4 Real estate deals in New York
5 State -- they don't need more delays and more red
6 tape. Trailer park owners are concerned about
7 the costs of providing services and keeping lease
8 prices down so that they can keep their parks
9 full.

10 Allowing anyone to sue an owner who
11 is considering selling to someone who may be very
12 interested in investing in that park, in
13 improving that park, isn't going to improve the
14 life of the residents there.

15 You're saying that one person who is
16 not content with the deal and sees this as
17 damaging to that one individual in the park --
18 who may even be a part-time resident and doesn't
19 own a manufactured home or trailer in that
20 park -- can now sue the owner of that park
21 because they don't like the deal that's going
22 through.

23 It's not very democratic. And it's
24 also not what's good for the residents of any
25 particular park.

1 But what is -- who is it good for?
2 Well, as you heard the sponsor say, anyone can
3 sue. So you can imagine the lawyers will get
4 paid. And who will they get paid by? The owner
5 of the park. What will the owner of the park do
6 in order to make up for that suit? Well, they'll
7 have to raise rent on the very residents in the
8 park in order to pay that legal fee.

9 Fewer parks will be invested in as a
10 result of this. Lease and rent prices will go up
11 will go up as a result of this. And this will
12 damage the exact people that it purports to help.

13 Mr. President, I will be voting no,
14 and I encourage my colleagues to do the same.

15 ACTING PRESIDENT BAILEY: Are there
16 any other Senators wishing to be heard?

17 Seeing and hearing none, debate is
18 closed.

19 Senator Gianaris.

20 SENATOR GIANARIS: Mr. President,
21 we've agreed to restore this to the
22 noncontroversial calendar.

23 Please take it up there.

24 ACTING PRESIDENT BAILEY: The bill
25 will be restored to the noncontroversial

1 calendar.

2 Read the last section.

3 THE SECRETARY: Section 2. This
4 act shall take effect on the 180th day after it
5 shall have become a law.

6 ACTING PRESIDENT BAILEY: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BAILEY: Senator
10 Skoufis to explain his vote.

11 SENATOR SKOUFIS: Thanks very much,
12 Mr. President. And I appreciate my colleague's
13 line of questions.

14 But I do need to correct just a
15 factually incorrect statement that was just made
16 where my colleague claimed that anyone could just
17 sue -- and he implied successfully sue -- if they
18 just don't like the deal that is on the table
19 here. And that is just simply not what
20 subsection 6 reads.

21 There needs to be a violation of the
22 section. And the section does not speak to good
23 deals or bad deals, right price points, wrong
24 price points. The section very clearly just lays
25 out the steps that must be taken: Notice,

1 windows, who can purchase.

2 And so unless there is a violation
3 of that section -- you know, yes, anyone can sue
4 for anything. We live in the United States of
5 America. But for that lawsuit to be successful,
6 there needs to be a violation of the section.
7 And what my colleague was suggesting is just not
8 based in reality in this legislation.

9 I vote yes. Thank you.

10 ACTING PRESIDENT BAILEY: Senator
11 Skoufis to be recorded in the affirmative.

12 Announce the results.

13 THE SECRETARY: In relation to
14 Calendar 600, those Senators voting in the
15 negative are Senators Ashby, Borrello,
16 Canzoneri-Fitzpatrick, Griffo, Helming, Martins,
17 Murray, O'Mara, Rhoads, Walczyk, Weber and Weik.

18 Ayes, 49. Nays, 12.

19 ACTING PRESIDENT BAILEY: The bill
20 is passed.

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

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

25 ACTING PRESIDENT BAILEY: There is

1 no further business at the desk.

2 SENATOR GIANARIS: I move to
3 adjourn until Monday, May 8th, at 3:00 p.m.,
4 intervening days being legislative days.

5 ACTING PRESIDENT BAILEY: On
6 motion, the Senate stands adjourned until Monday,
7 May 8th, at 3:00 p.m., with intervening days
8 being legislative days.

9 (Whereupon, at 12:33 p.m., the
10 Senate adjourned.)

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